

# **2017 State of Texas Consolidated Plan One-Year Action Plan**



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Prepared by:

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# Executive Summary

## AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

### 1. Introduction

The 2017 One-Year Action Plan ("OYAP") applies to those actions of the Texas Department of Housing and Community Affairs ("TDHCA"), the Texas Department of Agriculture ("TDA"), and the Texas Department of State Health Services ("DSHS"), relating to the activities of those three state agencies involving the administration of ongoing HUD programs. Those agencies are collectively referred to herein as the "State." The OYAP reports on the intended use of funds received by the State of Texas from the U.S. Department of Housing and Urban Development ("HUD") for Program Year ("PY") 2017. This OYAP is for the HOME Investment Partnerships ("HOME") Program, the Emergency Solutions Grant ("ESG") Program, the Community Development Block Grant ("CDBG") Program, the Housing Opportunities for Persons with AIDS ("HOPWA") Program, and the National Housing Trust Fund ("NHTF"). The 2017 PY for HUD program activity begins on February 1, 2017, and ends on January 31, 2018. The performance report on PY 2015 funds was submitted to HUD in April 2016.

### 2. Summarize the objectives and outcomes identified in the Plan

The 2017 OYAP:

1. Reports on the intended use of funds received by the State from HUD for PY 2017;
2. Explains the State's method for distributing CDBG, ESG, HOME, HOPWA, and NHTF program funds; and
3. Provides opportunity for public input on the development of the annual plan.

The State's progress in achieving the goals put forth in the OYAP will be measured according to HUD guidelines (24 CFR §91.520) and outlined in the Annual Performance Report released yearly in May. In accordance with the guidelines from HUD, the State utilizes the Community Planning and Development ("CPD") Outcome Performance Measurement System. Program activities are categorized into the objectives and outcomes listed in the CPD Outcome Performance Measurement System table below.

The objectives and outcomes as they apply to each of the four programs are listed below. The estimated performance figures are based on planned performance during the PY (February 1st through January 31st) of contracts committed and projected households to be served based on estimated availability of funds. In contrast, the performance measures reported to the Texas Legislative Budget Board for the State Fiscal Year ("SFY" - September 1st through August 31st) are based on anticipated units and households at time of award.

The objectives, outcomes, and activity budgets in this Action Plan will be proportionally increased or decreased from the estimated levels included herein once the PY 2017 allocation notice is received from HUD. Additionally, if the 2017 HOME allocation is reduced by 20% or more from the 2016 allocation levels, TDHCA will not propose a 2017 HOME Program goal for single family homebuyer assistance activities, and other single family activity goals will be adjusted accordingly. However, it should be noted that TDHCA may take future action to add program income to this program year, or reprogram deobligated funding or other available HOME funding for this activity or increase funding for other activities in this plan. If ESG has a decrease of 25% or more in its 2017 annual allocation compared to 2016, then TDHCA may incentivize in its 2017 ESG NOFA, street outreach and homelessness prevention activities.

<b>OBJECTIVES</b>	<b>OUTCOME 1 Accessibility</b>	<b>OUTCOME 2 Affordability</b>	<b>OUTCOME 3 Sustainability</b>
OBJECTIVE #1 Suitable Living Environment	Enhance Suitable Living Environment Through Improved/New Accessibility (SL-1)	Enhance Suitable Living Environment Through Improved/New Affordability (SL-2)	Enhance Suitable Living Environment Through Improved/New Sustainability (SL-3)
OBJECTIVE #2 Decent Housing	Create Decent Housing with Improved/New Availability (DH-1)	Create Decent Housing with Improved/New Affordability (DH-2)	Create Decent Housing with Improved/New Sustainability (DH-3)
OBJECTIVE #3 Economic Opportunity	Provide Economic Opportunity Through Improved/New Accessibility (EO-1)	Provide Economic Opportunity Through Improved/New Affordability (EO-2)	Provide Economic Opportunity Through Improved/New Sustainability (EO-3)

**Table 1 - CPD Outcome Performance Measurement System**

<b>Outcomes and Objectives</b>	<b>HOME Performance Indicators</b>	<b>Expected Number</b>
DH-2	No. of rental units assisted through new construction and rehabilitation	93
DH-2	No. of tenant-based rental assistance	382
DH-2	No. of existing homeowners assisted through owner-occupied assistance	58
DH-2	No. of homeowners assisted through homebuyer assistance	84

**Table 2 - HOME Program Performance Measures, PY 2017**

<b>Outcomes and Objectives</b>	<b>ESG Performance Indicators</b>	<b>Expected Number</b>
SL-1	Provide funding to support the provision of emergency and/or transitional shelter to homeless persons.	9,062
DH-2	Provide non-residential services including homelessness prevention assistance.	3,936

**Table 3 - ESG Performance Measures, PY 2017**

<b>Objectives and Outcomes</b>	<b>CDBG Performance Indicators</b>	<b>Expected Number</b>
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Objectives and Outcomes	CDBG Performance Indicators	Expected Number
SL-1	Infrastructure Improvements	220
SL-2	Infrastructure Improvements	10
SL-3	Infrastructure Improvements	65
SL-1	Residential Rehabilitation	50
DH-3	Residential Rehabilitation	2
DH-2	Homeownership Assistance	0
SL-1	Community Facilities	8
SL-1	Public Service	0
SL-1	Clearance Demolition Activities	5
EO-1	Direct Financial Assistance	32
EO-2	Direct Financial Assistance	5
EO-3	Infrastructure Improvements to Assist Businesses	30

**Table 4 - CDBG Performance Measures, PY 2017**

Outcomes and Objectives	HOPWA Performance Indicators	Expected Number
DH-2	TBRA housing assistance	467
DH-2	Short-term rent, mortgage, and utility	433
DH-2	Supportive Services (restricted to housing case mgt., smoke detectors, and phone service)	900
DH-1	Permanent Housing Placement (security deposits, application fees, and credit checks)	25

**Table 5 - HOPWA Performance Measures, PY 2017**

Outcomes and Objectives	NHTF Performance Indicators	Expected Number
DH-2	No. of rental units assisted through new construction	0
DH-2	No. of homeowners assisted through homebuyer assistance	0

**Table 6 - NHTF Performance Measures, PY 2017**

### 3. Evaluation of past performance

The information below is for HOME, ESG, CDBG, and HOPWA for PY 2015 (February 1, 2015 to January 31, 2016). Because NHTF was a new program for PY2016, past performance data is not available.

#### HOME Evaluation of Past Performance

TDHCA's HOME program committed \$43,353,893 in program funds through seven different types of HOME Program activities in PY 2015, representing assistance to 1,240 households. Details on the amount committed in each activity type are included in the chart below.

#### ESG Evaluation of Past Performance

ESG is expended by Federal Fiscal Year (10/1-9/30). TDHCA evaluated ESG funds committed versus funds expended by activity for PY 2015, a time period that consists of half of Federal Fiscal Year 2014 (2/1/2014-9/30/2015) and Federal Fiscal Year 2015 (10/1/2015-1/31/2016). Based on TDHCA’s ESG analysis, the amounts estimated per activity needed adjustment. The 2015 projections were based on funding planned to be spent on each activity, but projections starting in 2016 are based on funding that was spent on each activity. Rapid re-housing has historically cost almost double the amount per person than homelessness prevention, and almost ten times the amount per person than emergency shelter or street outreach.

**CDBG Evaluation of Past Performance**

During PY 2015, the Texas CDBG Program committed a total of \$74,528,716 through 259 awarded contracts. For contracts that were awarded in PY 2015, 511,629 persons were anticipated to receive service. The Colonia Self Help centers, overseen by TDHCA’s Office of Colonia Initiatives, awarded two contracts in 2015, totaling \$1,700,000 and benefitting 6,669 persons. Distribution of the funds by activity is described in the table below.

**HOPWA Evaluation of Past Performance**

In PY 2015, the DSHS HOPWA program served 457 households with TBRA (103% of the OYAP goal), 386 households with STRMU assistance (82% of the OYAP goal), and 18 households with Permanent Housing Placement (“PHP”) assistance (128% of the OYAP goal) for a total of 817 unduplicated households. Of the total households served, 792 also received HOPWA-funded Supportive Services (87% of the OYAP goal). All HOPWA clients receive housing supportive services at some level, but some costs were leveraged with other funding sources. Client outcome goals for housing stability, reducing homelessness risk, and improving access to care were also achieved. (Subtotaled and/or totaled dollar amounts may not be exact due to all expenses are reported to two decimal points but are rounded to nearest whole dollar for the HOPWA chart.)

<b>HOME Activity</b>	<b>Total Committed</b>
Homebuyer Assistance	\$1,598,283.94
Homeowner Rehabilitation	\$17,715,798.05
Tenant-Based Rental Assistance	\$3,147,580
CHDO Rental Development	\$0
CHDO Single Family Development	\$875,816
CHDO Operating Expenses	\$50,000
Rental Housing Development	\$7,050,000

**Table 7 - HOME Commitments by Activity, PY 2015**

<b>ESG Activity</b>	<b>Total Funds Expended</b>
Street Outreach	\$577,856
Emergency Shelter	\$3,148,346
Homelessness Prevention	\$1,932,660
Rapid Re-Housing	\$2,719,777

ESG Activity	Total Funds Expended
Homeless Management Information Systems	\$458,905
Administration	\$274,682
Total	\$9,112,226

**Table 8 - ESG Fund Expenditures by Activity, PY 2015**

CDBG Fund	Total Obligation
Community Development Fund	\$36,923,015
Texas Capital Fund	\$10,914,830
Colonia Planning and Construction Fund	\$3,948,986
Colonia Economically Distressed Areas Program Fund	\$2,034,326
Colonia Self-Help Centers	\$1,700,000
Planning / Capacity Building	\$689,120
Disaster Relief/ Urgent Need	\$2,446,820
STEP Fund	\$1,866,793
Administration (including TA) 3%	\$1,794,993
Admin - \$100k (in addition to the 3%)	\$100,000
Total	\$59,833,115
*The Colonia Self Help Centers allocated \$1,700,000 in PY2015	

**Table 9 - CDBG Funds Committed, PY 2015**

HOPWA Activity	Amount
Expenditures for Housing Information Services	\$0
Expenditures for Resource Identification	\$0
Expenditures for Housing Assistance (equals the sum of all sites and scattered-site Housing Assistance)	\$2,057,608
Expenditures for Supportive Services	\$411,067
Grantee Administrative Costs expended	\$87,679
Project Sponsor(s) Administrative Costs expended	\$144,996

**Table 10 - HOPWA Program Expenditures, PY 2015**

#### **4. Summary of Citizen Participation Process and consultation process**

The State is committed to reaching out to and engaging in dialogue with the public in order to develop programmatic activities that are responsive to the various affordable housing needs of Texans. The State also solicits and receives input from governmental bodies, nonprofits, and community and faith-based groups. More information on the citizen participation, consultation, and public comment are included in the Consultation and Participation sections of the Plan.

The 2015-2019 Consolidated Plan, as adopted, substantial amendments, the OYAP, and the Consolidated Plan Annual Performance and Evaluation Report (“CAPER”) will be available to the public online at <http://www.tdhca.state.tx.us> and will have materials accessible to persons with disabilities, upon request.

The State recognizes that public participation and consultation are ongoing processes. During the development of the 2015-2019 Consolidated Plan, comprehensive outreach was conducted to gather input. This outreach continues through the development of each Annual Action Plan within the 5-year consolidated planning process. Following the release of HUD's Final Rule to Affirmatively Further Fair Housing, the State is undertaking to update the Citizen Participation Plan and Language Access Plan, as the State works towards the development of the Assessment of Fair Housing, anticipated to be due to HUD in approximately May 2019.

## **5. Summary of public comments**

Following the release of the Draft 2017 OYAP, the Public Comment period was open from November 11, 2016, through December 15, 2016, and a public hearing was held on December 6, 2016, in Austin, TX. Public comment was solicited in person at the public hearing, in writing by email, fax, or mail. The State received three total comments from the following 10 organizations: Accessible Housing Austin!, Accessible Housing Resources, Inc., ADAPT of Texas, Coastal Bend Center for Independent Living, Coalition of Texans with Disabilities, Lifeworks, Motivation, Education & Training, Inc., Personal Attendants Coalition of Texas, Texas Association of Community Development Corporations, and the Texas State Independent Living Council. A summary of the comments received and reasoned responses are provided in *Attachment A: Public Comment and Reasoned Responses*.

A revised Draft 2017 OYAP was released for public comment from May 12, 2017, through June 12, 2017. Public comment was solicited in writing by email, fax, or mail. No public comments were received during the second round of public comment.

## **6. Summary of comments or views not accepted and the reasons for not accepting them**

A summary of the comments received and reasoned responses are provided in *Attachment A: Public Comment and Reasoned Responses*.

## **7. Summary**

The consolidated planning process occurs once every five years, so creating a comprehensive 2015-2019 Consolidated Plan was vital for CDBG, HOME, ESG, HOPWA, and NHTF. Because of the Consolidated Plan's authority to govern these programs, research from multiple sources, including other government plans, peer-reviewed journals, news sources, and fact sheets were used; valuable public input was gathered through roundtable meetings, council/workgroup meetings, public hearings, online surveys, and an online forum; and an expansive public input process was included in the development of the Consolidated Plan. The 2015-2019 Consolidated Plan is now carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that the State plans to use each year to address the priority needs and specific goals identified by the Consolidated Plan.

## PR-05 Lead & Responsible Agencies - 91.300(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency/Role	Department/Agency
CDBG Administrator	Texas Department of Agriculture
HOPWA Administrator	Texas Department of State Health Services
HOME Administrator	Texas Department of Housing and Community Affairs
ESG Administrator	Texas Department of Housing and Community Affairs
NHTF Administrator	Texas Department of Housing and Community Affairs

**Table 11 – Responsible Agencies**

### Narrative

TDHCA administers the ESG Program, National Housing Trust Fund, and the HOME Program; the TDA administers the CDBG Program; and DSHS administers the HOPWA Program. All of these programs, known collectively as Community Planning and Development (“CPD”) Programs, are covered in the 2017 OYAP. TDHCA coordinates among itself, TDA, and DSHS the development of the OYAP.

### Key Organizational Events

In 1991, the 72nd Texas Legislature created TDHCA. TDHCA’s enabling legislation combined programs from the Texas Housing Agency, the Texas Department of Community Affairs, and the Community Development Block Grant Program from the Texas Department of Commerce. Effective September 1, 2002, in accordance with Senate Bill 322, the Manufactured Housing Division became an independent entity administratively attached to TDHCA.

At that time the CDBG Program was transferred from TDHCA to the newly-created Office of Rural Community Affairs, later called the Texas Department of Rural Affairs, and was then subsequently moved to TDA. As of October 1, 2011, the program is administered by TDA. Through an interagency agreement with TDA, TDHCA administers 2.5% of the CDBG funds which are designated for the Self Help Centers (“SHCs”) along the Texas-Mexico border. DSHS administers HOPWA.

With the exception of the Section 8 Housing Choice Voucher Program, TDHCA, TDA, and DSHS administer their programs and services through a network of organizations across Texas and do not typically fund individuals directly. Depending on the program, organizations include units of local government, councils of governments, nonprofit organizations, for-profit organizations, Administrative Agencies (“AA”), Public Housing Authorities (“PHAs”), and Community Housing Development Organizations (“CHDOs”).

On March 12, 2016, TDHCA was designated by Governor Abbott as the state agency responsible for the administration of funds provided through the National Housing Trust Fund (“NHTF”).

### **Consolidated Plan Public Contact Information**

ESG, HOME, and NHTF Contact Information:

Texas Department of Housing and Community Affairs

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<http://www.tdhca.state.tx.us/>

CDBG Contact Information:

Texas Department of Agriculture, Office of Rural Affairs

PO Box 12847

Austin, TX 78711-2847

(800) 835-5832

<http://texasagriculture.gov/Home/ContactUs.aspx>

HOPWA Contact Information:

Texas Department of State Health Services

DSHS HIV/STD Prevention and Care Branch, HIV Care Services Group, HOPWA Program

PO Box 149347, Mail Code 1873

Austin, TX 78714-9347

(512) 533-3000

<http://www.dshs.state.tx.us/hivstd/hopwa/default.shtm>

## **AP-10 Consultation - 91.110, 91.300(b); 91.315(l)**

### **1. Introduction**

In an effort to gather information from diverse audiences, TDHCA uses different forms of technology to communicate efficiently, including online surveys, forums, social media, and email distribution. Online surveys foster an increased response rate of participants as well as facilitating data analysis, as illustrated in the ESG electronic survey, described below. Also, online forums are used in the development of program rules and distribution methods. Online forums are advertised at workgroups and committees as well as on social media. The availability of all these methods is communicated primarily via the TDHCA website, opt-in email distribution lists, and social media.

An online presence allows TDHCA to reach out to encourage participation and consultation. The Policy and Public Affairs Division of TDHCA has implemented a social media presence, specifically through Twitter, Facebook, YouTube, and Flickr. Numerous tweets and posts were sent out during the public input process on the development of the Plan. Furthermore, TDHCA sends out notices via voluntary email lists, where subscribed individuals and entities can receive email updates on TDHCA information, announcements, and trainings. Use of technology allows fast communication to a large audience.

### **Provide a concise summary of the state's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).**

The Texas Legislature has created the Housing and Health Services Coordinating Council which meets not less than quarterly and carries out a variety of coordinating, educational, analytical, and training efforts. This council is chaired by TDHCA's executive director and has representation from a wide array of agencies that provide health related services, as well as developers and advocates in different relevant sectors. It is supported administratively by TDHCA staff.

The State works to enhance coordination between public and assisted housing providers, and private and governmental health, mental health, and service agencies. For example, TDHCA staff routinely attends inter- and intra-agency meetings to educate and coordinate housing and services, as described in the following sections of the 2015-2019 Consolidated Plan: Strategic Plan Section 35, Anticipated Resources, and Action Plan Section 65, Homeless and Other Special Needs. The State is also a subrecipient of Money Follows the Persons funds via the Department of Aging and Disability Services and of Section 811 funds – in both programs intensive coordination and collaboration is occurring relating to the interplay between health services and housing.

DSHS contracts with seven AAs across the State to provide administrative support in implementing the State's HOPWA formula program. AAs work with HIV Planning Councils in major metropolitan areas and with other organizations and stakeholders outside the major metropolitan areas to develop comprehensive HIV Services plans and needs assessments, which are developed through consultation with clients and other stakeholders through interviews, surveys, focus groups, and/or public hearings. AAs must communicate with stakeholders through disseminating written copies of services plans, posting the plans on the internet, town hall meetings, and advisory groups. Project Sponsors work closely with the local public housing authority offices to identify and establish relationships with other organizations that may have available resources. This ongoing collaboration provides access to organizations and programs, such as the housing choice vouchers; Continuum of Care ("CoC"); community health clinics; churches and private foundations; and Ryan White and HIV Planning Councils. TDHCA launched its new fair housing email list in July 2014. This email list is for persons and organizations who wish to be updated on fair housing-related TDHCA news, event information, and announcements. Because of the time needed to sign up to the email list, other email lists were used to advertise consultations. However, fair housing organizations received notice of the consultations, as evidenced by their participation in the Online Forum and Single Family Roundtables.

TDA consults with local governments both in person and through web-based meetings. As a part of the traditional CDBG planning process, public hearings were held in each of the 24 Council of Government planning regions. Each Regional Review Committee, composed of local elected officials, discussed local funding priorities for the Community Development Fund and adopted scoring criteria to implement those priorities. Additionally, the Texas Rural Health and Economic Development Advisory Council (TRHED) met on September 16, 2015, and May 25, 2016, to discuss rural policy issues, as well as receive updates and proposed program changes for the state CDBG program.

**Provide a concise summary of the state's activities to enhance coordination with local jurisdictions serving Colonias and organizations working within Colonias communities.**

There are two main methods in which TDHCA coordinates its work with other colonia-serving entities. One relates to the Colonia SHC Program which funds specific Texas-border county governments with four-year contracts. Awards and funding associated with this program are reviewed and recommended by a Colonia Resident Advisory Group ("C-RAC"). The other coordination effort relates to a cross-agency effort organized by the Texas Secretary of State that generates structured communications and data collection in conjunction with other state agencies serving colonias with their respective programs.

On a very frequent basis—weekly or more often—TDHCA provides guidance and oversight to the county governments with which TDHCA has executed SHC contracts. Somewhat less often, TDHCA provides guidance and technical assistance to the housing subgrantees with whom respective counties have contracted to achieve specific deliverables per their individualized SHC subcontracts. Every one to two years, TDHCA organizes and implements a workshop for all eligible counties and their subgrantees to review rules and best practices and to exchange other program updates. Periodically, TDHCA convenes a meeting with the C-RAC, which is a group of colonia residents who live in the specific colonias served by the centers. This grass-roots-style committee approves contracts, evaluates county recommendations and provides TDHCA and the counties with guidance on programming and activities in the colonias. Lastly, approximately every two years, TDHCA updates its SHC Program rules, and initiates this process by first soliciting comment from the public at large for critiques of the current rules and suggestions for changes.

As a part of the processes discussed above, TDA met with elected officials from counties serving colonia areas. The local leaders discussed funding priorities for the Community Development Fund, including projects that could serve colonia areas.

On a quarterly basis, TDHCA and TDA convene with several other state agencies that directly serve colonia residents in the areas of utilities infrastructure, transportation infrastructure, water/water water, health services, housing, and consumer issues. This group is called the Colonia Interagency Infrastructure Coordination Work Group and is organized by the Texas Office of the Secretary of State's Colonia Initiatives Program. This group has been meeting regularly since approximately 2007 when Texas passed legislation requiring the systematic identification and classification of Texas colonias, and the tracking of colonia-serving state-funded projects. The overarching goal of the workgroup is to stop the proliferation of colonias and improve the health, safety, and quality of life for colonia residents in the Texas-Mexico border region. By classifying colonias based on their level of infrastructure and access to public health services, various state agencies, and the Texas Legislature are able to prioritize funding and target colonias with critical needs (Texas Office of the Secretary of State, 2010). Besides TDHCA and TDA, other agency members of this work group include the Texas Water Development Board ("TWDB"), the Texas Commission on Environmental Quality, the Texas Department of Transportation, HHSC, and the DSHS.

Further, to promote greater supply of rental housing for colonia residents and to enhance the availability of municipal services to colonias, TDHCA has scoring criteria in its Qualified Allocation Plan for properties proposed in colonias.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

ESG funds are released by Notice of Funding Availability (“NOFA”) for an amount of available funding within each Continuum of Care (“CoC”) region. Applicants within each CoC region either submit an application for ESG funding directly to TDHCA or to their CoC Lead Agency; if submitted to their CoC Lead, it is the CoC Lead that recommends ESG awards to TDHCA for their region. The CoC and ESG Subrecipients are required to interact on a number of levels. For example, the ESG Subrecipient is required to access the CoC’s coordinated access which, per 24 CFR §578 is “designed to coordinate program participant intake assessment and provision of referrals.” In this way, CoCs and ESG Subrecipients work together to address the needs of persons experiencing or at-risk of homelessness.

In 2016, TDHCA held a roundtable in the Wichita Falls/Wise, Palo Pinto, Wichita, and Archer Counties’ CoC with CoC member agencies and anti-poverty service providers to determine how ESG funding could be used. For 2015 and 2016 ESG application cycles, TDHCA received no applications from this CoC.

Specifically for youth, the CoCs member agencies worked for several months in 2015 and 2016 to count and assess the needs of youth experiencing or at-risk of homelessness. Per the 84(R) Texas Legislative Session House Bill 679, TDHCA was required to conduct a count of youth experiencing homelessness. TDHCA contracted with the Texas Network of Youth Services (“TNOYS”) to engage communities to conduct the counts in conjunction with the HUD-required point in time counts or as a stand-alone youth count. As a result of the outreach, the CoC lead agencies or member agencies in 13 Texas communities focused on determining the number of youth experiencing homelessness or housing instability in their communities. The counts resulted in the submission of 1,007 surveys and were part of the statewide initiative called Youth Count Texas! (“YCTX”), conducted from October 2015 to March 2016. The next phase of YCTX includes the analysis of the data collected by YCTX, along with Texas Education Agency (“TEA”), and Department of Family Protective Services (“DFPS”). TDHCA has contracted with the University of Houston to analyze the data and develop a strategic plan to address youth homelessness, per House Bill 679. As part of the outreach to develop the strategic plan, the University of Houston participated in sessions at the TNOYS conference in August 2016, and at the Texas Conference on Ending Homelessness (“TCEH”) in September 2016. The TCEH has the participation of many CoC member agencies.

Specifically for Veterans, TDHCA is conducting a study on Homelessness among Veterans, which is required per 84(R) Texas Legislative Session Senate Bill 1580. The study includes input

received from roundtables at the TCEH in 2015 and at the Texas Veterans Commission Summit in 2016, during which over 100 participants gave recommendations on how to address Veteran homelessness.

In addition, the Texas Interagency Council for the Homeless (“TICH”) meets at least once a year with CoCs. The TICH was created in 1989 by the Texas Legislature to coordinate the State’s homeless resources and services. The TICH created a Youth Workgroup to give input into YCTX and a Veterans Workgroup to provide input into the Study on Homelessness among Veterans. The TICH Youth Workgroup includes DFPS, TEA, Texas Homeless Education Office, Texas Department of Juvenile Justice, and the Texas Health and Human Services Commission. The TICH Veteran Workgroup includes TDHCA, Texas Veteran Commission, Texas Health and Human Services enterprise agencies, Texas State Affordable Housing Corporation, and Texas Homeless Network. The TICH membership as a whole receives regular updates on YCTX and the Study on Homelessness among Veterans.

**Describe consultation with the Continuum(s) of Care that serves the State in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

In October 2016, TDHCA released a draft 2017 ESG NOFA for public comment. During the public comment period, TDHCA anticipates input from the CoCs and ESG subrecipients on how to allocate ESG funds and prioritize scoring, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for HMIS.

The draft 2017 ESG NOFA may include additional points for domestic violence and legal service providers that work to integrate their programs into the CoCs coordinated access/centralized entry system. Several CoC member agencies have communicated to TDHCA that their coordinated access systems function through HMIS. Because domestic violence and legal service providers are not permitted to use HMIS per 24 CFR §576.400(f), those service providers could be excluded from the coordinated access system without a workaround of the current system. Additional points may be available for the purpose of integrating the domestic violence and legal service providers in coordinated access, with the understanding that information entered into an HMIS-comparable database must not be entered directly into or provided to an HMIS.

TDHCA hosted a roundtable to discuss the possibility of instituting sub-regions in the Balance of State CoC region. The Balance of State CoC is the largest CoC with over 200 counties. Through analysis of the last three years of ESG funding cycles, some areas in west and mid Texas have

not received State ESG funding as they are competing against all counties in the BoS region. Currently the Balance of State CoC is the most competitive CoC region for ESG applications, with both the largest number of applicants and the highest-scoring applications. The implementation of regions within the Balance of State may encourage local providers in those areas to apply for ESG funding if the competition was limited to local areas.

TDHCA is working with the CoCs to revise the ESG scoring metrics in conjunction with the CoCs. TDHCA has received feedback that the CoC Program has certain targets for similar activities that are higher than ESG's targets. ESG Subrecipients that are CoC members are getting mixed messages by the HUD CoC Program giving different targets of acceptable percentages of goals reached than TDHCA. TDHCA will reevaluate its ESG Subrecipient performance and compare that performance to HUD's CoC targets to determine scoring criteria for the ESG awards.

Last year, TDHCA released a survey seeking program input from the CoCs. TDHCA plans to host an online forum instead of a survey for the 2017 ESG Program. Notice of the online forum will be sent out via email list announcement.

