

Empire State Supportive Housing Initiative (ESSHI)

QUESTIONS AND ANSWERS

June 2018

Note the amended definition of persons with Serious Mental Illness (SMI) as it pertains to ESSHI. The target of ESSHI for this population is for adult individuals with a SMI.

Persons with serious mental illness (SMI): Individuals who meet criteria established by the Commissioner of the Office of Mental Health, which shall include persons who are in psychiatric crisis, or persons who have a designated diagnosis of mental illness under the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders and whose severity and duration of mental illness results in substantial functional disability.

Further note the modification of the policy regarding Section 8 rental subsidies. In New York City, housing developers may access Project-Based Section 8 for rental subsidies. In such instances, the ESSHI services and operating award will be reduced to account for services only.

ESSHI Round 3 Questions

1. Are all special needs covered by the Olmstead rule? For example, if an agency has a 40 unit building with 24 supported units, is it possible to still apply by proposing at most, 20 units dedicated for those with a disability? Could the remaining 4 supported units be set-aside for victims of domestic violence with no other disability or diagnosis?

A: Not all ESSHI-eligible populations are covered by the *Olmstead* decision. Populations that include individuals with disabilities by definition, such as individuals with a serious mental illness (SMI), substance use disorder (SUD); an intellectual or developmental disability (I/DD); or persons living with HIV or AIDS should be considered when considering *Olmstead* requirements. Additional populations not impacted by the *Olmstead* decision can be included in the project.

2. Expansion of existing program – since rent is so expensive in a particular area, would like to apply for ESSHI, but the initiative is for supportive housing and the existing program is supported housing. Can the expansion project be funded through ESSHI?

A: The physical expansion of existing program that creates new supportive housing units would be eligible. ESSHI funding cannot be used to supplement or supplant existing supportive housing units.

3. Page 13 of the RFP states that “Individuals living in NYC and diagnosed with HIV or with AIDS are eligible for NYC HIV/AIDS HASA services including rent subsidies. The DOH AIDS Institute requires housing services contractor to access these services through HASA for all clients.”

- a. Can the name of the contact person at HRA HASA who is responsible for the rental subsidy program be provided?

b. If subsidies are not available, can rent be included in the budget?

A: An office address and phone number for the HIV/AIDS Services Administration (HASA) the NYC website: <http://www1.nyc.gov/site/hra/help/hiv-aids-services.page> . The ESSHI provider should facilitate and/or assist individuals to request rent subsidies and services through HASA. If subsidies are not available through HASA, then rent may be included in the ESSHI budget. However, it is anticipated subsidies will be available through HASA provided the client meets the eligibility requirements.

4. Could the associated capital project be a building already owned or have an existing willingness to be purchased by agency, that could be rehabbed into several apartments?

a. This sentence gives pause – “The intent of this RFP is to provide the service and operating funds needed to operate the permanent supportive housing units in an integrated setting that will be developed through capital funding made available through capital funding mechanisms.” It is not clear whether this includes an agency’s own funding.

A: ESSHI funding must be linked to a supportive housing development project that will create new supportive housing units through new construction, the adaptive reuse of non-residential space, or the repurposing of vacant residential units. The capital funding utilized to develop the project may include federal, State, local, and/or private sources, including agency funds.

5. An ESSHI Round Two conditional award was received. Agency is still in the process of identifying capital funders. Should the agency re-apply in Round Three or is the 12-month conditional award deadline of September 17 sufficient?

A: The Interagency Workgroup may elect to extend conditional awards beyond that date in circumstances such as a pending capital commitment. However, all 2017 conditional awardees are encouraged to reapply if capital will not be secured prior to September 18, 2018.

6. Question 13 of the MRT Questionnaire states – “Identify the funding source(s) for ongoing rental subsidy or other form of subsidy that will be available to ensure that rents paid by the targeted MRT high-cost, high-need Medicaid population will remain affordable.” We intend to work with nursing home transitioned or diverted individuals. The question seems to imply that we could use the NHTD waiver rent subsidy for that population in our ESSHI projects. Is that the case?

A: The applicant would not be able to request ESSHI rental reimbursement for a tenant that has a portable voucher available, like the ones available under the NHTD.

7. Section 1.5/Eligible Costs – This sections states that applicants planning funding from HCR should request rental subsidies under this RFP in an amount necessary to support underwritten rents of at least 50% AMI. Can the rents be underwritten at Fair Market Rent? Or is there a maximum AMI the rents can be underwritten, noting that tenants will have significantly lower incomes?

A: It is expected that rent levels are established using an AMI based methodology. The RFP specifies to underwrite to “at least” 50% of AMI, recognizing that it may be necessary to exceed 50% in some instances for the financial viability of the project. However, ESSHI is intended to provide funding for both support services costs as well as rent subsidies for operating costs. The ESSHI funding must balance these two needs to ensure appropriate level of support services can be provided. No maximum AMI has been established, although the approval of the rent structure for the project will also ultimately be subject to approval of the capital funding agency.

8. Section 1.4.1/Medicaid Redesign Team High-Cost, High Need Medicaid Users – If there will be a project with 95 ESSHI qualifying units that will be exclusively for frail/elderly seniors, will it be required to only set aside 25% of these units for high-cost, high need Medicaid users? Or is it required to set aside 100% of the units for MRT individuals because only frail/elderly seniors are being targeted?

A: While applicants may choose to target and serve MRT individuals beyond the 25% requirement, frail elderly/ seniors are not synonymous with high-cost Medicaid users. The glossary defines MRT eligible individuals. The requirement to set aside 25% of ESSHI units applies to any project with 15 or more ESSHI qualifying individuals, in projects of 30 or more dwelling units in total, that are serving one or more of the following ESSHI populations: individuals with an SMI; SUD; persons living with HIV or AIDS; chronically homeless individuals; frail elderly/ seniors; and/or individuals with an I/DD. In the example given, 25% of the 95 ESSHI units would be required to be set aside or MRT eligible individuals.

9. The ESSHI definition of homeless in the Glossary includes as (4) be a young adult between ages of 18 and 25 years of age without a permanent residence, including those aging out of a residential school for individuals with an intellectual or developmental disability. Agency is constructing a small independent living apartment complex for young adults with autism. Given the lack of availability of supportive or other housing for adults with IDD and OPWDD’s commitment to supporting people in more individualized and person-controlled settings, would the project be eligible for ESSHI support if the potential tenants for this project are young adults currently living with family members and not in residential schools provided the need is sufficiently demonstrated?

