

Draft- 204th HHAC Board Meeting Minutes

Meeting date: August 3, 2022

Call to Order:

The 204th meeting of the Homeless Housing and Assistance Corporation (HHAC) was held at the NYS Media Service Center (MSC), in Albany, New York at 1:30 p.m. on August 3, 2022. The meeting was called to order by Daniel Tietz, Commissioner of the NYS Office of Temporary and Disability Assistance (OTDA).

Members in Attendance:

Brett Hebner, Board Member Designee representing Board Member Kenneth Adams, Chairman of the NYS Housing Finance Agency (HFA), and Esteban Ramos, Advisory Board Member Designee representing Advisory Board Member Commissioner Chinazo Cunningham, M.D. of the Office of Addiction Services and Supports (OASAS).

Others in Attendance:

Dana Greenberg	HHAC President
Brenda McAteer	HHAC Vice President
John Cucinelli	HHAC Assistant Treasurer
Michael Washburn	HHAC Comptroller
Constance Adsitt	HHAC Assistant Comptroller
Amanda Diller	HHAC Secretary
Megan Van Geest	HHAC Assistant Secretary
Barbara Guzman	OTDA Division of Legal Affairs (DLA)
Richard Umholtz	Director, OTDA Bureau of Housing and Support Services
Martin Robinson	HHAP Project Manager

Items of Discussion:

Approval of Minutes

Commissioner Tietz requested a motion to approve the minutes of the 203rd HHAC Board Meeting that took place on June 8, 2022. Mr. Hebner made the motion, which was seconded by Commissioner Tietz. The motion carried.

President's Report

Ms. Greenberg presented the President's Report and began with an overview of the status of all projects under development as of July 1, 2022, when there were 86 projects in various stages of development. Thirty-three of these projects were in construction, four of which were over 90% complete. Furthermore, 31% of the projects in development at that time were in New York

City, 15% were in the suburban regions of Westchester, Nassau, and Suffolk counties, and the remaining 54% were in the rest of the state.

Project-Related Milestones

Final Award and Final Loan Agreements

- CDS Monarch, Inc. (CDS)/CDS State Street Apartments, LLC (2021-022/HC01056) executed a Final Loan Agreement (FLA) on June 24, 2022. CDS received a \$3,500,000 HHAP award reservation in December 2021 for the substantial rehabilitation of a two-story warehouse in Olean to develop 14 units/35 beds of permanent supportive housing (PSH) for survivors of domestic violence. An additional 32 units will be reserved for low-income individuals and families who earn up to 50% of the area median income (AMI), for a total of 46 units. The project will provide housing for both families and singles. Other sources of development funding include Low-Income Housing Tax Credit (LIHTC) equity and Supportive Housing Opportunity Program (SHOP) through New York State Homes and Community Renewal (HCR), a construction and a permanent loan through Five Star Bank, a NYS Energy Research and Development Authority (NYSERDA) incentive, a deferred developer fee, and deferred reserves, for a total project cost of \$16,143,014. Rachel Gaffey is the project manager.
- Citizen Advocates, Inc. (CAI)/Harrison Place CAI Limited Partnership (2020-020/HC01055) executed a FLA on June 7, 2022. CAI received a \$4,800,000 HHAP award reservation in February 2020 for the new construction of 20 units of PSH for homeless individuals and their families where the individual or the head of the household is living with a severe mental illness (SMI), a substance use disorder (SUD) or a co-occurrence of SMI and SUD, in Malone, Franklin County. An additional 20 units will be reserved for low-income individuals and families who earn up to 50% or 60% of the AMI, for a total of 40 units. Other sources of development funding include LIHTC equity, SHOP and Community Investment Fund (CIF) through HCR, Empire State Development (ESD) funding, a sponsor loan, Federal Home Loan Bank (FHLB), NYSEDA incentives, and a deferred developer fee, for a total project cost of \$21,734,911. Michael Riley is the project manager.
- East House Corporation (EHC)/East House Canal Street LLC (2020-014/HC01054) executed a FLA on June 16, 2022. EHC received a \$7,418,822 HHAP award reservation in February 2021 for the new construction of 70 units/74 beds of PSH in Rochester. Twenty-three of these units will be for individuals living with a SUD and two units for families where the head of household is living with a SUD, 37 units will be for individuals living with a SMI, and eight units will be for individuals who are chronically homeless. The remaining 53 units/90 beds will be for income-eligible members of the community earning below 50% AMI. Other sources of development funding include LIHTC equity, 4% tax-exempt bonds, SHOP funds through the NYS Housing Finance Agency (HFA), Brownfield Tax Credits, FHLB, NYSEDA incentives, and a deferred developer's fee, for a total project cost of \$64,260,662. Amanda Diller is the project manager.