For 2016 ESG funds, TDHCA identified five CoC Lead Agencies that met specific pre-Application criteria and were used to manage a local competition for 2016 ESG funding: Metro Dallas Homeless Alliance for the Dallas City and County CoC; Tarrant County Homeless Coalition for the Fort Worth/Arlington/Tarrant County CoC; El Paso Coalition for the Homeless for the El Paso City and County CoC; the City of Amarillo for Amarillo CoC; and Coalition for the Homeless of Houston/Harris County for City of Houston/Harris County CoC. TDHCA plans to release a Request for Applications for 2017 ESG Coordinators, which are lead agencies at the CoC that will run a local competition on behalf of TDHCA for ESG funds. In this way, the CoC lead agencies have authority to recommend allocations for ESG program funds and evaluate outcomes for ESG.

TDHCA consults with CoCs through involvement in the TICH and through participation in the TCEH. The TICH held a quarterly meeting on September 21, 2016, in conjunction with this conference. At the meeting, TDHCA sought public input from the TICH and CoC members on coordinated planning around homelessness issues.

## **2. Agencies, groups, organizations and others who participated in the process and consultations**

1	<b>Agency/Group/Organization</b>	TICH
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Health Agency Child Welfare Agency Other government - Federal Other government - State Other government - County Other government - Local
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Input on the 2017 OYAP will be sought at the January 2017 quarterly meeting of the Texas Interagency Council for the Homeless (TICH). The function of the TICH is to coordinate the state's resources and services to address homelessness. TICH serves as an advisory committee to TDHCA. Representatives from eleven state agencies sit on the council along with members appointed by the governor, lieutenant governor, and speaker of the house of representatives.

2	<b>Agency/Group/Organization</b>	Rural Health and Economic Development Advisory Council
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Health Other government - State Other government - County Other government - Local Regional organization Planning organization Business and Civic Leaders
	<b>What section of the Plan was addressed by Consultation?</b>	Economic Development Anti-poverty Strategy CDBG Method of Distribution
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Details on the Rural Health and Economic Development Advisory Council fall meeting will be included in the final 2017 OYAP. Consisting of nine members, this council is tasked with identifying rural policy priorities and reviewing the effectiveness of existing rural programs. The council's Rural Policy plan focused on strategic initiatives for economic and community development, improvements to existing rural health care systems and recommendations for the use and allocation of Community Development Block Grant funding, which is used to make improvements in rural communities across Texas.

**Table 12 – Agencies, groups, organizations who participated**

**Identify any Agency Types not consulted and provide rationale for not consulting**

As indicated in the Introduction, during the ongoing consultation and public participation process, Texas seeks input from a wide range of agency types.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

<b>Name of Plan</b>	<b>Lead Organization</b>	<b>How do the goals of your Strategic Plan overlap with the goals of each plan?</b>
Continuum of Care	Texas Homeless Network	Texas Homeless Network (THN) is a non-profit membership-based organization helping Texas communities prevent and end homelessness. THN provides training and technical assistance around the state of Texas helping service providers and communities better serve the homeless population with the end goal of preventing and ending homelessness.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Pathways Home	TICH	Pathways Home presents findings which indicate that greater coordination of employment and health service resources with local housing programs would expand the State's capacity to prevent and end episodes of homelessness. In response to the study findings, Pathways Home proposes a framework to help more of the State's most vulnerable citizens to enter and remain in safe housing. A report is generated annually by the TICH that serves as a supplement to Pathways Home.

**Table 13 – Other local / regional / federal planning efforts**

**Narrative**

Since the consolidated planning process is an ongoing effort, the State continues to consult with agencies, groups, and organizations through the program year cycles for CDBG, ESG, HOME, NHTF and HOPWA.

## **AP-12 Participation - 91.115, 91.300(c)**

### **1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

#### Encouragement of Public Participation

To reach minorities and non-English speaking residents, the Plan outreach follows TDHCA's Language Access Plan. Also, the notices are available in Spanish and English, per Tex. Gov't Code Chapter 2105. Translators will be made available at public meetings, if requested.

The State encourages the involvement of individuals of low incomes and persons with disabilities in the allocation of funds and planning process through regular meetings, including community-based institutions, consumer workgroups, and councils (many of these meetings are listed in the Strategic Plan Section 35 of the 2015-2019 Consolidated Plan). All public hearing locations are accessible to all who choose to attend. Comments can be submitted either at a public hearing or in writing via mail, fax, or email. Reasonable notice by publication on TDHCA's website at <http://www.tdhca.state.tx.us> will be given, and comments will be received for no less than 30 days after notice is given.

The State notifies residents in areas where CDBG funds are proposed for use by distributing information on public hearings through the CDBG email list from TDA. Information related to the Plan and opportunities for feedback are provided through webinars and web discussions that allowed participation by residents of rural areas without requiring travel to a central location. Regional public hearings held as part of the Regional Review Committee process also encouraged participation by CDBG stakeholders.

#### Public hearings

The Draft 2017 OYAP was released for a 30-day public comment period from November 11, 2016, to December 12, 2016. A public hearing was held in Austin on November 16, 2016. A Revised Draft 2017 OYAP was released for a 30-day comment period from May 12, 2017, to June 12, 2017. Constituents were encouraged to provide input regarding all programs in writing or at the public hearing.

The public hearing schedule was published in the Texas Register and on TDHCA's website at <http://www.tdhca.state.tx.us>, and is advertised by opt-in email distribution and during various workgroups and committee meetings. During the public comment period, printed copies of the draft Plan are available from TDHCA, and electronic copies may be available for download from TDHCA's website.

### Criteria for Amendment to the Consolidated Plan

Substantial amendments will be considered if a new activity is developed for any of the funding sources or there is a change in method of distribution. If a substantial amendment is needed, reasonable notice by publication on TDHCA's website at <http://www.tdhca.state.tx.us> will be given, and comments will be received for no less than 30 days after notice is given. A public hearing will be optional.

### Performance Report

The 2017 CAPER will analyze the results of the 2016 OYAP. Due to the short 90-day turnaround time of the end of the State's Program Year (1/31) and the due date of the CAPER, the public will be given reasonable notice by publication on TDHCA's website at <http://www.tdhca.state.tx.us>. Comment will be accepted for a minimum of 15 days. A public hearing will be optional.

### One Year Action Plan

The draft One Year Action Plan ("OYAP") is released for public comment prior to HUD's release of actual annual allocation amounts, and the draft OYAP reflects estimated allocation amounts. Once HUD releases actual annual allocation amounts and prior to submission to HUD, proposed activities' budgets will be increased or decreased from the estimated funding levels to match actual allocation amounts, and proposed program goals will be adjusted proportionally or as otherwise described in the 2017 Action Plan.

## **2. Summary citizen participation process and efforts made to broaden citizen participation in Colonias**

There are two main methods in which TDHCA coordinates its work with other colonia-serving entities. One relates to the Colonia Self Help Center Program which funds El Paso, Cameron/Willacy, Hidalgo, Starr, Webb, Maverick, and Val Verde counties with four-year contracts. Awards and funding associated with this program are reviewed and recommended by a Colonia Resident Advisory Group ("C-RAC"), which is a group of colonia residents who live in the specific service area served by the centers. The other coordination effort relates to a cross-agency effort organized by the Texas Secretary of State that generates structured communications and data collection in conjunction with other state agencies serving colonias with their respective programs.

TDHCA provides guidance, technical assistance and oversight to the units of local government with which TDHCA has executed SHC contracts. Technical assistance includes program administration, guidelines, requirements needed to fulfill contractual requirements in serving

colonia residents with CDBG funding. Every one to two years, TDHCA organizes and implements a workshop for all eligible counties and their subgrantees to review rules, best practices, and exchange other program updates. Periodically, TDHCA convenes a meeting with C-RAC. This grass-roots-style committee considers contract proposals, approves contracts, evaluates county recommendations, and provides TDHCA and the counties guidance on programming and activities in the colonias. Lastly, approximately every two years, TDHCA updates its SHC Program rules, and initiates this process by first soliciting comment from the public at large for critiques of the current rules and suggestions for changes.

As a part of the process discussed above, TDA met with elected officials from counties serving colonia areas. The local leaders discussed funding priorities for the Community Development Fund, including projects that could serve colonia areas.

On a quarterly basis, TDHCA and TDA convene with several other state agencies that directly serve colonia residents in the areas of utilities infrastructure, transportation infrastructure, water/water water, health services, housing, and consumer issues. This group is called the Colonia Interagency Infrastructure Coordination Work Group and is organized by the Texas Office of the Secretary of State's Colonia Initiatives Program. This group has been meeting regularly since approximately 2007 when Texas passed legislation requiring the systematic identification and classification of Texas colonias, and the tracking of colonia-serving state-funded projects. The overarching goal of the workgroup is to stop the proliferation of colonias and improve the health, safety, and quality of life for colonia residents in the Texas-Mexico border region. By classifying colonias based on their level of infrastructure and access to public health services, various state agencies, and the Texas Legislature are able to prioritize funding and target colonias with critical needs (Texas Office of the Secretary of State, 2010). Besides TDHCA and TDA, other agency members of this work group include the Texas Water Development Board ("TWDB"), the Texas Commission on Environmental Quality, the Texas Department of Transportation, HHSC, and DSHS.

**Citizen Participation Outreach**

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Public Hearing	Non-targeted/ broad community	The State held a public hearing on November 12, 2015 to receive comments on the 2016 OYAP. Three individuals attended and no public comment was provided.	No public comments were received at the public hearing.		
2	Internet Outreach	Non-targeted/ broad community	TDHCA has a centralized webpage for public comment on all plans, reports, and program rules.	All public comments and reasoned responses are provided in the Public Comment Attachment.		<a href="http://www.tdhca.state.tx.us/public-comment.htm">http://www.tdhca.state.tx.us/public-comment.htm</a>

**Table 14 – Citizen Participation Outreach**

## Expected Resources

### AP-15 Expected Resources – 91.320(c)(1,2)

#### Introduction

CPD funding is governed by this Consolidated Plan, but the State also works to collaborate, coordinate, and layer non-CPD funding sources in order to reach more Texans and more efficiently use available funds. Programs listed in the anticipated resources narrative sections below could be used to leverage CPD funds. These include:

- 4% Housing Tax Credit ("HTC")/Private Activity Bond ("PAB") Program;
- 9% HTC Program;
- Multifamily Direct Loan Program;
- Homeless and Housing Services Program ("HHSP");
- State Housing Trust Fund Program;
- Texas Mortgage Credit Certificate ("TX MCC") Program;
- First time homebuyer loan programs, including the My First Texas Home Program;
- Neighborhood Stabilization Program - Program Income ("NSP PI");
- Section 8 Housing Choice Voucher ("HCV") Program;
- Section 811 Project Rental Assistance ("PRA") Program; and
- Tax Credit Assistance Program ("TCAP") Loan Repayments.

The expected future funding amounts of the above programs, to the extent known, are in the planning documents governing those programs. These documents can be found online at <http://www.tdhca.state.tx.us/>. The anticipated resources below are focused on CPD Programs.

TDHCA participates in numerous committees, workgroups, and councils which help inform TDHCA of other potential resources to address affordable housing needs. Relationships with other federal and state agencies and local governments are extremely valuable, helping Texas agencies to coordinate housing and services to serve all Texans efficiently and effectively. TDHCA's committee involvement promotes identification and pursuit of federal funding opportunities. TDHCA actively seeks engagement and input from community advocates, funding recipients, potential applicants for funding, and others to obtain input regarding the development of effective policies, programs and rules. Changes to funding plans are made periodically based on feedback received through these avenues.

TDHCA is the lead agency for the following workgroups:

**C-RAC:** C-RAC is a committee of colonia residents appointed by the TDHCA Governing Board. It advises TDHCA regarding the needs of colonia residents and the types of programs and activities which should be undertaken by the Colonia SHCs. The Colonia SHCs funds are provided to seven specific pre-determined counties.

**Disability Advisory Workgroup ("DAW"):** The DAW augments TDHCA's formal public comment process,

affording staff the opportunity to interact more informally and in greater detail with various stakeholders and to get feedback on designing more successful programs, with a specific focus on gaining insight on issues impacting persons with disabilities.

Housing and Health Services Coordination Council ("HHSCC"): HHSCC is established by Tex. Gov't Code §2306.1091. Its duties include promoting coordination of efforts to offer Service-Enriched Housing and focusing on other cross-agency efforts.

Texas Interagency Council for the Homeless ("TICH"): The TICH was statutorily created in 1989 to coordinate the State's homeless resources and services. The TICH consists of representatives from eleven state agencies. TDHCA, as the primary source for state homelessness funding, provides administrative and planning support to the TICH.

Weatherization Assistance Program Planning Advisory Committee ("WAP PAC"): The WAP PAC is comprised of weatherization subrecipient agencies and provides balance and background related to the weatherization and energy conservation programs during the annual planning process of weatherization funds at TDHCA.

The descriptions of the collaborations for DSHS and TDA are in the Discussion question of this section below.

**Anticipated Resources**

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	52,107,472	3,438,381	13,186,350	68,732,203	100,441,862	TDA's CDBG Program funds community and economic development, including program income collected by the state, and program income retained by local subgrantees, excluding the colonia set-aside. Communities may also coordinate CDBG funding with U.S. Department of Agriculture's ("USDA") Rural Development funds or Texas Water Development Board's ("TWDB") State Revolving Fund.
CDBG Colonias Set-aside	public - federal	Acquisition Admin and Planning Homebuyer assistance Homeowner rehab Public Improvements Public Services	8,517,237	0	0	8,517,237	14,887,850	(Expected amount available includes Annual Allocation of \$7,443,925 and Prior Year Resources of \$1,073,312.) The Colonia Set-Aside is used both by TDA and TDHCA for goals described in the Strategic Plan Section 45. The Colonia Economically Distressed Areas Program ("CEDAP") Legislative Set - Aside leverages funding from the TWDB's Economically Distressed Areas Program. TDHCA's Office of Colonia Initiatives ("OCI") administers a portion of the CDBG Colonia Set-Aside through its Colonia SHCs.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	23,199,182	934,750	0	24,133,932	75,521,734	TDHCAs HOME program goals are described in the Strategic Plan Section 45 for multifamily and single family activities. Single family HOME homebuyer activity may be coordinated with TDHCAs My First Texas Home Program, which can supplement down payment assistance, and the MCC Program, which provides a yearly tax credit of up to 2,000 annually that reduces the homebuyers federal income tax liability. HOME multifamily development funds can be layered with 4 and 9 HTC's. In addition, TDHCAs Section 811 PRA, a project based supportive housing program for persons with disabilities, and TDHCAs Section 8 HCV may be used within HOME developments. Starting in 2015, TDHCAs TCAP repayment funds and NSP PI may be used to supplement or support multifamily and single family HOME and for TCAP RF to generate match. TDHCA develops rules that govern all HOME activities, including the Uniform Multifamily Rules, Single Family Umbrella Rule, Single Family HOME Program Rule, and other rules that are administrative in nature found under 10 Texas Administrative Code.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOPWA	public - federal	Permanent housing in facilities Permanent housing placement Short term or transitional housing facilities STRMU Supportive services TBRA	3,455,809	0	0	3,455,809	6,911,618	DSHS' HOPWA state formula funds the following activities: TBRA; STRMU; PHP; and Supportive Services. Project Sponsors leverage available funds from Ryan White and State Services grants to assist clients with housing needs, medical and non-medical case management, emergency utility assistance, mental health, transportation, and nutritional services to address the needs of eligible clients.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	9,028,982	0	0	9,028,982	26,451,615	TDHCA's ESG funds are awarded via contract to Subrecipient agencies that provide emergency shelter, homelessness prevention, rapid rehousing, and Homeless Management Information Systems ("HMIS") activities. HHSP is Texas state general revenue funding for the largest cities to provide flexibility to undertake activities that complement ESG activities. Note that not all ESG direct recipients in Texas are HHSP grantees. Use of funds also includes Administration.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Housing Trust Fund	public - federal	Multifamily rental new construction	8,858,738	0	0	8,858,738	26,576,214	TDHCA's NHTF Program goals are described in the Strategic Plan Section 45 for multifamily and single family activities. NHTF Multifamily Development Funds can be layered with 4% HTCs and 9% HTCs, and TDHCA Multifamily Direct Loan funds, including HOME, HOME-CHDO, and TCAP Loan Repayment. In addition, TDHCA's Section 811 PRA, a project-based supportive housing program for persons with disabilities, and TDHCA's Section 8 HCV may be used within NHTF developments. In addition, TDHCA also develops rules that govern all multifamily programs, including the HOME Multifamily Direct Loan Program, known as the Uniform Multifamily Rules.

**Table 15 - Expected Resources – Priority Table**

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

**HOME**

HOME multifamily development is often used to leverage with the HTC Program, which authorizes 9% low-income housing tax credits of \$2.35 per capita for each state, and 4% HTC in amounts linked to the usage of the state's cap for issuance of tax exempt PABs to finance affordable housing development. In Texas, this equates to approximately \$61,400,000 in 9% tax credits available to be awarded annually. These credits may be claimed each year for ten years and represents potential tax credit value on the magnitude of \$610,000,000. The credits are syndicated to limited partner investors to yield cash for use in eligible development activities. Currently typical syndication rates range between 92% and 95%. TDHCA's Qualified Allocation Plan ("QAP") identifies the criteria used for selection of eligible developments to provide housing for low-income tenants. HOME provides increased leverage, allowing property owners to utilize fewer tax credits and less private debt and local funding, thus providing more efficient use of resources. Other leveraging sources may include United States Department of Agriculture ("USDA") operating subsidies and loans, and conventional and FHA-insured loans. Match requirements for the HOME Multifamily Direct Loan Program will in part be met through Rules that establish awardees' minimum amount of match as 5% of the award amount. TDHCA increased match requirements for single family activities to more effectively use limited funding, and began matching HOME funds with TCAP-RF in PY 2016. TDHCA has also requested for HUD to approve a waiver that its state-funded Bootstrap program be eligible as match, and is responding to HUD requests for additional detail.

**ESG**

To meet the ESG match requirement, TDHCA includes the provision of evidence of proposed match as part of the ESG application process. Subrecipients are required to provide 100% match according to budget categories for which the Subrecipient was funded. A Subrecipient that is unable to match the award is eligible to apply to TDHCA for a match waiver up to \$100,000. However, TDHCA has rarely received a waiver request for matching funds during the application process. Should TDHCA receive a request, staff will consider size of the community, funds currently held by the agency, losses of essential services from other funding sources, and other factors to determine which organization(s) will benefit from the match waiver. In 2011, the Texas Legislature created the HHSP statute and funded it with General Revenue funds. Through HHSP, the State allocates funds to cities in Texas with a population of 285,500 or greater to support services to homeless individuals and families. These funds are sometimes used as match for either State or local ESG funding.

**HOPWA**

Texas HOPWA does not have program income but leverages funds whenever possible. Project Sponsors leverage available funds from Ryan White and State Services grants, private funding sources, foundations, and local assistance to help clients. AAs do not receive administrative funds from DSHS, so those costs are leveraged from other funding sources. Texas is not required to match the HOPWA formula award.

Due to IDIS character limits, CDBG and NHTF Leveraging is described in the question below.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

**CDBG Leverages**

Nearly 80% of TX CDBG grants include local match fund commitments. Matching funds are required for certain grants, while other grants award points to encourage local match; a sliding scale allows smaller communities to contribute less match funding than larger communities. Match funds may be provided by the applicant, or by a water or sewer utility benefiting from the project. Economic development (ED) projects benefiting private business require 1-for-1 match commitment, with the business most often providing this substantial match. Recent updates to the Colonia SHC Program rules have capped program assistance at \$50,000 per household for reconstruction and new construction, and \$40,000 per household for rehabilitation. These limits encourage administrators to leverage funds with other resources.

**NHTF Program Leverages**

NHTF multifamily development may be used to leverage with the HTC Program, which was created by the Tax Reform Act of 1986 and authorizes 9% low-income housing tax credits in the amount of \$2.35 per capita for each state, and 4% low-income housing tax credits in amounts linked to the usage of the state's cap for issuance of tax exempt bond to finance affordable housing development. In Texas, this equates to approximately \$61,400,000 in 9% tax credits available to be awarded by TDHCA annually.

These credits may be claimed each year for ten years and this represents potential tax credit value on the magnitude of \$610,000,000. The tax credits are syndicated to limited partner investors to yield cash for use in eligible development activities. Currently typical syndication rates range between 92% and 95%. TDHCA must develop a Qualified Allocation Plan ("QAP") for the selection of eligible developments to provide housing for the low-income tenants. NHTF provides increased leverage, allowing the property owners to utilize fewer tax credits and less private debt and local funding, therefore providing more efficient use of resources.

**State Owned Land**

The Texas General Land Office manages state owned lands and mineral rights totaling approximately 13 million acres. Much of this is leased for the benefit of the Permanent School Fund, an endowment fund established in 1876 for the benefit of Texas public school education. There is currently no plan to use state owned land for affordable housing or community development goals; however, local jurisdictions occasionally donate land or property in support of activities designed to address the needs identified in the plan as part of their contribution to locally administered programs.

**Discussion**

HOPWA: Continuing with the discussion of collaboration begun in the Introduction of this section, DSHS is the lead for several HIV-related councils and workgroups which provide opportunities for collaboration and resource sharing across agencies, providers, and other pertinent stakeholders to assist PLWH in Texas. Some of the initiatives are Inter-Agency Council on HIV & Hepatitis, the Texas Black Women's Initiative, the Test Texas Coalition, and the Texas HIV Syndicate. The Texas HIV Syndicate is an integrated HIV prevention and care planning body made up of roughly 100 organizational leaders representing the full continuum of HIV engagement. The Texas HIV Syndicate uses the Texas HIV Plan as a framework to develop strategies that enhance and expand on prevention and care activities across the State. Texas HIV Syndicate members develop policy recommendations, best practice models, coordination strategies, and promote innovation in HIV prevention and treatment. DSHS also holds a biennial HIV/Sexually Transmitted Disease ("STD") conference, attended by all DSHS contractors and subrecipients in addition to community leaders, health and HIV professionals, and many other essential stakeholders. Many of the DSHS contractors are also HOPWA providers. The next conference will be held in 2018. The goal of the Texas HIV/STD Conference is to enhance the responsiveness of people and systems supporting the spectrum of HIV/STD prevention and treatment services in Texas, including: Awareness; Targeted Prevention; Diagnosis; Linkage to Care; Maintenance in Care; and Suppression of Disease.

DSHS' Epidemiology and Surveillance Branch is responsible for reporting HIV/AIDS, STD, and tuberculosis ("TB") surveillance and epidemiologic data for the State of Texas, which includes data submission to the Centers for Disease Control and Prevention ("CDC"). This data is subsequently used by HUD to determine HOPWA formula allocations. This data is also leveraged to provide support to planning, development, implementation, and evaluation of HIV/AIDS, STD, and TB prevention and services programs, including HOPWA.

Finally, TDA participates in the following workgroups:

Texas Water Infrastructure Coordination Committee ("TWICC"): TWICC is a voluntary organization of federal and state funding agencies and technical assistance providers that address water and wastewater needs throughout the State. TDA participates in TWICC to coordinate efforts to leverage funds.

Secretary of State's Colonia Workgroup: The Colonia Workgroup consists of federal and state funding agencies and the Texas Secretary of State's colonia ombudsmen. The group addresses current and future infrastructure improvements in colonias, focusing on coordination of resources and information. TDHCA is also a member of this workgroup.

Drought Preparedness Council: The Council was authorized and established by the 76th Texas Legislature in 1999, and is responsible for assessment and public reporting of drought monitoring and water supply conditions, along with other duties.

These workgroups, committees, and councils help to strengthen communication between state agencies as well as provide opportunities to layer or combine funding sources.

With the block grants and the layering resources listed above, there are also CDBG Disaster Recovery ("DR") funds for Hurricanes Rita, Dolly, and Ike, and Wildfires. Hurricane Rita Disaster Recovery for housing and non-housing recovery is in 29 counties. Ike Disaster Recovery for housing and non-housing recovery is in 62 counties. Wildfire Recovery non-housing recovery is in 65 counties. More details can be found at <http://www.glo.texas.gov/GLO/disaster-recovery/actionplans>.

