



**Texas Department of Housing and Community Affairs
Housing Trust Fund
Fiscal Year 2019 Amy Young Barrier Removal Program
Notice of Funding Availability
September 6, 2018**



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1. Program Overview

The Amy Young Barrier Removal Program (the “Program” or “AYBR”) provides one-time grants of up to \$20,000 to Persons with Disabilities in a Household qualified as Low-Income. Grants are for home modifications that increase accessibility, eliminate life-threatening hazards and correct unsafe conditions. Construction standards and guidelines are further described in the Program Manual.

The Administrator must comply with Chapter 2306 of the Texas Government Code, and Title 10 of the Texas Administrative Code, including but not limited to: Chapter 1, Administration; Chapter 2, Enforcement; Chapter 20, Single Family Program Umbrella Rule; Chapter 21, Minimum Energy Efficiency Requirements for Single Family Construction Activities; and Chapter 26, Texas Housing Trust Fund Rule.

The Texas Department of Housing and Community Affairs (the “Department”) announces \$2,135,937.27 in Project funding from the Housing Trust Fund Plan (“HTF”). The funds will be available for Program Reservation Setups beginning Tuesday, September 11, 2018, at 10:00 a.m. Austin local time (the “Reservation start date”).

Only Administrators with an executed and valid 2018-2019 AYBR Program Reservation System Agreement will have access to the online Reservation System during all of the funding phases described below. On the Reservation start date, funds will be made available on the Department’s online Reservation System on a first-come, first-served basis. Reservations submitted prior to the Reservation start date per the Reservation System time stamp will not be considered.

To promote the geographic dispersion of these competitive funds, the funds will be made available in three phases in each Uniform State Service Region (the “Service Region”) and in each Service Region’s rural and urban subregions. For a map of State Service Regions and a list of rural and urban places, please visit the Program website: <http://www.tdhca.state.tx.us/hhf/single-family/amy-young.htm>.

Phase 1: Urban and Rural Set asides at the Service Region level

On **Tuesday, September 11, 2018, at 10:00 a.m.** Austin local time each Service Region will have funds made available consistent with their proportional allocation of the total funds. Each Service Region’s rural and urban subregion will receive an amount as shown below. Until **Monday, December 10, 2018, at 5:00 p.m.** Austin local time, the allocated funds shall be reserved only for Households in these rural and urban subregions of the Service Region. For a map of State Service Regions and a list of rural and urban places, please visit the Program website: <http://www.tdhca.state.tx.us/hhf/single-family/amy-young.htm>.

Phase 2: Service Region Set asides

On **Tuesday, December 11, 2018, at 10:00 a.m.** Austin local time, all funds remaining in each Service Region’s rural and urban subregions will be combined into one balance of funds per Service Region. Until **Monday, March 11, 2019, at 5:00 p.m.** Austin local time, this remaining amount shall be reserved only for Households in that Service Region.

Phase 3: State-wide Collapse

On Tuesday, March 12, 2019, at 10:00 a.m. Austin local time, any funds remaining in each Service Region will be combined into one state-wide pool. This remaining amount can be reserved for Households anywhere in the state.

Phase 1 and Phase 2 of AYBR Program Reservation System

State Service Region	Urban Amount	Rural Amount	Regional Total
1	\$85,339.34	\$67,708.87	\$153,048.21
2	\$82,748.65	\$66,413.53	\$149,162.18
3	\$141,481.39	\$63,254.15	\$204,735.55
4	\$84,739.06	\$67,234.96	\$151,974.02
5	\$83,696.47	\$64,991.81	\$148,688.27
6	\$136,363.21	\$62,717.06	\$199,080.27
7	\$96,839.46	\$62,780.25	\$159,619.70
8	\$87,677.28	\$64,486.31	\$152,163.58
9	\$100,567.52	\$63,222.56	\$163,790.08
10	\$85,781.65	\$64,991.81	\$150,773.46
11	\$101,104.61	\$66,002.81	\$167,107.42
12	\$84,044.00	\$69,067.40	\$153,111.40
13	\$89,320.15	\$93,362.98	\$182,683.13
Subtotal	\$1,259,702.78	\$876,234.49	\$2,135,937.27

The above table shows Project Costs for the 2019 Housing Trust Fund Appropriation. The Administration Fees (10% of the Project's combined Hard and Soft Costs) provided to Administrators upon project completion are not reflected in this table.