- Homes for Heroes, Inc. (HfH)/Homes for Heroes Veterans Apartments (2020-017/HC01053) executed a FAA on June 17, 2022. HfH received a \$3,000,000 HHAP award reservation in February 2021 for the new construction of 14 units of PSH on the former military station, Camp Shanks, in Rockland County. The six acres of land were deeded to HfH by the federal government specifically to serve homeless veterans. The project will serve veterans in Dutchess, Orange, Putnam, Rockland, Sullivan, and Westchester counties. Other sources of development funding include HCR Housing Trust Fund (HTF), FHLB, NYSERDA, and HfH equity, for a total project cost of \$5,383,632. Elaine Houlihan is the project manager.
- Samaritan Daytop Village (SDV)/SDF East 243rd Street Housing Development Fund Corporation (2021-026/HC01057) executed a Final Award Agreement (FAA) on June 30, 2022. SDV received a \$3,500,000 HHAP award reservation in December 2021 for the substantial rehabilitation of 86 units of PSH for formerly homeless individuals and families. The project will also rehabilitate 36 units and create four new units of PSH for low-income families and individuals, as well as one superintendent's unit, for a total of 126 units. Other sources of development funding include the NYC Department of Housing Preservation and Development (HPD), a loan from the Community Preservation Corporation (CPC), a NYSERDA grant, Con Edison AMEEP Electrification PILOT program funding, a deferred developer's fee, deferred reserves, and accrued interest, for a total project cost of \$81,172,248. Matthew Ciulla is the project manager.

Amendments

- Project Renewal Inc. (PRI)/10 Minerva Place, LP/Bedford Green I (2016-030/HC00918) executed an amendment to its FLA on June 3, 2022 and received its Certificate of Occupancy (CofO) on June 10, 2022. PRI received a \$6,222,012 HHAP award reservation in February 2017 to create 71 units of PSH for homeless families and singles. At 93% completion, the general contractor declared bankruptcy and it was discovered that many items were either installed incorrectly or not in accordance with the approved drawings. The surety company provided funds to complete the original scope of work. However, due to cost escalations, what was originally a \$58.9 million construction cost became \$72.4 million owing to delays, corrective work, and paying a premium for other subcontractors to complete the work. PRI contributed its developer fee to the project and made a permanent sponsor loan. HPD/HDC agreed to allow an increased contract rent amount generating additional operating revenue to assist with hard debt. HHAP increased its award by \$620,000 due to corrective action work, delays, and cost escalation, for a total award of \$6,842,012. Units are currently in the process of renting up. Brenda McAteer is the project manager.

Completed

- CARES of New York, Inc. (CARES) (2019-001/HC01003) – See “Events and Ceremonies”.
- St. Joseph's Hospital (St. Joseph's) and Concern Housing/10-28 Yonkers L.P./School St. (2015-034- HC0977) – See “Events and Ceremonies”.

- Bethany House of Nassau County Corporation (Bethany House) (2018-056S/HC00989) completed repairs to its emergency shelter on February 28, 2022. Bethany House received a \$90,000 HHAP emergency shelter repair award reservation in August 2019 to improve the building conditions at the 13 unit/33 bed emergency shelter for women and children in Nassau County. The shelter is in the process of obtaining NYS certification through OTDA's Division of Shelter Oversight and Compliance (DSOC). Elaine Houlihan is the project manager.
- JCTOD Outreach, Inc. dba Johnson Park Center (JCTOD) (2020-060S/HC01033) completed repairs to its emergency shelter on March 31, 2022. JCTOD received a \$91,000 HHAP emergency shelter repair award reservation in April 2021 to improve the building conditions at the Johnson Park Adult/Family Shelter located in Utica, Oneida County. The shelter consists of five units with nine beds for single women. The only other funding source was the City of Utica, for a total project cost of \$115,900.00. The shelter is in the process of obtaining NYS certification through OTDA's DSOC. Elaine Houlihan is the project manager.