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives – 91.320(c)(3)&(e)

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Homeless Goals	2015	2019	Homeless	State of Texas	Emergency shelter and transitional housing Homelessness Prevention Rapid Re-housing	ESG: \$9,028,928	Tenant-based rental assistance / Rapid Rehousing: 750 Households Assisted Homeless Person Overnight Shelter: 8332 Persons Assisted Homelessness Prevention: 3944 Persons Assisted
2	Construction of single family housing	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Production of new units	HOME: \$0	Homeowner Housing Added: 0 Household Housing Unit
3	Rehabilitation of single family housing	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Rehabilitation of housing	HOME: \$5,790,158	Homeowner Housing Rehabilitated: 58 Household Housing Unit
4	Homebuyer assistance with possible rehabilitation	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Acquisition of existing units Rehabilitation of housing	HOME: \$2,526,378	Direct Financial Assistance to Homebuyers: 84 Households Assisted
5	Tenant-Based Rental Assistance with HOME funding	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Rental Assistance	HOME: \$4,211,023	Tenant-based rental assistance / Rapid Rehousing: 383 Households Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
6	HOME Households in new/rehabed multifamily units	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Production of new units Rehabilitation of housing	HOME: \$9,192,980	Rental units constructed: 65 Household Housing Unit Rental units rehabilitated: 28 Household Housing Unit
7	HOPWA Tenant-Based Rental Assistance	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Supportive Services for Persons with HIV/AIDS	HOPWA: \$2,118,627	Tenant-based rental assistance / Rapid Rehousing: 467 Households Assisted
8	HOPWA Short-Term Rent, Mortgage, & Utilities Asst	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Supportive Services for Persons with HIV/AIDS	HOPWA: \$470,041	Homelessness Prevention: 433 Persons Assisted
9	HOPWA Permanent Housing Placement Assistance	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Supportive Services for Persons with HIV/AIDS	HOPWA: \$12,280	Public service activities other than Low/Moderate Income Housing Benefit: 25 Persons Assisted
10	HOPWA-Funded Supportive Services	2015	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Supportive Services for Persons with HIV/AIDS	HOPWA: \$562,205	Public service activities other than Low/Moderate Income Housing Benefit: 900 Persons Assisted
11	CDBG Other Construction	2015	2019	Non-Housing Community Development	State of Texas	Public Improvements and Infrastructure Public facilities Public services	CDBG: \$45,587,756	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 227843 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
12	CDBG Economic Development	2015	2019	Non-Housing Community Development Economic Development	State of Texas	Economic development Public Improvements and Infrastructure Public facilities Public services	CDBG: \$14,757,693	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 14122 Persons Assisted
13	CDBG Planning / Capacity Building	2015	2019	Non-Housing Community Development	State of Texas	Public Improvements and Infrastructure Public facilities Public services	CDBG: \$619,210	Other: 37412 Other
14	CDBG Disaster Relief / Urgent Need	2015	2019	Non-Housing Community Development	State of Texas	Public Improvements and Infrastructure Public facilities	CDBG: \$5,881,002	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 132248 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
15	CDBG Colonia Set-Aside	2015	2019	Affordable Housing Non-Housing Community Development	State of Texas	Acquisition of existing units Production of new units Public Improvements and Infrastructure Public facilities Public services Rehabilitation of housing	CDBG Colonias Set-aside: \$7,028,452	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 3348 Persons Assisted
16	CDBG Colonia Self-Help Centers	2015	2019	Self-Help Centers	State of Texas	Public services	CDBG: \$1,488,785	Other: 14491 Other
17	CDBG Administration	2015	2015	Administration/Technical Assistance	State of Texas	Economic development Public Improvements and Infrastructure Public facilities Public services Rehabilitation of housing	CDBG: \$1,886,542	Other: 0 Other

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
18	HOME Administration	2015	2019	HOME Administration	State of Texas	Acquisition of existing units Production of new units Rehabilitation of housing Rental Assistance	HOME: \$2,413,393	Other: 0 Other
19	NHTF households in new multifamily units	2016	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Production of new units	Housing Trust Fund: \$7,972,864	Rental units constructed: 47 Household Housing Unit
20	NHTF Administration	2016	2019	Affordable Housing Non-Homeless Special Needs	State of Texas	Production of new units	Housing Trust Fund: \$885,874	Other: 0 Other

**Table 16a – Goals Summary**

## Goal Descriptions

1	<b>Goal Name</b>	Homeless Goals
	<b>Goal Description</b>	<p>To determine the percentage for each activity, first the allocation amount is reduced by 3.75% for the Department’s administrative funds and reduced by up to .25% administrative funds for CoCs that will be running a local competition for ESG funds on the Department’s behalf (e.g., ESG Coordinators). The remaining funding for Subrecipients is anticipated to be allocated roughly as follows: 3% administrative funds for ESG Subrecipients, 36% for rapid re-housing; 14% for homelessness prevention; 34% for emergency shelters, 7% for street outreach, and 6% for the Homeless Management Information System (“HMIS”) activities, however the ultimate distribution of funding and the persons served will depend on the applications received for 2017 ESG funding and scoring criteria.</p> <p>Note that the emergency shelter projection will most likely vary from what is reported in the 2017 Consolidated Annual Evaluation and Performance Reports. The projection takes into account all persons served at a day or night emergency shelter, the measurement in the OYAP is persons who spent the night at an overnight shelter, not a day shelter. For the 2016 ESG contracts, a new measure to track persons who spent the night at an overnight shelter has been added for ESG Subrecipient reporting. TDHCA’s anticipated funding amounts are still under the federal requirement to spend equal or less than 60% of its funding on emergency shelter and street outreach activities.</p> <p>The 2017 projections of persons or households served are based on funding spent per person or household per activity with ESG funds from 2016. The funding targets and numbers served may fluctuate depending on local CoC or Subrecipient award recommendations.</p>
2	<b>Goal Name</b>	Construction of single family housing
	<b>Goal Description</b>	<p>TDHCA does not plan to have a 2017 HOME Program goal for single family development activities performed by a Community Housing Development Organization ("CHDO") for the construction of new single family housing. However, TDHCA may amend program income, or use deobligated funding or other available HOME funding for such an activity. PY 2017 CHDO set aside funding is initially targeted for multifamily development activities as reflected under the Households in new/rehabilitated multifamily units strategic plan goal, but may be revised to program some funding for Single Family Development activities if TDHCA identifies future interest in the program. Single family development activities will remain an eligible activity that may be funded in the event future CHDO funding becomes available.</p>

<b>3</b>	<b>Goal Name</b>	Rehabilitation of single family housing
	<b>Goal Description</b>	The 2017 goal for HOME Program rehabilitation and reconstruction activities is to provide assistance to a minimum of 58 households through a statewide network of units of general local governments, and non-profit organizations. These entities qualify applicants to receive assistance for the repairs and reconstruction necessary to make their homes decent, safe, sanitary, and accessible.
<b>4</b>	<b>Goal Name</b>	Homebuyer assistance with possible rehabilitation
	<b>Goal Description</b>	The 2017 goals for HOME Program acquisition activities is to provide assistance to a minimum of 84 households with downpayment and closing costs assistance, Contract for Deed assistance to promote the conversion of contract for deed arrangements to traditional mortgages, as well as downpayment with possible rehabilitation assistance for households with a member with a disability.
<b>5</b>	<b>Goal Name</b>	Tenant-Based Rental Assistance with HOME funding
	<b>Goal Description</b>	The 2017 goal for HOME Program TBRA activity is to provide rental assistance to approximately 383 households through a statewide network of units of general local governments, public housing agencies, Local Mental Health Authorities ("LMHAs"), and other non-profit organizations. These entities qualify applicants to receive assistance and may extend assistance if the household continues to meet eligibility requirements.
<b>6</b>	<b>Goal Name</b>	HOME Households in new/rehabed multifamily units
	<b>Goal Description</b>	The 2017 goal for HOME Multifamily Program is creating/rehabilitating over 93 multifamily rental units. TDHCA's HOME Multifamily Development Programs awards HOME funds as low-interest loans to CHDOs, for-profit, and nonprofit developers. These loans leverage other public and private financing including housing tax credits, United States Department of Agriculture ("USDA") operating subsidies and loans, and conventional and Federal Housing Administration-insured loans. The end result is safe, decent, and affordable multifamily rental housing.
<b>7</b>	<b>Goal Name</b>	HOPWA Tenant-Based Rental Assistance
	<b>Goal Description</b>	HOPWA TBRA provides tenant-based rental assistance to eligible households until they are able to secure other affordable and stable housing. The annual goal includes 467 households assisted. The estimated funding and number of individuals served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.

<b>8</b>	<b>Goal Name</b>	HOPWA Short-Term Rent, Mortgage, & Utilities Asst
	<b>Goal Description</b>	STRMU provides short-term rent, mortgage, and utility assistance to eligible households for a maximum of 21 weeks of assistance in a 52-week period. The annual goal is to assist 433 persons. The estimated funding and number of individuals served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.
<b>9</b>	<b>Goal Name</b>	HOPWA Permanent Housing Placement Assistance
	<b>Goal Description</b>	PHP provides assistance for housing placement costs which may include application fees, related credit checks, and reasonable security deposits necessary to move persons into permanent housing. The annual goal is to assist 25 persons. The estimated funding and number of persons served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.
<b>10</b>	<b>Goal Name</b>	HOPWA-Funded Supportive Services
	<b>Goal Description</b>	Supportive Services include case management, basic telephone service and assistance to purchase smoke detectors to eligible households. The annual goal is to assist 900 persons. The estimated funding and number of households served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.
<b>11</b>	<b>Goal Name</b>	CDBG Other Construction
	<b>Goal Description</b>	The Texas CDBG encourages the use of funds not only to improve existing locations but to provide facilities in other areas to accommodate residential opportunities that will benefit low and moderate income persons. Applicants are encouraged to provide for infrastructure and housing activities that will improve opportunities for low and moderate income persons. When considering projects and designing projects, applicants must continue to consider affirmatively furthering fair housing, which includes providing basic infrastructure, such as water, sewer, and roads that benefit residential housing and other housing activities. Funding allocated includes annual allocation in addition to previously deobligated funds. The annual goal includes 227,843 persons assisted. The estimated funding and number of persons served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.

<b>12</b>	<b>Goal Name</b>	CDBG Economic Development
	<b>Goal Description</b>	This economic development funding is used for projects that will create or retain permanent employment opportunities, primarily for low to moderate income persons and for county economic and management development activities. Funding allocated includes annual allocation in addition to previously deobligated funds. The annual goal is to assist 14,122 persons. The estimated funding and number of persons served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.
<b>13</b>	<b>Goal Name</b>	CDBG Planning / Capacity Building
	<b>Goal Description</b>	This fund is available to assist eligible cities and counties in conducting planning activities that assess local needs, develop strategies to address local needs, build or improve local capacity, or that include other needed planning elements (including telecommunications and broadband needs). Funding allocated includes annual allocation in addition to previously deobligated funds. The annual goal is 37,412 persons benefiting from community planning projects (this may show as "other" in the chart above"). The estimated funding and number of persons served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.
<b>14</b>	<b>Goal Name</b>	CDBG Disaster Relief / Urgent Need
	<b>Goal Description</b>	Disaster Relief ("DR") assistance is available through this fund as needed for eligible activities in relief of disaster situations where either the governor has proclaimed a state disaster declaration, drought disaster declaration, or the president has issued a federal disaster declaration. CDBG may prioritize throughout the program year the use of DR assistance funds based on the type of assistance or activity under consideration and may allocate funding throughout the program year based on assistance categories. Funding allocated includes annual allocation in addition to previously deobligated funds. The annual goal is to assist 132,248 persons. The estimated funding and number of persons served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.
<b>15</b>	<b>Goal Name</b>	CDBG Colonia Set-Aside
	<b>Goal Description</b>	This fund is available to eligible county applicants for projects in severely distressed unincorporated areas which meet the definition of a "colonia" under this fund. Funding allocated includes annual allocation in addition to previously deobligated funds. The annual goal is to assist 3,348 benefiting from public facility or infrastructure activities (other than low/moderate income housing benefit) and 14,491 "other", which equates to the number of colonia residents receiving direct assistance. The estimated funding and number of persons served may fluctuate depending on HUD's final allocation amounts and based on the target percentages identified in Action Plan Section 25.

16	<b>Goal Name</b>	CDBG Colonia Self-Help Centers
	<b>Goal Description</b>	Colonia residents receiving direct assistance through Self-Help centers.
17	<b>Goal Name</b>	CDBG Administration
	<b>Goal Description</b>	CDBG Administrative costs including Technical Assistance
18	<b>Goal Name</b>	HOME Administration
	<b>Goal Description</b>	HOME Administrative expenses based on HOME allocation and program income received in PY 2016 that is being programmed in the 2017 Action Plan.
19	<b>Goal Name</b>	NHTF households in new multifamily units
	<b>Goal Description</b>	The 2017 goal for Housing Trust Fund is creating 47 multifamily rental units based on the performance period of February 1, 2017 through January 31, 2018.
20	<b>Goal Name</b>	NHTF Administration
	<b>Goal Description</b>	NHTF Administrative funds for PY 2017.

Table 17a – Goals Description

**Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b).**

Based on the goal descriptions for HOME in the table above, it is estimated that the State will provide affordable housing to 617 extremely low-income, low-income, and moderate-income families.

## **AP-25 Allocation Priorities – 91.320(d)**

### **Introduction:**

The CPD Programs serve special needs populations and meet the 13 Priority Needs found in Strategic Plan 25 of the 2015-2019 Consolidated Plan. These Needs in Strategic Plan 25 are correlated with Goals in Action Plan 20 to show which activities will serve which priority needs. The goals from Action Plan 20 are listed below with allocation percentages. Percentages in the chart below are estimated and may change depending on funding received from HUD, legislative priorities, and funding requests from administrators or subrecipients. Due to software restrictions, allocations are rounded to the nearest whole number and do not reflect precise percentages.

Also, for the other programs listed in the anticipated resources (Action Plan 15) that could be used to leverage funds (including 4% HTC, 9% HTC, Multifamily Direct Loan Program, HHSP, State Housing Trust Fund, TX MCC, and My First Texas Home Program, NSP PI, Section 8 HCV programs, Section 811 PRA, and TCAP Loan Repayments), goals are tailored to each program in the planning documents governing those programs. These documents can be found at <http://www.tdhca.state.tx.us>. In addition to meeting the priority needs, the CPD Programs works to serve special needs populations as described in this section. HOME and ESG's special needs populations are discussed in the introduction, and HOPWA and CDBG's are included in the discussion below.

### **HOME Serves Special Needs**

TDHCA has determined that Administrators may request to target assistance to the following special needs populations: persons with disabilities, persons with substance use disorders, persons living with HIV/AIDS ("PLWH"), persons with Violence Against Woman Act ("VAWA") protections, colonia residents, farmworkers, homeless populations, veterans, wounded warriors (as defined by the Caring for Wounded Warriors Act of 2008), and public housing residents. Administrators may also request to have preferences designed to assist single parents, persons transitioning out of incarceration, and persons transitioning out of foster homes and nursing facilities.

For Administrators with programs that are designed to limit assistance to certain populations, TDHCA will only approve program designs that limit assistance to households that include a member within the following populations if necessary to provide as effective housing, aid, benefit, or services as those provided to others in accordance with 24 CFR §8.4(b)(1)(iv): PLWH, mental illness, substance use disorders, or households that would qualify under the TDHCA's Project Access program as defined in 10 TAC §5.801. Otherwise, Administrators may only give preference to populations described in the special needs section.

For HOME or NHTF rental housing, TDHCA will allow development of housing that meets requirements under the Housing for Older Persons Act. TDHCA may also consider permitting rental housing owners to give a preference or limitation as indicated in this section and may allow a preference or limitation that is not described in this section to encourage leveraging of federal or state funding, provided that

another federal or state funding source for the rental housing requires a limitation or preference. TDHCA may put further guidelines on development of specific types of rental housing by rule or NOFA.

**Funding Allocation Priorities**

	Homeless Goals (%)	Construction of single family housing (%)	Rehabilitation of single family housing (%)	Homebuyer assistance with possible rehabilitation (%)	Tenant-Based Rental Assistance with HOME funding (%)	HOME Households in new/rehabed multifamily units (%)	HOPWA Tenant-Based Rental Assistance (%)	HOPWA Short-Term Rent, Mortgage, & Utilities Asst (%)	HOPWA Permanent Housing Placement Assistance (%)	HOPWA-Funded Supportive Services (%)	CDBG Other Construction (%)	CDBG Economic Development (%)	CDBG Planning / Capacity Building (%)	CDBG Disaster Relief / Urgent Need (%)	CDBG Colonia Set-Aside (%)	CDBG Colonia Self-Help Centers (%)	CDBG Administration (%)	HOME Administration (%)	NHTF households in new multifamily units (%)	NHTF Administration (%)	Colonias Set-Aside (%)	Total (%)
CDBG	0	0	0	0	0	0	0	0	0	0	59	19	1	8	9	2	2	0	0	0	0	100
CDBG Colonias Set-aside	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	100	100
HOME	0	0	24	11	17	38	0	0	0	0	0	0	0	0	0	0	0	10	0	0	0	100
HOPWA	0	0	0	0	0	0	67	15	1	17	0	0	0	0	0	0	0	0	0	0	0	100
ESG	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	100
Housing Trust Fund	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	90	10	0	100

**Table 18 – Funding Allocation Priorities**

## **Reason for Allocation Priorities**

### **HOME**

TDHCA prioritizes HOME funding for multifamily, single-family, and Set-Aside activities. Multifamily activities were historically allocated a higher percent of funds to address the priority needs of Rental Assistance and Production of New Units, promote tax credit leveraging, and because they account for a large portion of HOME's program income. TDHCA now has access to TCAP Loan Repayments as a source of multifamily financing, so these priorities will continue to have funds directed toward them while likely reducing the allocation of HOME funds directed towards multifamily activities.

The 2016 HOME allocation to TDHCA was reduced from 2015 funding levels, but funding for single family activities increased overall as TDHCA began to access TCAP loan repayments for multifamily activities and directed deobligated funding and program income resources to single family activities. Funding for single family activities from the 2017 annual allocation is anticipated to be awarded based on TDHCA's Regional Allocation Formula, with residual funding available through the Reservation System, allowing local administrators to prioritize single family activities on a household-by-household basis for:

- Homebuyer Assistance, including contract-for-deed conversions, which addresses Acquisition of Existing Units and Rehabilitation of Existing Units priority needs;
- Homeowner Rehabilitation Assistance, which addresses Rehabilitation of Existing Units priority need; and
- TBRA, which addresses Rental Assistance priority need.

These priorities are a result of the consolidated planning process and significant public input.

### **ESG**

ESG does not have specific allocations for priority needs. ESG funds can be used for all eligible purposes within limitations set by ESG regulations and guided by local Continuum of Care ("CoC") direction, including:

- Street outreach;
- Emergency shelter;
- Rapid re-housing; and
- Homelessness prevention.

### **HOPWA**

HOPWA provides the following activities in line with priority needs:

- TBRA, which addresses Rental Assistance priority needs;
- STRMU, which addresses Homelessness Prevention priority needs;
- Supportive Services Program, which addresses Supportive Services for PLWH priority needs; and
- PHP, which addresses Homelessness Prevention priority needs.

## CDBG

The CDBG Program offers the following activities relating to the corresponding priority needs. The majority of CDBG funds are used to meet basic human needs. These projects, in addition to being among the most critical needs in the state, are prioritized locally by regional review committees and local communities. Colonia funding allocation is reflected in "Colonias Set-Aside" column.

- The majority of funds are awarded to address basic human needs including improvements to water and sewer systems and roads for low and moderate income ("LMI") communities.
- Economic development activities are funded to create and retain jobs primarily for LMI persons.
- Public facilities such as community centers and public safety facilities are less common activities, but are valuable to LMI communities.
- Colonias SHC activities provide public services and housing funds for residents living in the designated colonias of El Paso, Hidalgo, Cameron/Willacy, Webb, Starr, Maverick and Val Verde counties.

## NHTF

The NHTF Program activities for PY 2017 will be limited to construction of multifamily housing to address the priority needs of Rental Assistance and Production of New Units, promote leveraging of other fund sources. As this is a new fund source and a new program, the administrative burden of implementation is mitigated by using the funds within the well established multifamily finance structure.

### **How will the proposed distribution of funds will address the priority needs and specific objectives described in the Consolidated Plan?**

The special needs populations for HOME are described in the Introduction. ESG, HOPWA and CDBG discuss special needs populations below.

#### ESG Serves Special Needs

ESG does not have funding allocation priorities for special needs populations. However, the 2016 ESG NOFA included points for applicants that proposed to serve persons with higher barriers to housing including persons with mental illness, persons recently released from institutions, persons with substance use disorders, veterans, survivors of domestic violence, youth aging out of foster care, and persons transitioning out of incarceration.

As of April 27, 2017, TDHCA is proposing two new sections to 10 Texas Administrative Code to comply with the HUD Final Rule Implementing Violence Against Women Reauthorization Act of 2013 ("VAWA"), correction published December 6, 2016. The new sections will require certain forms to be distributed to applicants and program participants for short- and medium-term rental assistance in accordance with 24 CFR §5.2005(e). Also pursuant to 24 CFR §5.2005(e), ESG Subrecipients will be required to develop and follow an Emergency Transfer Plan by June 14, 2017.

### HOPWA Serves Special Needs

Texas HOPWA serves PLWH and their household members, all of whom are at or below 80% of the AMI, and most of whom fall into the extremely-low-income category. As previously noted, allocations generally mirror the Ryan White Program allocation formula, which takes into account population of PLWH, HIV incidence, number of PLWH accessing Ryan White services, percent of PLWH eligible for Medicaid and other considerations. The allocations are then adjusted based on unmet need, prior performance and expenditures, geographic-specific data provided by Project Sponsors, and any other relevant factors. After allocations to each HIV Service Delivery Area (HSDA) are determined, it is then up to the Project Sponsor to allocate between activities of TBRA, STRMU, PHP, Supportive Services, and administrative expenses (not to exceed 7% of their allocation) and submit those to their Administrative Agents ("AAs") and DSHS for approval. Project Sponsors base allocations on many factors, including but not limited to, number of clients projected to continue into the next year, area unmet need, rental costs, prior number of clients served, average expenditures per client, and changes in HIV population living in poverty, etc. Funds are also reallocated during the year within HSDAs under each AA as needed.

### CDBG Serves Special Needs

CDBG provides over 90% of available funds for projects that primarily benefit low-to moderate-income persons through basic infrastructure, housing, job creation and other activities as identified at the local level. Among those projects, CDBG sets aside 12.5% of funds to specifically benefit colonia residents through planning activities, infrastructure and housing construction, self-help center services, construction activities, and public services. Funding for community development projects in colonias and other LMI communities is a critical element in the well-being of these communities.

In 1996, in an effort to place more emphasis on addressing the needs of colonias, the OCI at TDCHA was created and charged with the responsibility of coordinating all TDHCA's and legislative initiatives involving border and colonia issues and managing a portion of TDHCA's existing programs targeted at colonias. The fundamental goal of the OCI is to improve the living conditions and lives of border and colonia residents and to educate the public regarding the services that the Department has to offer. As part of its plan to improve the living conditions in colonias, the OCI offers Border Field Offices. The three OCI Border Field Offices are located in Pharr, Laredo, and El Paso to provide technical assistance to border counties, Colonia SHCs, and Bootstrap Program participants.

## AP-30 Methods of Distribution – 91.320(d)&(k)

### Introduction:

Given that Texas is the second largest state in the nation by total area, the method of distribution of its funds has to take into account a very large area. To serve this large area it is necessary for the State to use subrecipients to administer the programs funded under CPD. The selection processes for these entities are generally described below.

### Distribution Methods

Table 19 - Distribution Methods by State Program

<b>1</b>	<b>State Program Name:</b>	Colonia Economically Distressed Areas Program (CEDAP)
	<b>Funding Sources:</b>	CDBG CDBG Colonias Set-aside
	<b>Describe the state program addressed by the Method of Distribution.</b>	Colonia Economically Distressed Areas Program ("CEDAP") Legislative Set-Aside fund provides funding to eligible cities and counties to assist colonia residents that cannot afford the cost of service lines, service connections, and plumbing improvements associated with being connected to a TWDB Economically Distressed Area Program or similar water or sewer system improvement project.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The TDA will evaluate the following factors prior to awarding CEDAP funds: <ul style="list-style-type: none"> <li>• The proposed use of the CDBG funds including the eligibility of the proposed activities and the effective use of the funds to provide water or sewer connections/yard lines to water/sewer systems funded through Economically Distressed Area Program or similar program;</li> <li>• The ability of the applicant to utilize the grant funds in a timely manner;</li> <li>• The availability of funds to the applicant for project financing from other sources;</li> <li>• The applicant's past performance on previously awarded CDBG contracts;</li> <li>• Cost per beneficiary; and</li> <li>• Proximity of project site to entitlement cities or metropolitan statistical areas ("MSAs").</li> </ul>

	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a> .
	<b>Describe how resources will be allocated among funding categories.</b>	The allocation is distributed on an as-needed basis.
	<b>Describe threshold factors and grant size limits.</b>	Maximum \$1,000,000/Minimum \$75,000
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting LMI Persons
2	<b>State Program Name:</b>	Colonia Planning and Construction Funds
	<b>Funding Sources:</b>	CDBG CDBG Colonias Set-aside

<p><b>Describe the state program addressed by the Method of Distribution.</b></p>	<p>The Colonia Planning Fund ("CPF") funds planning activities that either targets a specific colonia(s) (Colonia Area Planning) or that provides a countywide comprehensive plan (Colonia Comprehensive Planning). In order to qualify for the Colonia Area Planning activities, the county applicant must have completed a Colonia Comprehensive Plan that prioritizes problems and colonias for future action. The targeted colonia must be included in the Colonia Comprehensive Plan.</p> <p>The goal of the Colonia Fund Construction ("CFC") fund is to develop viable communities by providing decent housing, viable public infrastructure, and a suitable living environment, principally for persons residing within a community or area that meets the definition of a colonia. An eligible county applicant may submit an application for the following eligible construction activities:</p> <p>Assessments for Public Improvements - The payment of assessments (including any charge made as a condition of obtaining access) levied against properties owned and occupied by persons of low and moderate income to recover the capital cost for a public improvement.</p> <p>Other Improvements - Other activities eligible under 42 USC Section 5305 designed to meet the needs of colonia residents.</p>
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<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>Colonia Fund: Construction. The selection criteria for the Colonia Fund: Construction will focus upon the following factors: community distress; percentage of people living in poverty; per capita income; percentage of housing units without complete plumbing; unemployment rate; benefit to LMI persons; project priorities; project design; matching funds; and past performance.</p> <p>Colonia Fund: Planning (Area). The selection criteria for the Colonia Fund: Planning will focus upon the following factors: community distress; percentage of people living in poverty; per capita income; percentage of housing units without complete plumbing; unemployment rate; project design; the severity of need within the colonia area(s) and how clearly the proposed planning effort will remove barriers to the provision of public facilities to the colonia area(s) and result in the development of an implementable strategy to resolve the identified needs; the planning activities proposed in the application; whether each proposed planning activity will be conducted on a colonia-wide basis; the extent to which any previous planning efforts for colonia area(s) have been accomplished; the CDBG cost per LMI beneficiary; the availability of funds to the applicant for project financing from other sources; the applicant's past performance on previously awarded CDBG contracts; benefit to LMI persons; and matching funds.</p> <p>Colonia Fund: Planning (Comprehensive). The selection criteria for the Colonia Fund: Planning will focus upon the following factors: community distress; percentage of people living in poverty; per capita income; percentage of housing units without complete plumbing; unemployment rate; project design; the severity of need for the comprehensive colonia planning effort and how effectively the proposed comprehensive planning effort will result in a useful assessment of colonia populations, locations, infrastructure conditions, housing conditions, and the development of short-term and long term strategies to resolve the identified needs; the extent to which any previous planning efforts for colonia area(s) have been accomplished; whether the applicant has provided any local matching funds for the planning or preliminary engineering activities; the applicant's past performance on previously awarded CDBG contracts; and award history (an applicant that has previously received a CDBG comprehensive planning award would receive lower priority for funding).</p>
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	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a> .
	<b>Describe how resources will be allocated among funding categories.</b>	The State CDBG allocation 6.75% (approximately) is allocated to the Colonia Fund. Of the yearly CDBG allocation to the Colonia Construction and Planning Fund, 97.5% (approximately) of those funds are to award grants through the CFC and 2.5% (approximately) are to award grants through the CFP. Subsequent to awarding funds, any portion of the CFC allocation that is unable to be awarded (i.e., fund an application in the minimum amount of \$75,000, etc.) may be used to fund additional eligible CFP applications, and conversely, any portion of the CFP allocation that is unable to be awarded may be used to fund additional eligible CFC applications.
	<b>Describe threshold factors and grant size limits.</b>	CFP Maximum \$100,000/Minimum \$0 CFC Maximum \$500,000/Minimum \$75,000
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting LMI Persons
3	<b>State Program Name:</b>	Colonia SHC Legislative Set-Aside (administered by TDHCA)
	<b>Funding Sources:</b>	CDBG CDBG Colonias Set-aside

<p><b>Describe the state program addressed by the Method of Distribution.</b></p>	<p>Administered by TDHCA and funded through CDBG, the Colonia SHC Program serves colonias along the Texas-Mexico border. Colonia SHCs provide concentrated on-site technical assistance to low- and very low-income individuals and families in a variety of ways including housing, community development activities, infrastructure improvements, outreach and education. Key services include: housing rehabilitation; new construction; surveying and platting; construction skills training; tool library access for self-help construction; housing finance; credit and debt counseling; grant writing; infrastructure construction and access; contract-for-deed conversions; and capital access for mortgages.</p>
<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>Approximately 42,000 residents live in the targeted colonias served by the colonia SHC Program. The SHCs process applications from income eligible households on a first come, first served basis. Eligible households must reside in one of the targeted colonias, which have been preselected by each recipient and county and confirmed by C-RAC. Households must earn less than 80% of AMI.</p>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>Colonia SHCs are statutorily required to establish SHCs in Cameron/Willacy, El Paso, Hidalgo, Starr and Webb counties. Statute allows for additional SHCs to be established if any other county if TDHCA deems it necessary and appropriate and if the county is designated an economically distressed area under statute. In 2001, TDHCA established additional SHCs in Maverick and Val Verde counties. Each SHC must serve five targeted colonias within the county it serves. The SHCs and TDHCA's Border Field Offices both conduct outreach activities throughout the contract period to inform colonia residents of program benefits and eligibility criteria and to provide application assistance.</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>Of the State CDBG allocation, 2.5% (approximately) is allocated to this fund. Counties that are statutorily designated to participate in the Colonia SHC Program propose which target colonias should receive concentrated attention and through what scope of program activities and funding. Each SHC designs a proposal unique to the needs of a specific community and based on a needs assessment. After a C-RAC, composed of residents from previously participating colonias, reviews and approves the proposals from the counties, the proposals are then reviewed and approved by the TDHCA's Board of Directors for implementation. Resources are allocated based on analysis and input from each community.</p>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>Maximum \$1,000,000/Minimum \$500,000  For the colonia SHC, program rules limit the assistance to up to \$1,000,000 per colonia SHC per contract period. Each program activity, such as new construction, rehabilitation, and small repairs for housing, for example, are limited to specific dollar amounts.</p>

	<b>What are the outcome measures expected as a result of the method of distribution?</b>	For the Colonia SHC Program, outcomes include: colonia residents assisted, housing units assisted or created, instances of technical assistance provided, and instances of information delivered. In general, this is Activities Benefiting LMI Persons.
4	<b>State Program Name:</b>	Colonias to Cities Initiative Program
	<b>Funding Sources:</b>	CDBG CDBG Colonias Set-aside
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Colonia to Cities Initiative ("CCIP") provides funding for basic infrastructure considered necessary for a colonia area to be annexed by an adjoining city. Priority is given to colonias that have received prior CDBG funding. Both the county and city must submit a multi-jurisdictional pre-application for the project that includes a resolution from each jurisdiction. The city's resolution must include a firm commitment to annex the colonia upon completion of the project. Failure to annex the colonia may result in a requirement to repay the CDBG funding to TDA.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The TDA will evaluate the following factors prior to awarding CCIP funds: <ul style="list-style-type: none"> <li>• the proposed use of the TxCDBG funds including the eligibility of the proposed activities;</li> <li>• the ability of the community to utilize the grant funds in a timely manner;</li> <li>• the availability of funds to the community for project financing from other sources;</li> <li>• the community's past performance on previously awarded TxCDBG contracts, if applicable;</li> <li>• cost per beneficiary; and</li> <li>• commitment by the city to annex the colonia area within one year of project completion.</li> </ul> If applications exceed the available funding, the Department may use the scoring factors established for the Colonia Fund-Construction component.
	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Eligible applicants will be notified if funds become available.

