



## ESSHI 2022 – Round 7 Questions & Answers

1. The DOH ESSHI Program Manual allows yearly income adjustments for the elderly/disabled and for those who have a dependent under the age of 18 (ESSHI Program Manual for the DOH Senior Population, page 6). Are all ESSHI populations entitled to these deductions?

**Response—Agencies with a conditional award should contact their assigned State Contract Agency for guidance on rent calculations.**

2. We (NFP) are in a JV with a for-profit developer and another not-for-profit (NFP). The two NFPs service separate target populations. The property will consist of two joined buildings and each NFP will be allocated apartments in one of the buildings. Can we apply for separate ESSHI contracts for our populations, or are we required to apply for one contract, with one of the NFPs subcontracting to the applicant NFP?

**Response—While multiple applications are not prohibited, one application with a subcontracting relationship is preferable. Please note, ESSHI units for all populations should be integrated within the entirety of a project.**

3. Does the policy of harm reduction need to be an official written policy by the agency?

**Response—Yes.**

4. Are you able to provide examples of supplemental sources of data evidencing need?

**Response—Examples of supplemental sources of data evidencing need could include: Local data from the County(ies) the program proposes to serve; National Network to End Domestic Violence one-day count; letter of support from the OPWDD Regional Office for projects serving individuals with I/DD**

5. HCR standards require we underwrite ESSHI rents at 50% of AMI. In NYC, when this is done, it greatly reduces the funds available for services. For example, the current 50% AMI rent is \$1,251 per month. If this rent is underwritten to this rent, it leaves only \$10,000 per unit per year for services and other costs, which includes costs for security, maintenance, supplies, etc. Is it possible to allocate a larger amount to services and reduce the amount allocated to rent without being disqualified by HCR for tax credits and capital loans?

**Response—The RFP language establishing minimum ESSHI rents (underwritten to 50% AMI) for projects seeking financing from HCR is intended to ensure the economic viability of the project. For projects in NYC seeking 9% LIHTC, HCR could accept ESSHI rents underwritten to as low as 40% AMI, provided that the operating budget is sustainable and meets all of HCR's underwriting requirements.**

6. If a non profit has not provided housing (as specified in the eligibility requirements “Providers must have a history of providing services and support to help families, individuals, etc.”), but can prove they have a history of providing housing referrals and assistance, would they be considered despite their size or should they wait until they are a mid-size organization before applying?

**Response—Eligible applicants who do not have experience providing housing must have demonstrated experience “providing services and supports to help families, individuals, and/or youth/young adults that have disabling conditions or life challenges as identified in Section 1.4 (of the RFP) that require specialized support services to become and remain stably housed.” An explanation of how your agency meets this eligibility criteria should be provided in response to question 2c.**

7. It is noted that “private” capital funding is acceptable, when the development company is renovating and repurposing existing apartments. Does this mean that Supportive Housing may be provided at scattered sites, owned by several companies who have chosen not to utilize any capital funding grants, credits or loans/bonds, and are renovating and repurposing using private funding?

**Response—ESSHI may not be used for a portion of an existing project or scattered site rentals. Repurposing of vacant units refers generally to the conversion of an entire unregulated building or buildings from private market rate housing to newly created supportive housing.**

8. Are there any specific requirements outside of those of the state oversight organization assigned, to ensure the scattered sites all meet the living standards required?

For example: there are many apartment buildings for sale at this time and private companies are looking to purchase those buildings, renovate apartments and partner our NFP to help support homeless individuals in our community. Are there any concerns to be considered?

**Response—ESSHI may not be used for scattered-site rentals.**

9. We received a 2-year Conditional Award in ESSHI Round 6. The project was to consist of 60 units of affordable housing with 30 units set aside for ESSHI. During the development phase, the architect needed to add on a 5<sup>th</sup> story which increased the number of units to 68 and we need to increase the ESSHI units to 34. Can we ask for an amendment to the existing Conditional Award or do we need to re-apply in Round 7 for the same project and add the four (4) additional units?

**Response—The Interagency Workgroup allows for flexibility in the number of units during the conditional award phase, prior to lock-in as long as the special needs population is consistent with population as identified in the initial award. There is no requirement to reapply to add units.**

10. Can the Support Services provider apply to serve two (2) different populations within the same project site? For example, if the project is 60 units of low-income housing and 30 units set aside for ESSHI, can two applications be submitted to serve two separate populations (i.e. SMI and Frail Elderly)?