Events and Ceremonies

- Breaking Ground/BG Betances L.P. (2018-030/HC00969) held a ribbon-cutting ceremony on June 16, 2022. Breaking Ground received a \$2,700,000 HHAP award reservation in December 2018 for the new construction of 47 units of PSH for homeless individuals aged 55 and over in the Bronx. An additional 104 units will be reserved for individuals aged 62 and over who have annual incomes of less than 60% of the AMI. There will be one unit for a live-in superintendent, for a total of 152 units. The building is Passive House certified (a voluntary standard for energy efficiency in a building that reduces the building's ecological footprint and results in an ultra-low energy building that requires little energy for heating or cooling). Other sources of development funding include 4% tax-exempt bond financing through NYC Housing Development Corporation (HDC), subsidy loans through HDC and NYC HPD Senior Affordable Rental Apartments (SARA) program, LIHTC equity, accrued interest, a sponsor loan, General Partner (GP) equity, and a deferred developer's fee, for a total project cost of \$98,188,375. Amanda Diller is the project manager.
- Buffalo Neighborhood Stabilization Company (BNSC)/West Side Homes, LLC (2020-019/HC01051) held a groundbreaking ceremony on June 15, 2022. BNSC received a \$3,000,000 HHAP award reservation in February 2021. In February 2022, due to an increase in construction costs, HHAP approved an award increase of \$612,021, bringing the total HHAP award reservation to \$3,612,021. This project, West Side Homes, involves the gut rehabilitation and new construction of 15 units/52 beds of PSH in Buffalo. Eleven of the units will be for homeless individuals with SUD and four units will be for homeless individuals and families where the head of household has a SMI. There will also be 34 units set aside for households earning 60% or less of the AMI, for a total of 49 units. Other sources of development funding include HCR Federal and State

LIHTC equity, SHOP, City of Buffalo HOME funds, NYSEDA incentives, FHLB, and a deferred developer fee, for a total project cost of \$21,013,051. Megan Van Geest is the project manager.

- CARES of New York, Inc. (CARES) (2019-001/HC01003) obtained a Temporary Certificate of Occupancy (TCO) on June 10, 2022 and held a ribbon-cutting ceremony on June 28, 2022. CARES received a \$3,315,020 HHAP award reservation in October 2019 for the new construction of 15 units of PSH for homeless families and individuals in Albany. Two units will house single homeless adults with SMI, two units will house single homeless youth, five units will house single homeless adults with HIV/AIDS and six family units will house homeless parenting youth. The only other funding source is a sponsor commitment, for a total project cost of \$3,414,924. Connie Adsitt is the project manager.
- Lakeview Health Services, Inc. (LHS)/West End Heights LLC (2018-007/HC00992) held a ribbon-cutting ceremony on June 21, 2022. LHS received a \$3,750,000 HHAP award reservation in October 2018 for the new construction of 18 units of PSH, which includes 10 units for individuals with SMI, six units for individuals living with SUD, and two units for individuals who are living with HIV/AIDS. An additional 20 units are licensed by the NYS OMH; nine of these units are for individuals coming from a Community Residence that will be closed, and 11 units are for individuals in the Supportive Apartment program. The remaining 22 units are for income-eligible members of the community, for a total of 60 units. Other sources of development funding included LIHTC equity and SHOP through HCR, Tompkins County Community Housing Development Fund, OMH capital funding, NYSEDA incentives, and a deferred developer's fee, for a total project cost of \$21,711,656. Amanda Diller is the project manager.
- St. Joseph's Hospital (St. Joseph's) and Concern Housing/10-28 Yonkers L.P./School St. (2015-034- HC0977) held a ribbon-cutting ceremony on June 9, 2022, and on June 30th received a TCO. St. Joseph's received a \$2,750,000 HHAP award reservation in February 2016 for the new construction of 48 units of PSH for single homeless adults with SMI in Yonkers, Westchester County. An additional 32 units will be reserved for low-income individuals and families who earn up to 60% of the AMI, for a total of 80 units. Other sources of development funding include 4% tax-exempt bond financing, SHOP, HTF through HFA, a loan from OMH, a developer and sponsor loan, and a deferred developer fee, for a total project cost of \$49,637,840. Megan Van Geest is the project manager.
- The Bridge, Inc. (the Bridge)/Bridge Rockaway, L.P. (2019-043/HC01027) held a groundbreaking ceremony on May 17, 2022. The Bridge received a \$6,500,000 HHAP award reservation in February 2020 for the new construction of 87 units of PSH. Fifty-two units will be for chronically homeless adults with SMI and/or SUD, 20 units will be for homeless veterans with disabilities and 15 units will be for homeless frail/disabled seniors in Brooklyn, Kings County. An additional 86 units will be reserved for low-income families who earn up between 30% and 70% of the AMI, as well as one superintendent's unit, for a total of 174 units. Other sources of development funding include 4% tax-

