



# Advocates Launch Budget Campaign

Representatives of the New York State Rural Advocates are slated to present budget testimony to a joint hearing of the State’s Housing Committees on February 1st. Testimony will continue to stress the importance of ongoing support of the Rural and Neighborhood Preservation Programs, for which funding has been allocated for the near term. It is important to remember that community-based organizations deliver many critical programs and need secure funding for the long term. Continuing efforts to build solid support for the Preservation Companies will prove beneficial when the current funding agreement expires.

Given that the State funding levels for the coming fiscal year have been set for the Rural Preservation Program by a prior agreement, the Advocates will make specific requests of financial support for other housing and community revitalization initiatives.

One of the key requests for this year will be funding for the Rural Area Revitalization Program (RARP). This program has been a valuable tool for community revitalization efforts in the past, as it supports projects that match the scale of smaller rural communities. RARP funding was not included in the Governor’s 2016-17 budget pro-

need for funding to support at least 25 projects across the State.

Last year, the State committed \$5.5 million over 3 years to support the NY Main Street program. Governor Cuomo has proposed to supplement those funds this fiscal year with \$4.2 million. The NY Main Street program is extremely popular across the state, in both urban centers and very small communities, and the results of this program have been amazing. The Advocates are hoping for a major increase in this year’s allocation so that many more worthy programs can be implemented.

Continuing a long-held dream for rural housing agencies, Advocates will press for an additional \$10 million on top of the Governor’s proposed allocation for the NYS Housing Trust Fund to create a set-aside for small affordable rental projects (15 units or less) that do not require federal or state low income housing credits.

The RESTORE program also has a 3 year commitment of funding from the bank settlement funds. The Governor has proposed supplementing that funding with \$1.4 million in general appropriation. The Advocates believe an additional million dollars are needed for this emergency repair program, over and above the Governor’s proposal.

The Governor has only requested \$1 million for the Access to Home program. Advocates believe there is a need for an additional \$4 million for this program this year. In addition, the Governor proposes using \$19.6 million from the bank settlement funds to support Access To Home for Veterans.

Recognizing the importance of upgrading water and sewer systems, the Advocates are asking for 200 units of infrastructure development support under the Infrastructure Development Program. Advocates support the Governor’s budget proposal for the Rural and Urban Community Investment Fund.

The recommendations for the State budget were drafted by the Advocates Board of Directors in November, 2015. The Agenda will be formally adopted at the Advocates meeting on March 1st.

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**Rural Delivery**

Rural Delivery is published by the  
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The Coalition is a non-profit statewide membership organization dedicated to strengthening and revitalizing rural New York by assisting housing and community development providers.

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## Bits and Pieces...

### Section 533 Deadline Delayed

The US Department of Agriculture issued a correction to the Notice of Solicitation of Applications in January for Section 533 Housing Preservation Grants for Fiscal Year 2016, which was initially issued on Tuesday, December 29, 2015. The notice extends the closing deadline for applying to the Section 533 program to March 15, 2016.

### Heads Up

The US Department of the Treasury's Community Development Financial Institutions Fund is tentatively planning to release the Notice of Funds Availability and applications for the FY 2016 Community Development Financial Institutions Program and Native American CDFI Assistance Program in mid- to late February 2016.

These programs provide awards to build the capacity of financial institutions serving low-income communities. The CDFI Fund will provide further information about the NOFAs and how to apply in the coming weeks. Potential applicants should be aware that the FY 2016 CDFI Program and NACA Program narrative questions and financial inputs will largely reflect the FY 2015 application; however, the FY 2016 application will be entirely web-based within the CDFI Fund's Award Management Information System and *Grants.gov*. More information about AMIS, including frequently asked questions, is available at <https://amis.cdfifund.gov/>.

### Interesting Debate

<http://www.pbs.org/newshour/bb/bad-bargain-manufactured-homeowners-feel-the-financial-strain/>.

Federal and U.S. military employees can support the Rural Housing Coalition through the annual Combined Federal Campaign (CFC). If you are a federal government or military employee and would like to donate through the CFC, please enter CFC code #9614 on your pledge card during the next fund drive.