A: OPWDD provides homelessness data for its population through the links noted in the RFP. This information is developed using the “Residential Request List” and people assessed with high priority needs, including those identified at imminent risk of homelessness. This section also includes the criteria used for determining eligibility; typically, young adults living with family members do not meet the ESSHI definition of homelessness. Contact the OPWDD Office of Home and Community Living for information about other funding opportunities which may be available for supportive housing projects. It should be noted, however, that an OPWDD project cannot be dedicated to a sub-population of individuals eligible for OPWDD services, and therefore, cannot be limited only to people on the Autism Spectrum.

10. It appears that it is being asked to choose between populations – that an agency cannot indicate its intention to serve individuals with an unmet housing need, as determined by the CoC AND have mental illness. Is that correct? Our agency’s mission has been to serve adults living with SMI, and we have made a commitment to serve those experiencing chronic homelessness as required. How to proceed?

A: Section 1.4 of the RFP indicates that ESSHI eligible individuals must be homeless (per the definition in the glossary), AND have one of the disabilities and/or life challenges listed. It should be noted that an agency can elect to serve multiple populations if they have the necessary experience, and the application also meets all *Olmstead* requirements.

11. If a person is Activity of Daily Living dependent (nursing home resident or nursing home eligible) but under the age of 55, will they qualify for an ESSHI unit?

A: Individuals to be assisted would need to meet both the homeless definition as well as qualify for one of the eligible populations outlined in the RFP. A person under the age of 55 would not qualify for the frail elderly/ senior eligible population but if they are coming from a skilled nursing facility or meet the MRT criteria in Section 5, page 30, they would be able to qualify under the MRT designation.

12. Staff members of an applicant have been assured by OPWDD that an addition to the target population would be made: individuals with intellectual/developmental disabilities facing homelessness due to the loss of a caregiver. This addition is not reflected in the RFP. Please address.

A: OPWDD provides homelessness data for its population through the links noted in the RFP. This information is developed using the “Residential Request List” and people assessed with high priority needs, including those identified at imminent risk of homelessness. This section also includes the criteria used for determining eligibility.

13. Where can an applicant find the relevant information regarding target populations for individual state agencies involved in this project? It was learned during the last ESSHI process that some agencies apply additional restrictions that are not included in the RFP.

A: Applicants should rely on their experience in serving a specific population in determining the expectations for that population. Additionally, the applicant can reach out to the relevant state contracting agency for additional population-specific requirements that are not outlined in the RFP.

14. On page 6 of the RFP, it says that the Workgroup has the option to provide extensions beyond 12-months from the date of conditional award from 2017. Agency plans to submit an HHAP application for capital funding from the day it is released. It is understood the release will occur shortly and the possibility exists that agency will be considered for an award this summer. What

is the length of the ESSHI extension if agency is going to be considered for capital funding this summer or early Fall?

A: As indicated in the webinar, all 2017 conditional awardees are encouraged to reapply for ESSHI in the 2018 round if there is a possibility that capital funding will not be secured prior to expiration of the current ESSHI conditional awards on September 18, 2018.

15. On page 32 of the RFP it states under the budget section that all ESSHI funding should be principally used for Personal Services and rent subsidies. Any other expenses should be justified. Would office equipment and apartment furniture qualify in this funding?

A: Office equipment and furniture would be considered eligible costs. However, since they are not ongoing operating costs, applicants are encouraged to explore other potential sources of funding for these items. For example, funding for furniture and equipment can sometimes be considered under capital costs.

16. Can ESSHI units be 100% MRT? It's understood that the ESSHI units, in NYC, cannot be more than 60% of the total number of units in a project.

A: The ESSHI units may be 100% MRT, provided that the project is integrated with respect to compliance with *Olmstead*.

17. Often an individual becomes homeless after completing short-term crisis stabilization for severe substance abuse disorder; they are typically stabilized in our Homeless Emergency Shelter. There is usually a period of time before a bed in a long-term substance abuse treatment program is available. Is there a scenario where ESSHI funds could support beds to accommodate the waiting period?

A: ESSHI is intended to support permanent supportive housing. The scenario proposed would be considered emergency or transitional in nature, and therefore would not be eligible for ESSHI funds.

18. Once a patient profile is submitted, how binding is that profile? i.e. if there are 15 units for HIV/AIDS population and 5 units for Frail aging population, once an agency begins marketing and screening individuals, there may be 10 HIV/AIDS and 10 frail aging, is this allowed?

A: Following the conditional ESSHI award, some flexibility may be allowed in the number of units between populations proposed to be served and documentation of an unmet housing need were both presented in the original application. However, any such changes would need to be proposed prior to the commitment of the ESSHI award and would be subject to the approval of the Interagency Workgroup.

19. During the webinar, it was stated that the MRT questionnaire is due once notification of conditional award is given, however in the application instructions for the RFP, it states we must complete the MRT questionnaire with the application submission. Please clarify.

A: Only projects that are proposing to serve a greater number of MRT eligible qualifying individuals than would be required by the 25% rule (explained in Section 1.4.1 of the RFP) would be required to submit an Appendix A at the time of the ESSHI application. Proposals that meet the 25% requirement will be requested to complete an Appendix A at the time a conditional award is given.

20. How much total requested ESSHI funds can be requested? Is there a cap? Are there Operating Expense funds? \$25,000 per qualifying individual – please expand on this, what does it mean?

A: There is not maximum total funding request, provided all other requirements are met. An annual maximum of \$25,000 may be requested per qualifying individual. This amount is intended to meet both the operating and services costs of the supportive housing unit. The term qualifying individual is intended to distinguish a unit of cost (services and operating funds) from a unit of housing (dwelling unit). The following are examples that may illustrate the distinction: One ESSHI qualifying individual with a Substance Use Disorder may reside in a studio housing unit. One ESSHI qualifying individual may be the parent with a Serious Mental Illness, in a family of four, residing in a three-bedroom housing unit. Two ESSHI qualifying individuals may be a couple each living with HIV/AIDS residing in a one-bedroom housing unit. In each example, up to \$25,000 per year may be requested for each qualifying individual. The number of qualifying individuals does not always equate to the number of dwelling units.

21. What is the increment of time for using the allotted grant funds total and per individual: is it monthly, annually or throughout the set term of the grant?

A: The maximum grant of \$25,000 per individual reflects an annual amount. Funds do not roll over from contract year to contract year. The payment frequency of grant amounts varies by state contracting agency.

22. Please explain the payment unit system.

A: Up to \$25,000 annually per qualifying individual may be requested. For example, a 20-unit housing project including 20 ESSHI units serving frail elderly/seniors could request up to \$500,000 annually in services and operating funding.

23. There may be pre-development fund assistance through OASAS, OMH or OPWDD? Does this have to be applied before the ESSHI funds are awarded; or simultaneously while awaiting approval; or after the funds are awarded? While there may be requirements, what is recommended or encouraged by ESSHI?