	<b>Describe how resources will be allocated among funding categories.</b>	If there are an insufficient number of projects ready for CEDAP funding, the CEDAP funds may be transferred to the Colonias to Cities Initiative.
	<b>Describe threshold factors and grant size limits.</b>	Minimum \$100,000/Maximum \$1,000,000
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting Low and Moderate Income ("LMI") Persons
5	<b>State Program Name:</b>	Community Development Fund
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	<p>The Community Development ("CD") Fund is available on a biennial basis through a competition in each of the State's 24 planning regions. The goal of the CD Fund is to develop viable communities by providing decent housing, viable public infrastructure, and a suitable living environment, principally for persons of low to moderate income.</p> <p>Applicants are encouraged to provide for infrastructure and housing activities that will improve opportunities for LMI persons. When considering and designing projects, applicants must continue to consider project activities that will affirmatively further fair housing, which includes project activities that provide basic infrastructure (such as water, sewer, and roads) that will benefit residential housing and other housing activities.</p>

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>CD applicants are scored using a shared system with 90% of the scoring criteria established by Regional Review Committees ("RRC") and 10% established by the state's scoring criteria. There is a Regional Review Committee in each of the 24 State planning regions. Each RRC will be comprised of 12 members appointed at the pleasure of the Texas Commissioner of Agriculture. A quorum of seven members is required for all public hearings. Each RRC is responsible for determining local project priorities and objective scoring criteria for its region for the CD Fund in accordance with the requirements in this Action Plan. Additionally, the RRC shall establish the numerical value of the points assigned to each scoring factor and determine the total combined points for all RRC scoring criteria. The Regional Review Committees are responsible for convening public hearings to discuss and select the objective scoring criteria that will be used to score and rank applications at the regional level. The public must be given an opportunity to comment on the priorities and the scoring criteria considered. The final selection of the scoring criteria is the responsibility of each RRC and must be consistent with the requirements in this Action Plan. The RRC may not adopt scoring factors that directly negate or offset the State's scoring factors. Each RRC shall develop a RRC Guidebook, in the format provided by TDA, to notify eligible applicants of the objective scoring criteria and other RRC procedures for the region. The Guidebook must be submitted to TDA and approved at least ninety days prior to the application deadline.</p> <p>The state scoring will be based on the following:</p> <ol style="list-style-type: none"> <li>1. Past Performance- 12 points.</li> <li>2. All project activities within the application would provide basic infrastructure or housing activities - 8 points. (Basic infrastructure - the basic physical shared facilities serving a community's population consisting of water, sewage, roads and flood drainage. Housing activities - as defined in 24 Code of Federal Regulations ("CFR") Part 570.)</li> </ol>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a>.</p>

	<b>Describe how resources will be allocated among funding categories.</b>	64.83% (approximately) of the State CDBG allocation is allocated to this fund.
	<b>Describe threshold factors and grant size limits.</b>	Minimum \$75,000/Maximum \$800,000, regions may establish additional grant amount limits.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting LMI Persons
6	<b>State Program Name:</b>	Community Enhancement Fund
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Community Enhancement ("CE") Fund provides a source of funds (when available) not available through other CDBG programs to stimulate a community's economic development efforts and improve self-sufficiency. The project must have the potential to benefit all citizens within a jurisdiction. The community project must provide a benefit that will enhance the overall quality of life in the rural community.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The selection criteria for the Community Enhancement Fund will focus on the following factors: a. LMI percentage of the applicant; b. Partnerships; c. Multi-Purpose Facility or Public Safety Equipment; d. Sustainability; and e. Match.
	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a> .

	<b>Describe how resources will be allocated among funding categories.</b>	\$0 will be made available for the CE Fund on the first day of the program year.
	<b>Describe threshold factors and grant size limits.</b>	Minimum \$50,000/Maximum \$500,000
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting LMI Persons
7	<b>State Program Name:</b>	Disaster Relief Funds
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	<p>Disaster Relief ("DR") Fund assistance is available as needed for eligible activities in relief of disaster situations where either a state or federal disaster declaration has been issued.</p> <p>Declaration other than Drought: Priority for the use of these funds is for repair and restoration activities that meet basic human needs (such as water and sewer facilities, housing, and roads), and may not include funding to construct public facilities that did not exist prior to the occurrence of the disaster.</p> <p>Declaration for Drought: Funding in response to a Governor's drought disaster declaration covering the area that would benefit from project activities must include new facilities to improve water supply, subject to the conditions set forth in Title 4, Part 1, Chapter 30, Subchapter A of the Texas Administrative Code.</p>

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>To qualify for the DR Fund:</p> <ul style="list-style-type: none"> <li>a. The situation addressed by the applicant must be both unanticipated and beyond the control of the local government.</li> <li>b. The problem being addressed must be of recent origin. For DR Fund assistance, this means that the application for assistance must be submitted no later than 12 months from the date of the state or federal disaster declaration.</li> <li>c. Funds will not be provided under Federal Emergency Management Agency's ("FEMA's") Hazard Mitigation Grant Program for buyout projects unless TDA receives satisfactory evidence that the property to be purchased was not constructed or purchased by the current owner after the property site location was officially mapped and included in a designated flood plain area.</li> <li>d. Each applicant must demonstrate that adequate local funds are not available, i.e., the entity has less than six months of unencumbered general operations funds available in its balance as evidenced by the last available audit required by state statute, or funds from other state or federal sources are not available to completely address the problem.</li> <li>e. TDA may consider whether funds under an existing CDBG contract are available to be reallocated to address the situation.</li> <li>f. The distribution of these funds will be coordinated with other state agencies.</li> </ul>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a>.</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>4.10% (approximately) of the State CDBG allocation is allocated to the DR Fund. Deobligated funds up to \$1,000,000 are made available for the DR Fund on the first day of a program year, and additional deobligated funds may be allocated to the DR Fund according to the procedures described in the Additional Detail on Method of Distribution section following this table. The amount for this fund category may be adjusted during the program year as needed.</p>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>Maximum \$350,000/Minimum \$50,000</p>

	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Meet other community development needs of particular urgency which represent an immediate threat to the health and safety of residents of the community.
8	<b>State Program Name:</b>	General HOME Funds for Single-Family Activities
	<b>Funding Sources:</b>	HOME
	<b>Describe the state program addressed by the Method of Distribution.</b>	TDHCA awards single-family activity funds as grants and loans through a network of local administrators for Homeowner Rehabilitation, Homebuyer Assistance, and TBRA. Assistance length and term depends on the type of activity. The funds are initially being made available competitively on a regional basis, then later remaining funds are made available statewide on a first-come, first-served Reservation System, a contract-based system or some combination of these two methods. The method will be described in NOFAs and is informed by needs analysis, oversubscription for the activities, and public input.

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>Applicants must comply with requirements stated in NOFAs, the Single-Family Programs Umbrella Rule, and State HOME Program Rules in effect at the time they receive their award.</p> <p>Review of Applications  All programs will be operated through direct administration by TDHCA, reallocation of deobligated funding and program income, or through the release of Notices of Funding Availability (“NOFAs”) with an emphasis on geographic dispersion of funds, particularly in rural areas of the state, using a Regional Allocation Formula (“RAF”) which uses objective measures to determine rural housing needs such as poverty and substandard housing. For NOFAs, applicants must submit a complete application to be considered for funding, along with an application fee determined by TDHCA. Applications received by TDHCA will be reviewed for applicable threshold, eligibility and/or scoring criteria in accordance with the Department’s rules and application review procedures published in the NOFA and/or application materials. Information related to NOFAs, application requirements and fees, and application review procedures and materials is available at <a href="http://www.tdhca.state.tx.us/home-division/index.htm">http://www.tdhca.state.tx.us/home-division/index.htm</a>.</p> <p>Selection Process  Qualifying applications are recommended for funding to TDHCA’s Board based on the Department’s rules and any additional requirements established in the NOFA. Applications submitted for development activities will also receive a review for financial feasibility, underwriting and compliance under the HOME Final Rule as well as the Department’s existing previous participation review process.</p> <p>The state may select subrecipients or state recipients as described in program rules and NOFAs, or may conduct a portion of HOME activities directly in accordance with §92.201.</p> <p>Deobligated or Program Income HOME Program Funds  When administrators have not successfully expended the HOME funds within their contract period, TDHCA de-obligates the funds and pools the dollars for redistribution according to TDHCA’s Deobligated Funds Policy at 10 TAC §1.5, and consistent with the reservation system and any open NOFAs. TDHCA may also reallocate these funds through a competitive NOFA process resulting in an award of funds.</p>
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	<b>Describe how resources will be allocated among funding categories.</b>	TDHCA announces the annual allocation of HOME Single-Family funds through a NOFA and specifies that the funds will initially be made available using a Regional Allocation Formula ("RAF") which divides funds among 26 sub-regions as required by state statute. The allocation method is developed based on a formula which considers need and funding availability. After a period of several months, regional allocations collapse. Following the release of the annual allocation through the RAF, TDHCA periodically adds HOME program income and deobligated funds to the funds available via the Reservation System and either allocates a specific amount of funds per activity based on funding priorities or may allow HOME administrator's requests for funding through the system to determine how the funds are finally allocated among fund categories. TDHCA may specify the maximum amount of funds that will be released for each activity type and may allocate funds via a first come, first served Reservation System or alternate method based on public comment.
	<b>Describe threshold factors and grant size limits.</b>	Applicants must comply with requirements stated in the HOME NOFA and State HOME Program Rules in effect the year they receive their award. These sources provide threshold limits and grant size limits per activity type.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Assistance to LMI households.
9	<b>State Program Name:</b>	HOME Multifamily Development
	<b>Funding Sources:</b>	HOME
	<b>Describe the state program addressed by the Method of Distribution.</b>	The HOME Multifamily Direct Loan Program awards loans to for-profit and nonprofit multifamily developers to construct and rehabilitate affordable rental housing. These loans typically carry a 0% to 5% interest rate and have terms ranging from 15 years to 40 years. The vast majority of the loans are made in conjunction with awards of 4% or 9% HTC's.

	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	TDHCA's Texas Administrative Code Chapters 10 and 13 set forth a minimum set of requirements that document a project owner's readiness to proceed with the development as evidenced by site control, notification of local officials, the availability of permanent financing, appropriate zoning for the site, and a market and environmental study. Additionally, the development must be near certain community assets. HOME Multifamily Direct Loan Program funds are typically awarded on a first-come, first-served basis, as long as the criteria above are met. For HOME Multifamily Development applications layered with 9% HTCs, the highest scoring applications in the 9% cycle that also request HOME funds take priority over lower scoring HOME Multifamily Development applications that may have been received earlier.
	<b>Describe how resources will be allocated among funding categories.</b>	Typically, of the HOME Multifamily Funds, 85% is available for general activities and 15% for Community Housing Development Organizations ("CHDOs"). However, the HOME Multifamily Direct Loan Program may make funds available annually or through a special purpose NOFA under the General, Supportive Housing/Soft Repayment, and CHDO Set-Asides, or may choose to have a preference or limitation for Persons with Disabilities.
	<b>Describe threshold factors and grant size limits.</b>	TDHCA's Uniform Multifamily Rules set forth a minimum set of requirements that document a project owner's readiness to proceed with the development as evidenced by site control, notification of local officials, the availability of permanent financing, experience of the developer, appropriate zoning for the site, and a market and environmental study. Additionally, the development must be near certain community assets such as a bank, pharmacy, or medical office and have certain unit amenities and common amenities. Awards of HOME Multifamily Direct Loan Program funds range from approximately \$300,000 to \$3 million per application in the form of a loan.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Assistance to LMI households.
10	<b>State Program Name:</b>	Local Revolving Loan Funds
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	TxCDBG allows communities that received Texas Capital Fund awards to support job creation or retention, and that created a local revolving loan fund, prior to implementation of the interim rule published November 12, 2015, to retain the program income generated by the economic development activities and to reinvest the funds to support job creation/retention activities.

	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	Criteria are established by local subrecipients, with guidance from the TxCDBG Revolving Loan Fund Information Guide provided by TDA.
	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	The TxCDBG Revolving Loan Fund Information Guide is provided directly to subrecipients that have established revolving loan funds.
	<b>Describe how resources will be allocated among funding categories.</b>	Program Income generated by a local RLF is retained by that community or returned to TDA for distribution according to the Action Plan. See "Grantee Unique Appendices" for table of local revolving loan funds.
	<b>Describe threshold factors and grant size limits.</b>	Parameters for minimum or maximum loan amounts may be established by the subrecipient.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefitting LMI Persons through Job Creation/Retention
11	<b>State Program Name:</b>	National Housing Trust Fund
	<b>Funding Sources:</b>	Housing Trust Fund
	<b>Describe the state program addressed by the Method of Distribution.</b>	It is planned that the NHTF Program will award loans to for-profit and nonprofit multifamily developers to construct multifamily affordable housing. Because the NHTF is required to benefit ELI households at 30% of AMI or less, the units will likely not be able to service a debt payment. The constraints on NHTF dictate that the funds be available as 0% interest, deferred payment loan, or as 0% interest cash flow loans, if required, to leverage with tax credits or other financing mechanisms.

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>TDHCA's Texas Administrative Code Chapters 10 and 13 set forth a minimum set of requirements that document a project owner's readiness to proceed with the development as evidenced by site control, notification of local officials, the availability of permanent financing, appropriate zoning for the site, and market and environmental studies. Additionally, the development must be near certain community assets. TDHCA Multifamily Direct Loan ("MFDL") Program funds are typically awarded on a first-come, first-served basis, as long as the criteria above are met.</p> <p>TDHCA will review and recommend NHTF (referred to under the umbrella term MFDL below) applications in accordance with the Multifamily Direct Loan Rule as follows:</p> <p>(1) Priority 1: Applications not layered with 2017 9% HTC that are received prior to the 2017 9% HTC Application deadline as described in 10 TAC §11.2 Program Calendar for Competitive Housing Tax Credits. Priority 1 applications will be prioritized on a first come first served basis within their respective set-aside and subregion or region. If the RAF has collapsed, applications will be reviewed on a first-come first served basis within their set- aside.</p> <p>(2) Priority 2: Applications layered with 2017 9% HTC will be prioritized based on their recommendation status for an HTC allocation. All Priority 2 applications will be deemed received on the Market Analysis Delivery Date as described in 10 TAC §11.2 Program Calendar. In order for an MFDL application layered with 2017 9% HTC to be considered complete, Applications for both programs must be timely received. Priority 2 applications will be recommended for approval at the same meeting when the Board approves the 2017 9% HTC allocations. Applications that will be recommended for 2017 9% HTC and are tied for MFDL under the scoring criteria will be further prioritized for funding based upon the scoring, tiebreaker and award criteria in 10 TAC Chapter 11 (the "QAP").</p> <p>(3) Priority 3: Applications that are received after the 2017 9% HTC Application deadline on a first come first served basis for any remaining funds until the final deadline identified in the annual NOFA.</p> <p>Applications that will create new ELI units without preexisting vouchers or other rental subsidy may be prioritized, and additional criteria may be imposed for applications not layered with tax credits.</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>NHTF will not be allocated among funding categories. The requirement to serve ELI households already meets a set aside category in TDHCA Multifamily programs.</p>

	<b>Describe threshold factors and grant size limits.</b>	TDHCA's Uniform Texas Administrative Code Chapters 10 and 13 set forth a minimum set of requirements that document a project owner's readiness to proceed with the development as evidenced by site control, notification of local officials, the availability of permanent financing, experience of the developer, appropriate zoning for the site, and a market and environmental study. Additionally, the development must be near certain community assets such as a bank, pharmacy, or medical office and have certain unit amenities and common amenities. Awards of NHTF will be integrated into the TDHCA Multifamily Direct Loan Program. Awards funds may range from approximately \$300,000 to \$3 million per application in the form of a loan for this program.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Assistance to ELI households.
12	<b>State Program Name:</b>	Planning/Capacity Building Fund
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Planning/Capacity Building ("PCB") Fund is available to assist eligible cities and counties in conducting planning activities that assess local needs, develop strategies to address local needs, build or improve local capacity, or that include other needed planning elements (including telecommunications and broadband needs).
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The selection criteria for the PCB Fund will focus upon the following factors: a. Community Distress; a. Percentage of persons living in poverty; b. Per capita income; c. Unemployment rate; b. Benefit to LMI Persons; c. Project Design; d. Program Priority; e. Base Match; f. Area-wide Proposals; and g. Planning Strategy and Products.

	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a> .
	<b>Describe how resources will be allocated among funding categories.</b>	1.0% (approximately) of the State CDBG allocation is allocated to this fund.
	<b>Describe threshold factors and grant size limits.</b>	Minimum \$0/Maximum \$55,000
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting LMI Persons
13	<b>State Program Name:</b>	State Mandated Contract for Deed Conversion Set-Aside
	<b>Funding Sources:</b>	HOME
	<b>Describe the state program addressed by the Method of Distribution.</b>	The 81st Texas Legislature passed Appropriations Rider 6 to TDHCA's appropriation pattern, which requires TDHCA to spend no less than \$4 million for the biennium on contract for deed for families that reside in a colonia and earn 60% or less of the applicable Area Median Income ("AMI"). Furthermore, as directed by the Rider, TDHCA was targeted to convert no less than 200 contracts for deed into traditional notes and deeds of trust by August 31, 2016. The intent of this program is to help colonia residents become property owners by converting their contracts for deed into traditional mortgages. Households served under this initiative must not earn more than 60% of the Area Median Family Income ("AMFI") and the home converted must be their primary residence.

	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	Administrators must meet HOME Program threshold requirements to access funding. Funding is made available to contract for deed administrators on a first-come, first-served basis, in addition to threshold requirements outlined in the State HOME Program Rule, through the Reservation System.
	<b>Describe how resources will be allocated among funding categories.</b>	TDHCA sets aside \$2,000,000 for Contract for Deed activities annually and releases the funds through the reservation system as a method of distribution.
	<b>Describe threshold factors and grant size limits.</b>	Applicants must meet the thresholds provided in the NOFA and State HOME Program Rules in effect the year in which they receive their award. Administrators are not awarded a grant following a successful application. Rather funds are awarded on a household by household basis.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Assistance to households with incomes at or below 60% AMFI.
14	<b>State Program Name:</b>	TCF Main Street Program
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Texas Capital Fund ("TCF") Main Street Program provides eligible Texas Main Street communities with grants to expand or enhance public infrastructure in historic main street areas.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The selection criteria for the TCF Main Street Program will focus upon the following factors: a. Applicant Need criteria, including poverty rate, median income, unemployment rate, and community need; b. Project criteria, including leverage, economic development consideration, sidewalks projects and Americans with Disabilities Act ("ADA") compliance, broad-based public support, emphasis on benefit to LMI persons, and grant application training; and c. Main Street program criteria, including National Main Street program recognition, Main Street program participation, historic preservation ethic impact.

	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a> .
	<b>Describe how resources will be allocated among funding categories.</b>	6% of the total TCF allocation up to a maximum amount of \$600,000; program income funds may be transferred to this category on August 1 if such funds have not been utilized by other TCF programs (if available).
	<b>Describe threshold factors and grant size limits.</b>	Maximum \$250,000/Minimum \$50,000
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Eliminate or prevent slum and blight conditions.
15	<b>State Program Name:</b>	TCF Real Estate and Infrastructure Development Programs
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Texas Capital Fund ("TCF") Real Estate and Infrastructure Development Programs provides grants and/or loans for Real Estate and Infrastructure Development to create or retain permanent jobs in primarily rural communities and counties.

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>The selection criteria for the TCF Real Estate and Infrastructure Development will focus upon the following factors:</p> <ul style="list-style-type: none"> <li>a. Job creation criteria: <ul style="list-style-type: none"> <li>i. Cost-per-job,</li> <li>ii. Job impact,</li> <li>iii. Wage impact, and</li> <li>iv. Primary jobs created/retained;</li> </ul> </li> <li>b. Unemployment rate; and</li> <li>c. Return on Investment.</li> </ul> <p>Once applications are evaluated and determined to be in the funding range the projects will be reviewed upon the following additional factors:</p> <ul style="list-style-type: none"> <li>a. History of the applicant community in the program;</li> <li>b. Strength of the business or marketing plan;</li> <li>c. Evaluation of the business and the business' principal owners credit;</li> <li>d. Evaluation of community and business need; and</li> <li>e. Justification of minimum necessary improvements to serve the project.</li> </ul>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a>.</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>14.51% of the State CDBG allocation is allocated to the Real Estate and Infrastructure Development Programs minus the lesser of 18% or \$1,800,000 of the total TCF allocation. In addition, program income funds generated by TCF projects and not otherwise allocated are made available for the Real Estate and Infrastructure Development Programs on the first day of a program year. In accordance with 24 CFR 570.479(e)(ii), the State has determined that program income generated by TCF during PY 2016 must be returned to the State for redistribution to new economic development activities. TCF awards are made for a specific project, based on the minimum necessary work to support the creation or retention of specific jobs, which must be completed prior to close out of the TCF contract. Therefore the community is unlikely to continue funding the same activity in the near future as described in the new regulation.</p>

	<b>Describe threshold factors and grant size limits.</b>	Maximum \$1,500,000/Minimum \$150,000
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting LMI Persons
16	<b>State Program Name:</b>	TCF Small and Micro Enterprise Revolving Fund
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Texas Capital Fund ("TCF") Small and Micro Enterprise Revolving Fund provides grants to local partnerships of communities and non-profit organizations to establish a local revolving loan fund, providing loans to local small businesses that commit to create or retain permanent jobs.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The selection criteria for the Small and Micro Enterprise Revolving Fund will focus on the following factors: a. Community Need; b. Non-Profit Loan Capacity; and c. Multi-jurisdictional applications.
	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a> .
	<b>Describe how resources will be allocated among funding categories.</b>	\$0 will be made available for the SMRF Fund on the first day of the program year.

	<b>Describe threshold factors and grant size limits.</b>	\$100,000 per award
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting LMI Persons
17	<b>State Program Name:</b>	Texas Capital Fund Downtown Revitalization Program
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Texas Capital Fund ("TCF") Downtown Revitalization Program awards grant funds for public infrastructure to foster and stimulate economic development in rural downtown areas.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The selection criteria for the TCF Downtown Revitalization Program will focus upon the following factors: a. Applicant Need criteria, including poverty rate, median income, unemployment rate, and community need; b. Project criteria, including leverage, economic development consideration, sidewalks projects, and ADA compliance, broad-based public support, emphasis on benefit to LMI persons, and grant application training; and c. Past Performance.
	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a> .
	<b>Describe how resources will be allocated among funding categories.</b>	12% of the total TCF allocation up to a maximum of amount \$1,200,000; program income funds may be transferred to this category on August 1 if such funds have not been utilized by other TCF programs (if available).

