



**Texas Department of Housing and Community Affairs
State Housing Trust Fund
Amy Young Barrier Removal Program – Statewide Allocation
Notice of Funding Availability**



**Effective February 1, 2019
Amendment One Effective June 7, 2019
Amendment Two Effective February 25, 2020**

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Section 1. Program Overview

The Amy Young Barrier Removal Program (the Program or AYBR) provides one-time grants of up to \$22,500 to Persons with Disabilities in a Household qualified as Low-Income (up to 80% of the Area Median Family Income). Grants are for home modifications that increase accessibility, eliminate life-threatening hazards, and correct unsafe conditions.

The Texas Department of Housing and Community Affairs (the Department) implements the AYBR Program through eligible Administrators: nonprofit organizations and local governments who process intake applications, verify eligibility, and oversee construction. Upon successful completion of a project, the Department pays the Administrator an Administration Fee equal to 10% of the Project Costs (hard and soft cost).

With this NOFA, the Texas Department of Housing and Community Affairs (the Department) announces \$1,702,686.54 in funding from the State Housing Trust Fund (SHTF): \$1,547,896.85 in Project funds and \$154,789.69 in Administration Fees. The funds will be available for Program Reservation Setups beginning Tuesday, February 19, 2019, at 10:00 a.m. Austin local time (the Reservation start date) on a first-come, first-served basis.

Additional Program funding may become available from cancellations of reservations. The Department will release any available funds from cancellations on Tuesdays, at or after 10:00 a.m. Austin local time. If the Department is closed on a Tuesday, the funds will be released the next business day on which the Austin office is open.

For more information regarding this NOFA, please contact Tracy Charles (“TC”) Day at (512) 936-7799 or htf@tdhca.state.tx.us.

Section 2. Legal Requirements

The Administrator must comply with Chapter 2306 of the Texas Government Code, and Title 10 of the Texas Administrative Code, including but not limited to: Chapter 1, Administration; Chapter 2, Enforcement; Chapter 20, Single Family Program Umbrella Rule; Chapter 21, Minimum Energy Efficiency Requirements for Single Family Construction Activities; and Chapter 26, Texas Housing Trust Fund Rule. Administrators must also follow the processes and procedures as required by the Department’s Reservation Agreement, Program Manual, forms, and this NOFA. Construction standards and guidelines are further described in the Program Manual.

Section 3. Eligible Administrators

The Department is accepting applications from eligible entities seeking to become Administrators of the funds in this NOFA. Only approved Administrators with an executed and valid AYBR Program Statewide Allocation Reservation System Agreement will have access to the online Reservation System to reserve funds.

The following entities are eligible to become AYBR Administrators:

- Units of Local Government
- Councils of Government
- Colonia Self-Help Centers
- Nonprofit Organizations
- Local Mental Health Authorities and
- Public Housing Authorities

The following entities are ineligible to become AYBR Administrators:

- Participating Jurisdictions (*i.e.*, cities and counties) that receive a direct award of HOME funding from the U.S. Department of Housing and Urban Development.

Entities seeking access to funding in this NOFA must complete the Reservation System Access Application available on the Program website, including a Previous Participation Review (see 10 TAC Chapter 1 Subchapter C). The Department will accept Reservation System Access Applications on an ongoing basis, funding permitting.

Eligible entities must provide the Department descriptions of staff experience and the history of participation in relevant programs that confirm the following:

- Experience of at least 2 years in providing housing rehabilitation services to Low-Income Households in Texas;
- Experience with accessibility standards, applicable building codes, and construction serving the needs of Persons with Disabilities; and

- Qualifications of Administrator’s housing inspector(s), according to the Qualified Inspection Certification form on the Program website.

Partnership with another entity that meets the above requirements is acceptable, but must be documented with a contract or memorandum of understanding, subject to Department approval. Letters of support or intent will not be accepted.

The Department will pay the Administrator an Administration Fee equal to 10% of the Project Costs upon successful completion of the project. The Administration Fee is in addition to the \$22,500 maximum assistance permitted per Household.

Section 4. Definitions

Any capitalized terms that appear in this NOFA, but that are undefined, are defined in Chapter 2306 of the Texas Government Code or in the Department Rules. For purposes of this NOFA, the Administrator should read the Program Manual in its entirety to understand the definitions, process, and requirements.

Section 5. Property and Construction Guidelines

- a) Owner-occupied homes and certain rental units are eligible for Program assistance in accordance with 10 TAC §26.26.
- b) In owner-occupied homes, the owner of record must reside in the home as their permanent residence unless otherwise approved by the Department. If the property is family-owned and the owner of record is deceased or not a Household member, the Department may deem the property renter-occupied unless satisfactory documentation is provided to the Department that confirms otherwise.
- c) In rental units, all Household occupants, including the Person with Disability, must be named on the Program Intake Application and Household Income Certification. Program funds may not be used to correct hazardous or unsafe conditions in rental units, but may be used for accessibility modifications only after the life-threatening hazards and unsafe conditions have been corrected by the property owner at the property owner's expense.
- d) Administrators must follow the construction requirements in 10 TAC §26.27.
- e) Administrators must follow all applicable sections of their local building codes and ordinances. In the absence of local building code, Administrators must adhere to the construction standards and guidelines detailed in the Program Rule and Manual.

Section 6. Reservation System Guidelines

- a) An Administrator with at least 2 years of previous participation in the AYBR Program may have up to 15 reservations in “active” status from the current NOFA at any one time.
- b) Administrators with at least 1 year but less than 2 years of previous participation in the AYBR Program may have up to 10 reservations in “active” status from the current NOFA at any one time.

- c) Administrators with less than 1 year of previous participation in the AYBR Program and Administrators with unresolved formal complaints will be limited to 5 reservations in “active” status from the current NOFA at any one time.
- d) Completed activities that are undergoing processing of the draw request (in “pending accounting approval” status) do *not* count towards the limits of active reservations. Reservations from any other Department or HTF Program NOFAs will not limit the number of Reservations under this NOFA.
- e) The Department reserves the right to suspend or limit access to the Reservation System for Administrators out of compliance with Program requirements such as, but not limited to: past due Single Audits or Audit certification forms; late responses to Compliance monitoring or Audit Management letters; Administrator ineligibility; inadequate staffing or inadequate capacity; repeated failure to meet Program deadlines; unresolved complaints, etc. The Department may restore Administrator access upon acceptance of documentation.
- f) The Department may de-authorize access to the Reservation System by an Administrator and terminate their AYBR Program Reservation System Agreement if the Administrator does not meet requirements in this NOFA, violates the Department Rules, or violates the AYBR Program Reservation System Agreement.

Section 7. Reservation Stage 1 – Household Eligibility Review

- a) The Program Manual, Administrative Rules and the Reservation System User Guide outline how to determine income eligibility and submit Reservation Setups.
- b) After collecting and verifying the required Household income and property eligibility documentation, the Administrator shall enter the Reservation Setup information into the online Reservation System, upload and submit all required forms as described in the Program Manual and Reservation System User Guide, and reserve up to the maximum of \$22,500 in Project Costs per Household.
- c) Reservation Setups will be processed in the order submitted on the Reservation System. Submission of a Reservation Setup on behalf of a Household does not guarantee funding.
- d) The Department will attempt to review the Reservation Setup documentation within 15 calendar days of submission by the Administrator.
- e) If the Reservation Setup is incomplete, as defined in the Program Manual, it will be set back to "pending" status and funds will be released and available for other reservation requests. If the documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies in writing. **If any deficiencies remain uncured 15 calendar days after notification, the Department may cancel the reservation.** No extensions to Reservation Setups will be granted but the Administrator may resubmit the Reservation Setup, if funds are available.
- f) Once the Department approves the Reservation Setup, the Department will reserve up to the maximum of \$22,500 in Project Costs and an Administration Fee equal to 10% of the Project Costs in the Reservation System on behalf of the Household. The Department will notify the Administrator via an automated email of the completion of Stage 1 and instruct the Administrator to proceed to Stage 2.

Section 8. Reservation Stage 2 – Initial Inspection, Work Write-Up & Cost Estimate Review

- a) When the Department approves the Reservation Setup and sets it to “active” status in the Reservation System, Project Costs and the associated Administration Fee will be reserved for the Household for a period of **90 calendar days**. During this time, the Administrator must complete the initial inspection, “before” photos, work write-up and cost estimation forms and upload and submit all required documentation as described in the Program Manual.
- b) The Department will attempt to review the Stage 2 documentation within 15calendar days of submission by the Administrator.
- c) If documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies. **If any deficiencies remain uncured 15 calendar days after notification, the Department may cancel the reservation.**
- d) Once the Department completes its review and approves the Stage 2 submission, the Department will notify the Administrator via an automated email of the completion of Stage 2 and instruct the Administrator to proceed to Stage 3.

Section 9. Reservation Stage 3 – Construction Contract Bid Review

- a) Within **90 calendar days** of the Stage 2 approval, (described in section 8d), the Administrator must upload and submit the line item bid selected for contract award and other required documentation as described in the Program Manual.
- b) The Department will attempt to review the Stage 3 documentation within 15 calendar days of submission by the Administrator.
- c) If documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies. **If any deficiencies remain uncured 15 calendar days after notification, the Department may cancel the reservation.**
- d) Once the Department completes its review and approves the Stage 3 submission, the Department will notify the Administrator via an automated email of the completion of Stage 3 and instruct the Administrator to proceed with construction.

Section 10. Reservation Stage 4 – Draw Review

- a) The Administrator has **90 calendar days** from the Stage 3 approval (described in section 9d) to complete all construction activities and upload and submit both the Project Costs and Administration Fee draw requests. The Program Manual and the Reservation System User Guide outline preparing and uploading draw requests. If the Administrator fails to meet this deadline, the Reservation may be canceled.
- b) The Department may grant a one-time, 30-calendar-day extension to the Project completion deadline. The Department may grant an additional extension due to extenuating circumstances that are beyond the Administrator's control.