A: Predevelopment funds are being made available through OMH and OASAS only to applicants that have received a conditional ESSHI award. Predevelopment funds are limited and are intended to be utilized for activities related to developing a competitive capital grant application (e.g. site testing, architectural services, etc.). OPWDD does not have predevelopment funds, however, it does have capital funding available that is awarded through a competitive application process.

24. If an agency cannot raise capital funding outside the ESSHI funds within the 12-month timeframe, what happens? Is the grant simply allocated to another deserving agency with no payment penalty on the original awardee?

A: Awards made under the ESSHI RFP are conditioned upon the securing of capital funds. If capital funding is not secured, the ESSHI award is not committed, no contract or payments can be made, and therefore there would be no payment penalty to the original awardee. Funding for at least 1,200 units may be committed through this RFP, subject to and following the securing of capital funding necessary to develop those units.

25. Can the letters of support received for the project from last round of ESSHI be submitted again, or do applicants need to get new letters dated this year?

A: Letters of support, particularly from the local Continuum of Care or other planning entity, should be specific to this proposal in order to reflect current community needs and homelessness data.

26. If a project is targeted for homeless vets, and the sponsor will request VASH vouchers as well as ESSHI, but won't have a determination about VASH before the ESSHI RFP due date:
- a. Can you allocate ESSHI funds and VASH vouchers to the same unit?
 - b. Should the ESSHI application budget reflect VASH or will the ESSHI award be adjusted at time of contracting?

A: An otherwise eligible homeless individual or family would not be precluded from occupying an ESSHI-supported unit on the basis of holding a tenant-based rental subsidy. Applicant would not be able to request ESSHI rental reimbursement for that unit while occupied by a tenant with a portable voucher.

27. If an agency is planning to serve 2 target populations, I/DD and Elderly, should one or two ESSHI applications be submitted?

A: Assuming that the two populations will be served in a single housing project, one application may be submitted.

28. Is the lead funding agency the one with the majority of the beds?

A: The population(s) served, contracting relationship, and other factors are considered in assigning the State Contracting Agency.

29. Since Elderly are a target population that would qualify under MRT, are MRT set asides seen as 25% of the entire building or solely 25% of the IDD?

A: The set-aside applies to projects consisting at least 30 total units and at least 15 ESSHI units serving individuals with an SMI, SUD, I/DD, who are living with HIV/AIDS, or who are frail elderly/seniors. Within such projects, 25% of individuals in ESSHI units must be MRT-eligible.

30. Can an agency apply for ESSHI in conjunction with the Olmstead (OHS) subsidy for the elderly population to be served? Are there any limitations to using both subsidies together?

A: The applicant would not be able to request ESSHI rental reimbursement for a tenant that has a portable voucher available, like the ones available under the OHS.

31. Historically, is there a guarantee that OPWDD will have people to place in these beds once the development is complete?

A: The demonstration of the need for a project, supported with relevant data, is weighted heavily in the selection criteria for ESSHI applications. It should also be noted that, for all populations, once individual choice of housing is factored in, no guarantee can be made by any state agency or referral source that an appropriate number of tenants will elect to live in the project; the applicant must independently assess all factors when applying for this, or any funding source.

32. Historically, does OPWDD agree to a supportive housing project where there are only the elderly and people with IDD in the building at an 80/20 split with IDD being the smaller portion?

A: The conceptual project in the question would be within OPWDD's limitations identified within the RFP. However, the applicant must also determine if there are any fair housing considerations regarding this situation, and must also determine if any other requirements are triggered, such as the *Olmstead* rule.

33. On page 32 of the RFP, it states under the budget section that all ESSHI funding should be principally used for Personal Services and rent subsidies. Any other expenses should be justified. Would office equipment and apartment furniture qualify in this funding? What specific justification outside of explaining the purchases will be required?

A: See response to Question 15.

34. The grant award is based on year one budget. Does that lock in the budgeted amount for the next 4 years? Trying to determine how much flexibility there is for the following years since year 1 has

the majority of all startup costs. For example, year 1 will have furniture purchases for each apartment and the following years will require significantly less funds.

A: Line items in the final approved budget may be adjusted with the approval of the State Contracting Agency. Also, see response to Question 15.

35. An agency is applying for Round 3 funding because there was a misunderstanding of the language in Round 2 application. This resulted in receiving a significantly less award than needed to operate the program. In the first application, children were counted in the units. This application the budget will be corrected. Does this need to be explained or speak to why another award is being requested for the same project?

36. A: No, if the conditional award based on a 2017 round application did not progress to a committed award, it would be replaced by a new application, assuming a passing score is achieved under this 2018 RFP. If you received a permanent award you cannot request additional funds for those units already in receipt of ESSHI funds. Can you elaborate on question 5F? Are you inquiring about what percentage of a tenant's income will be used to calculate tenant rent share? Or what the collectability percentage is that is used in our calculation? Or something else?

A: Question 5.f. asks the applicant to indicate the percentage of the total funding request attributable to rent subsidies. This is not related to the tenant's income, rent contribution or collectability. Rather, the question asks what portion of the ESSHI annual grant will be used specifically toward subsidizing tenant rents, as opposed to the portion that will be dedicated to support services or other expenses.

37. Is there a specific budget form to be fill out or should we create our own? Section 2.6, pg. 24

A: The budget required for the application is the standard Expenditure Based Budget format to be completed in Grants Gateway. Applicants should not create or attempt to submit an alternative format.

38. How do we know if we are registered for <http://www.osc.state.ny.us/vendrep/index.htm>? Section 2.8, page 25?

A: The VendRep system is operated and maintained by OSC. It allows vendors (bidders) to enter, update and certify a Vendor Responsibility Questionnaire (VRQ). The VendRep system is an online application that allows vendors to create and maintain a login. Information regarding user assistance as well as a helpdesk phone number and email for the VendRep system are included in Section 2.8 of the RFP. Note that a VRQ is not a requirement for submission of an ESSHI application. Rather, as a condition of contract approval by OSC, the SCA must make a determination of vendor responsibility, which will involve the completion of a VRQ.

39. Must we/can we charge clients 30% of their income for rent? Section 1.5, page 12

A: ESSHI units must be affordable to the tenants. The expected tenant contribution is 30% of adjusted income (exclusive of rental subsidy). The anticipated tenant contribution should be included in the budget under the “Other” column.

40. Would the Olmstead requirement apply to our project, given we only have 14 units? Note: we are planning to dedicate 5 units to those with HIV/AIDS and 9 units to those with mental illness. Section 1.1, page 9

A: Yes, Section 1.1 of the RFP indicates that projects must comply with the *Olmstead* decision by providing integrated settings for individuals with disabilities. This would include any homeless population served in the project that falls under the Americans with Disabilities Act (ADA), such as individuals with SMI, SUD; intellectual or developmental disabilities (I/DD); or persons living with HIV or AIDS. No more than 50% of the total units in the project should be reserved for individuals with disabilities (60% in New York City). This section of the RFP also notes nuances for two particular SCAs. The project described in the question would contain 100% of the units for individuals with disabilities, would not be considered an integrated setting and therefore, would not be eligible for ESSHI.

