

**Access to Home Program – Frequently Asked Questions (FAQ) Sheet**  
**Housing Trust Fund Corporation**  
**Revised June 2015**

Background Questions

**What is the objective of the Access to Home program?**

The Access to Home program provides funds to not-for-profit organizations and municipalities to make the homes and apartments of low- and moderate-income New Yorkers with disabilities more accessible. Under the program, home adaptations and alterations will be made to enable persons with disabilities to remain or return to their own homes rather than enter or stay in more costly and more restrictive institutional settings.

**Who qualifies for Access to Home assistance?**

Homeowners, rental property owners, and tenants with written approval from the owner may qualify for Access to Home assistance through the LPA under the following criteria:

- the household includes an occupant that has a permanent, medically documented, disability or has substantial difficulty with daily living activity because of aging; and
- the dwelling unit is the occupant's primary residence or will be the occupant's primary residence after modifications are completed; and
- the household income does not exceed 80 percent of area median income (AMI), adjusted for household size (or the household income does not exceed 120 percent of AMI, adjusted for household size, if the household includes a disabled veteran).

Program Implementation Questions

**What are examples of home modifications that allow individuals to stay in or return to their homes?**

Modifications could include but are not limited to:

- wheelchair ramps and lifts, handrails, expanded doorways and stair glides;
- 36" wide doorways with off-set hinges on doors;
- roll in showers with grab bars, bathtub grab bars and seats, hand-held shower;
- non-skid flooring;
- ADA appliances that respond to verbal commands (prior approval from Program Staff required);
- easy-to-reach work and storage areas and other kitchen modifications;
- outlets at 18" instead of 12"; light switches at 42" instead of 48" from the floor;
- electrical installation of special thermostatic or environmental controls, luminous light switches;
- strobe light or vibrator-assisted smoke and burglar alarms;

- re-locating a bathroom or bedroom to the first floor;
- generator with backup documentation from local power authority and personal physician (prior approval from Program Staff required);
- low-cost measures such as traction tape on stairways, levered door handles or additional outside lighting.

All adaptations should meet the individualized needs of the occupants of the unit that requires the modifications.

**How will modifications performed or installed by the LPAs be prioritized in a home?**

HTFC requires LPAs to specify the methodology they will follow for prioritizing modifications within each unit in the program. LPAs must establish priorities that ensure that only work needed to meet accessibility goals is performed and that assistance is provided to as many eligible persons as possible.

**Will there be ongoing Technical Assistance?**

Yes. Access to Home program staff provides technical assistance as requested by participants in the program. HCR also offers pre-application technical assistance and an exit conference for applicants that did not receive funding. Additional training opportunities are posted on the HCR website at [www.nyshcr.org](http://www.nyshcr.org).

**What is the deadline for completing activities performed under the Program Agreement?**

All contract activities must be completed within two years of executed contract. The calendar date will be set by the Office of Community Renewal (OCR).

**What restrictions will apply to those individuals receiving Access to Home assistance?**

Any property receiving Access to Home program assistance must be reserved for occupancy by households with incomes at or below 80 percent of the area median income (or 120 percent of AMI if the household includes a disabled veteran) for a period of five years. Rental units that become vacant during that period must be affirmatively marketed to low-income persons with disabilities.

**Are units receiving supportive services from another agency (e.g., OMH, OPWDD or DOH) eligible for assistance?**

Access to Home must not be used to subsidize services that are available from other programs or service providers. In some situations Access to Home may be able to provide environmental modifications to supportive service units. Technical assistance from Access to Home program staff should be requested before an application that targets such housing is submitted.

**Will private landlords be required to contribute to the cost of installing permanent modifications to their property?**

No. Private building owners are not be required to match any of the funds expended in their building(s) for modifications that enable persons with disabilities to remain in their apartments. However, if the person(s) with the disability vacates the modified unit it must be made available to

persons with disabilities for a period of five years from the date the work is completed.

**Can Access to Home funds be used to cover the LPA's administrative costs?**

As permitted by statute, up to 7.5 percent of the grant may be used to cover approved LPA administrative costs.