	<b>Describe threshold factors and grant size limits.</b>	Maximum \$250,000/Minimum \$50,000
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Eliminate or prevent slum and blight conditions.
18	<b>State Program Name:</b>	Texas ESG Program
	<b>Funding Sources:</b>	ESG
	<b>Describe the state program addressed by the Method of Distribution.</b>	The ESG Program is currently a competitive grant that awards funds to private nonprofit organizations, cities, and counties in the State of Texas to provide the services necessary to help persons who are experiencing or at-risk of homelessness quickly regain stability in permanent housing. In 2016, five CoC lead agencies ran a local competition on TDHCA’s behalf for ESG funds. TDHCA anticipates using the same method of distribution in certain CoC regions in 2017. In the fall of 2016, TDHCA will release a Request for Application for CoC lead agencies to run a local ESG competition in their areas. Applicants in the CoC regions in which the lead agency is running a local competition will apply directly to the CoC lead agency for TDHCA ESG funding. Applicants in the CoC regions in which the lead agency is not running a local competition will apply directly to the TDHCA for ESG funding. Ultimate award authority for all ESG funds remains with TDHCA’s Board.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	In the competitive process with TDHCA, applications are selected based on: <ul style="list-style-type: none"> <li>• Program Description and Capacity; Proposed Performance; Proposed Budget and Match; CoC Participation and Coordination; and Contract History of Subrecipients in ESG Expenditure and Reporting (negative scores only). The allocation amounts available in each CoC region are established by formula by CoC region. Any funds returned to the Department from prior ESG awards before 2017 ESG awards are made, will be redistributed in accordance with the 2016 NOFA or as otherwise approved by the TDHCA Board to cover the delay in 2017 ESG funding.</li> </ul>

<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>For the competitive process, TDHCA plans to release a NOFA in the winter of 2017 in anticipation of the State's receipt of ESG funding. For 2017, Applications will be accepted for approximately a 60-day period. Applications are scored and ranked within their CoC regions.</p> <p>TDHCA is considering offering a NOFA for a two-year award cycle; TDHCA would release a NOFA in winter of 2017 for an award of ESG 2017 and 2018 funds. A two-year award cycle would allow Subrecipients to offer up to 24 months of assistance for medium-term rental assistance (currently Subrecipients are limited to the number of months within their contracts, which is 12 months or fewer). TDHCA will state in the 2017 NOFA whether it retain its one-year award cycle, or move to a two-year award cycle.</p> <p>TDHCA may also allow 2017 ESG Subrecipients to access pre-award costs in accordance with §200.458 if the costs are necessary for efficient and timely performance of the activity under which the costs may be requested, and provided that the costs are for ESG eligible activities.</p> <p>TDHCA encourages collaboration among homeless service providers by allowing the submission of a Collaborative Application. A Collaborative Application is an application that has a lead applicant and partner agencies. The lead applicant is an organization that submits the ESG application and, if awarded, will have a contract with TDHCA. The partner agencies will have a legal relationship with the lead applicant to receive ESG funding in return for performance and reporting, as established during the application process. Collaborative Applications are often more competitive than single applicants because the lead applicant's and partner organizations' performance, which is part of the application which has the highest potential for points, is combined into one application.</p> <p>Eligible applicant organizations are Units of General Purpose Local Government, including cities, counties and metropolitan cities; urban counties that receive ESG funds directly from HUD; and organizations as described in a NOFA. Other instrumentalities of a city or county, like a Local Mental Health Authority, may be eligible and should seek guidance from TDHCA to determine if they can apply. Governmental organizations such as Public Housing Authorities ("PHAs") and housing finance agencies are not eligible and cannot apply directly for ESG funds; however PHAs may serve as a partner in a collaborative Application, but may not be the lead applicant. These same criteria will apply to those applicants awarded directly by the CoCs as well.</p> <p>Eligible applicants also include private nonprofit organizations that are secular or religious organizations described in section 501(c) of the Internal Revenue Code of 1986, are exempt from taxation under subtitle A of the Code, have an acceptable accounting system and a voluntary board, and practice non-discrimination in the provision of assistance. Faith-based organizations receiving ESG funds, like all organizations receiving HUD funds, must serve all eligible beneficiaries without regard to religion.</p>
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<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>ESG funds may be used for six program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, HMIS or HMIS-comparable database, and administrative activities. Per 24 CFR §576.100(b), the total amount of an Applicant's budget for street outreach and emergency shelter cannot exceed 60% of their total requested amount. Within a Collaborative Application, the 60% limit applies to the entire Application and not to each partner within the Collaborative Application. The 60% limit per Application is waived for a competition run by the local CoC Lead Agency because the CoC lead agencies will ensure that the combined amount recommended for ESG awards in the CoC will not exceed 60% in street outreach and emergency shelter. For a CoC region with a local competition, one Applicant for ESG may propose to serve more than 60% street outreach or emergency shelter only if the recommendations for awards from the CoC lead agencies balance the distribution of funding so that the overall award recommendations result in less than 60% for street outreach and emergency shelter.</p> <p>If ESG has a decrease of 25% or more in its 2017 annual allocation compared to 2016, then TDHCA may incentivize street outreach and homelessness prevention activities in its 2017/2018 ESG NOFA. Emergency shelter and rapid re-housing are eligible activities through the CoC Program, while street outreach and homelessness prevention are not offered through the CoC Program and will complete the array of services for local communities that receive CoC funds. Persons experiencing homelessness and homelessness resources are often concentrated in urban areas. While the need in urban areas for resources is great, there are large areas of Texas that do not receive ESG funds directly from HUD. The 2017 ESG NOFA is anticipated to establish a system of scoring where applicants receive more points for clients they serve in rural areas. TDHCA is having discussions with the Balance of State CoC for the possible inclusion of regions for ESG allocations during the NOFA process, as stated in AP-10.</p> <p>On June 30, 2017, CPD announced a Supplemental ESG award of \$169,721 to the State of Texas. This additional funding was awarded because the Fiscal Year 2017 Homeless Assistance Grants appropriation provided ESG funding “for grants for rapid re-housing or other critical activities in order to assist communities that lost significant capacity after January 1, 2016 to serve persons experiencing homelessness.” In the June 30, 2017, announcement, HUD identified the Amarillo CoC as one such community and TDHCA will increase the award to the Amarillo CoC accordingly.</p>
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	<b>Describe threshold factors and grant size limits.</b>	TDHCA is considering raising the grant size limits for 10 of the CoCs and decreasing the grant size limits for the Balance of State CoC. In 2016, the grant size limits were \$150,000 per single Applicant or \$600,000 per Collaborative Applicant. TDHCA will release a draft NOFA with a possible increase in the grant size limits for 10 of the CoCs to \$200,000 per single Applicant, while retaining the \$600,000 per Collaborative Applicant. In this way, Applicants would be better able to form meaningful collaborations and avoid collaborating only to increase a potential award amount. The draft NOFA will also reflect a decrease in the grant size for the Balance of State CoC of \$100,000 per Applicant, and \$400,000 per Collaborative Applicant. In this way the funding will be more widely distributed throughout rural areas. The grant size limits after the public comment will be determined by TDHCA and stated in the 2017 ESG NOFA. The NOFA may be adjusted depending on the final allocation from HUD. If funds are being awarded by CoCs, they will establish these factors and limits with TDHCA approval. They will not necessarily reflect these factors, but will reflect a local decision-making process.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	The expected outcome is that funds will be awarded to organizations that have the administrative and performance capacity to provide the services needed in their communities, with a broad distribution of funding to reach as many areas of the state with quality services as possible. The expected outcome of TDHCA's plan to fund the CoCs directly is that the same will be accomplished, but with CoC-wide planning rather than with only State planning.
19	<b>State Program Name:</b>	Texas HOPWA Program
	<b>Funding Sources:</b>	HOPWA
	<b>Describe the state program addressed by the Method of Distribution.</b>	DSHS selects seven AAs across the state through a combination of competitive Requests for Proposal ("RFP") and intergovernmental agency contracts. The AAs act as an administrative arm for DSHS by administering the HOPWA program locally. The AAs do not receive any HOPWA administrative funds from DSHS; all AA administrative costs are leveraged from other funding sources. The AAs, in turn, select HOPWA Project Sponsors to cover all 26 HSDAs through local competitive processes.

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>Information on grant applications, available funding opportunities, application criteria, etc. can be found on the DSHS website: <a href="http://www.dshs.texas.gov/fic/default.shtm">http://www.dshs.texas.gov/fic/default.shtm</a>.</p> <p>Contracting and procurement services for DSHS HOPWA is overseen by the Texas Health and Human Services Commission Procurement and Contracting Services ("PCS") Division. This division handles the solicitation, contract development, contract execution, and is the office of record for DSHS's contracting needs.</p> <p>Evaluation Criteria as noted in the most recent RFP process for AAs for Ryan White/State Services and HOPWA programs were: Respondent Background = 30%; Assessment Narrative = 15%; Performance Measures = 10%; Work Plan = 35%; and Budget = 10%.</p>
<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>The AAs select HOPWA Project Sponsors to cover all 26 HSDAs through local competitive processes. Community-based organizations, minority organizations, minority providers, grassroots and faith-based organizations are encouraged to apply. Historically, many of the agencies that have provided services to TDHCA's client population are grassroots, community-based, and minority organizations.</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>Texas HOPWA funding allocations are geographically distributed across the state to the 26 HSDAs based on factors such as population of PLWH and unmet need. Texas HOPWA serves PLWH and their household members, all of whom are at or below 80% of AMI, and most fall into the extremely low-income category. Allocations generally mirror the Ryan White Program allocation formula, which takes into account population of PLWH, HIV incidence, number of PLWH accessing Ryan White services, percent of PLWH eligible for Medicaid, and other considerations. The allocations are then adjusted based on unmet need, prior performance and expenditures, geographic-specific data provided by Project Sponsors, and any other relevant factors. After allocations to each HSDA are determined, it is then up to the Project Sponsor to allocate between activities of TBRA, STRMU, PHP, Supportive Services, and administrative expenses (not to exceed 7% of their allocation) and submit those to their AA and DSHS for approval. Project Sponsors base allocations on many factors, including but not limited to, number of clients projected to continue into the next year, area unmet need, rental costs, prior number of clients served, average expenditures per client, and changes in HIV population living in poverty, etc. Funds are also reallocated during the year within HSDAs under each AA as needed when needs change.</p>

	<b>Describe threshold factors and grant size limits.</b>	Texas HOPWA serves PLWH and their household members, all of whom are at or below 80% of AMI. The majority of HOPWA clients are classified as extremely low income, which is between 0% and 30% of AMI.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	TBRA, STRMU, and Supportive Service activities each have their own outcome measures. TBRA measures housing stability by assessing a household's destination at the end of the service. STRMU measures housing stability by assessing a household's housing status at the end of the service. Supportive Services measures access to health care and supportive services outcomes at the end of the service.
20	<b>State Program Name:</b>	Texas Small Towns Environment Program Fund
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Texas Small Towns Environment Program ("STEP") Fund provides funds to cities and counties that recognize the need and potential to solve water and sewer problems through self-help techniques via local volunteers. By utilizing the resources of the community (human, material, and financial), the necessary construction, engineering, and administration costs can be reduced significantly from the cost for the installation of the same improvements through conventional construction methods.  The self-help response to water and sewer needs may not be appropriate in every community. In most cases, the decision by a community to utilize self-help to obtain needed water and sewer facilities is based on the realization of the community that it cannot afford even a basic water or sewer system based on the initial construction costs and the operations/maintenance costs (including debt service costs) for water or sewer facilities installed through conventional financing and construction methods.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	STEP assistance is available as needed. The following are the criteria to be used by CDBG staff for assessments and applications under the Texas STEP Fund: a. Project Impact b. STEP Characteristics, Merits of the Project, and Local Effort c. Past Participation and Performance d. Percentage of Savings off of the retail price e. Benefit to Low/Moderate-Income Persons

	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a>
	<b>Describe how resources will be allocated among funding categories.</b>	Deobligated funds up to \$1,000,000 are made available for the STEP Fund on the first day of the program year.
	<b>Describe threshold factors and grant size limits.</b>	Maximum \$350,000/Minimum \$0
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Activities Benefiting LMI Persons
21	<b>State Program Name:</b>	Urgent Need Fund
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	Urgent Need ("UN") Fund assistance is available for activities that will restore water and/or sewer infrastructure whose sudden failure has resulted in death, illness, injury, or poses an imminent threat to life or health within the affected applicant's jurisdiction. The infrastructure failure must not be the result of a lack of maintenance and must be unforeseeable. An application for UN Fund assistance will not be accepted until discussions between the potential applicant and representatives of TDA, TWDB, and the Texas Commission on Environmental Quality ("TCEQ") have taken place. Through these discussions, a determination shall be made whether the situation meets eligibility requirements and if a potential applicant should be invited to submit an application for the UN Fund. Construction on an UN Fund project must begin within ninety (90) days from the start date of the CDBG contract. TDA may de-obligate the funds under an UN Fund contract if the grantee fails to meet this requirement.

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>To qualify for the UN Fund:</p> <ol style="list-style-type: none"> <li>1. The situation addressed by the applicant must not be related to a proclaimed state or federal disaster declaration.</li> <li>2. The situation addressed by the applicant must be both unanticipated and beyond the control of the local government (e.g., not for facilities or equipment beyond their normal, useful life span).</li> <li>3. The problem being addressed must be of recent origin. For UN assistance, this means that the situation first occurred or was first discovered no more than 30 days prior to the date that the potential applicant provides a written request to the TDA for UN assistance. UN funds cannot fund projects to address a situation that has been known for more than 30 days or should have been known would occur based on the applicant’s existing system facilities.</li> <li>4. Each applicant for these funds must demonstrate that local funds or funds from other state or federal sources are not available to completely address the problem.</li> <li>5. The applicant must provide documentation from an engineer or other qualified professional that the infrastructure failure cannot have resulted from a lack of maintenance or been caused by operator error.</li> <li>6. UN funds cannot be used to restore infrastructure that has been cited previously for failure to meet minimum state standards.</li> <li>7. The infrastructure requested by the applicant cannot include back-up or redundant systems.</li> <li>8. The UN Fund will not finance temporary solutions to the problem or circumstance.</li> <li>9. TDA may consider whether funds under an existing CDBG contract are available to be reallocated to address the situation, if eligible.</li> <li>10. The distribution of these funds will be coordinated with other state agencies. Each applicant for UN Funds must provide matching funds. If the applicant’s most recent Census population is equal to or fewer than 1,500 persons, the applicant must provide matching funds equal to 10 percent of the CDBG funds requested. If the applicant’s most recent Census population is over 1,500 persons, the applicant must provide matching funds equal to 20 percent of the CDBG funds requested. For county applications where the beneficiaries of the water or sewer improvements are located in unincorporated areas, the population category for matching funds is based on the number of project beneficiaries.</li> </ol>
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<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>Guidelines, applications and additional program documentation can be found on TDA's website at <a href="http://www.texasagriculture.gov">www.texasagriculture.gov</a>.</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>No funds will be allocated on the first day of the Program Year; however, the amount for this funding category may be adjusted during the 2017 PY as needed.</p>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>Maximum \$250,000/Minimum \$25,000</p>
<p><b>What are the outcome measures expected as a result of the method of distribution?</b></p>	<p>Meet other community development needs of particular urgency which represent an immediate threat to the health and safety of residents of the community</p>

**Discussion:**

The distribution process for 4% HTC Program, 9% HTC Program, HHSP, Housing Trust Fund Program, MCC Program, My First Texas Home Program, NSP PI Program, Section 8 HCV Program, Section 811 PRA Program, and TCAP Loan Repayments can be found in the documents that govern these programs, all available at <http://www.tdhca.state.tx.us/>. The CDBG Colonia Set-Aside Methods of Distribution will be included in Action Plan Section 48, which is specifically about colonias.

Along with selecting appropriate entities to administer funding, the State must ensure that the funding is appropriately spent. For example, in addition to an output measure of the number of clients/households supported with HOPWA housing subsidies assistance, AAs routinely monitor Project Sponsors for compliance and performance. DSHS monitors the AAs and annually compiles AAs' and Project Sponsors program progress reports and reviews cumulative data for number of households assisted compared to goals, expenditures, and stability outcomes of households served. More information on CPD Programs monitoring efforts are described in Strategic Plan Section 80, Monitoring.

## **AP-35 Projects – (Optional)**

### **Introduction:**

At the time of submission of the State of Texas 2015-2019 Consolidated Plan, project information will not have been entered in the Annual Action Plan-35 Projects table. Per Consolidated Plan Guidance Released on February 2014, project-level detail for states is not required because the State does not initiate specific projects or activities. This guidance continues for the 2017 OYAP.

### **Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

Because no projects have been entered in this section, this section is not applicable. Allocation priorities are discussed in Action Plan Section 25, which also includes meeting special needs. Actions to meeting underserved needs are found in Action Plan Section 85.

CDBG-DR allocation priorities can be found in the CDBG-DR Action Plan at:  
<http://www.glo.texas.gov/GLO/disaster-recovery/index.html>

**AP-40 Section 108 Loan Guarantee – 91.320(k)(1)(ii)**

**Will the state help non-entitlement units of general local government to apply for Section 108 loan funds?**

No

**Available Grant Amounts**

Not applicable.

**Acceptance process of applications**

Not applicable.

## **AP-45 Community Revitalization Strategies – 91.320(k)(1)(ii)**

**Will the state allow units of general local government to carry out community revitalization strategies?**

Yes

### **State’s Process and Criteria for approving local government revitalization strategies**

TDA's CDBG program operates four programs that stimulate job creation/retention activities that primarily benefit LMI persons, prevent/eliminate slum and blight conditions, and support community planning efforts.

The TCF Real Estate and Infrastructure Development Programs provides grants and/or loans for Real Estate and Infrastructure Development to create or retain permanent jobs in primarily rural communities and counties.

The Downtown Revitalization Program is intended to stimulate economic growth through the funding of public infrastructure improvements to aid in the elimination of slum and blight conditions in the historic downtown areas of rural communities. The program is only available to “non-entitlement” city governments. Non-entitlement cities do not receive direct funding from HUD and typically include cities with a population of less than 50,000. Awarded cities receive funds to make public infrastructure improvements in the designated historic, downtown business district. Projects must meet the national objective of aiding in the elimination of slum and/or blighted conditions identified by city resolution. The improvements must directly support the revitalization of the city's designated downtown area.

The Main Street Development Program is intended to stimulate economic growth through the funding of public infrastructure improvements to aid in the elimination of slum and blight conditions in the historic downtown areas of rural communities identified by the Texas Historical Commission as a Main Street Community. The program is only available to “non-entitlement” city governments that are also designated as an official Texas Main Street City by the Texas Historical Commission. Non-entitlement cities do not receive direct funding from HUD and typically include cities with a population of less than 50,000. Awarded cities receive funds to make public infrastructure improvements in the designated Main Street business district. Projects must meet the national objective of aiding in the elimination of slum and/or blighted conditions identified by city resolution. The improvements must directly support the revitalization of the city's designated main street area.

The Planning and Capacity Building Fund is a competitive grant program for local public facility and housing planning activities. Localities apply for financial assistance to prepare a “comprehensive plan” or any of its components. Typical activities regard topics such as: Base Mapping, Land Use, Housing, Population, Economic Development and/or Tourism, Central Business District, Street Conditions, Thoroughfares, Parks and Recreation, Water Distribution and Supply, Wastewater Collection and Treatment, Drainage (streets & flood hazard areas), Gas or Electric Systems (if owned by the locality),

Community Facilities, Capital Improvements Program, Zoning Ordinance, Subdivision Regulation. Section 105(a) of the Housing and Community Development Act of 1974, as amended, outlines all the generally eligible activities.

## AP-48 Method of Distribution for Colonias Set-aside – 91.320(d)&(k)

### Distribution Methods

State Program Name	Funding Sources
Colonia Economically Distressed Areas Program (CEDAP)	CDBG CDBG Colonias Set-aside
Colonia Planning and Construction Funds	CDBG CDBG Colonias Set-aside
Colonia SHC Legislative Set-Aside (administered by TDHCA)	CDBG CDBG Colonias Set-aside
Colonias to Cities Initiative Program	CDBG CDBG Colonias Set-aside

**Table 20 - Distribution Methods by State Program for Colonias Set-aside**

Method of Distribution details for Colonias Set-Aside is provided in the AP-30 Method of Distribution table.

### Discussion

Texas has the largest number of colonias and the largest colonia population of all the border states. The method of distribution for funds set aside to serve colonias relies on subgrantees along the Texas-Mexico border as well as interagency cooperation between TDHCA, TDA, TWDB, the Office of the Attorney General, and others. The majority of the funding that assists colonias is through infrastructure development, but funds are also available to address housing, community planning, economic revitalization and disaster relief. TDHCA’s role in administering colonia funding is limited to the Colonia SHCs (2.5% set-aside of all Texas’ CDBG funds) and HOME colonia set-aside. TDHCA has strategically placed Border Field Offices along the Texas-Mexico Border that supports SHC staff with problem solving and training. The Border Field Offices exist to provide local technical assistance directly to both colonia residents and the organizations that serve colonia residents. TDHCA also works in concert with other state agencies on a regular basis—namely TDA and the Texas Secretary of State—to coordinate efforts and exchange information in order enhance service delivery.

The majority of the funding that assists colonias is through the CDBG Program. However, HOME has a specific set-aside for colonias. In addition, ESG and HOPWA may also provide funding in that area, as described in Action Plan Section 30.

## **AP-50 Geographic Distribution – 91.320(f)**

### **Description of the geographic areas of the state (including areas of low-income and minority concentration) where assistance will be directed**

#### HOME Addresses Geographic Areas for Assistance

TDHCA does not provide priorities for allocation of investment geographically to areas of minority concentration; however, the geographic distribution of HOME funds to minority populations is analyzed annually. TDHCA is statutorily required by the Texas Government Code to provide a comprehensive statement of its activities through the State of Texas Low Income Housing Plan and Annual Report. Part of this document describes the ethnic and racial composition of families and individuals receiving assistance from each housing program.

HOME funds used for multifamily development are typically paired with tax-exempt bond and/or HTC. TDHCA rules that govern the HTC Program include incentives for developments utilizing the competitive 9% HTC in high opportunity areas, which are defined as high-income and low-poverty areas, and are not typically minority-concentrated. It also provides competitive incentive to develop in colonias or economically distressed areas. Developments using tax-exempt bond financing and 4% HTCs are more frequently located in qualified census tracts due to federal guidelines that cause these to be more financially viable.

#### ESG Addresses Geographic Areas for Assistance

Assistance provided by ESG funds will be directed statewide, according to the 11 HUD-designated CoC regions. TDHCA does not provide priorities for allocating investment geographically to areas of minority concentration as described in Section 91.320(d).

#### HOPWA Addresses Geographic Areas for Assistance

The Texas HOPWA funding allocations are geographically distributed according to the 26 HIV HSDAs. Allocations are based on several factors, including past performance of Project Sponsors and unmet need, with the majority of Texas HOPWA clients (83% in 2015) classified as extremely low and low income. Allocations generally mirror the Ryan White Program allocation formula, which takes into account population of PLWH, HIV incidence, number of PLWH accessing Ryan White services, percent of PLWH eligible for Medicaid, and other considerations. The allocations are then adjusted based on unmet need, prior performance and expenditures, geographic-specific data provided by Project Sponsors, and any other relevant factors. Many of these individuals reside in areas of minority concentration and most PLWH are racial and ethnic minorities, so the program allocates funding to meet the needs of PLWH in Texas.

#### CDBG Addresses Geographic Areas for Assistance

TDA does not provide priorities for allocation of funds geographically to areas of minority concentration as described in Section 91.320(f). CDBG funds are allocated across the state in three ways. 1. The CD Fund assigns a percentage of the annual allocation to each of the 24 Regional COGs, ensuring that each region of the state receives a portion of the funds.

2. The Colonia Fund directs funding to communities within 150 miles of the Texas-Mexico border. All remaining funds are distributed through state-wide competitions without geographic priorities.
3. For the Colonia SHCs, centers are established along the Texas-Mexico border in Cameron/Willacy, Hidalgo, Starr, Webb, Maverick, Val Verde, and El Paso counties. The SHC Program serves approximately 35 colonias in seven border counties, which are comprised of primarily Hispanic households and have concentrations of very low-income households.

NHTF Geographic Priorities description is added to Discussion section text below.

**Geographic Distribution**

Target Area	Percentage of Funds
State of Texas	100

**Table 21 - Geographic Distribution**

**Rationale for the priorities for allocating investments geographically**

**HOME Addresses Geographic Investments**

HOME funds are allocated geographically using a regional allocation formula (“RAF”), as described in Strategic Plan Section 10. This process directs funds to areas of the State that demonstrate high need. TDHCA-administered HOME funds not serving PWDs are primarily used in areas that are not Participating Jurisdictions (“PJs”) per statute. This results in more HOME funds in smaller communities than in larger Metropolitan Statistical Areas (“MSAs”) that receive HOME funds directly from HUD. The current RAF is online at <http://www.tdhca.state.tx.us/housing-center/pubs-plans.htm>.

**ESG Addresses Geographic Investments**

TDHCA released the allocation formula for public comment with the draft NOFA in late Fall 2016. CoC regions make funding available for competition according to the combination of the region’s proportionate share of the state’s total of a number of factors. Factors used in the 2016 ESG distribution were homeless population, based on the most recent Point-in-Time count submitted to HUD by the CoCs, and the region’s proportionate share of people living in poverty, based on the most recent 5-year American Community Survey poverty data published by the Census Bureau. Factors to be considered in the 2017 ESG distribution will be homeless population, people living in poverty, cost burden of renters, and other relevant factors. For the purposes of distributing funds in 2016, the percentage of statewide homeless population is weighted at 75% while the percentage of statewide population in poverty is weighted at 25%. The relation of factors under consideration in 2017 will be based on percentages for each region.

**HOPWA Addresses Geographic Investments**

At the end of 2014, approximately 80,073 people in Texas were known to be living with HIV and it is estimated that an additional 17,000 people in Texas are living with HIV but are currently unaware of their status. The number of Texans living with HIV increases each year and in order to meet the needs of low-income PLWH in Texas, many of whom live in areas of minority concentration, the HOPWA funding

allocations are geographically distributed across the State and are allocated based on several factors, including unmet need.

Six cities in Texas have a population of over 500,000 (Austin, Dallas, Fort Worth, El Paso, Houston, and San Antonio) in MSAs funded directly from HUD for HOPWA. The Texas HOPWA program can operate in any area of the State but mostly serves counties not covered under the MSAs' jurisdictions, with some overlap of counties between the State and the MSAs. As a result, Texas HOPWA covers all of the rural areas of the State, where many low-income HOPWA clients reside, and funding prioritization is based on areas with greater unmet need for PLWH.

#### CDBG Addresses Geographic Investments

Texas CDBG Funds for projects under the CD Fund are allocated by formula to 24 regions based on the methodology that HUD uses to allocate CDBG funds to the non-entitlement state programs (21.71% of annual allocation), along with a state formula based on poverty and unemployment (40% of annual allocation). 12.5% of the annual allocation is allocated to projects under the Colonia Fund categories, which must be expended within 150 miles of the Texas-Mexico border.

For the Colonia SHCs, state legislative mandate designates five centers along the Texas-Mexico border in Cameron/Willacy, Hidalgo, Starr, Webb and El Paso counties to address the long history of poverty and lack of institutional resources. In 2001, TDHCA added two additional SHCs in Maverick and Val Verde counties. These two counties collectively have approximately 42,000 colonia residents who may qualify to access center services.

NHTF Geographic Investments description is added to Discussion section text below.

#### **Discussion**

Many of the Target Areas available in the Integrated Disbursement and Information System ("IDIS"), HUD's electronic system in which this Plan has been entered, were too detailed for use at the macro-level; therefore, the State entered the "State of Texas" as a Target Area in Strategic Plan Section 10. Within Texas, each program relies on a formula to distribute funds geographically.

#### NHTF Geographic Priorities

The Texas NHTF will distribute NHTF funds through a competitive NOFA process. The funds will initially be available geographically, based on the proportion of Extremely Low Income Renter households to the total population of Renter Households in each of thirteen State Service Regions. A minimum will be calculated for each region as a ratio of the available allocation divided by thirteen, and available competitively within each region prior to collapse into a statewide competition.

#### NHTF Addresses Geographic Investments

NHTF funds are allocated geographically using a Regional Allocation Formula, as described in Strategic Plan Section 10. Acknowledging that all regions of the State have a need to create housing for

ELI households, the formula provides opportunity for access to NHTF. This process directs funds to areas of the State that demonstrate high need.

## Affordable Housing

### AP-55 Affordable Housing – 24 CFR 91.320(g)

#### Introduction:

Affordable Housing goals for PY 2017 are indicated in the table below for the number of homeless, non-homeless, and special needs households, and for the number of affordable housing units that will be provided by program type, including rental assistance, production of new units, rehabilitation of existing units, utility connections for existing units, or acquisition of existing units. Note that goals entered for ESG are only for Homeless Prevention and Rapid Re-housing. The HOME goals include multifamily and single family activities.

One Year Goals for the Number of Households to be Supported	
Homeless	8,314
Non-Homeless	749
Special-Needs	1,776
Total	10,839

Table 22 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	4,374
The Production of New Units	110
Rehab of Existing Units	70
Acquisition of Existing Units	47
Total	4,601

Table 23 - One Year Goals for Affordable Housing by Support Type

#### Discussion:

The one year goals for TDHCA's HOME Program include homebuyer assistance with possible rehabilitation for accessibility, TBRA, homeowner rehabilitation assistance, rehabilitation of multifamily units, and construction of single-family and multifamily units.

The one year goals for TDHCA's NHTF Program include rehabilitation of multifamily units, and construction of new multifamily units.

TDHCA's ESG Program provides Rapid Re-housing assistance to help homeless individuals and households quickly regain stability in housing. Homelessness Prevention and Emergency Shelter outcome indicators are counted as persons, not households, so is not added into the chart above. ESG also provides street outreach, but as this does not directly equate to affordable housing, it is not counted above.

DSHS' HOPWA Program provides TBRA, STRMU, PHP, and Supportive Services to assist low-income HIV-positive clients and their households to establish or maintain affordable, stable housing, reduce the risk of homelessness, and improve access to health care and other services. HOPWA serves households with 80% or less of area median income, but a majority of Texas HOPWA households are under 30% AMI and lack of affordable housing is an ongoing issue. DSHS estimates that the HOPWA program will assist 900 unduplicated, income-eligible households with housing subsidy assistance.

Currently, Texas CDBG funds primarily support affordable housing through water and sewer infrastructure for housing. The CDBG funding provides a cost savings for housing when used to install water and sewer yard lines and pay impact and connection fees for qualifying residents. Housing rehabilitation projects are prioritized in several fund categories. CDBG funds also help communities study affordable housing conditions, providing data on affordable housing stock and planning tools for expanding affordable housing. CDBG provides approximately 250 utility connections per year, which are not reflected in the chart above, but could prove essential to obtaining or maintaining housing.

Colonia residents are considered "Special Needs" households who are supported through the production, rehab or acquisition of units. The Colonia SHCs continue to address affordable housing needs in border counties by assisting qualifying colonia residents to improve or maintain a safe, suitable home in suitable areas, with the contribution of the residents' sweat-equity which is required in all housing activities at the SHC. In addition, the Colonia SHCs provide other development opportunities that support the creation of affordable housing for beneficiaries, such as tool lending, and training in home construction and repair, financial literacy, and homeownership skills.