41. If we quote a document, such as a Comprehensive Plan or 10-Year Homeless Plan, should we attach and upload copies of those documents with the application? And if so, under which question should it be attached?

A: Quotes and references to the document should be sufficient. The applicant may choose to provide a larger excerpt of a document such as a local Comprehensive Plan to supplement local Continuum of Care data. In that instance, the information could be combined as a single scanned document with the CoC data and uploaded as part of the response to Questions 2.l. or 2.m. There is also the option to upload additional information, which is available under the uploads section of the application.

42. We are contemplating including several different building sites in a single ESSHI application. In the event that the sites have different construction timelines, would it be possible for the State Agency to issue an ESSHI contract for one site when the units for that site are ready for occupancy, and later amend the contract to include the rest of the units from remaining sites once they are ready?

A: Yes, provided that the ESSHI proposal will support a single development project consisting of multiple sites; the process may vary by State Contracting Agency

43. If we have an application with several sites, is the 25% MRT requirement based on the combined total of all ESSHI units? If the total project is required to have 25% MRT units, must each site within the application have 25% MRT units or can the required MRT units be spread among the sites as we choose?

A: ESSHI units, including any MRT-eligible individuals, should be fully integrated across the units within the project. Concentrating or segregating individuals in supportive housing by age, disability or other characteristics may be in violation of Fair Housing law and/or the *Olmstead* decision.

44. Section 1.4 of the RFP lists as an eligible population: “Military service with disabilities (including veterans with other than honorable discharge)” – are veterans with non-physical disabilities (SMI, SUD, etc.) eligible?

A: Yes, homeless veterans, including those with non-physical disabilities are eligible to be served.

45. Must the NFP applicant for ESSHI funding have “ownership” in a project?

A: The NFP applicant for ESSHI is not required to have an ownership interest in the housing project intended to benefit from the ESSHI services and operating funds. The ESSHI proposal must demonstrate how the NFP intends to connect the services and operating funds with a housing project. This connection may be demonstrated through a long-term lease or a partnership with a developer/owner.

46. Can the NFP applicant simply partner with a developer who is in the process of securing capital funding or has secured capital funding for a project, as long as the ESSHI application states that the funding source(s) are aware of the proposed ESSHI units in that project?

A: The ESSHI applicant may partner with a housing developer who is in the process of securing capital funding or who has secured capital funding. The ESSHI application does include questions related to partnering with a housing developer, capital funding sources, and other questions related to the capital development of the project such as site control.

47. It is not clear how Veterans who are chronically homeless may or may not fit into the new requirement to have 25% of designated ESSHI units set aside for high-cost, high-need Medicaid users? Please clarify.

A: It is recognized that qualified individuals served may have multiple disabilities and/or life challenges. In order to better assess the progress toward meeting the housing needs of homeless individuals and families, ESSHI requires that applicants designate units to serve particular populations based on the primary presenting condition or characteristic. Therefore, although a veteran may also meet the chronically homeless definition, a unit designated to serve veterans would not fall under the 25% MRT rule described in Section 1.4.1. Conversely, units designated to serve chronically homeless individuals would be subject to the 25% MRT rule, whether or not an individual housed in such a unit happens to be a veteran.

48. Are MRT eligible clients a subpopulation of the special population?

A: Yes, certain eligible populations may also meet the definition of MRT-eligible as a high-cost Medicaid user.

49. If a building is 40% low income and 60% special population, does 25% of the units in the entire building have to be for MRT eligible clients? Or is it 25% of the low income or special population units?

A: The 25% MRT rule only applies to the ESSHI-supported housing units serving the populations listed in Section 1.4.1 of the RFP.

50. Last year there was a form provided to request a letter of support from the CoC. Will that be available this year?

A: The Interagency Workgroup does not provide such a form, however individual CoCs may utilize their own support letter format.

51. Should it be indicated that this is a reapplication on the RFP response and if so, where?

A: There is no requirement in the ESSHI round 3 RFP to identify the proposal as a re-application. However, applicants may choose to do so in the executive summary.

52. Does notification need to be submitted that this would be a reapplication and not asking for an extension? And if so, how is this done?

A: See Response to Question 51.

53. Can you describe the services that are allowable under an ESSHI contract? The RFP states that "services can be provided on or off site (or a combination of both) and either directly by the project sponsor or through partnerships with other community-based agencies (or a combination of both)". Can services offered offsite (as opposed to housing based services) be funded by ESSHI?

A: ESSHI-funded services that are provided off-site must directly and exclusively benefit the ESSHI tenants, and are presumed to be provided by subcontract/MOU. For example, ESSHI funds cannot be utilized to partially fund an agency's existing services program that provides services to the community. However, services from the list of eligible services in Section 1.5 of the RFP, may be provided off-site by subcontract/MOU if it is more effective and/or impractical to provide on-site or directly by the ESSHI applicant.

54. Does the qualifying individual being served by ESSHI need to be a head of household?

A: No, please refer to Section 1.4 and the definition of qualifying individuals.

55. Can the qualifying individual be a member of a family who is a minor?

A: No, please refer to Opening Comments on amended RFP definition for SMI.

56. Does ESSHI fund more than one qualifying individual in a unit? For example, if an agency is serving 2 homeless SMI individuals living in an apartment being served by ESSHI, will the applicant receive up to \$25,000 per individual (\$50,000) per ESSHI dwelling?

A: It is possible in some cases for more than one qualifying individual to occupy a single dwelling unit. However, the household composition and population must be appropriate for permanent supportive housing. For example, OASAS does not support two unrelated adults with a SUD residing in a single dwelling unit as permanent supportive housing. The AIDS Institute, however, would allow a homeless couple with HIV/AIDS to be considered two qualifying individuals residing in the same dwelling unit.

57. Will there be a 2% cost of living adjustment included in contracts?

A: Yes, ESSHI funding will include a 2% per year escalator subject to availability of funds.

58. Do all applications, regardless of population to be served, need to be no more than 50% of the total units reserved for individuals with disabilities or is it only for projects that will be serving SMI, SUD, I/DD, or HIV/AIDS? What if you are serving more than one population, for example, a 100 unit building, with 70 units ESSHI – 35 chronic homeless and 35 SMI. Is this acceptable?

A: *Olmstead* considerations only apply to those units reserved for individuals with disabilities. The example in the question would be acceptable from an *Olmstead* perspective. Also, see Section 1.1 and The State's *Olmstead* Plan (<https://www.ny.gov/programs/olmstead-community-integration-every-new-yorker>).