**Can Access to Home funds be used for new construction?**

No. New construction is not permitted with Access to Home funds. Small additions to an existing structure that permit installation of accessibility modifications and enable the customer to remain in or return to the unit are allowed on a situational basis. The LPA should request technical assistance from the Access to Home program staff prior to approving small additions.

**Can a not-for-profit agency, acting as an Access to Home LPA, allocate funds to modify dwelling units that it owns?**

An LPA may allocate funds to improve a property that it owns under certain circumstances. The work must be consistent with the LPA's Administrative Plan and it must be necessary to meet the goals of the program. There must also be a public disclosure to the community that the LPA is doing this, and prior approval by the Access to Home program staff is required.

**Can Access to Home funds be used to install an elevator in an existing FmHA 515 project (often 2 stories with no elevator)?**

Whether or not this is an eligible measure depends on what obligations the building owner is under and if there are a significant number of eligible tenants residing in the building that will benefit from a measure that could be very costly. The limit of \$25,000 per eligible unit applies in this situation.

**Must residential units assisted with Access to Home funds be reserved for occupancy by low-income households?**

Yes. Any residential unit assisted with Access to Home funds that becomes vacant during the five-year regulatory term must be reserved for occupancy by households with incomes at or below 80 percent of AMI (or 120 percent of AMI if the household includes a disabled veteran), adjusted for family size, and be affirmatively marketed to persons with disabilities. Compliance with the income targeting plan proposed in the application is required only for the initial occupancy of the unit.

**Are there any additional restrictions on assisted rental units, or obligations that applicants incur when assisting residential units with Access to Home funds?**

Rental properties must remain affordable to low-income households for five years, must be affirmatively marketed to persons with disabilities, and must be maintained in a safe and habitable condition during the regulatory term. Accessibility modifications installed with Access to Home funds may not be removed or altered without prior approval from Access to Home program staff.

## **Can Access to Home fund lead paint hazard control measures and other health and safety measures work?**

Health and safety measures are eligible expenses, but only with respect to the immediate work area where modifications are being installed. The LPA should locate other sources of funds, such as Weatherization Assistance or HOME funds, to provide energy conservation and/or to mitigate lead based paint or other health and safety hazards unrelated to the accessibility modifications being made. Access to Home funds may be used for lead paint hazard control measures in the work areas being modified for accessibility. Applicants must adopt a deferral policy that states that assistance will not be provided to units where serious health or safety issues are present that are beyond the scope of the Access to Home program.

## **Do HUD Lead Paint Hazard Control Rules apply?**

No. Since the Access to Home program is not funded with federal funds, HUD Lead Paint Hazard Control Rules do not apply. The Access to Home program is intended to provide accessibility modifications, not to address extensive housing rehabilitation needs. However, lead-based paint can be a serious danger particularly to young children, so for any dwelling unit occupied by children under the age of six, all work performed for accessibility modifications shall be done so using HUD- and EPA-approved lead safe work practices. This includes conducting paint testing of surfaces to be disturbed (or presuming the presence of lead paint), conducting interim control measures in the work area, notifying occupants of the presence of lead paint hazards, and conducting clearance examinations. Work done must be performed in a manner which does not present any undue risks to occupants or the workers. Finally, the LPA must comply with all applicable local laws and ordinances concerning lead hazard control.

## **Does the EPA Renovation, Repair and Painting Rule (RRP) Apply?**

Yes. the EPA's Renovation, Repair and Painting Rule (RRP) requires contractors or firms performing renovation, repair, or painting projects that disturb lead-based paint in homes built before 1978 to be certified or use certified renovators trained by EPA-approved providers and follow lead-safe practices. More information is available at <http://www2.epa.gov/lead/renovation-repair-and-painting-program>.

## **Who pays for lead testing or other costs for units that do not go forward?**

These costs must either be funded from other sources or from Access to Home administrative funds.

## **Where should LPAs draw the line on deferral policies? Are there some conditions that can be left as is to allow the accessibility work to proceed?**

Health and safety considerations shall be the determining factor in deciding whether a job is to be deferred until other work is completed. Access to Home work should not proceed if a discernible health and safety hazard(s) beyond the Access scope of work is present in the unit. Other funds will need to be found to mitigate the hazard(s) before Access to Home modifications can proceed.