## **AP-60 Public Housing - 24 CFR 91.320(j)**

### **Introduction:**

TDHCA believes that the future success of PHAs will center on ingenuity in program design, emphasis on resident participation towards economic self-sufficiency, and partnerships with other organizations to address the needs of this population. While TDHCA does not have any direct or indirect jurisdiction over the management or operations of PHAs, it is important to maintain a relationship with these service providers.

### **Actions planned during the next year to address the needs to public housing**

TDHCA, as a small PHA itself, works with other PHAs around the State to port vouchers when necessary. This is especially true for Project Access, a TDHCA program that uses Section 8 vouchers to serve people with disabilities living in certain institutions by transitioning them into residences in the community, described fully in Action Plan Section 65. For the Project Access Program, an applicant is issued a voucher from TDHCA. To port the voucher, TDHCA works with the Receiving Public Housing Authority ("RPHA") to transfer the documents and the voucher. The voucher holder is briefed and given an introduction on the RPHAs program rules. At this time, the RPHA can decide to absorb the voucher or bill the Initial PHA ("IPHA"). If the RPHA absorbs the voucher, the RPHA will send notice to the IPHA for documentation. This allows TDHCA to use another HCV for another applicant on the Project Access waiting list. If the RPHA bills the IPHA, the RPHA is required to submit a billing notice within an allotted time to the IPHA so payment can be received. In this way, TDHCA and local PHAs work closely together.

### **HOME Addresses PHA Needs**

TDHCA provides notices of funding availability under the HOME Program to interested parties around the State, including PHAs. Furthermore, staff of PHAs, especially those receiving HOME funds and those with Section 8 Homeownership programs, are targeted by TDHCA's Texas Statewide Homebuyer Education Program for training to provide homebuyer education opportunities and self-sufficiency tools for PHA residents. In addition, PHAs may also administer HOME TBRA funds, enabling them to provide households with rental assistance and services to increase self-sufficiency.

Regarding HOME Multifamily Development that is also financed with the HTC Program, PHAs are incentivized in the QAP to either provide leverage in developments that they own or to provide financing as evidence of support from Local Political Subdivisions for developments which they do not own.

### **ESG Addresses PHA Needs**

PHA residents are eligible to receive assistance and services from ESG Subrecipients, as long as the assistance does not violate Section 576.105(d) of HUD's ESG rules regarding use of funds with other subsidies. Fostering public housing resident initiatives is not an initiative for which TDHCA provides funding or that TDHCA tracks for the ESG Program.

#### HOPWA Addresses PHA Needs

The HOPWA program administered by DSHS does not provide public housing assistance. However, Project Sponsors coordinate closely with local housing authorities for client referrals and to address local housing issues. HOPWA clients who move into public housing are no longer eligible to receive HOPWA housing subsidy assistance but are offered HOPWA Supportive Services as needed for transition and if eligible, may continue to receive services through the Ryan White/State Services program.

#### CDBG Addresses PHA Needs

The Texas CDBG Program serves public housing areas through various funding categories as residents of PHAs qualify as low- to moderate-income beneficiaries for CDBG projects.

CDBG grant recipients must also comply with local Section 3 policies, including outreach to public housing residents and other qualified Section 3 persons in any new employment, training, or contracting opportunities created during the expenditure of CDBG funding.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

HOME, ESG, HOPWA, and CDBG are subject to 24 CFR Part 135 which requires that HUD funds invested in housing and community development construction contribute to employment opportunities for low-income persons living in or near the HUD-funded project. These requirements, called Section 3 requirements, are covered at trainings for Subrecipients; persons who may benefit from employment opportunities include PHA residents.

#### HOME Addresses Public Housing Resident Initiatives

PHAs are eligible to apply to administer HOME funds to provide homebuyer assistance in their areas. PHAs also provide services to increase self-sufficiency, which may include homebuyer counseling services. In addition, TDHCA targets its Texas Statewide Homebuyer Education Program to PHAs, among other groups, which provide homebuyer education training opportunities and self-sufficiency tools for PHA residents.

#### ESG Addresses Public Housing Resident Initiatives

PHA residents are eligible to receive assistance and services from ESG Subrecipients, as long as the assistance does not violate Section 576.105(d) of the ESG rules regarding use of funds with other subsidies.

#### HOPWA Addresses Public Housing Resident Initiatives

The HOPWA program administered by DSHS does not provide public housing assistance. However, Project Sponsors coordinate closely with local PHAs for client referrals and to address local housing issues.

#### CDBG Addresses Public Housing Resident Initiatives

The CDBG Program serves public housing areas through various funding categories as residents of PHAs qualify as low- to moderate-income beneficiaries for CDBG projects.

**If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

TDHCA has worked to promote programs that will rehabilitate and bring substandard housing into compliant condition and will develop additional affordable housing units. For example, most of the PHA applications for HTCs are for rehabilitation and the applications for new construction usually include a demolition of the existing units. TDHCA also offers a variety of funding sources for assistance. Most PHAs that apply are usually from larger Metropolitan Statistical Areas, which are PJs and not eligible to receive HOME funding through TDHCA. Consistent with fair housing objectives, TDHCA seeks ways to accomplish these activities in a manner that seeks to place PHA units in areas of greater opportunity and areas that do not involve unacceptable site and area features.

TDHCA has a history of assisting troubled housing authorities and has absorbed vouchers from several PHAs that were having difficulties. HUD identified, in two separate instances, public housing authorities that it thought might be well-advised to have its voucher programs absorbed by TDHCA. The Navasota Housing Authority and the Alamo Area Council of Governments (which was operating as a PHA) each contacted TDHCA to discuss the possibility of absorbing their housing choice voucher programs. During a series of meetings with HUD staff and the PHAs, discussion resulted in multiple on-site visits. Ultimately, the Navasota Housing Authority and the Alamo Area Council of Governments transferred their voucher programs to TDHCA and HUD reassigned the files' PHA codes.

To expand its work with PHAs, TDHCA has developed a relationship with the Texas Housing Association and the Texas chapter of the National Association of Housing and Redevelopment Officials (“NAHRO”), which serve the PHAs of Texas. Whenever possible, the State will communicate to PHAs the importance of serving special needs populations.

**Discussion:**

To address PHA needs, TDHCA has designated PHAs as eligible participants in some of its programs, such as the HTC Program, and HOME Program. PHAs have successfully administered HTC funds to rehabilitate or develop affordable rental housing. The PHA needs to submit an application and be awarded in order to access funding.

There are also federal sources available for PHAs that can be paired with HOME. Also through HUDs Rental Assistance Demonstration (“RAD”) Program, PHAs can use public housing operating subsidies along with HTC Program once the older PHA units are demolished and replaced with new housing. Because most PHAs using RAD are located in PJs, TDHCA does not anticipate using its HOME funds in conjunction with RAD consistent with its restrictions on HOME fund use in participating jurisdictions, but it is an allowable activity for units in non PJs.

## **AP-65 Homeless and Other Special Needs Activities – 91.320(h)**

### **Introduction**

TDHCA will address requirements in 24 CFR §91.320 by using funds to reduce and end homelessness. Each ESG Applicant is required to coordinate with the lead agency of the CoC, which provides services and follows a centralized or coordinated assessment process; has written policies and procedures in place as described by §578.7(a)(8) and (9); and follows a written standard to provide street outreach, emergency shelter, rapid re-housing, and homelessness prevention assistance. To assist low-income individuals and families to avoid becoming homeless, TDHCA requires each ESG Subrecipient to set performance targets that are part of its scoring criteria for the NOFA and part of its contract. For Collaborative Applications, the performance targets to serve certain numbers of persons or households not only applies to the ESG Subrecipient, but is extended to the agreement the ESG Subrecipient had during the application process with its collaborative partners. A Subrecipient must address the housing and supportive service needs of individuals assisted with ESG funds in a plan to move the client toward housing stability.

ESG is one of several programs that work to help transition persons out of institutions, such as the HOPWA Program, Section 811 PRA Program, Project Access Program, Money Follows the Person Program, and the Home and Community-Based Services - Adult Mental Health Program. The HHSC also works to enhance coordination between housing and service agencies to assist persons transitioning from institutions into community-based settings.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The Texas ESG Program provides funds to service providers for outreach to unsheltered homeless persons in order to connect them to emergency shelter, housing, or critical services; and to provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or other appropriate facilities. Of critical importance is assisting the unsheltered homeless with emergency shelter or other placement. Subrecipients serving clients through street outreach will be measured against their targets to help persons experiencing homelessness move into temporary, transitional or permanent housing. Subrecipients conducting street outreach may provide case management, such as assessing housing and service needs; arranging, coordinating, and monitoring the delivery of services; and planning a path to permanent housing stability.

An example of a benefit of a local competition for ESG funds in 2016 was one CoC lead agency's work in Dallas to ensure that the Dallas community had street outreach providers in several parts of the city. The result was three street outreach providers in Dallas in 2016 as compared to one street outreach

provider in 2015. The increase in funding for street outreach went from \$18,375 in 2015 to \$157,604 in 2016. An example of a 2016 street outreach provider in Dallas is City House, which focuses on helping homeless, runaway and street youth find stable housing and services. In its street outreach activity, City House includes street-based education and outreach, access to emergency shelter, survival aid, individual assessments, trauma-informed treatment and counseling, prevention and education activities, information and referrals, crisis intervention and follow-up support.

For clients receiving emergency shelter, rapid re-housing, or homelessness prevention, clients will be required to meet with a case manager not less than once per month with exceptions pursuant to the VAWA and the Family Violence Prevention and Services Act ("FVPSA"). Subrecipients are required to develop a plan to assist program participants to retain permanent housing after the ESG assistance ends.

### **Addressing the emergency shelter and transitional housing needs of homeless persons**

The ESG Program provides support to organizations that provide emergency services and shelter to homeless persons and households.

If assisting persons experiencing homelessness that are in an emergency shelter, Subrecipients will be measured against their annual targets to help persons experiencing homelessness move into temporary, transitional or permanent housing, or gaining more non-cash benefits at program exit than at program entry. If assisting persons with rapid re-housing or homelessness prevention, Subrecipients will be measured against their annual targets to help persons experiencing or at-risk of homelessness maintain housing for 3 months or more, exit to a permanent housing destination, gain a higher income, or increase their non-cash benefits upon program exit.

An example of a Subrecipient in 2016 which addresses the emergency shelter and transitional housing needs of clients is Project Vida in El Paso. Project Vida provided a Collaborative Application with La Posada Home, YWCA Transitional Living Center, El Paso County, and El Paso Alliance. TDHCA has one ESG contract with Project Vida, who then has legal agreements with its partners to provide ESG services. Project Vida provides emergency shelter, case management and recovery services to families with children in its six apartment facilities. La Posada Home provides shelter as well as workshops and support groups, with classes on parenting, healthy relationships, financial management, and conflict resolution. The YWCA Transitional Living Center's shelter offers programs addressing domestic violence, sexual assault and other trauma. El Paso County provides a resource center for youth aging out of foster care with services that focus on developing personal development and competencies. El Paso Alliance runs a peer-developed and peer-run residential alcohol and drug abuse recovery center called Casa Vida de Salud. Services include clinical detox, and residential services for 30-45 days along with intensive outpatient treatment and long term engagement. TDHCA plans to encourage wide array of emergency shelter services for the 2017 ESG competition through its emphasis on performance.

In addition, the State considers transitional housing as having characteristics associated with instability and an increased risk of homelessness, which may allow clients living in transitional housing to access

Homelessness Prevention services.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

Per 24 CFR §576.106, ESG funds can be used for short-term and medium-term rental assistance. Per 24 CFR §576.105, ESG funds can be used for a variety of housing relocation and stabilization services such as rental application fees, security deposits, utility deposits, utility payments, and moving costs for homeless individuals or persons at risk of homelessness. Funds can also be used for housing service costs related to housing search and placement, housing stability case management, mediation, legal services, and credit repair. ESG funds can also be used to pay for essential service costs including case management, child care, education services, employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, transportation, and costs related to serving special populations. It should be noted that, while the assistance listed above are eligible under ESG, an ESG Subrecipient may choose to not provide all the assistance listed. ESG Subrecipients specify in their written standards which services they will provide.

An example of a 2016 ESG Subrecipient that runs a rapid re-housing and homelessness prevention program is Salvation Army of Waco. Its rapid re-housing clients receive case management, including goal setting; assistance with housing search and relocation services; deposits and rent from 1-12 months depending on their need. Case management support continues during the time the rent is provided and follow-up is conducted at 30, 90 days, and at one year.

TDHCA acknowledges the change in the definition of chronically homeless, which was published in the Federal Register on December 4, 2015, and effective January 15, 2016. The new definition applies to clients of TDHCA's 2015 ESG Subrecipients assisted on or after the effective date, and TDHCA's ESG Subrecipients for future awards, per the revision to 24 CFR §91.5.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs**

ESG funds promote coordination with community providers and integration with mainstream services to gather available resources. One possible performance measure for Subrecipients is their ability to help increase non-cash benefits for program participants; the Subrecipients help program participants obtain non-ESG resources, such as veterans benefits or food stamps. One new performance measure for 2016

rapid re-housing clients is residence prior to entry, which measures the number of clients that exited a public institution or system of care and entered the rapid re-housing program. By tracking residence prior to entry, TDHCA will better be able to target assistance.

Individuals eligible for the State's HOPWA Program who are exiting from an institution receive a comprehensive housing plan and linkage and referrals to health professionals from a case manager. The State HOPWA Program provides TBRA, which can be used to transition persons from institutions into stable housing. Some project sponsors also provide rental deposits and application fees. Other programs included in this Plan also address persons transitioning from institutions. TDHCA has received awards totaling more than \$24 million for the Section 811 PRA Program, which will provide more than 600 new integrated supportive housing units in eight areas of the state for extremely low-income individuals with disabilities and their families. The target population includes individuals transitioning out of institutions, people with severe mental illness, and youth with disabilities transitioning out of the state's foster care system. Individuals in the Section 811 PRA Target Population are eligible for assistance from the Texas Health and Human Services agencies, are Medicaid-eligible, and could be at-risk of housing instability and/or homelessness.

Coordination between housing and the Health and Human Services ("HHS") agencies is exemplified by the Project Access and Money Follows the Person programs. Project Access uses Section 8 Housing Choice Vouchers administered by TDHCA to assist low-income persons with disabilities transitioning from nursing homes and Intermediate Care Facilities ("ICFs") to the community while using the Money Follows the Person Program to provide services by HHS agencies. The TDHCA Governing Board has approved changes to Project Access since it began in 2002 based on input from advocates and the HHS agencies including incremental increases to vouchers from 35 to 140 and creation of a pilot program with DSHS for persons with disabilities transitioning out of State Psychiatric Hospitals.

TDHCA offers TBRA to individuals on the Project Access Wait List, allowing them to live in the community until they can utilize a Project Access voucher. TDHCA conducted outreach and technical assistance to Department of Aging and Disability Services ("DADS") Relocation Specialists and HOME TBRA Administrators to help them serve individuals on the Project Access wait list.

To further address the needs of individuals transitioning from institutions, HHSCC seeks to increase coordination of housing and health services by supporting agencies to pursue funding, such as Relocation Contractor services for people with behavioral health challenges and Intellectual and Developmental Disabilities; Medicaid waiver programs; vouchers from PHAs for people with disabilities and aging Texans; housing resources from the Texas Department of Criminal Justice for people with criminal histories transitioning to the community; and DSHS' rental assistance program. HHSCC also encourages the coordination between TDHCA and DSHS for DSHS' new Home and Community-Based Services: Adult Mental Health Program. This program will serve individuals with Serious Mental Illness who have long-term or multiple stays in the State's Mental Health Facilities.

## **Discussion**

The Texas ESG Program is designed to assist, assess and, where possible, shelter the unsheltered homeless; to quickly re-house persons who have become homeless and provide support to help them maintain housing; and to provide support that helps persons at risk of becoming homeless maintain their current housing. Other special needs populations are described in Action Plan Section 25.

As of April 27, 2017, TDHCA is proposing two new sections to 10 Texas Administrative Code to comply with the HUD Final Rule Implementing Violence Against Women Reauthorization Act of 2013 (“VAWA”), correction published December 6, 2016. The new sections will require certain forms to be distributed to applicants and program participants for short- and medium-term rental assistance in accordance with 24 CFR §5.2005(e). Also pursuant to 24 CFR §5.2005(e), ESG Subrecipients will be required to develop and follow an Emergency Transfer Plan by June 14, 2017.

**AP-70 HOPWA Goals – 91.320(k)(4)**

<b>One year goals for the number of households to be provided housing through the use of HOPWA for:</b>	
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family	433
Tenant-based rental assistance	467
Units provided in permanent housing facilities developed, leased, or operated with HOPWA funds	0
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds	0
Total	900

## **AP-75 Barriers to affordable housing – 91.320(i)**

### **Introduction:**

The Phase 2 Analysis of Impediments (“AI”) identifies impediments to fair housing choice in the State of Texas and action steps that the State intends to take to address identified impediments. This document describes state and local regulatory and land use barriers in detail. It may be accessed at <https://www.tdhca.state.tx.us/fair-housing/policy-guidance.htm>.

TDHCA staff developed a database to track agency goals, efforts, and progress made under the Phase 2 AI. The Fair Housing Tracking database provides the Department with an ability to pull basic metrics and provide reports by AI Goals, Impediments, Action Items, and other meaningful search criteria. This assists the state in identifying areas of improvement and success under its HUD-related obligation to affirmatively further fair housing choice. The design of the database was completed in 2014; however, the content of the database is maintained on an ongoing basis.

The AI included several suggestions on countering negative effects of public policy as it concerned two areas – land use and zoning and Not-In-My-Backyard Syndrome (“NIMBYism”). In order to avoid the difficulty, expense, and uncertainty that NIMBYism can engender, developers often focus on areas where their proposed developments are well supported. Changes in the scoring of the State’s HTC Program provide incentives to develop in high opportunity areas. High opportunity areas include places with low poverty rates, higher income areas, and a menu of other community amenities such as access to public transportation, parks, libraries, museums, and recreational facilities.

Cases of NIMBYism can be difficult to track; it is hard to measure where NIMBYism occurs most often. The cases of NIMBYism most often associated with proposed multifamily developments, although not exclusive to these areas, NIMBYism appear anecdotally to be more likely to occur in areas with socioeconomic and housing homogeneity. To assist the State in gathering data on how elected officials, communities, and local governments are impacted by NIMBYism sentiments and to help the State in countering NIMBY messaging, TDHCA periodically outsources with universities and private consulting firms for studies, market analyses, and special projects. Guidance and resources to support affordable housing are provided through TDHCA’s Fair Housing website, along with the Fair Housing listserv and community events calendar.

TDHCA and the Texas Workforce Commission Civil Rights Division (“TWC CRD”) annually collaborate on a Fair Housing webinar series. The series includes training sessions providing general fair housing information and specific sessions on HUD’s new AFH rule, how to response to reasonable accommodation requests, and best practices in multifamily properties. The webinars are available for free 24/7 on TDHCA’s website at: <https://www.tdhca.state.tx.us/fair-housing/presentations.htm>.

### **Actions it planned to remove or ameliorate the negative effects of public policies that serve**

**as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

TDHCA reviews all guiding documents, rules, and practices internally to determine if known barriers or impediments to furthering fair housing choice can be addressed through actions within TDHCA's power. The Department's Fair Housing, Data Management, and Reporting group continues ongoing interviews with Division Directors originally held in spring 2014. Initial recommendations and actions were noted for each program as well as a list of 15 cross-Divisional recommendations that included items such as improved Affirmative Marketing Rules, improved Language Assistance Plan guidance, a better internal mechanism for Fair Housing training, Fair Housing Team reviews of rule changes and NOFA documents, etc. TDHCA has been making and will continue to make a concerted effort to review and move forward on key recommendations and to increase staff and subrecipient education to ensure that all programs are providing best practices guidance to recipients and the general public.

TDHCA acts as an information resource for affordable housing studies and information. A project between TDHCA, HHSC, and the University of Texas has resulted in a Fair Housing public service message campaign with videos in support of affordable housing, fair housing rights, and Service-Enriched Housing.

In 2016, the Texas Workforce Commission Civil Rights Division ("TWCCRD") received a HUD Partnership grant for enforcement, outreach, and education. With the grant, TWCCRD will focus its outreach in some of the fastest growing and most underserved areas of our State, including the Rio Grande Valley and the metropolitan areas surrounding Dallas, Austin, and Houston. TWCCRD will also provide training and attend conferences and educational events related to the issue of disability discrimination prevention. TWCCRD will continue utilizing social media, online advertising, outreach materials for distribution in the targeted areas, events and educational audiovisual materials to expand the number of individuals reached.

On August 17, 2015, the United States Department of Housing and Urban Development ("HUD") adopted the final Affirmatively Furthering Fair Housing Rule ("AFFH"), detailing what recipients of block grant CPD funds and Public Housing funds must do to affirmatively further fair housing and the tool by which they can identify those steps. AFFH requires that Units of Government take "meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." AFFH replaces the Analysis of Impediments ("AI") to Fair Housing Choice with a new Assessment of Fair Housing ("AFH") tool. The AFH Tool uses HUD-generated data, and a significant community participation process, to identify areas of disparity, patterns of integration and segregation, and disproportionate housing needs. With the information generated through the AFH tool and AFFH, Units of Government are responsible for identifying fair housing issues and contributing factors, assigning priorities to contributing factors, setting goals for overcoming prioritized contributing factors, and maintaining records of progress in achieving goals.

The new process directly links the AFH tool and its identified goals with the Unit of Government's HUD-required program planning document, its Consolidated Plan or for a PHA, its 5-Year PHA Plan. Fair housing goals and priorities from the AFH are expected to be incorporated into the actual programming and proposed use of the HUD funds. Fair Housing staff are reviewing the AFFH rule and beginning to implement changes into the citizen participation plan. The first AFH tool is anticipated to be due to HUD from the State of Texas in May 2019, pending release of the final state AFH tool.

### **Discussion:**

In 2015 TDHCA revised the Uniform Multifamily rules to guide owners and managers in identifying "least likely to apply" populations using HUD's definition of minority concentration and seek to clarify and expand on HUD's definition of a "market area." Staff created a multifamily affirmative marketing tool to assist in comparing tenant pool data (or in the case of new construction developments, census tract demographic data) to metropolitan statistical areas ("MSA") or county demographic census data. The tool is web based and has been effective in helping properties better strategize in affirmative marketing and continues to be an ongoing action step. Staff believes these databases will assist in identifying new impediments to fair housing choice as the consolidated data is analyzed and the efficacy of implemented action steps is reviewed.

A current collaboration between federal funding recipients known as the Texas State Fair Housing Workgroup began in May 2014, and continues to meet. This workgroup is assisting State agencies in adopting a uniform stance on Fair Housing issues and providing streamlined direction to essential Fair Housing information and best practices. To date, the workgroup has looked at sharing language assistance contracts, has generated ideas on streamlining Fair Housing discrimination complaint information and resources, has collaborated on Fair Housing month activities, and has served as a vehicle for comparing internal Fair Housing tracking and record keeping measures.

The Workgroup is preparing to comply with the new AFFH rule. The new AFFH rule requires a robust community participation process including outreach to stakeholders and groups representing statewide protected classes. The Workgroup will revise the State's Citizen Participation Plan. Consultation must occur prior to drafting the AFH tool.

The Fair Housing Team at TDHCA has taken a leadership role in these meetings as directed under the 2013 Analysis of Impediments; the Fair Housing Team has shared both its Fair Housing Tracking Database and its Fair Housing website section, which TDHCA believes will become one of the leading Fair Housing website resources for the state. The Fair Housing Team has shared its demographic database, which is being created with the long-range goal of standardizing demographics collected in each TDHCA program area and analyzing these demographics to identify trends; make policy recommendations; and map service areas.

The Fair Housing Team has 36 action steps on which it is moving forward, and is able to produce metrics

on its momentum under the AI through its Fair Housing Tracking Database. In addition to logged action steps, the database also includes outreach and daily task logs. The database collects action steps based on the four phases of project management planning (e.g., Plan, Review, Implement, and Evaluate) which lead staff to consider even at the planning stage how the step will be evaluated. This has resulted in a metrics-focused planning effort that will continue to guide future initiatives.

Finally, the State, through its Fair Housing Team, has created a new Fair Housing website section, including fair housing information for a variety of audiences (renters and homebuyers, owners and administrators, real estate agents, and local governments and elected officials) and will include fair housing toolkits and resources, links to a new Fair Housing email list and community events calendar, and a consumer survey. A portion of the available toolkits will be tailored to elected officials and local governments in an effort to encourage best practices in zoning and land use and addressing community concerns. Through this education and outreach, the State is hoping to make its best practices guidance widely known and to integrate such guidance with other state resource information.

## **AP-80 Colonias Actions – 91.320(j)**

### **Introduction**

Based on a 2014 assessment by the Texas Office of the Secretary of State's Colonia Initiatives Program, an estimated 500,000 people live in 2,294 colonias in Texas. Six Texas counties (El Paso, Maverick, Webb, Starr, Hidalgo and Cameron) have the largest population of colonias and are home to an estimated 369,500 people. Texas' colonias lie outside of city limits in the rural areas of their respective counties, where few to no local building codes exist to protect the households that seek affordable and sanitary housing solutions. Egregious housing conditions persist while residents also endure substandard infrastructure, inadequate potable water and waste water systems, and a host of public health, environmental and employment risks.

As discussed in Action Plan Section 48, the majority of the funding that assists colonias is through the CDBG Program, which funds both state agencies working to develop infrastructure and water services, as well as subgrantees at the local government level who work in concert with nonprofit service providers for housing, community affairs, and economic development. The OCI focuses on Texas colonias because colonias are economically distressed areas home to low- and very low-income households who contend with inadequate housing and scarce tangible resources. Colonias have proliferated along the U.S.-Mexico border. The HOME Program also has a specific set-aside for the development of housing opportunities in the colonias.

### **Actions planned to address obstacles to meeting underserved needs**

The State dedicates 12.5% of CDBG funds annually for colonia areas, and additional funds are also awarded for colonia projects through other competitive fund categories. Basic human needs, including water and sewer infrastructure and housing rehabilitation, are prioritized for colonia set-aside funding, with a particular emphasis on connecting colonia households to safe and sanitary public utilities. Colonia planning funds are available to research and document characteristics and needs for colonia communities.

The Colonia SHCs experience the obstacle of wavering capacity to meet the needs of extremely under resourced colonia residents. The typical challenges that nonprofits face, such as high-turnover, lack of succession planning, lack of long-term funding opportunities, limited access to high quality training, and limited access to continuing education resources, are all exacerbated for subgrantees serving border colonias. In response, TDHCA has strategically placed Border Field Offices along the Texas-Mexico border that support SHC staff with problem solving and training. The Border Field Offices exist to provide local technical assistance directly to both colonia residents and the organizations that serve colonia residents. Colonia residents may also receive benefit through the HOME Program, which provides rental assistance, rehabilitation or reconstruction of owner-occupied units with or without refinancing, down payment and closing cost assistance with optional rehabilitation for the acquisition of affordable single family housing, single family and multifamily development, and rental housing preservation of existing

affordable or subsidized developments.

### **Actions the state plans to take to reduce the number of poverty-level families**

Colonia set-aside funding is intended to improve the living conditions of low and moderate income families in colonias, including basic human needs. As with all CPD funds, Section 3 goals encourage job, contracting, and training opportunities for qualifying residents when such opportunities become available as a result of grant funding.