59. What about smaller projects, would a three-unit house in a residential neighborhood be expected to rent one or two units to non-ESSHI tenants?

A: There are no numeric guidelines established for smaller, community integrated projects. The example in the question would likely be considered sufficiently integrated.

60. In order to meet the frail elderly/senior population definition, does a person have to be enrolled in Medicaid or can they be eligible for Medicaid?

A: The frail elderly/senior definition in the RFP specifies that the person must be enrolled in Medicaid.

61. If a client has HASA rental assistance, can it be additive to the \$25k?

A: An otherwise eligible homeless individual or family would not be precluded from occupying an ESSHI-supported unit on the basis of holding a tenant-based rental subsidy. Applicant would

not be able to request ESSHI rental reimbursement for that unit while occupied by a tenant with a portable rental assistance subsidy.

62. How can our community ensure that the ESSHI funded units are prioritized for our most vulnerable homeless people?

A: Applicants are encouraged to join and work closely with their local Continuum of Care (CoC) or other referring/placement entities in order to assess, prioritize and address locally identified homeless needs. The scoring of ESSHI proposal(s) is based largely on the extent to which the proposal reflects and is responsive to the documented homeless needs in the community to be served.

63. Each community is developing a referral process that results in a name list of most vulnerable homeless people. Will ESSHI be able to prioritize them?

A: Prioritizing homeless individuals to be served during the rent up/ referral process should be driven by the local system that is appropriate to the population. For example, the Single Point of Access (SPOA) should be used for identifying and prioritizing individuals with an SMI. For other homeless populations, the CoC, Department of Social Services (Human Resources Administration in NYC), Developmental Disabilities Regional Offices (DDRO), or other referring/placement entities may be the appropriate entity for referrals and prioritization.

64. Can a CoC require that ESSHI homeless units participate in local HMIS data activities as a condition of gaining the CoC's support?

A: The ESSHI RFP supports applicants' participation in the Homeless Management Information System (HMIS), including allowing HMIS expenses as eligible expenses, and requesting that applicants describe their efforts with regard to participating in HMIS. It is also recognized that participation may not be applicable for certain populations such as domestic violence survivors.

65. Is staff training and eligible expense?

A: Staff training for ESSHI-supported staff is an allowable expense.

66. Are there utilization requirements that would impact the project budget? i.e. how would a vacancy rate be factored into the budget?

A: Vacancy rates should not be factored into the ESSHI budget in the proposal. State Contracting Agencies and/or capital funding agencies may have more detailed operating budgets and/or requirements regarding utilization/ vacancies.

67. How does the state determine if a project will get an extension of their conditional award or re-apply? Are there specific milestones that need to be accomplished, such as site control? When is it communicated to the applicant?

A: Applicants are expected to secure capital funding sufficient to fully finance the housing project for which they are requesting ESSHI funding through this RFP within 12 months from the date of the ESSHI conditional funding award. All 2017 conditional awardees are encouraged to resubmit under the 2018 round if they do not anticipate being able to secure all capital funding by the time the conditional award will expire. As indicated in the webinar, The ESSHI Interagency Workgroup has the option to provide extensions beyond 12 months from the date of the conditional service and operating funding award if a) the opportunity for application to an uncommitted capital financing source was not available during the 12 month period; b) if the application is still pending consideration by the capital funder; or c) for other reasons as determined by the Interagency Workgroup to achieve the objectives of the State's overall Housing Initiative for supportive housing.

68. Can housing developers with a commitment of an ESSHI services and operating award access CoC rental assistance?

A: An otherwise eligible homeless individual or family would not be precluded from occupying an ESSHI-supported unit on the basis of holding a tenant-based rental subsidy. Applicant would not be able to request ESSHI rental reimbursement for that unit while occupied by a tenant with a portable rental assistance subsidy.

69. When does OMH anticipate predevelopment capital funding will be available to conditional awardees?

A: OMH is accepting requests for predevelopment funds from conditional ESSHI awardees.

70. Can developers access Project-Based Section 8 to fund units in a project that are not for ESSHI qualifying individuals?

A: Yes.

71. Section: Impact – RFP states “Describe what supportive services will be provided to the targeted population(s) through this funding and provide evidence of any relationships/linkages with other community service providers”. What is required for “evidence”? Is it sufficient to state that we have an MOU or other agreement? Are we being asked to upload agreements? If we have multiple agreements, can we upload as a single document?

A: Evidence of relationships/linkages with other community service providers would include MOUs, linkage agreements, or letters describing the services to be made available to tenants of the proposed project. These could be uploaded as a single document in Grants Gateway.

72. Is there a limit on the number of ESSHI awards for an organization per RFP?

A: No.

73. Is there a maximum percentage of units in a project that can receive ESSHI operating support? Specifically, for an 8-unit project, it is possible to receive an ESSHI award that includes operating subsidy for all 8 units (assuming that *Olmstead* is complied with)?

A: There is no maximum, provided that the project complies with the *Olmstead* decision and any other applicable population specific requirements (e.g. OPWDD specific ratios)

74. A provider is currently working on a project that will involve the historic adaptive reuse of a former public school into 47 affordable housing units and the new construction of homes that will contain 18 affordable housing units on vacant lots surrounding the school.

Of the total 47 apartments in the former school, 26 will be replacement housing units for households who currently live at a property owned and managed by provider. The households who currently live at the property are formerly homeless Veteran households with varying levels of disabilities. Without the affordable housing opportunities and services provided to them by the households would be at imminent risk of homelessness.

Of the total project units, 33 will be for homeless or formerly/ at-risk homeless Veteran households with disabilities. 13 of the total 33 units will be for households who live at the property currently owned and managed by provider. The remaining 20 will be new supportive housing units. We are proposing that all 33 households are ESSHI households and will receive rental subsidy and services through ESSHI funding.

Are the 13 replacement housing units eligible to receive ESSHI funding?

A: The replacement units would not be eligible. See response to Question 4.

75. There may be an otherwise eligible frail senior in a NYC shelter system that is not yet enrolled, or has had Medicaid lapse due to failure to renew, or the person is undocumented, but upon the grantee's screening and interview process determines that this applicant is clearly eligible for Medicaid. Since it may take up to 45-60 days to be enrolled, can this applicant be selected and take possession of an ESSHI apartment?

A: The definition of frail elderly/senior in the RFP states that the person must be enrolled in Medicaid. If they have used Medicaid in the last 12 months and are Medicaid eligible this person could fall under the Medicaid Redesign Team (MRT) eligible individuals definition.

