



RHD Rural Delivery

New York State Rural Housing Coalition, Inc.

October, 2016

HCR Sponsors HOME Training

NYS HCR is hosting a series of HOME trainings across the state this month. Taught by Monte Franke, these 1-day sessions will assist with understanding how to perform the day to day operations of administering a successful HOME-funded program. Groups will learn about federal HOME Program regulations and examine commitment and expenditure requirements. The training will also focus on general program administration to include meeting project and program requirements and financial management.

For current grantees, Monte will be reviewing administrative plans during the sessions. Grantees are required to bring a printed paper copy of their open contract, approved administrative plan to the session.

HCR's HOME Local staff, to include the Director, Assistant Director and Program Managers will be available at each session to assist and answer questions. The series of trainings will be held at the following locations:

October 4th

Home Program Administration

Office of People with Disabilities, 1200 East and West Rd, West Seneca, NY.

October 5th

Home Program Administration

Office of Mental Health, 545 Cedar Street, Room 116, Syracuse, NY.

October 19th- CHDOs ONLY

Housing Development Administration

NYS Homes and Community Renewal, 38-40 State Street, Albany, NY.

November 1st

Home Program Administration

NYS Homes and Community Renewal, 38-40 State Street, Albany, NY.

November 2nd

Home Program Administration

NYS Homes and Community Renewal, 641 Lexington Avenue, Conference Room C, New York, NY.

All sessions will run from 9:30 AM to 4:30 PM. Registration will begin at 9:00 AM. Each training will include a Q&A session. LPAs may submit questions via email prior to the training: nyschr.sm.homeprogram@nyschr.org. In the subject line of your email include "Training with Monte". To register for this workshop, visit: www.eventbrite.com/e/lets-be-frank-monte-franke-teaches-home-tickets-27838429492.

New Board Members Elected

At the September 16th Annual Meeting of the Rural Housing Coalition, Michelle DeGarmo, Marian Naramore, and Tim Brinduse were elected to fill vacant seats on the Board. Ms. DeGarmo is President of Flatley Read Associates, Ms. Naramore is Executive Director of the Oswego Housing Development Council, and Mr. Brinduse is principal of TAB Design Architects. Re-elected to board seats were Kent Brown, Chris Raymond, Velga Kundzins, Marlene Papa, and Sharon Reynolds. Following the approval of a waiver of board term limits by the membership, Bruce Misarski was re-elected to an additional one-year term.

William Vogt was elected Chair of the Board of Directors that afternoon, and Velga Kundzins was elected Secretary. Judy Eisgruber remains as Vice Chair of the Board, and Kent Brown continues as Treasurer.

In This Issue...

Proposed Lead Rule.....Pg 2
Rural Advocates Annual Meeting.....Pg 3
Fair Housing Grants.....Pg 3
Limited English Proficiency..Pg 3
MWBE Update.....Pg 3
FSS Webinars.....Pg 4
Key Bank Merger.....Pg 4
Career Opportunities.....Pg 5

RD

Rural Delivery

Rural Delivery is published by the
New York State Rural Housing Coalition, Inc.

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

Officers:

William Vogt, Chair
Judy Eisgruber, Vice Chair
Kent Brown, Treasurer
Velga Kundzins, Secretary

Directors:

Jill Alcorn
Renee Bloom
Tim Brinduse
Scott Campbell
Julie Chevalier
Michelle DeGarmo
Kristi Dippel
Bruce Garcia
Tammy Hathaway

Lynda Hitt
Bruce Misarski
Faith Moore
Matthew Nelson
Marlene Papa
Chris Raymond
Tony Scalici
Cheryl Shenkle-O'Neill
Sharon Reynolds

James Thatcher

Staff:

Colin McKnight
Deputy Director &
Acting Executive Director

Lorraine Wynne
Chief of Finance & Strategic
Operations

Blair Sebastian
Project Coordinator

John Grover
Project Coordinator

Rural Delivery is published monthly and delivered electronically to a mailing list of 200 community development professionals and policy makers.

For information on advertising in

Rural Delivery and to receive a copy of our advertising rate sheet, please contact the Coalition at:

79 North Pearl Street, Albany, New York 12207
Tel: 518/458-8696 * Fax: 518/458-8896

Web Site: www.ruralhousing.org



Bits and Pieces...

Thank you!

Marlene Papa sends a major shout out to all her well-wishers following her recent surgery. She's doing much better and has recently returned to her volunteer role at the Coalition.

Save The Dates

November 30th to December 2nd are the dates for the Housing Assistance Council annual conference in Washington, DC. October 31st is the deadline for early-bird registration.

HUD Webcast On Proposed Lead Safe Rule

HUD will host a webcast discussing its proposed Lead Safe Housing Rule. The proposed rule would enhance HUD's approach in responding to cases of children in HUD-assisted housing with an elevated blood lead level. At the convening, invited organizations, agencies, and federal partners will discuss the importance of strengthening work around childhood lead poisoning prevention.

HUD Secretary Julián Castro will offer remarks, to be followed by a discussion with a panel of experts from the housing and health sectors. A set of breakout sessions will provide an opportunity for dialogue; however, breakout sessions will not be webcast and questions will only be taken from the live audience. The webcast will be on Thursday, October 6th, from 1:00 - 4:00 PM. To access the webcast, visit <http://portalapps.hud.gov/HUDMediaChannel/liveplayer.jsp>. The broadcast site will not go live until 10 minutes before the event.

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.

Rural Advocates To Hold Annual Meeting In Cooperstown

NYS Rural Advocates will hold their annual membership meeting November 15th and 16th at the Otesaga Hotel in Cooperstown. Open to all interested persons, Rural Advocates convene this annual event to begin scoping the organization's 2016/2017 legislative and policy priorities. The meeting will also include an in-depth discussion of the outcome of November's state and federal elections and how the elections might impact rural affordable housing.

Rural Advocates is pleased to report that the Governor's proposed MOU for the State's recently passed 5 year, \$2 billion affordable housing investment directly answers several of Rural Advocates current policy priorities. Blair Sebastian, Rural

Fair Housing Grants Announced By HUD

HUD announced the latest round of Fair Housing grants on September 30th. Upstate grant winners include Chautauqua Opportunities and Central NY Fair Housing, Inc. Other grantees were primarily in New York City, Westchester County, and Long Island. One award was made to a grantee in Buffalo.

Many of the grant awards announced were under the category of Private Enforcement Initiative grants, which help nonprofit fair housing enforcement organizations to carry out investigations and other enforcement activities to prevent or eliminate discriminatory housing practices.

The full announcement is found at: http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2016/HUDNo_16-150.

Advocates' technical consultant, tells RD that the proposed MOU includes \$62.5 million over five years for rehab or new construction of "small projects" of five to 40 units. Also included is \$13 million for a mobile home program; \$177 million to preserve state and federally assisted housing which may include older NYS Housing Trust fund and Section 515 projects; \$41 million for homeownership; \$45 million for the Rural and Urban Community Fund and \$122 million for Senior Housing.

For more information or to register for the Rural Advocates meeting, please look up the blog at www.ruraladvocates.wordpress.com or call Mr. Sebastian at (518) 572-2255.

HUD Issues Limited English Proficiency Fair Housing Guidance

HUD's Office of General Counsel has issued a memorandum providing guidance discussing how the Fair Housing Act applies to a housing provider's consideration of a person with limited English proficiency (LEP), the limited ability to read, write, speak or understand English. The Fair Housing Act prohibits both intentional housing discrimination and housing policies and practices that have an unjustified discriminatory effect because of race, national origin, color, sex, family status, disability, and religion. People with limited English proficiency are not a protected class under the Fair Housing Act. However, there is a close link between LEP and certain racial and national

Continued on Page 6

MWBE Update

Amidst a fair amount of frustration in the past couple of years for RPCs trying their best to comply with the MWBE requirements, we just had to share the following reply received to a bid solicitation off the ESDC online directory:

From: David Wilbourn <wilbourn-david@gmail.com>

Date: Mon, Sep 26, 2016 at 6:20 PM

Subject: Re: Construction Project
To: Lisa.....<Lisa.....@..org.>

Dear Lisa,

Whilst this proposal does sound intriguing I fear my skill set, combined with the lengthy daily commute from the United Kingdom may cause this to be untenable.

Alas, I fear you too have now fallen victim to who I am calling my "phantom doppelganger".

Indeed, I have received so many emails from those trying to reach my mystery name-a-like that with the exception of this email address, I can confirm you have the right details for him (but don't take my word for it, no really, don't!).

I wish you luck in your pursuit of he-who-shall-be-named-as-me. If you manage to find him, tell him I say "Hi!". Oh and please ask him to remember his own email.

Until our paths cross again (and they surely will, I now seem to be in regular contact with half of Syracuse)

Yours Frustratedly (it's a word!)

David "The British One" Wilbourn
P.S. Seriously though, not the right email!

P.P.S. Trump or Clinton?

So, you have been warned. If you are trying to reach the Syracuse David Wilbourn, please give our British friend a break.

HUD To Host Three Webinars On Multifamily Family Self-Sufficiency Program

HUD's Office of Multifamily Housing Programs is launching a three-webinar series focused on the new Multifamily Family Self-Sufficiency (MF FSS) program. Attendees will learn the basics of the MF FSS program, best practices for running a successful program, and details of program compliance.

Webinar #1: Launching a Multifamily FSS Program, October 11, 1:00 – 2:30 p.m. ET

This webinar, designed to introduce MF FSS to owners and staff of HUD-Assisted Multifamily Properties, will provide a basic overview of the program. Jeffrey Lubell and Melissa Vandawalker of Abt Associates will review basic components of the MF FSS program. Aaron Gornstein, President and CEO of

Preservation of Affordable Housing, Inc., and Debbie Nutter, President of The Caleb Group, will discuss why they offer MF FSS to residents of their properties.

Registration Link for Webinar #1 is found at <http://bit.ly/2daXNP0>.

Webinar #2: Best Practices in Running a Multifamily FSS Program, will be held on October 19th, 12:30 – 2:00 PM. This webinar will highlight best practices for running an effective MF FSS program. Speakers will be Sherry Riva, Founder and Executive Director of Compass Working Capital, Ann Lentell, Compass' Director of Programs, and Nancy Scull, former director of the MF FSS program with the Housing Opportunities Commission of Montgomery County, MD.

To register for Webinar #2 visit <http://bit.ly/2dlsu66>.

Webinar #3: Complying with Multifamily FSS Program Requirements, is scheduled for October 26, 1:00 – 2:30 PM. This webinar will review the steps that HUD-Assisted Multifamily properties must take to start and operate an MF FSS program, and to comply with reporting and other program requirements outlined in H Notice 2016-08. The webinar will be led by Danielle Garcia, Branch Chief, Subsidy Oversight, Carissa Janis, Program Analyst, and A. Rahman Sharper, Multifamily Representative with HUD's Office of Asset Management and Portfolio Oversight.

The registration link for Webinar #3 is found at <http://bit.ly/2d5Eo2v>.

Key-First Niagara Merger On Track

At a recent meeting in Albany between housing advocates and Executive personnel of Key Bank, community representatives were advised that the merger between First Niagara Bank and Key Bank is completed. The conversion of First Niagara branches to Key Bank will take place in mid-October.

Several ongoing concerns of the merger were discussed, notably the impact on First Home Club programs previously operated by First Niagara Bank. Key officials have worked with the staff of the Federal Home Loan Bank of NY to ensure that any open First Home Club accounts begun under First Niagara will continue to be serviced by Key Bank through the completion of the home purchase process.

As a lender headquartered in Ohio, Key Bank is not currently eligible

for membership in the Federal Home Loan Bank of NY. Key Bank is exploring other ways to maintain the active role that First Niagara has historically held in the various FHLBNY programs. In the most recent round of FHLBNY awards, First Niagara had the second highest number of grant awards, and the loss of this capacity has been a major concern for housing agencies in upstate New York. Key officials re-iterated their commitment to resolving the current roadblock to active participation in the FHLBNY program.

Another significant issue covered in the meeting was the transfer of First Niagara's portfolio of mortgage programs to Key, which has had a more limited role in home financing in recent years. With the merger, Key effectively bought the

entire home mortgage operation of First Niagara in Buffalo, which will be responsible for mortgage processing and servicing. This will allow Key Bank to end its reliance on outsourcing servicing matters to other firms.

Finally, the meeting covered new interests and priorities of the Key Bank Foundation. The prior foundation focus on education is being expanded, and the foundation staff are interested in working with applicants early in the proposal design process to develop creative new strategies for creating transformation in lower income communities. In addition, the First Niagara Foundation will remain as a separate entity, with its Board and priorities separate from the Key Foundation operation.

Graduate Student Intern Program

NYS HCR offers internships to graduate level students desiring experience in the development and preservation of affordable housing across New York State. Each internship is unique and highly dependent upon HCR's needs at the time. HCR is also committed to aligning students' work assignments to their academic and career goals. Students will observe, participate in, and/or acquire experience with State and federal government procedures, as well as working collaboratively with partner State agencies.

The program will provide talented and ambitious students with firsthand experience of New York State government at the agency level. The internship will foster an understanding of the opportunities and challenges inherent in the development and preservation of affordable housing. Students can expect to gain perspective on these issues from the Federal, State and municipal level, as well as an understanding of the interagency collaborations and public/private sector relationship.

Candidates must be currently enrolled in, or a recent graduate of, a Master's degree program. All disciplines are welcome to apply; preference may be given to students enrolled in programs with a focus on community/urban or environmental planning, economics, public policy, architecture, public administration.

For more information, including duties, application process and internship locations, visit: www.nyshcr.org/AboutUs/JobOpportunities/Internships.htm.

Career Opportunities

Communications/Fund Development Program Director

Rural LISC (Local Initiatives Support Corporation) seeks a candidate for a Communications/Fund Development Program Director position. This position will report directly to the Program Vice President of Rural LISC. The location for this full-time position is negotiable. Frequent travel is required. Bachelor's degree in business administration, journalism, communications, fund development or related field (Master's degree preferred). Five years of related experience in fund development and public relations with nonprofit. Successful track record of fund development in a community development nonprofit organization. For full job notice, visit http://programs.lisc.org/rural_lisc/about_us/employment_opportunities.php.

Please send cover letter and resume via e-mail. Include Last Name – 2016 Program Director in the subject line. Position is open until filled. No phone calls please. Address resume to: Suzanne Anarde, Program Vice President -Rural LISC at sanarde@lisc.org. EOE

Housing Rehabilitation Specialist

Pathstone has an opening for a Housing Rehabilitation Specialist to inspect housing units, provide work specifications and cost estimates for rehabilitation and energy services projects, process customer applications and manage tracking and reporting requirements for housing rehab programs. Position requires an Associate degree plus one year experience, or 4 to 5 years of relevant education and experience in home inspection, remodeling, construction, rehabilitation, energy efficiency work or housing-related program administration. Computer proficiency required incl. MS Office and ability to learn customized software programs. Must be able to assess and document housing deficiencies and learn complex housing program guidelines. Must be detail oriented and develop and maintain accurate, comprehensive customer applications and project reports. Bilingual in Spanish and English preferred. There is risk of injury or potential exposure to agents such as asbestos, lead based paints, radon or other building related toxins. Applicants must be capable of climbing a ladder, entering crawl spaces and carrying up to 30 lbs. Local travel (Rochester area) by car - approximately 25% of time. Some evening and weekend hours may be required. Position requires an automobile available for daily work use, driver's license and insurance.

PathStone provides a competitive salary and fringe benefit program. Position is Year Round/Full-Time. To apply, please email a detailed cover letter and resume to: R. Scott Oliver, PathStone Corporation, 400 East Ave., Rochester, New York 14607 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 hc@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.

Limited English Proficiency, Cont'

Continued from Page 3, Col. 2
origin groups.

Because of this close link, selective application of a language-related policy, or use of LEP as a pretext for unequal treatment of individuals based on race or national origin violates the Fair Housing Act. In addition, restrictions on access to housing based on LEP are likely disproportionately to burden certain protected classes, and if not legally justified may violate the Fair Housing Act under a discriminatory effects theory. Numerous court decisions are cited throughout the guidance.

The memorandum notes that although language discrimination is not necessarily national origin discrimination, national origin discrimination includes discrimination because an individual has the physical, cultural, or linguistic characteristics of persons from a foreign geographic area. Thus, courts have found a connection between language requirements and national origin discrimination. In addition, as with language discrimination, discrimination against non-citizens or against those with a particular immigration status is not national origin discrimination, but a requirement involving citizenship or immigration status will violate the Fair Housing Act when it has the purpose or unjustified effect of discriminating on the basis of national origin.

Regarding intentional discrimination, suspect practices include advertisements containing blanket statements such as “all tenants must speak English,” or turning away all applicants who are not fluent in English. The guidance, citing a court decision, notes that LEP persons may speak English well enough to

conduct essential housing-related matters, or have a household member who can provide assistance as needed, thus making a blanket refusal to deal with LEP persons in the housing context unlikely to be motivated by genuine communication concerns.

Regarding discriminatory effects, the guidance states that a housing provider violates the Fair Housing Act when the provider’s policy or practice has an unjustified discriminatory effect, even when the provider had no intent to discriminate. Determining whether a policy or practice has a discriminatory effect involves the three-step, burden-shifting legal evaluation of the statistical evidence of a discriminatory effect. First, an LEP person, or HUD in an administrative proceeding, must prove that the housing provider’s policy or practice has a discriminatory effect, a disparate impact on a group of persons because of national origin, race, or other protected characteristic. Second, the housing provider must prove that the policy or practice is necessary to achieve a substantial, legitimate, nondiscriminatory interest. Assertions based on generalizations or stereotypes about LEP persons will not satisfy this burden. If the second step is demonstrated by the housing provider, then the LEP person or HUD must prove that there is a less discriminatory alternative policy or practice.

Discussing the second step, the guidance states that English proficiency is likely not necessary in the landlord-tenant context where communications are not particularly complex or frequent, or where for example, a landlord employs a management company with multilingual staff or otherwise can ac-

cess language assistance. In the seller-buyer context, refusing to allow an LEP borrower to have mortgage documents translated, or refusing to provide the borrower with translated documents that the lender or mortgage broker has readily available, is likely not necessary to achieve a substantial, legitimate, nondiscriminatory interest. Likewise, restricting a borrower’s use of an interpreter, or requiring that an English speaker cosign a mortgage, likely will not prove justifiable.

Discussing the third step, the guidance states that allowing a tenant (or home-buyer or mortgage-borrower) a reasonable amount of time to take a document such as a lease to be translated, could be a less discriminatory alternative. Other less discriminatory alternatives in an LEP case might include obtaining written or oral translation services or drawing upon the language skills of staff members. Similarly, if the family has a member who speaks English or brings another person along to interpret, agreeing to communicate through these individuals could be an alternative to refusing to deal with anyone who does not speak English.

The guidance memorandum is at <http://bit.ly/2cuYZAr>.

Your Ad Here

Advertising in Rural Delivery is a great way to get your message out to your colleagues, policy makers, and folks that are interested in community development and safe housing.

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

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

Are Your Coalition Dues Up To Date?

If you have not renewed for the 2016-17 program year, please be sure to send in your membership renewal today. If you have misplaced your renewal notice, please contact Lorraine Wynne at the Coalition for a replacement copy of the notice at Lorraine@ruralhousing.org.

Annual Report Available

The Rural Housing Coalition's Annual Report for the 2015-16 Program Year was distributed at the Annual Meeting in Oswego on September 16th. Members of the Coalition who were unable to attend the Annual Meeting, but would like to review the report, can secure an email copy by sending a request to colin@ruralhousing.org.

Did You Turn In Your Conference Evaluation?

If you overlooked filling out your conference evaluation form, please take a moment to complete it and send it in. The Rural Housing Coalition staff rely on your feedback to make future conferences a better training and networking experience. So, don't be shy. Let us know what you think! Feel free to snail mail the evaluation to the Coalition at 79 North Pearl Street, Albany, NY 12207, or email it to colin@ruralhousing.org.

Project Homeless Connect

Project Homeless Connect, a collaborative effort of a number of homeless services agencies in western New York will take place on October 19th at the Buffalo Niagara Convention Center. The event will provide homeless individuals and families with one-stop access to a wide array of services including employment resources, health care access, legal services, and housing. In previous years, PHC has served more than 2,200 homeless and at-risk clients.

For more information, visit: <https://PHCBuffalo.com>.

Visit our website at www.ruralhousing.org
'Like' us on Facebook for up-to-the-minute news.



79 North Pearl Street
Albany, New York 12202

Illegitimi Non Carborundum