**Response—Yes, a provider can apply to serve two different populations within the same project site, however one application should be submitted which speaks to both populations.**

11. If an organization already has a conditional award for a proposed project (that was awarded in Round 6 in 2021), can it write for a new ESSHI grant for the same project either to adjust or increase the grant within the allowable funding range and/or start a new 2-year period to get capital funding?

**Response—An organization can submit an application for a project it already has a conditional award. Organizations may not submit new applications for projects which already have a committed award.**

12. If an organization is selected for a new conditional award (for a project that it already has a conditional award for), will it get 2 years to secure capital funding?

**Response—Yes**

13. If an organization submits an ESSHI application for a grant for a project that it already has a conditional award for and is not selected for a new ESSHI award, does its conditional award from Round 6 remain intact?

**Response—Yes**

14. Our CoC would like us to include household furnishings and supplies as part of our ESSHI grant – are those eligible costs?

**Response—Furnishings and household supplies for ESSHI residents are an eligible startup cost. Applicants that choose to include such expenditures should represent such expenditures in the ESSHI budget.**

15. Can the rental subsidies include rent and utilities or are they only for rent?

**Response—Individuals may pay no more than 30% of their income towards rent and reasonable utilities. Configuration of the rental subsidy should take into consideration a utility allowance.**

16. If an organization wants to use ESSHI funding to pay for utilities in the units, can it do so, and if so, would these be listed under operating costs for the project?

**Response—Utility costs are an allowable expense. Configuration of the rental subsidy should take into consideration all operational expenses including, but not limited to utilities, repairs and maintenance, insurance, fees, taxes, exterminating, reserve contributions, administration, legal and accounting.**

17. What populations are covered by Olmstead regulations?

**Response—Populations that fall under the Americans with Disabilities Act are: individuals with SMI, SUD; intellectual or developmental disabilities; or persons living with HIV or AIDS.**

18. Are frail seniors covered by Olmstead?

**Response—Frail Seniors are not a population covered by Olmstead. Although frail seniors may have a disability, the unit is not designated specifically for an individual with a disability. As such, these units are not included in calculations of Olmstead compliance.**

19. Do frail seniors need to be homeless or can they be at risk of homelessness to be an acceptable population?

**Response- Seniors must meet the ESSHI definition of homeless. Which is to “be an un-domiciled person (whether alone or as a member of a family) who is unable to secure permanent and stable housing without special assistance. This includes those who are inappropriately housed in an institutional facility and can safely live in the community...” page 30 of the RFP. Sheltered Homeless is defined as individuals who are residing in an emergency shelter. Unsheltered Homeless is defined as individuals who are residing in a place not meant for human habitation, such as cars, parks, sidewalks, subways, abandoned buildings (also referred to as “street homeless”). (Page 32 of the RFP)**

**Acceptable living situations can be found on page 12 of the RFP. “Acceptable living situations at time of referral include unsheltered homeless; sheltered homeless; prison; institutions (State Psychiatric Center or Developmental Center); hospital or skilled nursing facilities\*; medical respite. Persons referred must have been homeless prior to placement in hospitals or medical respite. Those coming from skilled nursing facilities must be residing in a SNF for at least 60 days and have no dwelling to be discharged to.”**

20. If frail seniors at risk of homelessness are an eligible population, what are acceptable prior living situations? Could they be living at an apartment that they no longer are able to maintain independently?

**Response- Please see the above answer under Q19. No, an individual who already has a secure permanent apartment would not be eligible for ESSHI.**

21. For the work plan – is it expected that applicants only address the performance measures/objectives that are listed or should additional objectives be listed as well?

**Response—Applicants should identify any performance measures/objectives they have for the project in the workplan.**

22. Are there examples available of how the work plan should be completed?

**Response—Page 59 of the Grants Gateway Vendor User Manual provides guidance on completion of the workplan. The manual can be found here: [vendor-user-manual.pdf \(ny.gov\)](#)**

23. If an organization is submitting multiple ESSHI applications, can it indicate if specific projects/applications are priorities for the agency?

**Response—Applications are scored independent of one another. There is no need to indicate which projects are a priority for an applicant.**

24. In Section 1.4 of the RFP, the Senior Target population is defined as individuals who are age 55 and older, enrolled in Medicaid, and have either a chronic condition, physical disability, or require assistance with one or more instrumental activities of daily living. Is it permitted to further age restriction units above this designation? For example, if we are developing a 62+ Senior building, would it be permitted to restrict ESSHI referrals to that age population?

