



**Homes and  
Community Renewal**

# **Multifamily Open Window**

## **Request for Proposals and Notice of Credit and Funds Availability**

**for Projects Financed by HFA Tax-exempt or Taxable Bonds,**

**or Eligible to Apply for Funding**

**without Tax-exempt or Taxable Bonds, or 9% LIHTCs**

Issued June 2018

## **I. Introduction**

New York State Homes and Community Renewal (HCR) is making available a variety of financing options and programs through this single, Open Window Request for Proposals (RFP) and Notice of Credit and Funds Availability (NOCFAs) to encourage, in a manner that ensures its quality and affordability, a wide range of affordable housing including new construction, adaptive reuse of non-residential buildings, and preservation of existing housing. HCR's overall priority is to encourage the submission of applications that will support and promote high quality projects that address the needs of low- to middle- income individuals and families, and that may advance one or more of the specific housing priorities of New York State as described in this RFP.

HCR will allocate these resources to provide for the market and site-specific needs and opportunities within the diverse communities and neighborhoods across New York State, including urban, suburban and rural areas. Therefore, we encourage a range of projects that are responsive to the particular needs of a location or population including: coordinated investments that take into account other activities in the community, mixed income and mixed use developments, and integrated, supportive housing to meet the needs of a variety of special populations.

In addition to the creation and preservation of affordable housing, HCR works to promote community and economic development. We encourage coordination with municipalities and other state agencies so that projects are a part of the transformation and revitalization of communities. As a result, the development and preservation of housing can accomplish more than affordable housing.

## **II. General Information**

HCR seeks to engage our development partners in the preservation and creation of high quality affordable housing opportunities for residents across the State by investing the financing resources of the agency identified herein.

**A. Funding Available**

Detailed information on each program is available in the program term sheets. HCR is making available the following allocations:

<b>Program</b>	<b>Anticipated Funding</b>
<b>New Construction Programs</b>	
New Construction Capital Program (NCP)	Up to \$130 million
Supportive Housing Opportunity Program (SHOP)	Up to \$200 million
Senior Housing Program (Senior)	Up to \$50 million
Middle Income Housing Program (MIHP)	Up to \$40 million
Federal Housing Trust Fund (Federal HTF)	Up to \$21.8 million
<b>Preservation Programs</b>	
Public Housing Preservation Program (PHP)	Up to \$46 million
Multifamily Preservation Program (MPP)	Up to \$38 million
Mitchell-Lama Program	Up to \$86 million
<b>Programs for New Construction and Preservation</b>	
Homes for Working Families (HWF)	Up to \$30 million
State Low Income Housing Credit (SLIHC)	Up to \$5.5 million
Rural and Urban Community Investment Fund (CIF)	Up to \$30 million
<b>Other Programs</b>	
Small Building Participation Loan Program	Up to \$20 million

Up to \$40 million in funding is reserved specifically for projects in the City of New York in which one hundred percent of the units are restricted to households with an income limit of up to 60% AMI. Projects which apply for funding under the NCP or MPP programs and meet these criteria

will automatically be considered for an award of these reserved funds. Projects must comply with all terms of the NCP or MPP programs, including per project and per unit maximums, as applicable. Priority shall be given to not-for-profit applicants that have prior experience in community development projects with at least 51% controlling interest in such projects, and which propose projects that utilize state or city-owned land. Eligible applicants should describe their relevant experience in the application.

### **III. General Requirements**

HCR reserves the right to award all, a portion of, or none of the resources based upon funding availability, readiness, feasibility of the projects, the Applicant's ability to meet HCR criteria for funding, and the Applicant's ability to advance the State's housing goals. Furthermore, HCR reserves the right to review applications as an application for funding under other programs for which the project may be eligible through HCR, and to change or disallow aspects of the applications received. HCR reserves the right to make any such changes as an express condition of its award commitment for the project.