**Are LPAs allowed to complete work on part of a dwelling unit but leave another part unfinished?**

If the project can be completed in compliance with all applicable codes and ordinances and the unfinished space does not present a hazard to occupants or users of the building this may be an acceptable practice. However, this can only be done when the investment of Access to Home funds will result in a safe and habitable unit for the person with a disability.

**Are the costs of architectural services eligible?**

Yes. The architectural services are an eligible cost provided that it is necessary and appropriate to the work being done.

**How quickly will payments be made under the Access to Home Program?**

HTFC will make payments to LPAs through an automated deposit system. Normally, this process, from receipt of an LPA payment request to payment, can be accomplished within two weeks.

**What kind of documents must the LPA submit to substantiate work costs?**

A **Set up Form** must be submitted to Access to Home program staff for each project before the LPA commences work on the unit and before any request for disbursement is submitted. Work may not commence until the Set up Form is approved by Access to Home program staff. The Set up form should only be submitted after the LPA has executed a written agreement with the property owner to do the specific work.

LPAs may draw funds after work is completed by submitting an Access to Home **Disbursement Request**. Funds may only be requested for costs that have been incurred and must be accompanied by **Project Detail Sheets** including “before and after” photographs of the work, invoices, and receipts. Disbursement Requests submitted without photographs documenting the modifications made will be rejected and returned to the LPA.

These forms and their instructions are available on the HCR website: <http://www.nyshcr.org/Forms/AccessToHome/>. Copies of work write-ups, staffing records, invoices for materials and labor, cancelled checks and any LPA inspection reports of the completed work shall be maintained in LPA files for periodic inspection by OCR field staff.

**What documentation is needed to show that consumers are disabled?**

The LPA must rely on information or referrals from the appropriate partner service agencies. Procedures for determining extent of disability must be described in the Administrative Plan submitted by the LPA as part of their application for funding.

**Are there design standards that are applicable to the Access to Home Program?**

HCR/HTFC design standards do not apply to Access to Home projects. The LPA must ensure that all work that is done meets all applicable codes and standards. Applicants are encouraged to follow

Universal Design principles in installation of accessibility modifications. HTFC may assist an LPA in developing guidelines as part of ongoing technical assistance activities.

**Are LPAs required to get bids for Access to Home work?**

Yes. While formal public bidding is not required for Access to Home, LPAs will be required to obtain a minimum of two bids for each separate project in order to establish the reasonableness of modification costs.

**Are there adjustments for regional high costs areas in terms of the grant limits?**

No.

**Must assisted units meet Housing Quality Standards (HQS) or some other standard?**

Work performed with Access to Home funds must meet all applicable codes and regulations upon completion. The unit must be safe and not contain any health or safety hazards after the work is completed. If other work unrelated to the accessibility modifications is needed, other funds must be used to provide the repairs before Access to Home funds are spent on that unit, and requirements associated with the other funding source must be met.

**Can Funds be used for manufactured (mobile) home replacement?**

No. Manufactured (mobile) home replacement is not an eligible expense for the Access to Home program. However, appropriate modifications to manufactured homes, such as the installation of ramps and kitchen and bathroom modifications, are permitted where feasible.

**In addition to the cost of modifications, can Access to Home funds be spent on related staff activities?**

Up to 7.5 percent of the grant may be used to cover approved LPA administrative costs. These costs are defined as the cost of running the Program. Up to 5 percent of project costs may be used to cover approved project delivery expenses. These costs are defined as non-construction costs or fees incurred specific to the project.

**What are examples of allowable project delivery costs?**

The Access to Home Program permits LPAs to incur very limited project delivery costs. Project delivery costs related to the repairs for a specific building or client. Total delivery costs may not exceed five (5) percent of the Access to Home funds utilized for the specific project. Examples of project delivery costs can include:

- staff time directly related to qualifying individuals or households for assistance;
- site visits to determine the extent and the type of accessibility modifications necessary;
- writing specifications, obtaining, evaluating and awarding contractor bids;
- interim and final inspections of the work; and
- health and safety tests such as that for lead clearance.