**Response- Exceptions can be made for capital funding that restricts the age to 62+. However, the project would have to demonstrate that there is a sufficient amount of individuals that meet the ESSHI homeless and senior definition that are 62+. Projects will need to work with their capital lenders to ensure that they complete and submit a Division of Human Rights Waiver for the age restriction.**

25. Section 1.3 of the RFP states, “for most projects, this means that applicants should plan to provide rental subsidies in an amount that ensures full rental payment that does not exceed HUD Fair Market Rents for the area” (p. 11). Will RFP respondents be permitted to underwrite rents above HUD FMRs? We are pursuing ESSHI funding on two projects in underserved areas where the development of new housing is not financially feasible if rents are limited to FMR.

**Response--- The RFP does not strictly require rents be set at FMR. The amount of funding per unit requested, proportion of the funding allocated to services or rent subsidies, and the rationale and computations leading to the funding request should all be presented in the application. Both the rent subsidy portion and the amount set aside for services must be explained and justified. The proportional amount allocated for services should be both defensible and consistent with the staffing plan and services to be provided. A waiver is not necessary**

26. Could two (2) separate ESSHI awards attached to one large joint venture project with approximately 350 units of housing where two (2) of the co-developers are nonprofit

developers/service providers working with separate and unique populations? Given the complexity of project ownership, contract and budget management, it appears the pain points of a single application/award include but are not limited to:

- Significant additional legal cost and time needed to execute an agreement between the two nonprofit organizations since the subcontracting agency would have no legal rights in the ESSHI application and procurement process
- The additional work by the contract holder with the development of and ongoing management of an ESSHI budget for two separate organizations with different admin rates, very different staffing patterns and tenant needs
- Potential delays in resolving tenant share and rental subsidy amounts when changes of income are reported to the subcontractor which would then necessitate coordination and monitoring with both the contractor and the property management company
- Budget modifications for the subcontracting agency would need to be initiated and ultimately, signed off by the contracting agency causing an additional administrative burden on them
- The two (2) unique populations are possibly better off designated to different contracting agencies with specialized experience with those populations (in this case, OTDA for domestic violence and OMH for people living with SMI).

**Response: While two applications by different services providers is not prohibited, a single application with a subcontracting arrangement is preferred. Please note, multiple awards for a single project will be assigned to one State Contracting Agency.**

27. Can one agency propose two separate ESSHI projects?

**Response—One agency may propose as many ESSHI projects as they'd like. However, each project requires a separate ESSHI application.**

28. Do young adults need to move to alternative housing once they reach a certain age (26?) or can they remain in the ESSHI unit?

**Response—Individuals are not required to be discharged from Young Adult units when they reach age 26. However, it is encouraged that ESSHI providers transition individuals from units serving Young Adults if they exceed the age of the target population. This could include transitioning individuals to other supportive units, or to affordable units, if appropriate. Individuals should not be evicted/made homeless to accomplish the goal of transitioning them out of ESSHI units designated for young adults.**

29. We are proposing a project that will serve multiple populations, including people with intellectual and/or developmental disabilities. Can we submit just a Continuum of Care Support Letter or are additional support letters needed with our application?

**Response—All ESSHI proposals containing any number of units for people with intellectual and/or developmental disabilities, whether they are the only population or part of a mixed population project, will require an OPWDD Letter of Support to be attached to the application. OPWDD Letters of Support can be**

**obtained by contacting the OPWDD Developmental Disabilities Regional Office (DDRO) that is responsible for the NYS County where the project is located. Failure to include the letter will result in an application being disqualified from funding consideration.**

30. Who do I contact for an OPWDD Letter of Support to attach to my ESSHI application?

**Response— OPWDD Letters of Support can be obtained by contacting the OPWDD Developmental Disabilities Regional Office (DDRO) that is responsible for the NYS County where the project is located. Failure to include the letter will result in an application being disqualified from funding consideration.**

31. Does our agency need to be an approved provider of OPWDD services in order to include the I/DD population in our ESSHI application?

**Response— Yes, any applicants proposing units for the I/DD population must be an approved provider of OPWDD services. If the applicant is not, they would need to subcontract with an approved provider of OPWDD services in the area the project is located to support the I/DD population. Information regarding this subcontract arrangement must be included in the relevant sections of the ESSHI application.**