HCR retains the right to waive any requirement contained in this RFP, subject to the applicable statutes and program regulations. HCR also retains the right to revise this RFP from time to time, to not award any or all of its funds under this RFP, and to issue subsequent RFPs. All Proposals must comply with all federal, state and local laws.

### **IV. Priorities for Funding**

HCR's overall priority is to encourage the submission of applications that support and promote high quality projects for the development of affordable housing that meets the needs of individuals and families. Priority for funding awards will be for projects that also advance one or more of the housing priorities of New York State. Descriptions of current housing priorities for all programs, unless otherwise specified in the program descriptions and terms, are outlined below:

- Community Renewal and Revitalization Projects: Mixed use and/or mixed-income projects in neighborhoods as part of a coordinated community redevelopment plan that involve the use or adaptive reuse of existing underutilized buildings; infill new construction; and/or the demolition and replacement of buildings having a blighting impact on a community, and for which rehabilitation is impracticable.
- Integrated Supportive Housing Projects: Projects that provide permanent supportive housing to a variety of special needs populations in integrated housing settings.

- **Public Housing Restructuring Projects:** Projects that address the needs of public housing units outside the City of New York and assist Public Housing Authorities in completing their restructuring plans with a priority for projects participating in HUD's Rental Assistance Demonstration Program (RAD1).
- **Housing Opportunity Projects:** Projects that propose workforce housing in areas experiencing economic growth that are served by high performing school districts.
- **Workforce Opportunity Projects:** Projects that propose workforce housing projects in close proximity to Metropolitan Transit Authority (MTA) rail stations outside the City of New York, or within a quarter-mile walk of an MTA subway station within the City of New York; or, which are in communities that have completed and are implementing Transit Oriented Development plans that clearly link the proposed project to expanded transportation choices for tenants; or, which are in close proximity to multi-modal transportation centers that will contribute to the development of vibrant, mixed-use, high-density neighborhoods.
- **Mitchell-Lama Portfolio Projects:** Projects that continue the redevelopment or preservation of Mitchell-Lama Housing units.
- **Rural Preservation Projects:** Rehabilitation of projects in rural communities, including projects participating in USDA Rural Development programs or the Rural Rental Assistance Program (RARP).
- **Downtown Revitalization Initiative Projects:** Projects in communities that have been awarded Downtown Revitalization Initiative (DRI) funding to develop downtown strategic investment plans and implement key catalytic projects that advance the community's vision for revitalization and which clearly advance the DRI-approved investment plan.
- **Disaster Relief Projects:** Projects in communities directly impacted by Federal Emergency Office declared disasters, including, but not limited to, Superstorm Sandy, Hurricane Irene, Tropical Storm Lee, and the Summer 2013 Severe Storms and Flooding.
- **Economic Development Projects:** Projects specifically endorsed in the Regional Economic Council Strategic Plans that will support the construction and/or rehabilitation of affordable housing and for which significant financial assistance has been made available as part of such plans.
- **Mixed Income Revitalization Projects:** Projects in economically challenged neighborhoods providing rent advantage to moderate and middle income households to encourage diversification of tenant incomes. Projects should be part of a neighborhood specific revitalization plan.

- Middle Income Stabilization Projects: Projects targeting neighborhoods straddling strategic borders between economically vibrant and economically challenged communities. Applicants would have to demonstrate that, unaided by capital subsidies, the private sector has been unable to construct new rental housing for middle income households.

#### **V. General Review Criteria**

Specific descriptions of scoring criteria that apply to most scored programs is as follows. Some programs have different or additional scoring criteria, and some programs are not scored. Scoring values and information on program-specific scoring criteria may be found in the program term sheets.