Please note that this is not an all-inclusive list of allowable project costs.

Any work performed for a unit that falls out of the program or does not proceed for some reason is not eligible for reimbursement as a project deliverable but must be taken from the 7.5 percent administrative allowance. Documentation of these expenses is required for reimbursement.

**If the project cost exceeds \$25,000 can the owner be required to provide the balance?**

Rental property owners can contribute to costs in excess of \$25,000, but a contribution from low-income owners or tenants is prohibited.

**Are all direct project costs subject to the \$25,000 limit?**

Yes. Administrative funds are not included in the limit. However, project delivery funds are part of the \$25,000 limit per unit.

**Is there a percentage cap on program delivery?**

Yes. Program costs should be held no more than 5 percent of total delivery costs. Payments are reviewed for reasonableness, and all payment requests require invoices and receipts.

**Are relocation expenses eligible costs?**

If there is a need for short-term relocation while the work is being completed in the unit, those costs are eligible project costs. However, the LPA must receive approval from Access to Home Program staff prior to incurring this cost. Incurring this cost prior to approval may result in the funds not being reimbursed by the OCR.

**How will HTFC ensure that LPAs follow through on transition and diversion?**

Successful LPA applicants will include in their Administrative Plan a description of the process through which it will carry out its proposed transition and diversion activities. This process will be included in the eventual Program Agreement. Periodic field monitoring by Access to Home program staff will ensure that programs are administered in accordance with the Administrative Plan.

**Will advances of funds be permitted?**

There are no advances of funds. All payments will be on a reimbursement basis.

**Will progress payments be allowed?**

For larger buildings, or projects involving multiple trades or contractors, partial payments may be provided according to a schedule of work as agreed to by the LPA and Access to Home program staff.

**Is it permissible for an LPA to use a contractor/service provider who has an existing contractual relationship with the assisted household?**

Yes. However the Access to Home funds will not be allowed to subsidize or replace services and/or

modifications that can be funded from other sources.

### **Who is responsible for on-going rental compliance monitoring?**

The LPA will be responsible for compliance monitoring during the five year regulatory period. LPAs may find it helpful to utilize customer case management or follow up systems that partner service agencies already have in place. Periodic field monitoring by Access to Home program staff will ensure that program rules and requirements are followed.

### **Can an LPA use agency staff to do rehab work? If so, what precautions should be taken and what documentation is required?**

Generally, no. LPAs are required to bid the work out to local or area contractors. In-house crews can only do the work if approved by Access to Home program staff. In-house crews must be qualified and experienced in providing services to the identified customer groups. A method of determining market rate labor costs should also be provided in the Administrative Plan.

### **What are examples of some other programs that may help with funding or performing health and safety work?**

There are a number of energy assistance and home rehabilitation programs that can be of assistance for low income households. HCR administers three such programs:

- The **Weatherization Assistance Program** operates in every county of New York State and provides up to \$4,500 per unit in energy and health and safety improvements in low income homes.
- The **HOME** program provides, among other services, rehabilitation assistance of for owner-occupied homes and rental units.
- The **RESTORE** program provides emergency rehabilitation for elderly New York homeowners.

A complete listing and information on these three programs can be found using the HCR website at: [www.nyshcr.org](http://www.nyshcr.org).

The New York State Energy Research and Development Authority (NYSERDA) also operates energy rehabilitation grant and loan programs for low-income individuals. Information on these programs can be found at [www.energysmart.gov](http://www.energysmart.gov).

### Application Questions

#### **Are group home facilities and institutions eligible for Access to Home assistance?**

Group and institutional homes in most instances are not eligible for Access to Home assistance. Technical assistance from Access to Home program staff should be requested before an application that targets such housing is submitted.

### **Who can apply for Access to Home Funds?**

Municipalities, community based not-for-profit corporations, Neighborhood and Rural Preservation Companies, and not-for-profit charitable organizations in existence for at least one year are all eligible to apply for Access to Home funds.

### **Are Cooperative units (Coops) eligible for assistance if the occupant(s) meets eligibility requirements?**

Yes. If the occupant(s) of a coop unit is eligible, Access to Home assistance may be provided, assuming that any required approvals are obtained from the governing Coop board. If an LPA applicant has a significant number of coop buildings in its target service area, procedures to provide service to coops should be addressed in the Application.