The Colonia SHCs provides 35 targeted colonias in seven border counties with a multitude of opportunities to create a one-stop-shop for low-income colonia families to gain a foothold out of poverty. The SHCs provide housing services in the form of new construction, reconstruction, rehabilitation, small repairs, tool lending, construction skills training and utility connections. SHC community development activities include homeownership education, access to and training in computers/technology, consumer rights education and financial literacy, and solid waste disposal assistance. While the above listed services are limited only to residents of pre-identified colonias in the SHC Program, the centers themselves are open to all who wish to use the meeting space for activities beneficial to the community or simply to seek information on locating other services. By creating an accessible and consistent manner for which services and information are disseminated among colonias, more households can become beneficiaries of multiple kinds of assistance that build their self-sufficiency over time.

### **Actions the state plans to take to develop the institutional structure**

The Texas Secretary of State, the lead state agency monitoring colonia improvements, coordinates an interagency work group that discusses colonia housing development, infrastructure development, and related issues on a quarterly basis. Besides TDHCA and TDA, the Texas Commission on Environmental Quality ("TCEQ"), the Texas Water Development Board ("TWDB"), the Texas Attorney General's Office, the U.S. Department of Agriculture ("USDA"), and other agencies are regularly represented in the work group. The information sharing within the group facilitates delivery for multiple programs besides affordable housing, and proactively addresses potential obstacles that could affect large areas of the Texas–Mexico border.

### **Specific actions the state plans to take to enhance coordination between public and private house and social service agencies**

In addition to the cooperation among various state agencies that help to support and develop colonias, TDHCA has two strategically-placed Border Field Offices along the Texas-Mexico border, where the vast majority of colonias are situated. The Border Field Officers readily support administrators, disseminate funding information, and problem solve with administrators and colonia residents. This often requires facilitating communication with other service agencies, the private sector (such as colonia land owners, title companies, lenders), and other government agencies. Locally placed Border Field Officers increase the efficiency with which TDHCA can anticipate solutions and eventually builds institutional knowledge in the community.

In addition, TDA field representatives are available to provide general information on potential resources to communities and residents.

### **Discussion**

TDHCA and TDA's participation in the Texas Secretary of State's interagency workgroup on colonia issues helps keep both departments abreast of other state agencies' actions in infrastructure, public health and other activities. In the event that one agency's process could be counterproductive to the efforts of either department, it is in this forum that mitigation and problem solving can take place.

## **AP-85 Other Actions – 91.320(j)**

### **Introduction:**

The actions listed below are Other Actions taken by TDHCA, TDA, and DSHS to meet the requirements of §91.320(j). Other Actions include Meeting Underserved Needs, Fostering and Maintaining Affordable Housing, Lead-Based Paint Hazard Mitigation, Reducing Poverty-Level Households, Developing Institutional Structure, and Coordination of Housing and Services. The HOME, ESG, HOPWA, and CDBG programs address the other actions in concert with other federal, state, and local sources.

### **Actions planned to address obstacles to meeting underserved needs**

#### HOME Addresses Underserved Needs

Obstacles to meeting underserved needs with HOME funds, particularly multifamily activities, include NIMBYism, a lack of understanding of federal requirements surrounding the use of HOME funds, and staff observation that program administrators may have more strict tenant or household selection criteria than other locally-run programs. TDHCA works to overcome these obstacles by educating developers and the communities where affordable housing is being proposed, as well as by offering HOME funds as grants or low-interest loans, with rates as low as 0%.

#### ESG Addresses Underserved Needs

Lack of facilities and services for persons experiencing homelessness in rural areas is ESG's greatest underserved need. To help meet this need, TDHCA is considering implementing sub-regions within the Balance of State CoC region to ensure broad range of homeless coverage. TDHCA will consult with the Balance of State CoC lead agency, as well as member agencies, to fully consider the implications of implementing regions in the Balance of State CoC. In addition, TDHCA has used Community Services Block Grant discretionary funds to provide training and technical support to organizations in the Balance of State CoC. Shelters in the Balance of State CoC have limited funds for operations and maintenance, with little access to federal funds which often require substantial organizational capacity less common in smaller organizations. ESG and TDHCA's HHSP, which is state-funded only in some urban areas, may supplement federal funds in operational support.

#### HOPWA Addresses Underserved Needs

Some significant obstacles to addressing underserved needs are PLWH inability to obtain or maintain medical insurance, maintain income, and especially obtain employment, are partially due to a difficult economy in conjunction with rising costs of living (rent, deposits, utilities, food, transportation, etc.), high unemployment, no access to health insurance and/or decreased access to other affordable housing such as the HCV program. The inability to access HCVs is due to long or closed waiting lists, and in some cases, client non-compliance and ineligibility.

DSHS' HOPWA program helps meet the needs of this underserved population throughout the State by providing essential housing and utilities assistance as part of a comprehensive medical and supportive services system. As a result, PLWH and their households are able to maintain safe and affordable housing, reduce their risk of homelessness, and access medical care and supportive services. DSHS will

reallocate funding to address changing needs to maximize and target HOPWA funding to HSDAs that are in greatest need.

#### CDBG Addresses Underserved Needs

TDA encourages projects addressing underserved community development needs. In PY 2017 CDBG funds will be available through five different grant categories to provide water or sewer services on private property for low- and moderate-income households by installing yard lines and paying impact and connection fees. Regional competition for funding allows each area of the state to determine its highest priority needs, which may vary from first-time water service to drought relief to drainage projects.

Since the first legislative reforms in the 1990s, service providers in colonias have made gains in their capacity to address colonia issues, but unmet needs still exist and the Texas-Mexico border population growth is still increasing. OCI's main obstacle in addressing colonia housing needs is the varying capacities of subrecipients to administer assistance. TDHCA has established Border Field Offices along the Texas-Mexico border to readily provide technical assistance and on-going training to organizations and local governments that use TDHCA's CDBG funding.

### **Actions planned to foster and maintain affordable housing**

#### HOME Addresses Affordable Housing

The HOME Program provides grants, deferred forgivable loans, and repayable loans to households or developments assisted by or through entities including units of local government, public organizations, nonprofit and for-profit organizations, CHDOs and PHAs. These funds are used to foster and maintain affordable housing by providing rental assistance, rehabilitation or reconstruction of owner-occupied housing units with or without refinancing, down payment and closing cost assistance with optional rehabilitation for the acquisition of affordable single family housing, single family development and funding for rental housing preservation of existing affordable or subsidized developments. HOME funds may also be used in conjunction with the HTC Program or Bond Program to construct or rehabilitate affordable rental housing.

#### ESG Addresses Affordable Housing

TDHCA encourages the use of ESG funds to provide rapid re-housing and homelessness prevention, but the majority of funds are utilized to provide emergency shelter. Fostering affordable housing is not an initiative TDHCA provides funding for or monitors in relation to the ESG Program.

#### HOPWA Addresses Affordable Housing

The cost of living continues to rise while clients may have no income or their income does not change or decreases. HOPWA makes housing more affordable for low-income clients so they can maintain housing, adhere to medical treatment, and work towards healthier outcomes. Project Sponsors address long-term goals with clients to help them establish a financial plan that can assist them in maintaining their housing. Affordable housing needs are high among PLWH. DSHS will continue to update funding

allocations to address the changing needs of local communities and maximize and target HOPWA funding to HSDAs in greatest need. DSHS will consider a variety of factors including HIV/AIDS morbidity, poverty level, housing costs and needs, and program waitlists and expenditures. Funds are reallocated between HOPWA activities within HSDAs to meet changing needs during the project year.

#### CDBG Addresses Affordable Housing

CDBG funds primarily support affordable housing through water and sewer infrastructure for housing. The CDBG funding provides a cost savings for housing when used to install water and sewer yard lines and pay impact and connection fees for eligible residents. Housing rehabilitation projects are prioritized in several fund categories and TDA encourages each region to set aside a percentage of their allocation for housing rehabilitation projects. CDBG helps communities study affordable housing conditions, providing data on affordable housing stock and planning tools for expanding affordable housing. The Colonia SHCs continue to address affordable housing needs in border counties by assisting qualifying colonia residents to improve or maintain a safe, suitable home in suitable areas. The OCI serves as a liaison to the Colonia SHCs to assist with securing funding and carrying out activities such as low-interest mortgages, grants for self-help programs, revolving loan funds for septic tanks, and tool lending.

#### NHTF Addresses Affordable Housing

NHTF funds are provided to developments assisted by or through entities including public organizations, nonprofit and for-profit organizations, and PHAs. These funds are primarily used to foster and maintain affordable housing by providing funding for preservation of existing affordable developments or construction of new affordable developments.

Credits awarded through the HTC program can be layered with awarded funds from the NHTF program and/or the HOME Multifamily Direct Loan program. When more than one source of funds is used in an affordable housing project, the State is able to provide more units of affordable housing than with one funding source alone.

### **Actions planned to reduce lead-based paint hazards**

#### HOME Addresses Lead-based Paint

The HOME Program requires lead screening in housing built before 1978 for all HOME eligible activities in accordance with 24 CFR §92.355 and 24 CFR Part 35, subparts A, B, J, K, M, and R. Furthermore, single-family and multifamily development activities in HOME increase the access to lead-based-paint-free housing through the construction of new housing or reconstruction of an existing housing unit. There is significant training, technical assistance, and oversight of this requirement on each activity funded under the HOME Program.

#### ESG Addresses Lead-based Paint

For ESG, TDHCA requires Subrecipients to evaluate and reduce lead-based paint hazards as part of its habitability review. New Subrecipient program staff are required to review the ESG Learning Opportunity related to habitability, which includes lead-based paint regulations and TDHCA's

requirements related to such. ESG Learning Opportunities are webinars offered the first Wednesday of each month by TDHCA staff providing technical assistance or facilitating peer-to-peer learning. For lead-based paint requirements, TDHCA has stated in the ESG Learning Opportunity on habitability that ESG-funded Subrecipients must determine if a housing unit was built prior to 1978, for households seeking ESG funded rent or rent deposit assistance whose household has a family member(s) six year of age or younger. If the housing unit is built prior to 1978, the ESG Subrecipient will notify the household of the hazards of lead-based paint. In addition, ESG Subrecipients utilizing ESG funds for renovation, rehabilitation or conversion must comply with the Lead-Based Paint Poisoning and Prevention Act and the Residential Lead-Based Paint Hazard Reduction Act of 1992. Through renovation, rehabilitation or conversion, ESG increases access to shelter without lead-based paint hazards. TDHCA evaluates, tracks, and reduces lead-based hazards for conversion, renovation, leasing or rehabilitation projects.

#### HOPWA Addresses Lead-Based Paint

HUD requires that Project Sponsors give all HOPWA clients utilizing homes built before 1978 the pamphlet entitled, "Protect Your Family from Lead in Your Home" during the intake process. The client's case record must include documentation that a copy of the pamphlet was given to the client and the case manager must make a certification regarding lead-based paint that includes actions and remedies if a child under age six or a pregnant woman will reside at the property.

#### CDBG Addresses Lead-Based Paint

Lead-based paint mitigation is an activity eligible under housing rehabilitation that is funded under the CPF, CFC, and Community Development Funds. Each contract awarded requires the sub-grantee to conform to Section 302 of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4831(b)) and procedures established by TDA's CDBG in response to the Act.

#### NHTF Addresses Lead-based Paint

The NHTF Program will not fund rehabilitation activities with PY 2017 funds; therefore, this section is not applicable.

### **Actions planned to reduce the number of poverty-level families**

#### HOME Addresses Poverty-Level Households

Through the HOME TBRA Program, TDHCA assists households with rental subsidy and security and utility deposit assistance for an initial term not to exceed 24 months. As a condition to receiving rental assistance, households must participate in a self-sufficiency program, which can include job training, General Education Development ("GED") classes, or drug dependency classes. The HOME Program enables households to receive rental assistance while participating in programs that will enable them to improve employment options and increase their economic independence and self-sufficiency. Additionally, TDHCA allocates funding toward the rehabilitation and construction of affordable housing, incentivizing units to assist very low-income households, and assists very low-income households along the international border of Texas and Mexico by promoting the conversion of contract for deed arrangements to traditional mortgages.

#### ESG Addresses Poverty-Level Households

The ESG Program funds activities that provide shelter and essential services for persons experiencing homelessness, as well as intervention services for persons threatened with homelessness. Essential services for persons experiencing homelessness include medical and psychological counseling, employment counseling, substance abuse treatment, transportation, and other services. While TDHCA supports the use of ESG funds to help ESG clients lift themselves above the poverty line, it is not a specific initiative for which TDHCA earmarks ESG funding or that TDHCA monitors for the ESG Program. For individuals threatened with homelessness, homelessness prevention funds can be used for short-term subsidies to defray rent and utility arrearages, and security deposits.

#### HOPWA Addresses Poverty-Level Households

The DSHS HOPWA Program serves households in which at least one person is living with HIV based on income eligibility criteria of no more than 80% of AMI with adjustments household size, as determined by HUD income limits. With varying poverty levels and housing needs in each HSDA across the State, funds are allocated and reallocated throughout the program year to maximize and target HOPWA resources to those with the most need. While many HOPWA households assisted may be at poverty-level, this is not a requirement under 24 CFR §574.3.

#### CDBG Addresses Poverty-Level Households

A substantial majority of TDA's CDBG funds, over 95% in 2015, are awarded to principally benefit low and moderate income persons. In addition, the formula used to distribute CD funds among regions includes a variable for poverty to target funding to the greatest need. CDBG economic development funds create and retain jobs through assistance to businesses. LMI persons access these jobs, which may include training, fringe benefits, opportunities for promotion, and services such as child care.

#### NHTF Addresses Poverty-Level Households

NHTF allocates funding toward the rehabilitation and construction of affordable housing restricted to serve ELI households with affordable rents. These affordable units will allow households to have greater housing security and stability, and will ameliorate some of the negative impacts of living in poverty through provision of decent, safe and affordable housing.

### **Actions planned to develop institutional structure**

#### HOME Addresses Institutional Structure

The HOME Program encourages partnerships in order to improve the provision of affordable housing. Organizations receiving Homebuyer Assistance funds are required to provide homebuyer education classes to households directly, or coordinate with a local organization that will provide the education. In addition, organizations receiving TBRA funds must provide self-sufficiency services directly, or coordinate with a local organization that will provide the services. Finally, partnerships with CHDOs and nonprofit and private-sector organizations facilitate the development of quality rental housing developments and assist in the rehabilitation or reconstruction of owner-occupied housing.

#### ESG Addresses Institutional Structure

TDHCA encourages ESG Subrecipients to coordinate services with housing and other service agencies. While TDHCA believes its system of funding applications that apply to a statewide NOFA is an effective system, TDHCA also believes that its move to work locally with CoCs on ESG funding decisions advances program goals of local coordination and cooperation within CoCs. TDHCA reviews ESG Subrecipients' coordination efforts during on-site and desk monitoring. A map of local CoCs can be found online at: <http://www.thn.org/continuums/>.

#### HOPWA Addresses Institutional Structure

DSHS contracts with seven AAs, which contract directly with Project Sponsors serving all 26 HSDAs in the State to administer the HOPWA program under DSHS oversight. AAs also administer the delivery of other HIV health and social services, including the Ryan White and State Services HIV funds. This structure ensures the coordination of all agencies serving PLWH, avoids duplication, saves dollars, and provides the comprehensive supportive services for PLWH in each local community.

#### CDBG Addresses Institutional Structure

Each CDBG applicant must invite local housing organizations to provide input into the project selection process. TDA coordinates with state and federal agencies, regional Councils of Governments, and other partners to further its mission in community and economic development. TDA also uses conference calls and webinars to provide training and technical assistance throughout the state. On-site project reviews may be conducted based on risk and other factors.

#### NHTF Addresses Institutional Structure

The NHTF Program encourages partnerships in order to improve the provision of affordable housing. Partnerships with nonprofit and private-sector organizations facilitate the development of quality rental housing developments. Development owners are required to provide tenant services to address the needs of ELI households living in the development.

#### **Actions planned to enhance coordination between public and private housing and social service agencies**

TDHCA has staff members that participate in several State advisory workgroups and committees. The workgroups and committees that TDHCA leads are listed in Action Plan Section 15. The groups in which TDHCA participates include, but are not limited to the Community Resource Coordination Groups, led by the Health and Human Services Commission ("HHSC"); the Council for Advising and Planning for the Prevention and Treatment of Mental and Substance Use Disorders, led by DSHS; Reentry Task Force, led by Texas Department of Criminal Justice; Interagency Workgroup on Border Issues, led by Secretary of State; Money Follows the Person Demonstration Project, led by DADS; Promoting Independence Advisory Committee, led by HHSC; and Texas State Independent Living Council, lead by the Texas Department of Assistive and Rehabilitative Services ("DARS").

TDHCA's participation in HUD's Section 811 PRA Program requires linkages between housing and services through a partnership with TDHCA, and the State Medicaid Agency (i.e., HHSC). Because the program is designed so that an individual can access both affordable housing and services in the community, TDHCA staff and HHSC staff meet regularly to ensure both housing and services are coordinated for the program. TDHCA and HHSC have responsibilities to execute the program. TDHCA will use units for the program in multifamily housing financed by TDHCA and the services will be provided by a network of local service providers coordinated by the HHSC enterprise agencies.

The HHSCC is codified in Texas Government Code §2306.1091. The purpose of the Council is to increase state efforts to offer Service-Enriched Housing through increased coordination of housing and health services. The Council seeks to improve interagency understanding and increase the number of staff in state housing and health services agencies that are conversant in both housing and services. Service-Enriched Housing is defined in Title 10 Texas Administrative Code, Part 1, Chapter 1, Subchapter A, §1.11 as: integrated, affordable, and accessible housing that provides residents with the opportunity to receive on-site or off-site health-related and other services and supports that foster independence in living and decision-making for individuals with disabilities and older Texans.

Council members meet quarterly and provide direction to the staff to prepare a Biennial Report of Findings and Recommendations that is submitted to the Legislative Budget Board and the Office of the Governor on August 1 each even numbered year. This Report along with a Biennial Plan is available to the public on the TDHCA website at <http://www.tdhca.state.tx.us/hhsc/biennial-plans.htm>. On behalf of the HHSCC, an intensive in-person Housing and Services Partnership Academy was held in February 2016 in Austin. The Academy included a tenant panel, round table discussions lead by housing and services state agency staff and sessions on affordable housing development, building community support, etc. The web-based learning modules focused on providing teams with information and materials to increase their knowledge and understanding of key concepts, strategies, best practices and resources for developing SEH in their communities. Following the in-person Academy, CSH provided a comprehensive package of technical assistance designed to position the teams to apply the lessons learned and knowledge gained from the online and in-person training and further flesh out their plans for developing new SEH in Texas communities. CSH conducted an evaluation of the project and will continue technical assistance with the existing community teams through August 2017 in accordance with a renewal of their contract with TDHCA.

### **Discussion:**

In addition to the program actions mentioned above, TDHCA strives to meet underserved needs by closely monitoring affordable housing trends and issues as well as conducting its own research. TDHCA also makes adjustments to address community input gathered through roundtable discussions, web-based discussion forums and public hearings held throughout the State.

To foster and maintain affordable housing, TDHCA, TDA, and DSHS provide funds for nonprofit and for-profit organizations and public organizations to develop and maintain affordable housing. Funding

sources include grants, low-interest loans, housing tax credits, and mortgage loans.

For lead-based paint hazard mitigation, DSHS has been charged with oversight of the Texas Environmental Lead Reduction Rules ("TELRR"). TELRR cover areas of lead-based paint activities in target housing (housing constructed prior to 1978) and child-occupied facilities, including the training and certification of persons conducting lead inspections, risk assessments, abatements, and project design. For all projects receiving over \$25,000 in federal assistance, contractors need to follow inspections and abatements standards overseen by DSHS. By following these standards, the State is increasing the access to housing without lead-based paint hazards. The adherence to inspection and abatement standards is related to the extent of lead-based paint in that a majority of the housing in need of rehabilitation is likely housing built before 1978.

Furthermore, TDHCA, DSHS, and TDA's programs are aimed at reducing the number of Texans living in poverty, thereby providing a better quality of life for all Texans. The departments provide long-term solutions to the problems facing people in poverty and focus resources to those with the greatest need. Regarding institutional structure, TDHCA, DSHS, and TDA are primarily pass-through funding agencies and distribute federal funds to local entities that in turn provide assistance to households. Because of this, the agencies work with many partners, including consumer groups, community based organizations, neighborhood associations, community development corporations, councils of governments, community housing development organizations, community action agencies, real estate developers, social service providers, local lenders, investor-owned electric utilities, local government, nonprofits, faith-based organizations, property managers, state and local elected officials, and other state and federal agencies. Because the agencies do not fund individuals directly, coordination with outside entities is essential to the success of their programs. By structuring its operations this way, the State shares its risk and commits funds in correlation with local needs, local partners are able to concentrate specifically on their area of expertise and gradually expand to offering a further array of programs.

Finally, to enhance coordination between public and private housing and social service agencies, State agencies chief function is to distribute program funds to local providers that include units of local government, nonprofit and for-profit organizations, community-based organizations, private sector organizations, real estate developers and local lenders. The private housing and social service funds available for priority needs may include loans or grant programs through private banks, for-profit or nonprofit organizations; this source of funding varies from year to year.

## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.320(k)(1,2,3)

#### Introduction:

Program specific requirements as referenced in 24 CFR 91.320 (k)(1,2,3) are described below for the CDBG, HOME, and ESG programs.

For the CDBG Program, it is expected that the total amount of program income for PY 2016 and that has not yet been reprogrammed will be \$2,100,000, including \$520,000 program income collected by the state and program income retained by local subgrantees. The amount of CDBG urgent need activities is estimated to be \$4,700,000. The 85% of CDBG funds to benefit persons of low to moderate income includes PY 14-17.

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.320(k)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	2,100,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>2,100,000</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	4,700,000
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	85.00%

## HOME Investment Partnership Program (HOME)

### Reference 24 CFR 91.320(k)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The State is not proposing to use any form of investment in its HOME Program that is not already listed as eligible for investment in 24 CFR 92.205(b).

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

If the participating jurisdiction intends to use HOME funds for homebuyers, the guidelines for resale or recapture must be described as required in 24 CFR §92.254(a)(5). Recapture provisions are not applicable for HOME-assisted multifamily rental projects; in the case of default, sale, short sale, and/or foreclosure, the entire HOME investment must be repaid.

TDHCA has elected to utilize the recapture provision under 24 CFR §92.254(a)(5)(ii) as its primary method of recapturing HOME funds under any program the State administers that is subject to this provision. The following methods of recapture would be acceptable to TDHCA and will be identified in the note prior to closing.

A. Recapture the amount of the HOME investment reduced on a pro rata share based on the time the homeowner has owned and occupied the unit measured against the required affordability period.

Number of years remaining in the Period of affordability X Total direct HOME subsidy = Recaptured Amount  
Period of affordability

B. The recapture amount is subject to available net proceeds in the event of sale or foreclosure of the housing unit. In the event of sale or foreclosure of the housing unit, if the net proceeds (i.e., the sales price minus closing costs; any other necessary transaction costs; and loan repayment, other than HOME funds) are less than the HOME investment that is subject to recapture, then the Department will recapture the available amount of net proceeds. If there are no Net Proceeds from the sale, no repayment will be required of the homebuyer and the balance of the loan shall be forgiven. TDHCA will not recapture more than the amount available through net proceeds.

C. The household can sell the unit to any willing buyer at any price.

D. In the event that the assisted property is rented or leased, or otherwise ceases to be the principal residence of the initial household, the entire HOME investment is subject to recapture.

E. In the event of sale to a subsequent low-income purchaser of a HOME-assisted homeownership unit, the low-income purchaser may assume the existing HOME loan and recapture obligation entered into by the original buyer if no additional HOME assistance is provided to the subsequent homebuyer. In cases in which the subsequent homebuyer needs HOME assistance in excess of the balance of the original HOME loan, the HOME subsidy (the direct subsidy as described in §92.254) to the original homebuyer must be recaptured. A separate HOME subsidy must be provided to the new homebuyer, and a new affordability period must be established based on that assistance to the buyer.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

In certain limited instances, TDHCA may choose to utilize the resale provision at 24 CFR §92.254(a)(5)(i) under any activity the State administers that is otherwise subject to this provision. The following method of resale would be acceptable to TDHCA and will be identified in the note prior to closing:

A. Resale is defined as the continuation of the affordability period upon the sale or transfer, rental or lease, refinancing, or if the initial Household is no longer occupying the property as their Principal Residence.

B. Resale requirements must ensure that, if the housing does not continue to be the principal residence of the family for the duration of the period of affordability, the housing is made available for subsequent purchase at an affordable price to a reasonable range of low- or very low-income homebuyers that will use the property as their principal residence. Affordable to a reasonable range of low-income buyers is defined as targeting Households that have income between 70 and 80 percent of the area median family income and meet all program requirements.

C. The resale requirement must ensure that the price at resale provides the original HOME-assisted owner a fair return on investment. Fair return on investment is defined as the sum of down payment and closing costs paid from the initial seller's cash at purchase, closing costs paid by the seller at sale, the principal payments only made by the initial homebuyer in excess of the amount required by the loan, and any documented capital improvements in excess of \$500. Fair return on investment is paid to the seller at sale once first mortgage debt is paid and all other conditions of the initial written agreement are met. In the event there are no funds for fair return, then fair return does not exist. In the event there are partial funds for fair return, then fair return shall remain in force.

D. The initial homebuyer's investment of down payment and closing costs divided by TDHCA's HOME investment equals the percentage of appreciated value that shall be paid to the initial homebuyer. The balance of appreciated value shall be paid to TDHCA. If appreciated value is zero, or less than

zero, then no appreciated value exists. The HOME loan balance will be transferred to the subsequent buyer and the affordability period will remain in effect. The period of affordability is based on the total amount of HOME funds invested in the housing.

E. In the event that a federal affordability period is required and the assisted property is rented or leased, or no member of the Household has it as the Principal Residence, the HOME investment must be repaid. In the event that a federal affordability period is required and the assisted property is sold or transferred in lieu of foreclosure to a qualified low income buyer at an affordable price, the HOME loan balance shall be transferred to the subsequent qualified buyer and the affordability period shall remain in force to the extent allowed by law.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

TDHCA may use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated with HOME funds as described in 24 CFR §92.206(b). TDHCA shall use its underwriting and evaluation standards, site and development requirements, and application and submission requirements found in 10 TAC, Chapter 10, for refinanced properties in accordance with its administrative rules. At a minimum, these rules require the following:

- that rehabilitation is the primary eligible activity for developments involving refinancing of existing debt;
- that a minimum funding level is set for rehabilitation on a per unit basis;
- that a review of management practices is required to demonstrate that disinvestments in the property has not occurred;
- that long-term needs of the project can be met;
- that the financial feasibility of the development will be maintained over an extended affordability period;
- that whether new investment is being made to maintain current affordable units and/or creates additional affordable units is stated;
- that the required period of affordability is specified;
- that the HOME funds may be used throughout the entire jurisdiction (except as TDHCA may be limited by the Texas Government Code) is specified; and
- that HOME funds cannot be used to refinance multifamily loans made or insured by any Federal program, including CDBG, is stated.

**Discussion:**

For HOME, the State is not proposing to use any form of investment in its HOME Program that is not already listed as an eligible for investment in 24 CFR §92.205(b). As described above, TDHCA may use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated as

described in 24 CFR §92.206(b). TDHCA shall use its underwriting and evaluation standards, site and development requirements, and application and submission requirements found in 10 Texas Administrative Code, Chapters 10 and 13, for refinanced properties in accordance with its administrative rules.