## Westchester Receives Federal Dollars

On January 26th, Governor Cuomo announced that \$4.3 million in federal grants have been awarded to 10 local governments in Westchester County to support 14 projects that address critical housing, public infrastructure, public facilities and economic development needs. These targeted high-need communities were previously prohibited from receiving funds from the US Department of Housing and Urban Development because of the county's non-compliance with federal Fair Housing laws.

In February 2015, Governor Cuomo worked with Congresswoman Nita Lowey, the Department of Housing and Urban Development, and Congressman Eliot Engel to broker a deal to allow the state to award competitive Community Development Block Grant funds to eligible Westchester localities.

"This funding allows more than a dozen crucial development projects in Westchester to get off the ground, and ultimately improve the local

communities," said Governor Cuomo. "I want to thank Representatives Lowey and Engel for their partnership and unwavering dedication to ensuring that these critical projects get the attention and funding they deserve." This funding is the first federal community development support in Westchester since 2010.

The \$4.3 million will support community investments that include: redeveloping blighted property into new affordable housing; rehabilitating seven buildings to upgrade the apartments of low-income tenants; creating Americans with Disabilities Act-compliant accessibility for a senior center; creating sidewalk infrastructure for a public housing building; creating a crosswalk and other public structures to provide access for residents of public housing; and funding an Americans with Disabilities Act-compliant bus for seniors, among others. New York State Homes and Community Renewal will administer the funding.

## HUD Issues Regs On Broadband Connectivity

On December 30th, HUD issued guidance on the definition of utilities for new housing developments financed under the new National Housing Trust Fund that include providing access to broadband. As part of NHTF-assisted new construction or rehabilitation, the existing NHTF regulations allow NHTF money to be used to make utility connections from the property line to the adjacent street. In the new FAQ, HUD interprets internet connectivity to fit the regulatory definition of "utility connections." The FAQ states that NHTF money may not be used for off-site improvements, including running broadband internet cable or wires to the project site. HUD also issued a similar FAQ for the HOME program. On January 7th, HUD issued CDBG broadband FAQs.

The NHTF FAQ regarding broadband infrastructure is on Page 9 of the December 30, 2015 FAQ at [www.hudexchange.info/resources/documents/HTF-FAQs.pdf](http://www.hudexchange.info/resources/documents/HTF-FAQs.pdf). The HOME broadband infrastructure FAQ is at [www.hudexchange.info/onecpd/assets/File/HOME-FAQs-Broadband.pdf](http://www.hudexchange.info/onecpd/assets/File/HOME-FAQs-Broadband.pdf). The CDBG broadband infrastructure FAQs are at [www.hudexchange.info/resource/4891/cdbg-broadband-infrastructure-faqs/](http://www.hudexchange.info/resource/4891/cdbg-broadband-infrastructure-faqs/).

## State Wins \$35 M In Resiliency Competition

HUD awarded New York State \$35,800,000 for resiliency projects on January 21st. The focus of these projects is small public housing authorities. HUD made awards to 13 grantees. New York City received a separate funding award in this competition, totalling \$176 million.

The projects funded under this award are public housing resiliency pilots, to support site-specific resiliency interventions based upon the Enterprise Community Partners Ready To Respond Toolkit and soon-to-be released Multifamily Housing Resilience Strategies.

Partners in the application include the Binghamton Housing Authority, the Freeport Housing Authority, and the Hempstead Housing Authority.

## Farm Labor Housing Grant Window Open

April 12th is the deadline for applications for funding for USDA's Farm Labor Housing Grant and Loan program. The construction, improvement, repair and purchase of housing for domestic farm laborers is the primary objective of this program. It provides affordable financing to develop housing for year-round and migrant or seasonal domestic farm laborers.

Grants are based on need and may not exceed 90% of the project financing. A two-phase application process starts with pre-applications. Selected pre-applications are invited to submit final applications. For more information, visit [www.rd.usda.gov/programs-services/farm-labor-housing-direct-loans-grants](http://www.rd.usda.gov/programs-services/farm-labor-housing-direct-loans-grants).