### **How will it be decided which modifications are required to allow a person with disabilities to remain at home or to return to the home?**

It is the responsibility of the LPA to adopt a standard for making such decisions, based on commonly accepted practices of the agency or funding program that has primary responsibility for providing services for the type of disability involved. Applicants are required to explain how they will make such determinations in their program application (refer to the Access to Home Application Instructions).

### **Are persons that are frail elderly eligible for Access to Home assistance?**

Yes. Persons that are frail elderly are eligible for Access to Home assistance and are a primary target population for the proposed program. The LPA identifies this target population in the application and describe how services will be marketed and delivered to low-income persons that are frail elderly in the service area.

### **How will end users or customers be prioritized for assistance?**

HTFC requires the applicant to specify procedures for outreach and customer prioritization in the application. LPAs must follow procedures that result in fair and equitable distribution of assistance. Successful applicants must also adhere to the income targeting goals proposed in their application in the selection of households.

### **Does a not-for-profit organization need IRS 501(c) (3) designation?**

The Access to Home program does not require applicants to have 501(c)(3) status. Applicants must have been in existence for at least one year and must be incorporated under the New York State Not-for-Profit Law.

### **If the work has already been done before the application is submitted, can the LPA or owner get reimbursed?**

No. Access to Home funds can only pay for work done after the date of the execution of the Program Agreement. Applicants are cautioned that the HTFC will not pay for any work done prior to execution of the Program Agreement.

## **What Areas are Eligible for funding?**

Access to Home is a state-wide program. Each local Access to Home program must be carried out in a defined service area (the community, neighborhood, or jurisdiction where Access to Home Funds will be invested). Generally, a service area will consist of no more than one county or two contiguous counties.

## **How does an organization or municipality apply for Access to Home Funds?**

Once a notice of funding availability (NOFA) is made available, applicants are encouraged to submit Access to Home Program application exhibits and attachments electronically using the Community Development On-line (CDOL) application system.

Applicants may make a request, based on demonstrated need, to submit a paper application in lieu of using HCR's CDOL. Requests for approval to submit a paper application must be sent to:

**NYS Homes and Community Renewal  
Office of Community Renewal  
ATTN: ACCESS TO HOME PROGRAM  
The Hampton Plaza  
38-40 State Street, Room 403S  
Albany, NY 12207**

Only on time applications submitted electronically using HCR's CDOL or pre-approved paper applications will be accepted for review. **Incomplete and/or late applications will NOT be accepted either through the CDOL or paper submission.**

## **What is the maximum amount of Access to Home funding for which an applicant can apply?**

For the 2014 funding round, the HTFC, through its Office of Community Renewal (OCR), expects to make approximately \$1,000,000 available for the Access to Home Program under the 2014 Request for Proposals. The maximum grant award is \$150,000. The minimum request amount is \$75,000. The maximum assistance that can be provided to a unit is \$25,000.

## **How is the LPA governed or regulated?**

Administration of each Access to Home Program will be governed by the Administrative Plan that is agreed to by the LPA and the HTFC. The Administrative Plan in the final Program Agreement will be based upon the Plan submitted in the application. Refer to the Access to Home Application Instructions for further information on what needs to be covered in an Administrative Plan.

After awards are made, successful applicants may be asked to revise the Plan to address issues not discussed in the application or to modify sections that are inconsistent with Federal or State regulations.

## **Is there a match requirement?**

There are no match requirements for the LPA or owners of private buildings whose tenants receive assistance. Applicants must demonstrate that they will be able to secure sufficient resources to administer the proposed Access to Home Program.

Applications that are coordinated with other non-state funds (public or private) are strongly encouraged. Preference is given to applicants that demonstrate a commitment of leveraged funds at the time of application submission.

**What information or data should be submitted to document the program need and the extent of low income population with disabilities in a specific target area?**

Relevant, current and verifiable data, including but not limited to the most recent Census data pertaining to the target area, should be submitted to show the number of persons age five and over with disability that are below poverty in the proposed target area. A narrative explaining need in the community is also encouraged.