## **Emergency Solutions Grant (ESG)**

### **Reference 91.320(k)(3)**

1. Include written standards for providing ESG assistance (may include as attachment)

ESG Written Standards are provided as an attachment in the Grantee Unique Appendices.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

Each of the 11 CoCs in Texas has a different centralized or coordinated assessment system. The Balance of State CoC is piloting coordinated access in specific communities for its extremely wide geographic area. While TDHCA is informed of the broad concepts of the many coordinated assessment systems, TDHCA ensures that its Subrecipients participate in the local CoC's coordinated assessment whenever possible. In June 2016, TDHCA facilitated an ESG Learning Opportunity webinar during which five of the eleven CoC lead agencies described their coordinated assessment systems to the ESG Subrecipients. Furthermore, the 2016 NOFA required CoC lead agencies to certify that the ESG Subrecipients participated or did not participate in the CoC centralized or coordinated assessment system. Points were awarded based on participation. TDHCA anticipates that the 2017 ESG NOFA will also include a scoring item for coordinated access.

TDHCA is working to ensure that the coordinated assessment systems in Texas are as inclusive as possible. For example, TDHCA held an ESG Learning Opportunity webinar in January, 2016, about how to ensure coordinated assessment systems met fair housing regulations. In addition, many of the coordinated assessment systems function through HMIS. Because of this, TDHCA is considering adding a scoring item to the 2017 ESG funds to integrate domestic violence and legal service providers, which are prohibited from using HMIS, into coordinated access in those areas. TDHCA plans to continue to work with CoCs to have successful coordinated access systems in Texas.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations) will be allocated.

Factors used in the 2016 ESG distribution were homeless population, based on the most recent Point-in-Time count submitted to HUD by the CoCs, and the region's proportionate share of people living in poverty, based on the most recent 5-year American Community Survey poverty data

published by the Census Bureau. Factors to be considered in the 2017 ESG distribution will be homeless population, people living in poverty, cost burden of renters, and overcrowded renters. For the purposes of distributing funds in 2016, the percentage of statewide homeless population is weighted at 75% while the percentage of statewide population in poverty is weighted at 25%. The relation of factors under consideration in 2017 may be based on percentages for each region. The allocation formula will be open for public input in 2016, and the final allocation formula will be published in the 2017 NOFA. Applications are accepted for at minimum a 30-day period. Applications are scored and ranked within their CoC regions.

For competitive awards, eligible applicant organizations are units of general purpose local government (and combinations of units of general purpose local government recognized by HUD), including cities, counties and metropolitan cities and urban counties that receive ESG funds directly from HUD. Other instrumentalities of a city or county, like a Local Mental Health Authority (“LMHA”) may be eligible to apply, if it meets certain conditions. Some governmental organizations such as PHAs and housing finance agencies are not eligible due to the HEARTH Act and cannot apply directly for ESG funds; however PHAs may serve as a partner in a collaborative application but may not be the lead entity. For competitive awards, eligible applicants may be limited by NOFA.

Eligible Applicants also include private nonprofit organizations that are secular or religious organizations described in section 501(c) of the Internal Revenue Code of 1986, are exempt from taxation under subtitle A of the Code, have an acceptable accounting system and a voluntary board, and practice non-discrimination in the provision of assistance. Faith-based organizations receiving ESG funds, like all organizations receiving HUD funds, must serve all eligible beneficiaries without regard to religion.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

As a State recipient, TDHCA is not required to provide for the participation of a homeless individual or formerly homeless individual on the board of directors or other equivalent policy-making entity. However, TDHCA had a scoring item on its 2016 NOFA for which Subrecipients received points if they have participation of homeless or formerly homeless individuals in their programs. TDHCA anticipates having a similar scoring item for the 2017 NOFA.

5. Describe performance standards for evaluating ESG.

Subrecipients providing street outreach will be required to meet contractual performance targets for the number of persons to be assisted, the number of persons to be provided with case management, and the number of persons who will be placed in temporary, transitional or

permanent housing.

Subrecipients providing emergency shelter and transitional shelter will be required to meet contractual performance targets for the number of persons to be assisted, the number of persons to be provided with case management, and the number of persons who will exit to temporary, transitional housing destinations or permanent housing destinations.

Subrecipients providing homelessness prevention and rapid re-housing assistance will be required to meet contractual performance targets for the number of persons to be assisted, the number of persons to be provided with housing stability case management services, the number of persons who will increase their non-cash benefits, the number of persons who will have an increase in income at program exit, and, for rapid re-housing, the number of persons who will exit to permanent housing destinations and the number of persons who had a residence prior to entry that was an institution or system of care.

**Discussion:**

For ESG, performance standards for evaluation are separated by the following activities: street outreach; emergency shelter and transitional shelter; homelessness prevention; and rapid re-housing assistance. These standards are included in each ESG Subrecipients annual contractual agreement with TDHCA.

**Attachment A:**

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## 2017 OYAP Public Comment Summary and Reasoned Responses

### *From Public Comment Period #1: November 11, 2016, through December 15, 2016*

Following the release of the Draft 2017 OYAP, a Public Comment period was open from November 11, 2016, through December 15, 2016, and a public hearing was held on December 6, 2016, in Austin, TX. The State received five total comments from the following 10 organizations: Accessible Housing Austin!, Accessible Housing Resources, Inc., ADAPT of Texas, Coastal Bend Center for Independent Living, Coalition of Texans with Disabilities, Lifeworks, Motivation, Education & Training, Inc., Personal Attendants Coalition of Texas, Texas Association of Community Development Corporations, and the Texas State Independent Living Council. A summary of the comments received and reasoned responses thereto are provided below.

1. Several commenters noted that the proposed Method of Distribution for the National Housing Trust Fund (“NHTF”) program in Section AP-30 of the Draft 2017 OYAP is not concurrent with Multifamily Direct Loan Rules as approved by the TDHCA Governing Board on December 15, 2016. Further, commenters requested that AP-30 be amended to align with Multifamily Direct Loan Rules, prioritizing NHTF funds and activities in funding applications submitted to the Department for 9% HTC and Multifamily Direct Loan programs.

Staff response: As a result of this comment, changes were made to the Section AP-30 Methods of Distribution of the Revised Draft 2017 OYAP to reflect the “Priorities for the Annual NOFA” as described in the 2017 Multifamily Direct Loan Rule (10 TAC Chapter 13).

2. One comment noted that Farmworker data was not provided in the 2016 State of Texas Consolidated Plan Annual Performance Report (“CAPER”) Reporting on Program Year 2015. Further, the commenter asked if there will be any data gathering for farmworkers, as referenced in the 2015-2019 State of Texas Consolidated Plan.

Staff response: No changes were made to the OYAP as a result of this comment. Per U.S. Department of Housing and Urban Development (“HUD”) requirements, beginning in 2016, the State began using HUD’s Integrated Disbursement and Information System (IDIS) to develop and submit the CAPER. The CAPER template in IDIS does not provide for reporting of special needs groups such as farmworkers. However, TDHCA continues to collect farmworker data through a voluntary process. It should be noted that HOME grantees are not required to solicit an individual’s status as a farmworker or non-farmworker.

3. One comment recommended that TDHCA redesign the HOME programs to better address farmworker housing needs.

Staff response: No changes were made to the OYAP as a result of this comment. The recommendation made would be more appropriately addressed by the Department's rulemaking process for the HOME program administration.

4. One comment was a recommendation that HOME funding cycles and other TDHCA funding cycles correspond with U.S. Department of Agriculture ("USDA") funding cycles for farmworker housing. This recommendation was specifically in regards to the USDA farm labor housing and rental assistance (Section 514, 516 and 523) in order to leverage HOME funds, showing commitment of other funding sources, which is required within one year of USDA approval.

Staff response: TDHCA's rules and the OYAP do not impose restrictions that preclude the Department from having a cycle that aligns with funding cycles of other federal programs, such as the USDA 514, 516 and 523 programs, although the housing tax credit cycle timing is specified in state statute. Further, TDHCA has little control over the timing of HUD's provision of HOME funding to TDHCA or the timeframes associated with other federal programs not administered by TDHCA. Still, TDHCA generally endeavors to make HOME program funding available through open cycle Notices of Funding Availability ("NOFA") so that HOME funding can be effectively leveraged with other sources of funds.

5. One comment was a request that the Department implement recommendations from Bowen National Research's *Texas Rural Farmworker Housing Analysis*.

Staff response: No changes were made to the OYAP as a result of this comment. Many of the recommendations provided in the study would require additional sources of funding or funding with fewer federal restrictions, such as large state funded rental assistance or predevelopment loan programs. Within current program design, there is nothing that precludes farmworker organizations from pursuing funding and providing assistance; for instance, a farmworker advocacy organization that qualifies as a subrecipient can already apply for and become a HOME Tenant Based Rental Assistance provider. The Department remains open to implementing recommendations reflected in the study, but the Department does not have the available resources to carry out many of the recommendations. As is evident in the study, the majority of the best practices highlighted from other states rely on large sources of state funding. The Department, instead, has identified farmworkers as a special needs population to facilitate accessing available affordable housing resources funded and developed through the Department's programs.

## **Public Comments Submitted**

*From Public Comment Period #1: November 11, 2016, through December 15, 2016*

*Motivation, Education & Training, Inc.*

*Texas Association of Community Development Corporations*

*Collaborative letter from:*

- *Accessible Housing Austin!*
- *Accessible Housing Resources, Inc.*
- *ADAPT of Texas*
- *Coastal Bend Center for Independent Living*
- *Coalition of Texans with Disabilities*
- *Lifeworks*
- *Personal Attendants Coalition of Texas*
- *Texas State Independent Living Council*



motivation education & training, inc.

Austin Office  
1811 West 38<sup>th</sup> Street  
Austin TX 78731 Telephone:  
512-965-0101 Fax  
number : 512-374-1657

December 14, 2016

Mr. Tim Irvine  
Texas Department of Housing and Community Affairs  
PO Box 13941  
Austin, TX 78711-3941

RE: Comments related to the *Draft 2017 State of Texas One-Year Action Plan*

Dear Mr. Irvine,

We appreciate the opportunity to comment on TDHCA's *Draft 2017 State of One-Year Action Plan*.

Motivation Education & Training, Inc. MET is a private nonprofit 501(c)(3) organization funded by a variety of public and private grants and contracts. MET was incorporated in 1967 and operates on a statewide basis in Texas. The organization was founded to provide academic and vocational training to migrant and seasonal farm workers, with the objective of furthering economic self-sufficiency for MET participants. MET has conducted programs to improve farmworkers' housing situations since the 1970's, and has added a myriad of other programs to its services.

The 2017 *Action Plan* mentions farmworkers but does not provide specifics about outreach, services, or farmworker needs, in spite of the Five-Year *Consolidated Plan's* analysis that farmworkers are increasing in numbers, have difficulty obtaining decent housing, and are susceptible to homelessness.

Without better planning, TDHCA will not improve its dismal track record of serving farmworkers with HOME funding. MET takes the opportunity to review the Consolidated Plan Annual Progress Reports (CAPERs) to see how TDHCA's designation of farmworkers within its Special Needs targeting for HOME funds benefits farmworkers. The chart we typically review was not included in the 2016 Draft CAPER. Reviews past Annual Progress Reports to HUD from 2005 through 2015 show that *farmworkers are not benefitting* from being included as a special needs group within the HOME program. Only 16 farmworkers were served from these programs since 2005! (See the attached summary of past Annual Progress Reports). The sixteen farmworkers (only *one* in 2014) represents only 0.12% of the 12,833 persons with special needs served by the agency – a truly pathetic accomplishment.

***MET recommends a that HOME programs be re-designed to better address farmworker housing needs.*** We understand that TDHCA meets its goal by serving other categories within the Special Needs, but it is obviously failing within the farmworker category.

In addition to redesigning the HOME program's reach to farmworkers, ***MET recommends that TDHCA improve its outreach to Texas farmworkers.*** MET has discussed recommendations with Michael Lyttle, and reviewed the Education and Outreach Plan for Migrant Labor Housing Facilities. This plan still needs additional fleshing out, as does a plan for achieving benefits to farmworkers through the state's HOME and other programs.

Better outreach is needed to the farmworker population in order to assist more than a handful of members of the farmworker population. Studies show farmworkers are often an invisible population and do not step forward to take advantage of social services or other programs. Aggressive outreach is needed.

Missing from the draft *Plan*, is any indication that TDHCA will gather data on farmworkers, as was indicated in the five-year plan. Will there be any data gathering or outreach activities for farmworkers?

Third, as in prior years, ***MET recommends HOME funding and other TDHCA programs give special attention to providing leverage to USDA funding and rental assistance from Section 514, 516, and 523.*** Committed leverage funding is a significant scoring factor for farm labor housing applications (Section 514/516) that are competitively scored nationally, and come with rental assistance (Section 523). Conditional early commitments would help Texas applications for this USDA resource result in winning federal resources for Texas. Predevelopment funding would be especially helpful in bringing projects to reality.

Finally, ***MET recommends that TDHCA implement the recommendations cited in the Texas Rural Farmworker Housing Analysis (commissioned by TDHCA and published September 2012) to improve farmworker housing options, and provide leadership to bring recommendations into fruition in the state.*** As described in Bowen National Research's *Texas Rural Farmworker Housing Analysis* needs assessment section, all farmworkers including non-migrant seasonal workers, live in "run-down apartments, overcrowded conditions, families forced to share limited housing, and families living in shacks, barns, outdated trailers or camping along riverbanks or in orchards" (page 52). Therefore, directing TDHCA programs and resources to farmworkers is very important.

Thank you for the opportunity to comment. Please contact me if you have any questions or need clarification on any of these suggestions. MET would be happy to continue to work with TDHCA on these or other initiatives that benefit Texas farmworkers. We appreciate the efforts the Department has made to learn more about farmworker housing needs. We need to work harder to actualize programs that truly improve housing options for the state's farmworker population.

Sincerely,



Kathy Tyler  
Housing Services Director

## Migrant Farmworkers Served Annually - as part of HOME Special Needs Population

Prepared by MET Inc using State of Texas Consolidated Plan Annual Performance Reports (CAPERs) accessed from TDHCA website

*"In the One Year Action Plan, TDHCA had a goal of allocating a minimum of 20 percent of the annual HOME allocation to applicants serving persons with special needs. Persons with "special needs" include homeless persons, elderly persons, persons with disabilities, persons with AIDS and AIDS-related diseases, victims of domestic violence, persons with alcohol and/or drug addictions, colonia residents, and **farmworkers**. Eligible applicants include nonprofits, units of general local government, and PHAs with documented histories of working with special needs populations. Eligible activities include homebuyer assistance, homeowner rehabilitation, and tenant-based rental assistance."* (italics and bold added)

Reporting on Program Year	Total Special Needs Population	Migrant Farmworkers	(Farmworkers to All Special Needs)	Report Dated
2005	2,142	2	0.09%	April 2006
2006	2,361	6	0.25%	April 2007
2007	2,464	1	0.04%	April 2008
2008	1,296	2	0.15%	April 2009
2009	382	0	0.00%	April 2010
2010	463	4	0.86%	April 2011
2011	1,014	0	0.00%	May 2012
2012	1,426	0	0.00%	May 2013
2013	721	0	0.00%	May 2014
2014	614	1	0.16%	Jan 2015
	12,883	16	0.12%	

### MET's Recommendations:

1. Give program preferences to farmworkers and give funding timetables to attract federal funds
2. Improve outreach to farmworkers
3. Improve tracking of farmworkers served

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CDC of Brownsville

Fernando Godinez  
Mexican American Unity Council

Damon Polk  
Builders of Hope CDC

Mike Nguyen  
VN Teamwork

Matt Hull  
Executive Director

December 15, 2016

Elizabeth Yevich  
Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, TX 78711-3941

Dear Ms. Yevich:

Thank you for the opportunity to comment on the Draft 2017 State of Texas Consolidated Plan: One-Year Action Plan. Our members are community-based nonprofit organizations across the state that work in low income communities.

Our members are very interested in the implementation of the National Housing Trust Fund as it represents the first new resources in many years for targeting extremely low-income families with housing solutions.

In reviewing the Draft 2017 State of Texas Consolidated Plan: One-Year Action Plan, we provide the following comments relating to how the agency will prioritize awarding the NHTF to projects.

Specifically, on page 80 of 131 of the Draft Action Plan, the selection priorities for projects applying for NHTF resources contains the following language:

TDHCA Multifamily Direct Loan Program funds are typically awarded on a first-come, first-served basis, as long as the criteria above are met. For NHTF Multifamily Development applications layered with 9% HTC, the highest scoring applications in the 9% cycle that also request NHTF funds take priority over lower scoring NHTF multifamily Development applications that may have been received earlier. Applications that will create new ELI units without preexisting vouchers or other rental subsidy will be prioritized, and additional criteria may be imposed for applications not layered with tax credits.

This selection policy is in direct conflict with the Multifamily Direct Loan Rules (MDLR) approved by the TDHCA Board on December 15, 2016. The MDLRs on page 8 of 23 provide for the following priorities:

1) Priority 1: Applications not layered with 2017 9% HTC that are received prior to the 2017 9% HTC Application deadline as described in 10 TAC §11.2 Program Calendar for Competitive Housing Tax Credits. Priority 1 applications will be prioritized on a first come first served basis within their respective set-aside and subregion or region. If the RAF has collapsed, applications will be reviewed on a first-come first served basis within their setaside.

(2) Priority 2: Applications layered with 2017 9% HTC will be prioritized based on their recommendation status for an HTC allocation. All Priority 2 applications will be deemed received on the Market Analysis Delivery Date as described in 10 TAC §11.2 Program Calendar. In order for an MFDL application layered with 2017 9% HTC to be considered complete, Applications for both programs must be timely received. Priority 2 applications will be recommended for approval at the same meeting



ENHANCING COMMUNITIES  
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CDC of Brownsville

Fernando Godinez  
Mexican American Unity Council

Damon Polk  
Builders of Hope CDC

Mike Nguyen  
VN Teamwork

Matt Hull  
Executive Director

when the Board approves the 2017 9% HTC allocations. Applications that will be recommended for 2017 9% HTC and are tied for MFDL under the scoring criteria will be further prioritized for funding based upon the scoring, tiebreaker and award criteria in 10 TAC Chapter 11 (the "QAP").

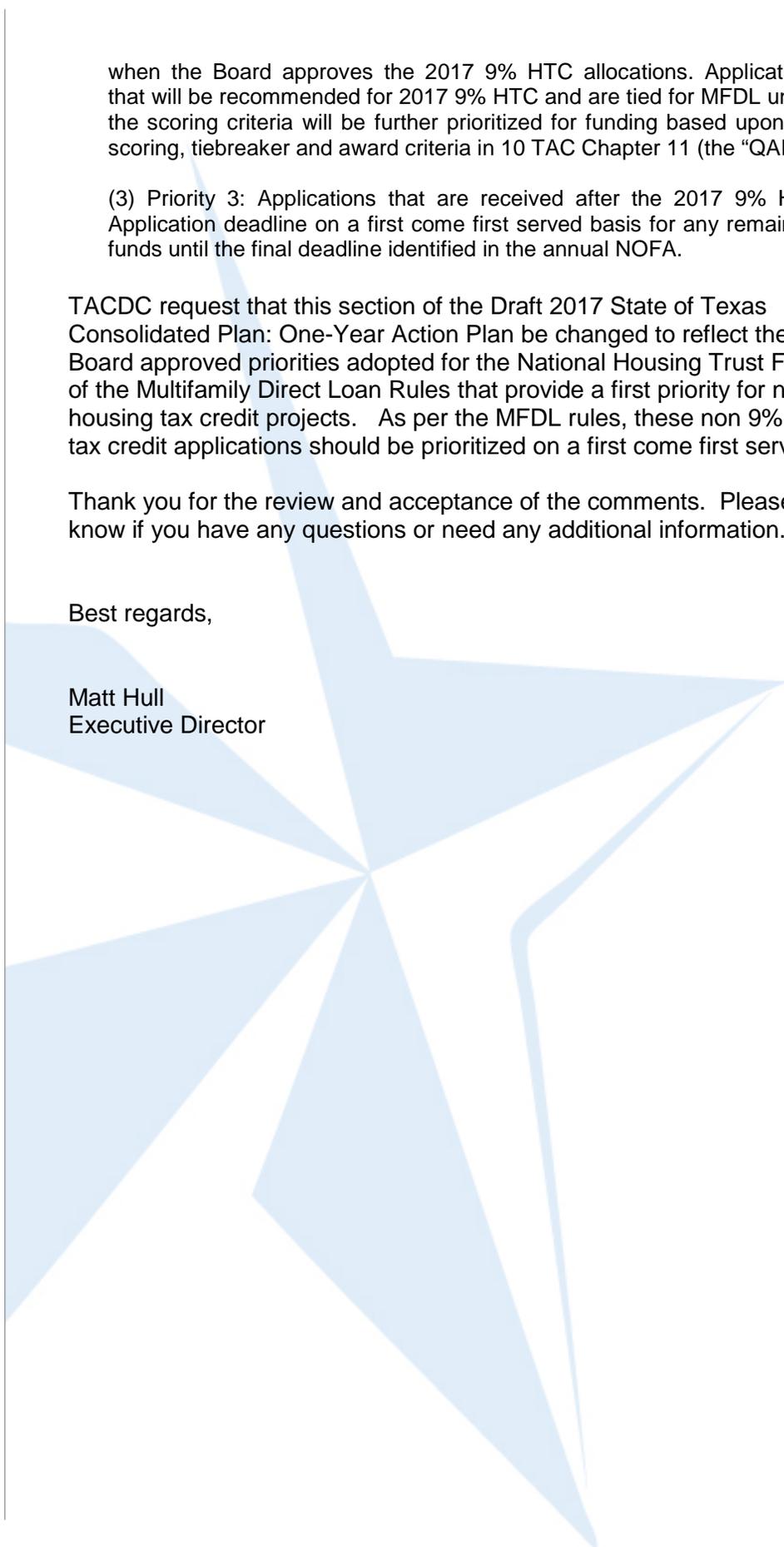
(3) Priority 3: Applications that are received after the 2017 9% HTC Application deadline on a first come first served basis for any remaining funds until the final deadline identified in the annual NOFA.

TACDC request that this section of the Draft 2017 State of Texas Consolidated Plan: One-Year Action Plan be changed to reflect the TDHCA Board approved priorities adopted for the National Housing Trust Fund as part of the Multifamily Direct Loan Rules that provide a first priority for non 9% housing tax credit projects. As per the MFDL rules, these non 9% housing tax credit applications should be prioritized on a first come first served basis.

Thank you for the review and acceptance of the comments. Please let me know if you have any questions or need any additional information.

Best regards,

**Matt Hull**  
Executive Director



December 15, 2016

Elizabeth Yevich  
Texas Department of Housing and Community Affairs  
P.O. Box 13941  
Austin, TX 78711-3941

Dear Ms. Yevich:

Thank you for the opportunity to comment on the Draft 2017 State of Texas Consolidated Plan: One-Year Action Plan.

We are a group of disability advocates and smaller, non-profit housing developers whose mission is to serve extremely low-income Texans. Please accept this letter as support for and echoing of the letter submitted by Matt Hull of the Texas Association of CDC's.

We request that the section on p. 80 cited by Mr. Hull of the Draft 2017 State of Texas Consolidated Plan: One-Year Action Plan be changed to reflect the TDHCA Board approved priorities adopted for the National Housing Trust Fund as part of the Multifamily Direct Loan Rules that provide a first priority for non 9% housing tax credit projects. As per the MFDL rules, these non 9% housing tax credit applications should be prioritized on a first-come first-served basis.

We wish the staff of TDHCA happy holidays, and a happy new year!

Sincerely,

Belinda Carlton  
Bob Kafka, ADAPT of Texas  
Cathy Cranston, Personal Attendants Coalition of Texas  
David Wittie, ADAPT of Texas  
Dennis Borel, Coalition of Texans with Disabilities  
Heiwa Salowitz, ADAPT of Texas  
Isabelle Headrick, Accessible Housing Austin!  
Jean Langendorf, Accessible Housing Austin!  
Jennifer McPhail, ADAPT of Texas and Accessible Housing Austin!  
Judy Telge, Coastal Bend Center for Independent Living and Accessible Housing Resources, Inc.  
Mitch Weynand, Lifeworks  
Nancy Crowther, ADAPT of Texas  
Regina Blye, Texas State Independent Living Council  
Renee Lopez, ADAPT of Texas and Accessible Housing Austin!  
Stephanie Thomas, ADAPT of Texas and Accessible Housing Austin!

## ESG Written Standards

TDHCA requires that its Subrecipients establish and implement written standards for providing ESG assistance. TDHCA reviews the standards to ensure they answer the following questions.

### 1. Evaluation (24 CFR §576.400(e)(3)(i))

- a. Are the definitions of homeless or at-risk of homelessness included in the evaluation?
- b. Are there standard policies and procedures for evaluating individual and household eligibility for ESG?
- c. Are priority populations listed?
- d. Are the priority populations listed the same as the Continuum of Care priority populations?

### 2. Targeting - 24 CFR §576.400(e)(3)(ii),(iv)

- a. Are there standards for targeting and providing essential services related to street outreach?
- b. Are there standards determining how providers will assess, prioritize, and reassess participant's needs for essential services related to emergency shelter?

### 3. Evaluation for Emergency Shelter - 24 CFR §576.400(e)(3)(iii)

- a. Is there a description of:
  - i. Clients that will be admitted?
  - ii. Clients that will be diverted?
  - iii. Clients that will be referred?
  - iv. Clients will be discharged?
- b. Are there safeguards to secure safety (if applicable)?
- c. Are reasonable accommodations for persons with disabilities included?

### 4. Coordination - 24 CFR §576.400(e)(3)(v)

- a. Are there policies and procedures for coordination among:
  - i. Emergency shelter providers?
  - ii. Essential service providers?
  - iii. Homelessness prevention providers?
  - iv. Rapid re-housing assistance providers?
  - v. Other homeless assistance providers?
  - vi. Mainstream services and housing providers?

### 5. Assistance Levels - 24 CFR §576.400(e)(3)(vi)

- b. Is there a description of:
  - i. Which clients will receive rapid re-housing or homelessness prevention?
  - ii. Whether a percentage or amount of rent will be paid by client?
  - iii. Whether a percentage or amount of utilities will be paid by client?

- iv. How long will client receive rental assistance?
- v. How or if rental assistance be adjusted over time?
- vi. What is amount of assistance will be provided?
- vii. How will the duration of assistance be determined?
- viii. What happens after a break in service (*i.e.*, Program participant stops receiving assistance one month)?
- ix. What unit sizes are appropriate for rapid re-housing?
- x. What data sources/formats are used for rent reasonableness?

**6. Housing Stability Case Management/Relocation Services – 24 CFR §576.400(e)(3)(ix)**

- a. Is there a description of:
  - i. What types of services offered and not offered?
  - ii. What amounts are offered for the services?
  - iii. How long will case management/relocation services last?
- b. Does case management include monthly meetings to assist with housing stability? (n/a for Domestic Violence providers)
- c. Does case management include development for participant to retain permanent housing once ESG assistance ends? (n/a for Domestic Violence providers)
- d. Does case management include assistance for program participants' access supportive services for which they may be eligible? (n/a for Domestic Violence providers)

**7. Relocation Services: Financial – 24 CFR §576.105(a)**

- a. Do the written standards specify when the following financial assistance is offered or not offered:
  - i. Rental application fees
  - ii. Security deposits/Last month's rent
  - iii. Utility deposits/payments
  - iv. Moving costs
  - v. Storage fees (3 months maximum)

**8. Service Costs (Include if services are offered and which community organizations can act as a referral source, if applicable) – 24 CFR §576.105(b)(3)-(5)**

- a. Do the written standards specify when the following services are offered or not offered, and which community resources can be used?
  - i. Mediation
  - ii. Legal Services
  - iii. Credit Repair

**9. Denials 24 CFR §576.402**

## Attachment B

- a. Are there policies and procedures for terminating assistance?
- b. Does the appeal process include notification of denial?
- c. Does the appeal process include the household's process to appeal the decision?
- d. Does the appeal process include record keeping process for denial requests?