## HUD Releases More Info On Fair Housing Rule

In addition to numerous other materials on the new Affirmatively Furthering Fair Housing (AFFH) rule that HUD released on December 31st, a greatly expanded set of Frequently Asked Questions was posted on HUD's Affirmatively Furthering Fair Housing (AFFH) website on the same day. A fifth AFFH training webcast, "The Fair Housing Planning Process Under the AFFH Rule," was made available on January 11th.

HUD has modified the shorter AHHF FAQs posted in July, substantially rewriting one and adding seven new ones. The new FAQs are:

- How does the Assessment of Fair Housing (AFH) compare to the Analysis of Impediments (AI)? The first FAQ reminds readers that AFFH is a legal requirement that has existed since the passage of the 1968 Fair Housing Act. The final AFFH rule provides a planning approach to help program participants (cities and counties required to submit a Consolidated Plan [ConPlan], states, and public housing agencies) to take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities.

- What is the AFH Assessment Tool, who is required to use it, and where can I find it? The second FAQ explains that the AFH is a standardized form intended to help program participants analyze fair housing issues and set priorities and goals to establish strategies and actions in their ConPlans and Public Housing Agency Plans. It describes the six key requirements of the AFH process.

- What is the AFFH Rule Guidebook?

- What is the User Interface and

how do I access it?

- What is the AFFH Data and Mapping Tool and what is it for?

- When is local data and local knowledge required as part of the AFH? This FAQ gives examples of local knowledge that program participants may consider when preparing an AFH. This FAQ stresses that local knowledge includes information obtained through the required community participation process.

- Where can I find additional information?

The final FAQ in the December 31st iteration rewrites and augments the previous guidance regarding community revitalization. HUD stresses that "the duty to affirmatively further fair housing does not dictate or preclude particular investments or strategies as a matter of law" and that program participants have latitude in prioritizing fair housing goals and strategies. The FAQ states: "HUD's rule recognizes the role of place-based strategies, including economic development to improve conditions in high poverty neighborhoods, as well as preservation of the existing affordable housing stock, including HUD-assisted housing, to help respond to the overwhelming need for affordable housing. Examples of such strategies include investments that will improve conditions and thereby reduce disparities in access to opportunity between impacted neighborhoods and the rest of the city or efforts to maintain and preserve the existing affordable rental housing stock, including HUD-assisted housing, to address a jurisdiction's fair housing issues."

The FAQ goes on, however, to warn that there could be issues with strategies that rely solely on investment in areas with high racial or

ethnic concentrations of low-income residents to the exclusion of providing access to affordable housing outside of those areas. For example, in areas with a history of segregation, if a program participant has the ability to create opportunities outside of the segregated, low-income areas but declines to do so in favor of place-based strategies, there could be a legitimate claim that HUD and its program participants are acting to preclude a choice of neighborhoods to historically segregated groups and failing to affirmatively further fair housing as required by the Fair Housing Act.

HUD concludes that place-based and mobility strategies need not be mutually exclusive and that a balanced approach is welcome.

The latest webcast, "The Fair Housing Planning Process Under the AFFH Rule," discusses the relationship between the assessment of fair housing issues, the identification of factors that contribute to those issues, and the establishment of fair housing goals. It also provides examples that link fair housing issues to contributing factors and goals.

The new FAQs are at [www.hudexchange.info/resource/4514/affirmatively-furthering-fair-housing-faqs/](http://www.hudexchange.info/resource/4514/affirmatively-furthering-fair-housing-faqs/).

The new webcast is at [www.hudexchange.info/training-events/courses/the-fair-housing-planning-process-under-the-affh-rule-webcast/](http://www.hudexchange.info/training-events/courses/the-fair-housing-planning-process-under-the-affh-rule-webcast/).

**NYS Rural Advocates  
will hold the 2016 Albany  
Legislative Conference from  
February 29th-March 1st**

**Your presence will help protect  
and expand funding for critical  
housing programs in  
New York  
Save The Dates Now!**

## Executive Director

Southtowns Rural Preservation Company, a 501(c)3 non-profit rural preservation company located in Boston, NY, is seeking an Executive Director. Preferred candidates will have a combination of education, skills and experience related to managing existing finances and programs, analyzing community needs, successful preparation of grant applications to state and federal agencies, experience in budget preparation, and a working knowledge of fund accounting. Other responsibilities will also include management oversight of the company's 12 apartment units, preparation of all semi-annual and annual reports required by various funding agencies, both state and federal, and monthly reports to the Corporation's Board of Directors. Good computer skills are required.

Minimum qualifications: Bachelor's degree in a related field or equivalent job experience. Experience in affordable housing program management preferred. Ability to formulate long-term strategies and manage multiple projects is critical. Excellent written and verbal communication skills and ability to work independently required.

Cover letter, resume, salary requirements, and contact information for three professional references should be sent as soon as possible by mail to Southtowns Rural Preservation Company, ATTN: Search Committee, PO Box 153, Boston, NY 14025-0153 or by email to: [Southtownsrpc@aol.com](mailto:Southtownsrpc@aol.com). This information must be received by February 29, 2016.

## Career Opportunities

### Community Development Program Monitor

The City of Schenectady has an opening for a Community Development Program Monitor. This position exists in the City Department of Development and involves responsibility to review and monitor project progress and compliance, including providing technical assistance to community organizations regarding program compliance requirements relative to Federally-funded housing and Consolidated Plan programs. Additionally, the incumbent is responsible to review projects for environmental impact. Working knowledge of laws, regulations and policies governing Federally-funded housing programs; working knowledge of the geographic, social and economic structure of the City; working knowledge of the techniques of monitoring compliance with contractual agreements and expenditures of program funds; working knowledge of data collection, tabulation and analysis; working knowledge of research methods; ability to establish and maintain cooperative working relationships with public officials, not for profit agencies, civic groups, contractors and the general public; ability to understand and follow detailed oral and written instructions; physical condition commensurate with the demands of the position.

#### MINIMUM QUALIFICATIONS:

(A) Graduation from a regionally accredited or New York State registered four year college or university with a Bachelor's Degree in Business or Public Administration, Economics, Political Science, Urban Planning or a related field and two years of experience in community development planning or program management; OR (B) Graduation from a regionally accredited or New York State registered two year college or university with an Associate's Degree and four (4) years of experience as defined by the limits of (A) above; OR (C) An equivalent combination of training and experience. SPECIAL REQUIREMENTS: (AT THE TIME OF APPOINTMENT): Possession of a valid New York State Driver's License. All interested parties should submit completed City of Schenectady Application ([www.cityofschenectady.com/pdf/misc/CityofSchenectadyEmploymentApplication\\_8-09.pdf](http://www.cityofschenectady.com/pdf/misc/CityofSchenectadyEmploymentApplication_8-09.pdf)) or resume to: Tiffany White, Personnel & Benefits Administrator, City Hall Room 105, Schenectady, NY 12305. Resumes can also be emailed to [twhite@schenectadyny.gov](mailto:twhite@schenectadyny.gov).

EOE

The New York State Rural Housing Coalition is happy to be able to provide help wanted advertising opportunities for our members and non-profit community development agencies. Ad copy must be provided in Microsoft Word format, and may be transmitted by email to [rhc@ruralhousing.org](mailto:rhc@ruralhousing.org). Ad copy must comply with federal and state equal opportunity requirements to be published, and must be received by the 25th of the month to ensure placement in the succeeding issue of *Rural Delivery*. Ads provided in this fashion will also be posted in the Career Opportunities page of the Coalition's website, unless a request is specifically made not to place the advertisement on-line.

## Mold Update

By Michelle DeGarmo

New York has recently joined other states in passing laws requiring training for those who engage in mold assessment and remediation. New York mold law requires that assessors, contractors and their workers in the mold remediation industry are properly trained and licensed by January 1, 2016. NYS Department of Labor is implementing the new mold regulations.

The bill specifically prohibits a person licensed to perform mold-related services from acting as both the mold assessment contractor and the mold remediation contractor. A licensed mold assessor must perform an initial assessment and final inspection for all work that may involve mold remediation or disturbance. Mold removal and cleanup work must be performed by a licensed remediation contractor.

According to NYS Department of Labor, a Mold Project is defined as mold remediation, mold assessment, or mold abatement, of areas greater than ten (10) square feet undertaken for purpose of mold remediation or abatement. It does not include:

- routine cleaning, or
- construction, maintenance, repair or demolition of buildings, structures or fixtures undertaken for purposes other than mold remediation or abatement.

Mold remediation is the removal, cleaning, sanitizing, or surface disinfection of mold, mold containment, and waste handling of mold and materials used to remove mold from surfaces by a business enterprise, including but not limited to sole proprietorships. Addressing the underlying sources of mold is not generally considered mold remediation. This means general contractors can continue working without a mold license, unless they are performing mold remediation work as defined by the law. However, once the work scope calls specifically for removal, cleaning, containment, and disposal of mold and mold-contaminated substrates, the contractor may either need to obtain a NYS mold license, or to use a licensed mold remediation contractor to perform that portion of the work. This doesn't mean contractors can conduct mold remediation without a license just by carefully re-wording their work scopes. If the intent of the work is to address mold, the company should strongly consider obtaining a mold remediation license.

Currently the exemptions to the rule are:

- A residential property owner who performs mold inspection, assessment, remediation, or abatement on his or her own property;
- A property owner, or their employees, who perform mold assessment, remediation, or abatement on an apartment building with four or less dwelling units;
- The owner, managing agent, or full-time employee of an owner or managing agent, who performs mold assessment, remediation, or abatement on the owner's commercial property or residential apartment building of more than four dwelling units.
  - o This exemption will not apply if the managing agent or employee engages in the business of performing mold assessment, remediation, or abatement for the public; and
- A federal, state or local governmental unit or public authority and employees thereof that perform mold assessment, remediation, or abatement on any property owned, managed or remediated by such governmental unit or authority.

While the NYS mold regulations are most relevant to businesses advertising as mold assessment, remediation, and abatement firms, a contractor is not automatically exempt from the law simply because they never utter the word "mold" in their marketing materials. Violations of the law will incur civil penalties in amounts ranging from \$2,000 to \$10,000.

*Michelle Read DeGarmo is President of Flatley Read, LLC, a NYS Approved Mold Training Firm and NYS Certified Woman Owned Business.*

## Conference Heads Up

Mark your calendars now for the 2016 Coalition Conference  
September 14-16, 2016 in Oswego, NY

## Section 502 Packaging Certification Training For Nonprofit Housing Developers

The Housing Assistance Council will sponsor a Section 502 Packaging Certification Training for Nonprofit Housing Developers on Tuesday, March 8, 2016 - Thursday, March 10, 2016 in North Charleston, SC.

This three-day advanced course covers USDA Rural Development's Section 502 Direct Loan Program and provides invaluable insight as to how this homeownership financing resource can be utilized. Learn how to assist potential borrowers and work in partnership with RD staff, as well as other nonprofit organizations and regional intermediaries to deliver successful Section 502 loan packages.

This course is intended for and specifically framed for those experienced in utilizing Section 502 and/or other affordable housing mortgage products. Participants will learn regulations and practical applications of the loan program, while developing a strong understanding of 502 direct underwriting and packaging standards. Following the course, participants are encouraged to take the online certification exam.

For more information, contact Shonterria Charleston at [registration@ruralhome.org](mailto:registration@ruralhome.org).

## Your Ad Here

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**Rural Delivery ads are affordable and customizable. Discounts on advertising rates are available to members of the Rural Housing Coalition.**

**For more information, call Colin at  
(518) 458-8696x14**

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*Illegitimi Non Carborundum*