After the Reservation start date, additional Program funding may become available from cancellations of reservations. The Department will release any available funds from cancellations on Tuesdays at or after 10:00 a.m. Austin local time. If the Department offices are closed on this Tuesday, the funds will be released the next business day on which the offices are open. After regional set asides have been combined into one state-wide pool, additional Program funding may become available from HTF loan repayments, interest earnings or other resources.

2. Eligible Administrators

- a) The Department is now accepting applications from eligible entities seeking to become Administrators for the Program.
- b) The following entities are eligible to become an Administrator of the Program:
 - i. Units of Local Government;
 - ii. Councils of Government;
 - iii. Colonia Self-Help Centers;

- iv. Nonprofit Organizations;
 - v. Local Mental Health Authorities; and
 - vi. Public Housing Authorities.
- c) Participating Jurisdictions that receive a direct award of HOME funding from the U.S. Department of Housing and Urban Development are *ineligible* to be an Administrator of the Program.
 - d) Eligible entities must provide documentation in the form of descriptions of staff experience and current or previous contracts with the Department or other funders to show the following:
 - i. Experience of at least 2 years in providing housing rehabilitation services to Low-Income Households in Texas;
 - ii. Experience with accessibility standards, applicable building codes, and construction serving the needs of Persons with Disabilities; and
 - iii. Qualifications of Administrator's housing inspector(s), according to the Qualified Inspection Certification form on the Program website.
 - e) Partnership with another entity that meets the above requirements is acceptable but must be documented with a contract or memorandum of understanding, subject to Department approval. Letters of support or intent will not be accepted.
 - f) Entities seeking to become an Administrator of the Program must complete the Reservation System Access Application available on the Program website, including a Previous Participation Review (see 10 TAC Chapter 1). The Department will accept these applications on an ongoing basis.

3. Definitions

- a) Any capitalized terms that appear in this NOFA but are not defined in this section are defined in Chapter 2306 of the Texas Government Code or in the Department Rules.
- b) This NOFA also uses the following definition:
 - i. Reservation Setup – The submission of all required documents to the online Reservation System in order to reserve Program funds for an eligible Household.

4. Program Requirements

- a) Administrators must follow the processes and procedures as required by the Department through its governing statute (Chapter 2306 of the Texas Government Code), Department Rules, reservation agreements, Program Manual, forms, and this NOFA.
- b) The maximum amount of Program assistance per Household is a one-time grant of up to \$20,000 in Project Costs (combined Hard and Soft Costs).

The Department will pay the Administrator an Administration Fee equal to 10% of the Project Costs upon successful completion of the project. The Administration Fee is paid in addition to the \$20,000 maximum assistance permitted per Household. Generally, submission of the Administration Fee draw request will be sufficient to receive the Administration Fee. The Department may request additional information if necessary.

5. Property and Construction Guidelines

- a) Owner-occupied homes and rental units are eligible for Program assistance in accordance with 10 TAC §26.26.
- b) In rental units, all Household occupants, including the Person with Disability, must be named on the Intake Application and Household Income Certification. The unit must be free of hazardous and unsafe conditions prior to participation in the Program.
- c) Administrators must follow the construction requirements in Department Rules.
- d) Administrators must follow all applicable sections of their local building codes and ordinances. In the absence of local building code, Administrators must adhere to the construction standards and guidelines detailed in the Program Manual.

6. Reservation System Guidelines

- a) An Administrator may not have more than 5 reservations in “active” status from the current NOFA at any one time *in their corresponding state region* until the service region collapse on December 11th, 2018, at which time the maximum allowable reservations in “active” status will be increased to 10. Completed activities that are undergoing processing of the draw request (in “pending accounting approval” status) do *not* count towards the limit of 10 active reservations.
- b) On Tuesday, March 12, 2019, at statewide collapse, the maximum allowable reservations in “active” status will be increased to 15. Completed activities that are undergoing processing of the draw request (in “pending accounting approval” status) do *not* count towards the limit of 15 active reservations
- c) An Administrator may have up to 5 reservations in “active” status from the current NOFA at any one time *in other regions*. Completed activities that are undergoing processing of the draw request (in “pending accounting approval” status) do *not* count towards the limits of active reservations.
- d) The Department reserves the right to suspend or limit access to the Reservation System for Administrators out of compliance with Program requirements such as past due Single Audits or Audit certification forms; late responses to Compliance monitoring or Audit Management letters, Administrator ineligibility, inadequate staffing or inadequate capacity, complaints, etc. Administrator access may be restored upon the Department’s acceptance of required documentation.
- e) The Department may de-authorize access to the Reservation System by an Administrator and terminate their AYBR Program Reservation System Agreement if the Administrator does not meet requirements in this NOFA, violates the Department Rules, or violates the AYBR Program Reservation System Agreement.