76. The question goes to the issue of having 2 ESSHI qualified applicants, a couple, for example, assigned to a 1-bedroom apartment. It is being planned for a mix of ESSHI designated apartments which may also be the HPD-SARA set-aside for homeless applicants: 25% 1-bedrooms and 75% studios. Assume there is a set-aside of 40 ESSHI apartments and anticipate having, say 42 qualified ESSHI tenants, and were awarded on the basis of 42. One member of the ESSHI couple dies and there are no other vacant units for the foreseeable future, thereby

providing services to 41 under the grant allocation of 42. Or for example, after a number of years in operation there are 42 qualified ESSHI tenants housed and one ESSHI designated apartment vacant, but the next on the waiting list is another qualified ESSHI couple for the available unit, thereby exceeding the grant allocation for 42. How does the grantee reconcile the ESSHI tenant count served with the grant amount award under the above 2 examples?

A: The number of qualified individuals funded under an ESSHI award cannot exceed the amount designated in the final award. Presumably in the first case, the amount claimed under the grant would be reduced by the equivalent of one individual.

77. Agency is applying for two populations, youth/young adults who left foster care and individuals with I/DD. What are the referral sources for these populations? Will OPWDD refer the I/DD individuals to the agency? Will ACS (NYC) or OCFS refer the youth who have been in foster care?

A: The appropriate OPWDD Regional Office will work with providers to identify individuals who meet the OPWDD eligibility criteria for the RFP regardless of where the project is located in the state. Referral sources for youth who have been in foster care include, but are not limited to Administration for Children's Services (ACS, in NYC), law enforcement, schools, hotlines, or other youth providers.

78. Agency is applying to serve 8 individuals with I/DD and 24 young people who were in foster care and to serve them in 24 units. Does there need to be a set aside for 25% of the units for I/DD individuals for MRT eligible users?

A: In the example provided there are only 8 individuals covered by the MRT provision in Section 1.4.1 of the RFP. Therefore, the 25% MRT rule does not apply. The MRT 25% rule requires the project to contain 15 or more ESSHI qualifying individuals covered by the MRT provision and 30 or more total units in the project.

79. Is the agency expected to furnish the apartments? Is this an eligible cost? Is there start-up funding to cover this cost?

A: See response to Question 15.

80. Is a contingency to cover non-payment of rent an eligible cost?

A: There is no ESSHI contingency funding.

81. If awarded and serving both I/DD individuals and youth who have left foster care, will there be contracts with both OMH (for the OCFS population) and OPWDD?

A: One State Contracting Agency will be assigned to administer one contract.

82. If agency is serving 32 individuals in 24 apartments, are they serving 32 units/qualifying individuals for a total maximum contract amount of \$800,000?

A: See response to Question 56.

83. Do you want the total number of apartments agency will be using in the affordable housing building where agency will be situated OR the total number of apartments in the building?

A: Program Specific Question number 1.b. requests the total number of dwelling units in the project, which would include all of the units in the project (or building if the project consists of a single building), both the ESSHI-funded units and the affordable units. Question number 1.c. then asks only for the number of ESSHI qualifying individuals. Question 2.a. asks for an executive summary of the project, where both should be mentioned in a narrative description of the project.

84. When speaking of partnerships, does agency write about the housing developer being partnered with?

A: Yes, if that is applicable.

85. Question 3b asks for a description of exit from the program. This is a permanent housing program. Does "exit" mean the qualifying individual should be moving towards no longer needing supports but should remain in their apartment?

A: The applicant is being asked to describe and identify the housing program's process for when a tenant(s) is vacating voluntarily, has been evicted, or has been asked to vacate the apartment unit.

86. An agency is a Round 2, conditional ESSHI award recipient. Round 3 is now open and agency is considering re-applying with a different number of units (originally applied for 30, and currently in the pre-development process, it might be fewer), but with environmental and architectural studies still ongoing, the timeline for Round 2 might not be met. If the information from the master planner is not back by the Round 3 deadline; what is the protocol for filing an extension at the end of the conditional grant period; and more specifically, what is procedure for filing for extension if project includes fewer units that originally proposed?

A: See response to Question 67. Requests for extensions should be submitted in writing with a justification to the conditional awardees' State Contracting Agency contact. It is recognized that changes in the number of units may be necessary due to capital funding agency requirements, zoning, or other feasibility issues. Conditional awardees may request a modification to the number of ESSHI funded units/ qualifying individuals awarded prior to the commitment of ESSHI funds, subject to the approval of the Interagency Workgroup.

87. If units are filled prior to receiving an ESSHI grant, are these units eligible for rent subsidy and other support services through ESSHI?

A: The purpose of the ESSHI program is to expand supportive housing. If the individuals in question already qualify for housing independently of this funding, the request cannot be supported. However, if the question relates to the timeliness of fulfilling an ESSHI contract then each state agency may negotiate a contract term that supports the ESSHI qualifying individuals in the project. Round 3 contracts may be effective as early as 10/1/2018.

88. Which would be the logical “Applicant” for this funding – the non-profit owner of the housing complex or another non-profit that will be providing support services to the identified population?

A: Either would be eligible to apply.

89. Can the Applicant include expenses to subcontract with a non-profit agency to provide case management and other support services to the identified population?

A: Yes. See response to Question 71 regarding documentation of the partnership with the agency(ies) providing services.

90. Is the Applicant responsible for monitoring changes to tenant income (either because tenant’s income has changed or there is a new tenant) in order to determine the correct rental subsidy through ESSHI?

A: Providers are responsible for monitoring and documenting tenants’ income to determine the rental 30% contribution.

91. If a non-profit is already registered and administering grants with Grants Gateway, and the existing document vault is up to date, is there anything additional the agency needs to do for the prequalification status?

A: See the following document for information on maintaining prequalification status:
https://grantsreform.ny.gov/sites/default/files/Maintaining_Prequalification.pdf

92. If MRT is not the primary target population, what does it mean to “set aside” 25%? For example, an agency is proposing 50 units, 25% of 50 is 13 units. Should MRT individuals have priority for these slots or should they be left open if 13 families that fit these needs cannot be located (it is not anticipated having a hard time finding these individuals, simply seeking clarification)?

A: The 25% MRT rule applies to certain populations as outlined in Section 1.4.1 of the RFP. While applicants may choose to target MRT-eligible individuals, they are otherwise a subset of the target population. See responses to Questions 8, 47, and 49. The MRT definition has been

expanded and DOH is available to assist ESSHI awardees in identifying MRT-eligible individuals during rent up.

93. The agency has been approved by OPWDD to offer integrated supportive housing services to individuals with I/DD who will reside in a soon-to-be-opened apartment building. 26 units of the total 104 apartments are set-aside for individuals with I/DD. Would otherwise ESSHI-qualifying individuals who are moving into this new housing in July or August 2018 be eligible under this RFP? If the 26 set-aside units in this new development are filled, and we were to identify additional individuals with I/DD who are aging out of residential school – if these individuals are moved into the same development within the year, could they be ESSHI-eligible?

