

NYS OPWDD Integrated Supportive Housing Term Sheet & Financing Guide

Program Description	
Goal	The OPWDD Integrated Supportive Housing (ISH) program aligns with New York State’s initiatives to increase the number of affordable/supportive housing units/opportunities statewide. This program encourages and supports the development of new housing opportunities for people with intellectual and/or developmental disabilities (I/DD) who can benefit from an independent, non-certified community integrated residential setting. The OPWDD ISH program support includes financial development support coupled with rental subsidies and OPWDD supportive services once in operation.
Eligible Uses	Funding awarded from OPWDD’s ISH Program is solely used for the purpose of creating newly constructed or rehabbed housing that will receive preferential tenancy for people with intellectual and/or developmental disabilities. ISH units are expected to be non-certified housing environments and, as such, no unit will be certified at the time of initial occupancy by a resident and only in very limited and specific circumstances thereafter.
Capital Appropriation	OPWDD is legislatively appropriated \$15 million in capital appropriations for State Fiscal Year 2022-2023 for the ISH program. OPWDD is not required to award the entirety of this funding in a single State Fiscal Year and reserves the right to disburse a lower amount of funding.
Application Cycle	OPWDD will conduct one application in State Fiscal Year 2022-2023 to award capital under the ISH program. Application cycles will be scheduled with consideration for deadlines for other public affordable housing financing streams (i.e., Financing from NYS Homes and Community Renewal (HCR) and NYC Dept of Housing Preservation and Development (HPD)).
Funding Calculation	<p>OPWDD ISH capital funding covers 50% of the development cost per unit for the units in the project receiving preferential tenancy for people with intellectual and/or developmental disabilities.</p> <p>Funding for ISH Requests is calculated using the following equation: $(\text{Cost Per Unit} \times 50\%) \times \# \text{ of ISH Units}$</p> <p>OPWDD reserves the right to establish a “reasonableness of request” clause for funding requests and to deny ISH funding requests that exceed the financing standards for the location of the project. OPWDD will only transfer the awarded ISH capital funding at the time of conversion to permanent financing.</p>
Affordability Requirements	
Affordability Requirements	Rents for ISH units shall be initially established at 50% of the Area Median Income (AMI) of the NYS County in which the project is located. Rents must also be set below the maximum allowable amount for the OPWDD Housing Subsidy of the NYS County in which the project is located.
Rent Increases	Any increases or adjustments to monthly rent amounts of the ISH units must be formally approved by OPWDD prior to implementation of the increase and automatic rent increases should not be assumed. The request must be put

	forward by OPWDD Service Provider involved in the project and should outline the initial rent amounts, the new rent amounts, and the justification for the increase. Any changes to the rent can only be implemented during the renewal of the lease period.
Income Limits	Income limits for the ISH units shall be established and approved by NYS HCR based on the AMI bands listed in the project's final underwriting figures. Potential OPWDD tenants who may earn income at a higher level than the approved maximum for the ISH units should be given the opportunity to apply for a unit with a higher income level, if available.
Housing Services Agency Requirements	
Eligible Applicants	Non-profit service providers who have been approved to provide supports and services to people with intellectual and/or developmental disabilities by NYS OPWDD are the only eligible applicants for the ISH Program. A project developer must partner with an OPWDD approved provider to access the funding.
Due Diligence Checks	OPWDD will also conduct due diligence checks on each potential applicant to ensure compliance in the following areas: <ul style="list-style-type: none"> • Division of Quality Improvement/Early Alert Reports • Consolidated Fiscal Reporting • Internal and External Fiscal and Programmatic Audits • Alignment with the OPWDD DDRO's policies, procedures and priorities regarding non-certified housing.
Prior Performance Clause	OPWDD reserves the right to establish a "Prior Performance Clause" in order to disqualify applicants who have committed one of the infractions in an ISH project: <ul style="list-style-type: none"> • Failing to adhere to the requirements and responsibilities established in the executed OPWDD Closing Documents associated with the project • Failing to assist people residing in the project with maintaining a successful tenancy • Failing to administer the OPWDD Housing Subsidy on a timely basis and/or not ensuring that people pay their portion of the monthly rental amounts • Requesting to be formally removed as the Housing Services Agency from an ISH project • Any other infraction(s) that are relevant.
Service Funding	The OPWDD Service Provider involved in the ISH project shall be primarily responsible for administering Housing Services within the project. Housing Services include: obtaining referrals for the OPWDD units, transmitting the OPWDD Housing Subsidy to the property owner, ensuring that the tenants of the OPWDD units pay their share of the rent, and assisting residents in the ISH units when they have issues that may affect their tenancy. Non-Housing Services are primarily funded through OPWDD's Medicaid Waiver Program. Residents in ISH units are free to select any eligible OPWDD Service Provider for these services and their tenancy in an ISH unit cannot be affected by choice of service provider. Both Housing Services and Non-Housing Services are provided at no cost to the project.

Developer Requirements	
Eligible Participants	<p>Developers participating in ISH projects must have prior experience in the following areas:</p> <ul style="list-style-type: none"> • Developing housing categorized as “affordable” • Developing housing that features a supportive services component for people with disabling conditions and/or life challenges • Successfully applying for Low Income Housing Tax Credits for a State or Municipal agency located within New York State
Prior Performance Clause	<p>OPWDD reserves the right to utilize feedback, whether positive or negative, received from other governmental agencies who have experience in working with the developer to assist with making funding decisions. OPWDD reserves the right to disqualify developers from funding who have had funding from a governmental agency removed due to poor performance on other projects</p>
Eligible Projects	
Site Requirements	<p>Prior to submitting an application for the ISH program, the developer and OPWDD Housing Services Provider must have a defined (i.e. specific address) site to develop the project on. At a minimum, the site must be located on or near a public transportation line, provide residents with easy access to their greater community (shopping, places of worship, employment opportunities), and have features that promote a positive “Walkability” score for the location (sidewalks, crosswalks for intersections, reasonable speed limits).</p> <p>All applicants must utilize the Home and Community Based Settings (HCBS) Toolkit (https://opwdd.ny.gov/providers/hcbs-settings-toolkit) to assess their proposed site against requirements for projects subject to Heightened Scrutiny Review established by the Centers for Medicare & Medicaid Services (CMS).</p>
Shovel Readiness	<p>ISH projects are expected to have the majority, if not all, of their state and local approvals in place to develop on their proposed site before requesting OPWDD funding. This includes, but is not limited to, local zoning approval, local community approval, economic feasibility, and environmental feasibility. OPWDD reserves the right to withdraw awards from projects that present a dishonest view of how ready their project is to develop or to projects that may need to alter the location of the original site listed in their ISH application.</p>
Accessibility Requirements	<p>ISH Projects must adhere to any requirements regarding accessible units, adaptable units, universal design features, and the Americans with Disabilities Act established by the state or municipal agency providing financing in the form of Low-Income Housing Tax Credits to the project.</p>
Additional Information	
Contact OPWDD’s Home and Community Living Unit for additional information	<p>To schedule a Technical Assistance call for your project, or to ask questions/obtain additional information, contact OPWDD by:</p> <p>Emailing us at: Housing.initiatives@opwdd.ny.gov</p> <p>Or calling: 518-473-1973</p>