7. Reservation Process, Stage 1: Household Eligibility Review

- a) Administrators shall market the Program in accordance to 10 TAC §20.9, complete application intake, and qualify Households for participation. Details on determining income eligibility and preparing and submitting Reservation Setups are provided in the Program Manual and the Reservation System User Guide.
- b) After collecting and verifying the required Household income and property eligibility documentation, the Administrator shall enter the Reservation Setup information into the

online Reservation System, upload and submit all required forms as described in the Program Manual and Reservation System User Guide, and reserve up to the maximum of \$20,000 in Project Costs per Household.

- c) Reservation Setups will be processed in the order submitted on the Reservation System. Submission of a Reservation Setup on behalf of a Household does not guarantee funding.
- d) The Department will attempt to review the Reservation Setup documentation within 10 calendar days of submission by the Administrator.
- e) If the Reservation Setup is incomplete, as defined in the Program Manual, it will be set back to "pending" status and funds will be released and available for other reservation requests. If the documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies in writing. **If any deficiencies remain uncured 10 calendar days after notification, the Department may cancel the reservation.** No extensions to Reservation Setups will be granted but the Administrator may resubmit the Reservation Setup if funds are available.
- f) Once the Department reviews and approves the Reservation Setup, the Department will reserve up to the maximum of \$20,000 in Project Costs and an Administration Fee equal to 10% of the Project Costs in the Reservation System on behalf of the Household. The Department will notify the Administrator of the successful completion of Stage 1 ("Stage 1 Notification") and instruct the Administrator to proceed to Stage 2 of the reservation process.

8. Reservation Process, Stage 2: Initial Inspection, Work Write-Up and Cost Estimate Review

- a) When the Department approves the Reservation Setup and sets it to "active" status in the Reservation System, Project Costs and Administration Fee will be reserved for the Household for a period of **60 calendar days**. During this time, the Administrator must complete the initial inspection, "before" photos, work write-up and cost estimation forms and upload and submit all required documentation as described in the Program Manual.
- b) The Department will attempt to review the Stage 2 documentation within 10 calendar days of submission by the Administrator.
- c) If documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies. **If any deficiencies remain uncured 10 calendar days after notification, the Department may cancel the reservation.** No extensions will be granted but the Administrator may resubmit the Reservation Setup if funds are available.
- d) Once the Department completes its review and approves the Stage 2 submission, the Department will notify the Administrator of the successful completion of Stage 2 ("Stage 2 Notification") and instruct the Administrator to proceed to Stage 3 of the reservation review process.

9. Reservation Process, Stage 3: Construction Contract Bid Review

- a) Within **60 calendar days** of the Stage 2 Notification, (described in section 8d), the Administrator must upload and submit the line item bid selected for contract award and other required documentation as described in the Program Manual.

- b) The Department will attempt to review the Stage 3 documentation within 10 calendar days of submission by the Administrator.
- c) If documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies. **If any deficiencies remain uncured 10 calendar days after notification, the Department may cancel the reservation.** No extensions will be granted but the Administrator may resubmit the Reservation Setup if funds are available.
- d) Once the Department completes its review and approves the Stage 3 submission, the Department will notify the Administrator of the successful completion of Stage 3 (“Stage 3 Notification”) and instruct the Administrator to proceed with construction.

10. Reservation Process, Stage 4: Project Costs Draw and Administration Fee Draw Review

- a) The Administrator has **90 calendar days** from the Stage 3 Notification (described in section 9d) to complete all construction activities and upload and submit both the Project Costs and Administration Fee draw requests. Details on preparing documents required and uploading draw requests are provided in the Program Manual and the Reservation System User Guide. If the Administrator fails to meet this deadline, the Reservation may be canceled.
- b) The Department may grant a one-time extension of 30 calendar days to the project completion deadline due to extenuating circumstances. Administrators must submit a written request explaining the extenuating circumstances to justify the extension prior to the project completion deadline.

11. For More Information

Please contact Diana Velez at (512) 475-4828 or htf@tdhca.state.tx.us.