exempt bond financing and SHOP funding through HFA, HPD Extremely Low- and Low-Income Affordability Program (ELLA), LIHTC equity, accrued interest, and a deferred developer fee, for a total project cost of \$99,580,231. Matthew Ciulla is the project manager.

- The Doe Fund (TDF)/White Plains Rd. (2019-014/HC01041) held a groundbreaking ceremony on May 25, 2022. TDF received a \$4,900,000 HHAP award reservation in October 2019 for the new construction of a nine-story building containing 49 units/beds of PSH in the Bronx for homeless individuals living with HIV/AIDS. The remaining 49 units will be affordable units, including one superintendent's unit. Other sources of development funding include LIHTC equity, HOME funds and SHOP through HCR, All Affordable NYC, Solar Tax Credit equity, a Merchant Capital Corporation Permanent Loan, NYSERDA Multi-family New Construction Program funding, accrued interest, and a deferred developer fee, for a total project cost of \$48,56,160. Heather Lombardo is the project manager.

There was no further discussion or comment.

Commissioner Tietz requested a motion to accept the President's Report. Mr. Hebner made the motion, which was seconded by Commissioner Tietz. The motion carried.

Treasurer's Report

Ms. Greenslade provided a brief synopsis of Schedule One of the Treasurer's Report and reported the cash balance available as of the date of the meeting was \$11,810,143.42. This included \$3,748,211.30 in Mortgage Insurance Funds (MIF).

There was no further discussion or comment.

Commissioner Tietz requested a motion to accept the Treasurer's Report. Mr. Hebner made the motion, which was seconded by Commissioner Tietz. The motion carried.

A Resolution of the Homeless Housing and Assistance Corporation Regarding Certain SEQRA Classifications and Findings

Mr. Robinson presented the following projects to the Board:

- 2021-041 Ithaca Neighborhood Housing Services, Inc. - Wheat Street Apartments
- 2021-042 DePaul Properties, Inc. - Crane St. Apartments
- 2021-043 Project Renewal, Inc. - Bedford Green II
- 2021-044 Catholic Charities of Onondaga County
- 2021-049 Christopher Community Inc. - Community View Apartments

After performing an evaluation and review of the proposed actions, it was determined that the Ithaca Neighborhood Housing Services, DePaul Properties, Project Renewal, and Catholic Charities projects were classified as "unlisted", while the Christopher Community project was classified as Type 1. It was determined that all five projects would not result in any significant adverse environmental impacts and therefore Negative Declarations were recommended.

There was no further discussion or comment.

Commissioner Tietz requested a motion to approve the SEQRA resolution. Mr. Hebner made the motion, which was seconded by Commissioner Tietz. The motion carried.