- Developer Team Experience and Capability: Applicant has the proven experience and team members to successfully complete the Project.
- Readiness: Whether all the necessary components for the financing and development of the project are identified and/or committed.
- Financial Feasibility and Efficiency: Extent that the project is financially feasible and cost effective.
- Leverage: Significant non-HCR resources have been dedicated to the project. Applicants are strongly encouraged to secure resources from other agencies, private, and other government sources. All applicants must provide evidence that other resources available to the project have been pursued. Applications will only receive competitive points for leverage if the project has secured other sources and does not require maximum funding available under the program.
- Priority Outcomes: Extent the project advances the priorities outlined in the RFP.
- Overall Outcomes: Extent that the project advances the goal of creating or preserving quality housing that most efficiently provides the greatest number of affordable units for the longest time.
- Regional Economic Development Council Plan: Extent that the application meets priorities in the plan.

An Applicant's past and current performance in State programs and contracts, including performance under Article 15A of the New York State Executive Law, will be considered in reviewing its application. HCR reserves the right to deny an award to any Applicant determined to not be in compliance with existing State contracts.

## VI. Offer of Project Based Voucher (PBV) Assistance

### **Depending upon availability, for proposed projects seeking Senior, PHP, MPP, or Mitchell-Lama funding and/or SLIHC under this competitive Request for Proposals.**

As authorized by program regulations at 24 CFR 983, HCR may offer a very limited amount of Project Based Voucher (PBV) assistance, depending upon availability, for proposed projects seeking sources specified above under this competitive Request for Proposals. Applications seeking consideration for PBV assistance in combination with another program will be reviewed for eligibility, scored and underwritten at the end of each month.

A complete description of all applicable PBV program regulations can be found within the Electronic Code of Federal regulations at: [www.ecfr.gov](http://www.ecfr.gov) (Title 24, Part 983).

Applicants interested in being considered for PBV assistance should fully review program regulations prior to making application in order to ensure that their proposed project is consistent with all terms and provisions of those regulations. Applicants are advised to carefully examine the subsidy layering review guidelines relative to PBV assistance issued by HUD in its notice of July 9, 2010. These guidelines establish certain development and operations standards that must be adhered to by projects receiving PBVs, including limits on builder's fees, developer's fee, and project cash flow. The guidelines can be found at:

<https://www.federalregister.gov/articles/2010/07/09/2010-16827/administrative-guidelines-subsidy-layering-reviews-for-proposed-section-8-project-based-voucher>

HCR will give priority to those projects requesting PBVs with a proposed developer fee at or below the HUD safe harbor standard of 12% of the total development cost.

Applicants are invited to submit proposals for the use of PBVs in connection with the preservation of rental units in only those local program areas serviced by HCR's Section 8 Voucher Program and its network of Local Administrators. A complete listing of those local program areas can be found on the HCR website at:

<http://www.nyshcr.org/Programs/Section8HCV/sec8admins.htm>

**Applications requesting project based assistance only will not be accepted.** Requests for PBV assistance must be accompanied by a request for assistance for another subsidy program.

Only applications submitted in response to this RFP will be considered for this PBV assistance.

HCR requires all applicants seeking PBVs to provide information on the degree to which PBVs enable a project to serve a lower income population than the project would otherwise be capable of serving absent the PBVs. A detailed description of the impact PBVs will have on the population served must be provided in an application seeking PBV assistance. The description must be provided in a Proposal Summary as part of the response to the question of what public purpose

is served by the project and who the project beneficiaries will be. Regulations generally limit PBV assistance to no more than 25% of the units in a project. Projects serving persons who are elderly (62 years or older), persons with disabilities or families receiving supportive services generally equivalent to HUD “Family Self-Sufficiency” programming may be allowed to exceed the 25% per building cap.

All applicants for PBVs must comply with the Federal National Environmental Protection Act (NEPA) as implemented through 24 CFR 58, and the New York State Environmental Quality Review Act (SEQRA). Davis-Bacon wage requirements are applicable to construction of all projects receiving nine or more PBVs.

## **VII. Program Descriptions and Terms**

Descriptions and terms of each program being made available under this RFP may be found at <http://www.nyshcr.org/funding/openwindow/2018/>.