**Can Access to Home funds be used in conjunction with CDBG, HOME or other community development or economic development programs?**

Yes. Applications that are coordinated with other public programs are encouraged. Further, applications that are coordinated with other non-state funds (public or private) are strongly encouraged. Preference is given to applicants that demonstrate a commitment of leveraged funds at the time of application submission.

**Can an LPA receive additional administrative support from a municipality or other non-profit entity?**

Yes. The LPA can subcontract with a municipality or other non-profit to provide additional services or support for the administration of an Access to Home Program. The LPA will still be the recipient of the Access to Home award and the LPA will be responsible for the overall conduct of the program.

**Must the applicant identify specific disabled persons in the application?**

No. Individuals to be assisted need not be identified at the time of application. However, applicants must demonstrate need within the community. This includes identifying the number of low-income individuals/households with a disability and identifying the number of candidates that will be transitioned or diverted from an institutional setting as a result of Access to Home funds.

**Will any specific type of LPA receive priority points in scoring?**

No. There are no priority points for any specific type of organization. Organizations that have a history of serving persons with disabilities within their community and have successful experience in administering housing rehabilitation programs can receive up to 10 points in the organizational experience section.

**Can organizations apply as partners for Access to Home Funds?**

Yes. Two or more eligible entities may partner in one application for Access to Home Funds. Examples of such partnerships could include one between a housing rehabilitation agency and a provider of services to persons with disabilities, or one between a municipality and a housing rehabilitation agency. However, one of the collaborating partners must serve as the LPA and be contractually responsible to carry out the program activities. HTFC will contract with the LPA.

**Does collaborator experience count?**

Yes. Collaborator experience is considered in scoring of the application and should be documented in the application exhibits to receive points. Evidence of a bona fide relationship with a collaborator(s) such as a contract or Memorandum of Understanding (MOU) for the duration of the proposed project period must be referenced in the application.

**Must the LPA be incorporated as a not-for-profit corporation?**

If a housing agency is to be the LPA, it must be incorporated as a not-for-profit corporation under New York State law. If the LPA is primarily a service provider, and intends to contract with a housing agency to provide construction management or other services, it is not necessary that the housing agency be incorporated as a not-for-profit entity.

**Can collaboration with a community college be considered as eligible experience if the assistance is for a facility that the college will operate?**

This may be outside the intent of the program and will be evaluated on a case by case basis. The college may be required to provide accessibility in some of its units under other statutes or program requirements and if such is the case, Access to Home funds may not be used.

**Will unsuccessful applicants be informed of the deficiencies in their applications and be allowed to submit corrected applications in subsequent funding rounds?**

Applicants that are not funded will be offered the opportunity for an exit conference provided by Access to Home program. Subject to the availability of funds and the existence of future funding rounds, applicants may resubmit applications in subsequent funding rounds.

**Does Access to Home require utilization of women- and minority-owned business firms?**

Yes. To the extent feasible, LPAs must ensure that outreach to certified women-owned and minority-owned businesses is conducted. HCR's Office of Fair Housing and Equal Opportunity may provide assistance with outreach.

**Does HTFC mandate insurance requirements?**

Yes. LPAs must carry a \$1,000,000 liability policy. The LPA must also obtain a fidelity bond in the amount of its largest expected disbursement request, or a minimum of \$25,000. HTFC must be named as additional insured for liability and fidelity insurance policies. Additional insurance may be required prior to contract.

**Can Access to Home funds be used in rentals and in multifamily buildings?**

Yes, both rental and owner-occupied housing units may be improved with program funds. LPAs must ensure that Access to Home funds are not used to replace other resources available to building owners of rental properties. Other owners who are obligated to provide these improvements as a condition of receiving government assistance are not eligible for program funds.

### **Can Access to Home funds be used in publicly assisted multifamily buildings?**

In general, assistance will only be provided for publicly-assisted housing when it can be demonstrated that no other resources are available for this purpose. LPAs must ensure that Access to Home funds are not used where owners have the responsibility to provide such improvements from other sources of funds. The assisted unit must be made available to low-income persons and be affirmatively marketed to persons with disabilities for a period of five years.