A Resolution of the Homeless Housing and Assistance Corporation Authorizing Awards

Ms. McAteer explained that the purpose of the resolution was to request the Board's approval of two awards from the state fiscal year (SFY) 2022-23 funding round. The awards totaled \$13,923,127 in HHAP funds to the following organizations:

- Comunilife- Tiebout Avenue Residence
- H.E.L.P Development Corp.- Center City Courtyard Residences

Ms. McAteer noted that the SFY 2022-23 enacted State Budget contains a \$128 million appropriation for HHAP, including \$2 million for administrative expenses. Funds are awarded via an open Request for Proposals (RFP), which means that applications are reviewed, and awards are considered in the order in which they are received, subject to the availability of funds. HHAC continues to accept applications for funding under the RFP issued in September 2020. Following the approval of the HHAP awards, including emergency shelter repairs, the remaining available funding of \$114 million may be utilized for future awards and/or HHAP operating expenses, with up to \$1 million available for existing emergency shelter repair awards. The \$13,923,127 in project funding approved at the Board meeting, will produce 130 units/134 beds of permanent supportive housing and preserve one unit/14 beds of emergency housing.

Ms. McAteer reported that there were six applications under review at the time of the Board meeting, requesting approximately \$25.4 million in HHAP funding.

Ms. McAteer reported that of the \$128 million allocation, \$5 million is set aside for projects that will provide supportive housing for persons living with HIV/AIDS. To date, no application for the HIV/AIDS set-aside had been submitted. Five million dollars is also set aside for projects that will provide supportive housing for veterans. H.E.L.P Development Corp. was awarded \$1,196,250 in veterans set aside funding leaving a balance in the veterans' set aside of \$3,803,750. Up to \$1 million of the appropriation is allocated for existing emergency shelter repairs outside of NYC. Emergency shelter repair awards do not require HHAC Board approval pursuant to the policy adopted by the Board in August 2019. One application was awarded HHAP funds and noted in the Board package.

Ms. McAteer completed her presentation by reporting on the geographic distribution of HHAP awards from the current round. Forty-two percent of the funding was awarded to projects in the NYC region, 57% to the rest of state region, and 1% to projects in the suburban region of Suffolk, Nassau, and Westchester Counties.

There was no further discussion or comment.

Commissioner Tietz requested a motion to approve the award resolution. Mr. Hebner made the motion, which was seconded by Commissioner Tietz. The motion carried.

A Resolution of the Homeless Housing and Assistance Corporation Authorizing Technical Assistance Awards

Ms. McAteer explained that the purpose of the resolution was to request the Board's authorization of technical assistance awards. A list of recommended technical assistance providers was reviewed.

Commissioner Tietz requested a motion to approve the resolution authorizing technical assistance awards. Mr. Hebner made the motion, which was seconded by Commissioner Tietz. The motion carried.

Agency Reports:

HCR

Mr. Hebner reported that HCR announced awards from their Winter 2022 9% Multifamily RFP. Sixteen projects were awarded funding. These projects, six of which are co-funded with HHAC, will produce 864 units of housing across the state. HCR is working on the next RFP which is expected to be released at the end of September.

OASAS

Mr. Ramos reported that OASAS is working with the interagency workgroup on the ESSHI RFP. They also continue to work with OTDA on reviewing HHAP applications. OASAS has made funding available for transitional safety units. There should be 25 units funded by this initiative and online by early September. OASAS is also working on a second round of funding for this initiative.

OTDA

Mr. Umholtz thanked the Bureau staff for their continued commitment to supporting community partners throughout the state. Current efforts of the staff include assisting with community planning, grant renewals and reviewing applications. Mr. Umholtz stated that HHAP staff have reviewed five concept papers requesting approximately \$24 million in HHAP funding. Mr. Umholtz shared that HHAP has celebrated the opening of four projects which created 120 units of supportive housing and completed repairs on two shelters preserving 42 beds of emergency housing. The ESSHI workgroup also held an ESSHI roundtable on July 22nd and July 26th which can be viewed on the OMH website. Finally, Mr. Umholtz reported that the Bureau is working with the Balance of State Continuum of Care to submit applications in response to HUD's Rural Notice of Funding Opportunity (NOFO) as well as the regular NOFO competition.

There was no further discussion or comment.

New/Other Business:

The next HHAC Board meeting is scheduled to take place on Wednesday, October 12, 2022, hosted by the Media Service Center Studio, Albany, New York, at 1:30 pm.

Commissioner Tietz asked for a motion to adjourn the meeting. Mr. Hebner made the motion, which was seconded by Commissioner Tietz. The motion carried.

Commissioner Tietz adjourned the meeting at 1:59 PM.

Amanda Diller
Secretary

Date: