

**COUNTY OF ERIE/TOWN OF HAMBURG
HOME CONSORTIUM**

NOTICE OF FUNDING AVAILABILITY (NOFA)

&

REQUEST FOR PROPOSALS

RFP # 2022-050VF

HOME-ARP

**NONPROFIT CAPACITY BUILDING & OPERATING
ASSISTANCE IN CONJUNCTION WITH
AFFORDABLE HOUSING DEVELOPMENT**



Notice of Funding Availability (NOFA) & Request for Proposals

HOME-ARP Nonprofit Capacity Building & Operating Assistance (In Conjunction with HOME-ARP Affordable Housing Development)

**Issue Date:
December 5, 2022**

**Issuing Agency:
Erie County Community Development
95 Franklin Street
Buffalo, New York 14202**

Background

The American Rescue Plan (ARP) has allocated \$5 billion to assist individuals or households who are homeless, at risk of homelessness, or in other vulnerable populations, with provision of affordable housing and supportive services. Grant funds are administered through the U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME), with the goal of reducing homelessness and increasing housing stability for qualifying populations and low-income households.

The Erie County Department of Environment and Planning (ECDEP) has been awarded **\$3,442,399** in HOME ARP funding. Funds will benefit vulnerable populations within the Erie County/Town of Hamburg HOME Consortium by providing additional and expanded affordable rental housing (See map of eligible communities on Attachment A). The funding also allows for capacity building and operating assistance to nonprofits who develop HOME ARP affordable rental housing projects. The County has set aside \$247,119 of its allocation for these activities.

Request for Proposals

ECDEP requests Proposals from qualified nonprofits who seek operating assistance and/or capacity building funds in conjunction with their anticipated HOME ARP affordable housing development. The County has set aside \$172,119 for Capacity Building and \$75,000 for Operating assistance. Use of these funds must align with the HOME ARP Final Rule (CPD-21-10) requirements which can be found [here](#).

Application Period

Proposals will be accepted on a rolling basis through May 31st, 2023. Awards may be made on rolling basis.

Information Meeting

An information meeting will be held via Webex on Wednesday, January 18th 2023 at 10:00 AM. Please email Senior Planner Marie Thornton at Marie.Thornton@erie.gov to register and receive a link for the meeting.

Eligible Activities

The HOME ARP final rule allows up to 5 percent of a grantee's allocation to pay operating expenses of CHDOs and other nonprofit organizations that will carry out activities with HOME-ARP funds. The grantee may also use up to an additional 5 percent of its allocation to pay eligible costs related to developing the capacity of eligible nonprofit organizations to successfully carry out HOME-ARP eligible activities. Funds for operating assistance and capacity building may be awarded to a nonprofit if it reasonably expects to provide HOME-ARP funds to the organization for any of the eligible HOME-ARP activities within 24 months of the award.

- **Operating Expense Assistance:** Operating expense assistance is defined as reasonable and necessary costs of operating the nonprofit organization. Eligible costs include:
 - Employee salaries, wages and other employee compensation and benefits;
 - Employee education, training, and travel;
 - Rent;
 - Utilities;
 - Communication costs;
 - Taxes or Insurance; and
 - Equipment, materials, and supplies

HOME-ARP funds used for operating expenses must be used for the “general operating costs” of the nonprofit organization. These operating costs must not have a particular final cost objective, such as a project or activity, or must not be directly assignable to a HOME ARP activity or project. For example: HOME-ARP funds for operating expenses may not be used for staffing costs to provide supportive services or develop HOME-ARP-rental housing (as operating costs to develop HOME-ARP rental housing are paid for by a developer fee which is a project delivery or soft cost).

- **Capacity Building Assistance:** HOME-ARP funds may be used to provide capacity building assistance to CHDOs and other nonprofit organizations. Capacity building expenses are defined as reasonable and necessary general operating costs that will result in

expansion or improvement of an organization's ability to successfully carry out for eligible HOME-ARP activities. Eligible costs include:

- Salaries for new hires including wages and other employee compensation and benefits;
- Employee training or other staff development that enhances an employee's skill set and expertise;
- Equipment (e.g. computer software or programs that improve organizational processes), upgrades to materials, and supplies; and
- Contracts for technical assistance or for consultants with expertise related to the HOME-ARP qualifying populations.

Funding Availability

Grant funding is available through this NOFA with a maximum grant request of up to \$172,119 for Capacity Building and up to \$75,000 for Operating Assistance. The amount available per application will depend upon the number of qualified applications received and their ranking.

Project Requirements

See RFP# 2022-049VF "HOME ARP Acquisition, Construction, and/or Rehabilitation of Affordable Housing NOFA and Request for Proposals" for HOME ARP affordable housing development requirements that are associated with this NOFA.

- Eligibility and Income Certification: Projects must confirm potential tenants' status as a qualifying population and annual household income at initial occupancy. Tenant household income must then be recertified on an annual basis.
- Property Standards: HOME-ARP rental units must comply with all rental property standards required in 24 CFR 92.251 paragraphs (a), (b), (c)(1) and (2), (e), and (f).
- Rental Limitations: The HOME-ARP rent may not exceed 30 percent of the adjusted income of a household whose annual income is equal to or less than 50 percent of the median income for the area, as determined by HUD (i.e., Low HOME Rents).
- Changes in Income and Over Income Households: A qualifying household whose annual income at the time of recertification is above 50 percent of median income for the area but below 80 percent of median income for the area must pay the rent specified in 24 CFR 92.252(a).
- Tenant Selection and Referral Methods: HOME-ARP project grantees will take referrals from multiple sources and will maintain a referral list open to all qualifying populations. Applicants must then be accepted in chronological order regardless type of qualifying population.
- Once awarded, projects must submit a *Tenant Selection Plan* to the County which will outline how project developers plan on soliciting tenant application from all qualifying populations.

Funded Projects must be completed by December 31, 2026

Proposal Contents

There is no formal project application. However, proposals should include, at minimum, the following components:

- Project description with breakdown of proposed use of funds, including job descriptions for all staff and/or consultants
- Budget proposal
- Relevant experience with affordable housing development

Proposal Submission and Further Questions

Submit Proposals and any questions to:

Paul D'Orlando, Principal Contract Monitor, (716)858-2194

Via Email: Paul.D'Orlando@erie.gov

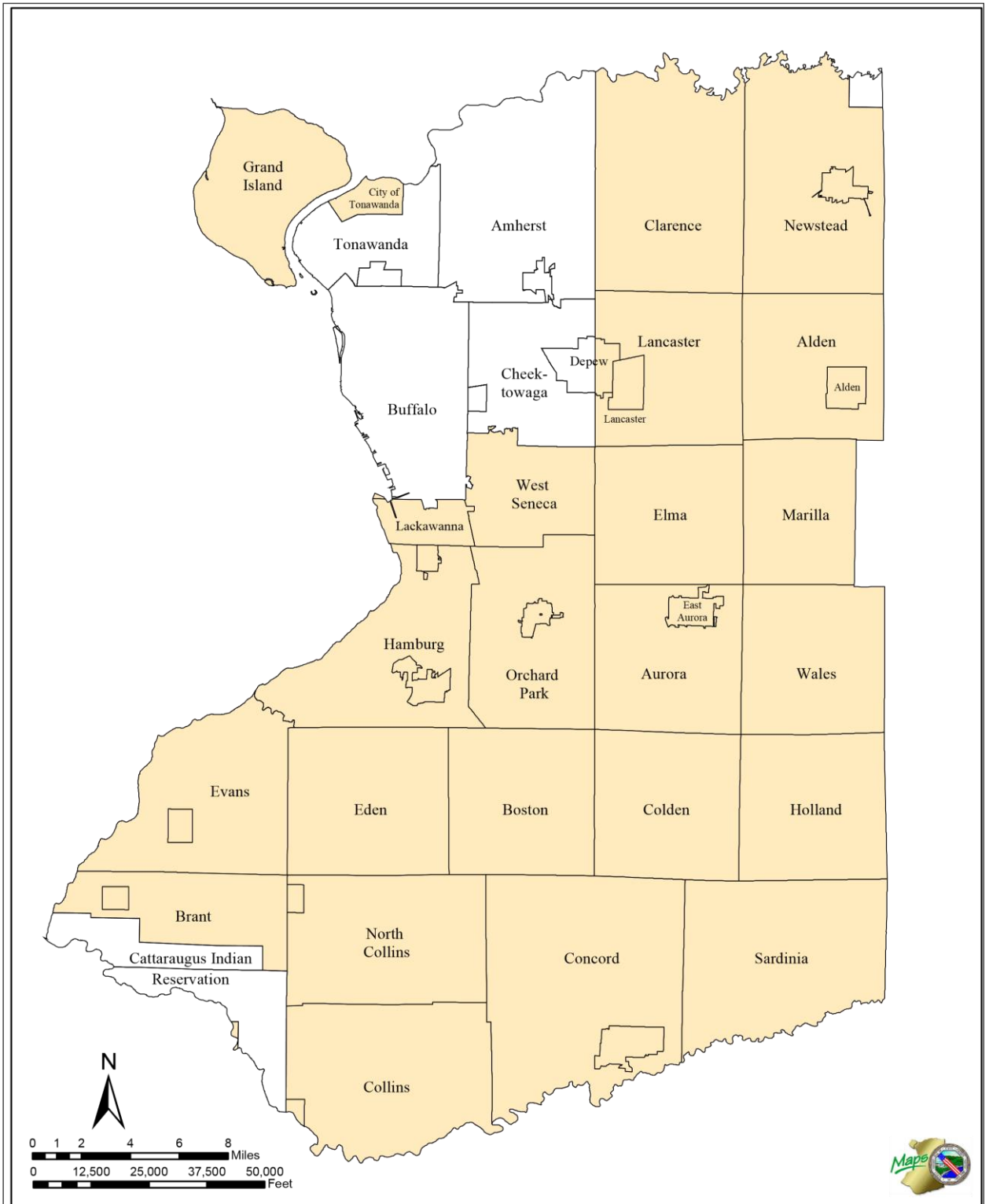
or

Via USPS: Erie County Dept. of Environment & Planning, Room 1014
95 Franklin Street
Buffalo, NY 14202

ATTACHMENT A

**ERIE COUNTY/TOWN OF HAMBURG
HOME CONSORTIUM**

MAP OF ELIGIBLE AREAS



Map Prepared by the Erie County
 Department of Environment & Planning
 Office of GIS, January 2016

Basemap Copyrighted by the
 New York State Department of Transportation

Erie County, New York
HOME Consortium
 Map 2

- Not a Member of the Consortium
- Member of the Consortium

ATTACHMENT B

QUALIFYING POPULATIONS AS PER HUD CPD NOTICE 21-10

QUALIFYING POPULATIONS

1. Homeless, as defined in 24 CFR 91.5 Homeless (A), (B), or (C):

A. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised publicly or privately-operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or

(iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

B. An individual or family who will imminently lose their primary nighttime residence, provided that:

(i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

(ii) No subsequent residence has been identified; and

(iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing;

C. Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

(i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

(iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including

neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;

2. At risk of Homelessness, as defined in 24 CFR 91.5 At risk of homelessness:

A. An individual or family who:

- (i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;
- (ii) Does not have sufficient resources or support networks, e.g., family, friends, faith based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “Homeless” definition in this section; and
- (iii) Meets one of the following conditions:
 1. Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 2. Is living in the home of another because of economic hardship;
 3. Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 4. Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low income individuals;
 5. Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;
 6. Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
 7. Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

B. A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C.5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

C. A child or youth who does not qualify as “homeless” under this section but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD Notice CPD-21-10

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual’s or family’s primary nighttime residence or has made the individual or family afraid to return or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

4. Other Populations

‘Other Populations’ included with eligible qualifying populations include households earning no greater than 50% AMI and those that exhibit characteristics associated with instability and an increased risk of homelessness, such as previous history of homelessness, imminent risk of eviction, and/or:

- i. Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
- ii. Is living in the home of another because of economic hardship;
- iii. Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
- iv. Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
- v. Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
- vi. Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); and
- vii. Is high to severe rental housing cost burdened (paying 30%-50% of gross household income on housing expenses)