A: The agency cannot request ESSHI funding for the 26 people with I/DD who already have supportive housing through OPWDD's previous support. Additionally, since 25% of the units already have funding for individuals with I/DD, no additional people supported by OPWDD can be funded in this project using ESSHI funds .

If another population is identified, they could be considered under the ESSHI RFP, provided the total number of units in the project do not exceed 5% (for no more than 30% combined OPWDD and other population) of the units if the population is impacted by the federal HCBS Settings rule and/or 25% of the units (for a maximum of 50% of the units) if the population is impacted by the *Olmstead* rule.

94. There are individuals with I/DD who are currently living in OPWDD-certified residential settings (i.e. supervised Individualized Residential Alternative) but could safely live in the community with appropriate non-certified supports, would such individuals be ESSHI-qualifying?

A: No. Individuals residing in congregate settings funded through the HCBS Waiver (e.g. IRAs or CRs) are not considered homeless under this RFP. However, people in institutional settings, such as Intermediate Care Facilities or Developmental Centers, meet the ESSHI definition of homelessness.

95. Some individuals with I/DD currently reside in a family home with aging parents as caregivers. When parents are no longer able to provide appropriate care and support, their adult child with I/DD must find other housing and support. Would such individuals be ESSHI-qualifying?

A: Yes, a person fitting the description above would qualify under this RFP. The applicant should work with the Regional Office to ensure that any potential residents qualify under the RFP definitions.

96. Could an OPWDD-certified apartment or residence be eligible for ESSHI services and operating funds?

A: No. The ESSHI funded units must remain non-certified.

97. What is the age requirement for individuals considered “frail and elderly”? On pages 11 and 29 in the RFP, it states “55 and older” but on the ESSHI Tenant Profile Spreadsheet, it states “62 and older”?

A: The definition stated in the RFP is correct. The Tenant Profile is incorrect. An updated version will be posted.

98. On page 9, the RFP discusses the *Olmstead* decision and states, “Integrated settings are required for any homeless population that falls under the Americans with Disabilities Act (ADA), such as individuals with SMI, SUD; intellectual or developmental disabilities (I/DD); or persons living with HIV or AIDS. Generally, mixed use projects that integrate affordable housing with supportive housing are considered integrated, provided that no more than 50% of the total units are reserved for individuals with disabilities.” Do people designated as “frail/elderly seniors” fall into the category of people with disabilities as applied to the *Olmstead* decision?

A: No

99. If an agency will be serving a population that meets the eligible target population criteria AND the MRT criteria (i.e. frail elderly/seniors), can the number of individuals served from the target population count towards the 25% MRT-designated units?

A: Yes. See responses to Questions 8, 47, 49, and 92.

100. The RFP states, “Generally, mixed-use projects that integrate affordable housing with supportive housing are considered integrated, provided that no more than 50% of the total units are reserved for individuals with disabilities (60% in New York City).” Must we comply with this definition of “mixed-use” or will you accept a more flexible definition?

A: ESSHI projects must be integrated in the sense that they must comply with the *Olmstead* decision. Mixed-use projects that combine affordable and supportive housing as described in the RFP are accepted as integrated.

101. The expectation is that most of the agency’s ESSHI target population will be MRT-eligible. How should the agency differentiate, and thus prove compliance with the 25% requirement?

A: As the project approaches rent-up, the State Contracting Agency will work with the ESSHI awardee to assist in identifying a sufficient number of individuals that are MRT-eligible to comply with the 25% rule.

102. Are the 25% MRT units considered a subset of ESSHI units or is it 25% of the total units (ESSHI + community)?

A: They are considered a subset of the ESSHI units. See responses to Questions 8, 47, 49, and 92.

103. Can you provide examples of what eligible costs for primary health and behavioral health services would be under this RFP?

A: Section 1.5 of the RFP indicates that the listed eligible services may include linkage and/or direct services which are not funded through other mechanisms, such as Medicaid. The intention behind listing behavioral health and primary health services was primarily for the purpose of promoting access to and engagement in these services.

104. If a provider is awarded ESSHI dollars for a certain identified location and if that location and scope changes, is there an opportunity to modify the awarded amount? Or would the provider be asked to reapply in next year's funding cycle?

A: See response to Question 86. The Interagency Workgroup has allowed conditional awardees to modify certain aspects of the proposal based on the needs of the capital funding agency or other issues related to the feasibility of the project. These modifications have included the relocation of the site, provided that the modified proposal remains consistent with the documentation of need contained in the approved proposal.

105. If an agency is choosing to work with mixed populations, how will the state choose what state agency will be used? How will this impact potential pre-development dollar section?

A: See responses to Questions 23, 28 and 81. No impacts are anticipated to accessing pre-development dollars based on the assignment of a State Contracting Agency.

106. 2 Bedroom Apartment servicing two qualifying individuals "certain populations" – Please define certain population.

A: See responses to Question 20.

107. Can a studio unit serve a Mother and child; if not, what population type can it serve?

A: A studio unit is not suitable permanent supportive housing for more than one individual. Any homeless individual that meets one of the eligible populations could be housed in a studio.

108. Can the units presented contain all MRT residents, if so, would a 10 bedroom house – each room with private bath, common kitchen, recreation and dining area be acceptable, or does each client need separate residential units?

A: A project can consist of units containing all MRT-eligible residents, assuming it would comply with the *Olmstead* decision. The features of permanent supportive housing typically include separate residential units without shared kitchens, bathrooms or dining. However, the project described in the question would be considered appropriate for some populations, as long as the project did not provide temporary housing. Note that the project described may not meet Capital Program Manual guidelines of NY Homes and Community Renewal (HCR).

109. Will the residents require meal preparation (eligible costs)?

A: Meal preparation is not a service that is typically found in permanent supportive housing.

110. Would a non-profit applicant who is both owner and service provider be eligible to receive allowable administrative costs of up to 15%?

A: Yes.

111. Question 1b asks for the total number of dwelling units in this project. Is this question asking for the total number of units in the project (ESSHI and non-ESSHI funded units) or just the total number of ESSHI-funded units?

A: See response to Question 83.

112. An agency is applying for rental and operating subsidies for an HCR 9% project already under construction. There is no existing project based subsidy and the identified special needs population has changed since construction closing to Victims of Domestic Violence. If some residents under the newly selected special needs population have already occupied units prior to the ESSHI contract date using Section 8 Housing Choice vouchers, will they be eligible for operating subsidy under ESSHI at the time of contract execution?

A: An otherwise eligible homeless individual or family would not be precluded from occupying an ESSHI-supported unit on the basis of holding a tenant-based rental subsidy. Applicant would not be able to request ESSHI rental reimbursement for that unit while occupied by a tenant with a portable voucher. The proposed ESSHI units under development must not be occupied at the time of application. Round 3 contracts may be effective as early as 10/1/2018.

113. For a project currently under construction, how long would it take to start the ESSHI contract upon award? Can an agency start moving people in right after receiving the award or will it take several months to execute the contract?

A: Applicants should estimate a minimum of six months following award for contract development, approval and execution. Round 3 contracts may be effective as early as 10/1/2018.

114. In the RFP, it is stated "This funding opportunity is only open to NFPs that are properly incorporated or organized under laws of New York, and Tribal Organizations, with demonstrated experience in one or more of the following areas..." How many years of experience does a NFP or Developer need to be considered eligible?

A: The RFP does not specify a minimum number of years' experience. Applicants must sufficiently answer the Program Specific Questions in the application regarding the experience of the applicant and any partner organizations intended to serve the population(s).

115. The RFP requires the submission of a "Minority and Women Owned Business Enterprises and Equal Employment Opportunity Policy Statement, identified as Form #4. The paragraph indicates that this must be submitted to the SCA with the bid or proposal. Can this form be made available on the OMH website as part of the ESSHI RFP documents? Additionally, based on the instructions, it appears that only this Form #4 is required among the standard MWBE and EEO forms, since this section instructs proposers to submit MWBE utilization and staffing plans after the contract award. Please confirm 1) that only the Form #4 is required (among the standard MWBE/EEO forms) with the proposal, and 2) where this form should be uploaded in the Grants Gateway system.

A: Minority and Women Owned Business Enterprises (M/WBE) and Equal Employment Opportunity (EEO) forms should be submitted upon request of the assigned State Contracting Agency following the commitment of the ESSHI award.

116. How are the Skilled Nursing Facilities that are referring eligible persons, Health Homes, hospitals, Managed Care Organizations (MCO), medical respites, Managed Long-Term Cares (MLTC), Performing Provider Systems (PPS), and shelters that are identifying eligible persons as homeless selected?

A: There is no selection process for these potential sources for referrals for eligible individuals. See Questions 62-63 regarding referral processes.

117. Will the Health Homes, hospitals, Managed Care Organizations (MCO), medical respites, Managed Long-Term Cares (MLTC), Performing Provider Systems (PPS), and shelters that are identifying eligible persons as homeless also be the referring sources? Or, will there be an intermediary referring agency? If so, how is that referring agency selected?

A: Yes. DOH may facilitate and assist in identifying eligible individuals, though not as an intermediary.

118. How will eligible persons be selected to be referred?

A: Through the local system and referral sources that vary by population and/or location. See Questions 62-63 regarding referral processes.

119. Will the project owner and/or services provider be involved in the selection and/or referral process? Is there a part of the selection and/or referral process in which the project owner and/or services provider can or should participate?

A: Depending upon the roles and responsibilities of the project owner and services provider, both may be involved in the rent-up process. See Questions 62-63 regarding referral processes.

120. Can you define “instrumental activities of daily living”?

A: Instrumental activities of daily living are those daily activities that are not basic to self-care but are needed to live independently in the community, such as housekeeping, managing money, managing medications, and preparing meals.

121. If the project owner and/or services provider has existing relationships with Skilled Nursing Facilities, Health Homes, hospitals, Managed Care Organizations (MCO), medical respites, Managed Long-Term Care (MLTC), Performing Provider Systems (PPS), and shelters, is it possible to work with those sources as far as selecting and referring eligible persons?

A: Yes. See Questions 62-63 regarding referral processes.

122. What OPWDD residential settings qualify as institutional? Are people currently residing in Supervised and/or Supportive IRAs eligible for the ESSHI program?

A: People currently residing in IRAs (both Supervised and Supportive) are not eligible the target population requirements for the ESSHI program since IRAs are funded under the HCBS waiver. Developmental Centers (DCs) and Intermediate Care Facilities (ICFs) are currently the only OPWDD certified residential settings that meet the description of “institutional.”

123. We are applying for ESSHI funding for people with intellectual and/or developmental disabilities, but are unsure of which capital funding sources we intend to apply for. Do we need to apply for OPWDD capital funding?

A: Agencies that proposing to include supportive housing units for people with intellectual and/or developmental disabilities and are applying for LIHC financing through one of NYS HCR’s funding streams (i.e. Unified Funding, Open Window) must submit an Integrated Supportive Housing application to OPWDD and receive a letter of support for their project. Failure to do so may lead to your application to HCR being removed from funding consideration. Other funding sources, such as those through HPD or HHAP do not require OPWDD capital support for the project, but project teams can apply for OPWDD capital.

124. If we are applying for a capital funding source that requires a higher percentage of supportive housing units than are allowable by OPWDD, can we still include units for people with intellectual and/or developmental disabilities?

A: Projects requesting multiple funding streams to support capital and/or service and operating costs must meet all requirements of each funding source. Therefore, agencies applying for ESSHI units for people with I/DD must also meet OPWDD’s requirements for supportive housing in

regards to percentage of supportive housing units and target population. It should be noted, that this expectation applies to all funding streams, and other populations may be impacted by different rules, such MRT or Olmstead rule requirements.

125. Can we apply our ESSHI award solely towards services and use OPWDD's rental subsidy (ISS) to cover the operating expenses of our supportive housing units for people with I/DD?

A: Agencies must allot a portion of their ESSHI award towards the operating expenses (i.e. rental subsidies) of the project. The utilization of the Individual Supports and Services (ISS) Housing Subsidy will not be allowed in projects with ESSHI funding.

126. Does OPWDD have any internal regulations regarding unit design and meeting ADA requirements for accessibility and adaptability?

A: OPWDD utilizes HCR's standards for unit design and ADA requirements in supportive housing projects that it funds. Please review HCR's Capital Programs Manual and Design Handbook for more information on unit design standards. Both documents are available on HCR's website. OPWDD's will not support projects that groups/clusters supportive housing units in one section of a project (having units on the first floor for accessibility purposes is the only exception). Additionally, if the units for people with I/DD will look any different from a non-supportive housing unit, then firm justification is needed by the applicant.

127. If we are not a direct provider of services for people with intellectual and/or developmental disabilities can we apply for I/DD units through ESSHI?

A: A non-OPWDD provider can apply for funding through ESSHI for people with I/DD as long as they are able to effectively demonstrate in their ESSHI application that they currently have the linkages within the proposed project site to approved OPWDD service providers. However, it should be noted that only OPWDD approved providers can apply for OPWDD capital. So, if the project requires OPWDD capital (e.g., it is combined with HCR funding), the housing services agency must be an OPWDD approved provider.