

2021-2022 New York State Rental Supplement Program Plan

District: Livingston

Contact Person: Marsha Mitchell

Telephone: 585-243-7300

Email: mmitchell@co.livingston.ny.us

RSP Implementation Date: TBD

Indicate whether the program will be administered using district mechanisms (e.g., direct administration or transfer of funds to county agencies) or by another public agency, contractor or non-profit organization. Administration of the RSP may be delegated in full or in part. Also indicate whether districts will coordinate with the local HUD-funded Continuum of Care, if applicable.

RSP will be administered by LDSS staff. We will coordinate with our local CoC HMIS contact and create a program assistance category for Livingston to capture all demographic RSP data within HMIS.

Indicate the anticipated RSP supplement amount and the number of households expected to be served in the initial 12-month period. RSP supplement amounts are set at 85% of the local Fair Market Rent (FMR) values with a district option to pay up to 100% of FMR using local funds.

RSP Supplement Amount:

Average Supplement \$500 a month = \$6000 annually Please see charts on page 4 of application for more details regarding 2022 HUD FMR and 85% FMR maximum Calculations. The District is not opting to use local funds to pay 100% of the rental costs.

FY 2022 Fair Market Rent(FMR) HUD standards for Livingston County

Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
\$727	\$828	\$1039	\$1284	\$1409
1-2 persons	2-3 persons	3-5 persons	4-6 persons	5-8 persons

For each additional bedroom add 15% to the highest bedroom FMR
(ie 5 bedroom would be $1409 * 15\% = 211$; $1409 + 211 = 1620$ FMR for 5 Bedroom.)

Maximum Rental Subsidy (85% of FMR)

Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
\$ 618	\$704	\$883	\$1091	\$1198

Maximum subsidy for over 4 bedrooms is calculated based on formula above and then multiplying by 85%. Applicant's portion of the rental cost will be determined by calculating 30% of their monthly income.

Anticipated Number of Households to be Served: 25-30

Applicant's portion of the rental cost will be determined by calculating 30% of their monthly income.

Ex. Client rents a 1-bedroom apartment for \$700 a month. Client receives SSI income of \$890 monthly. $890 \times 30\% = \$267$ Client pays \$267 towards rent and RSP subsidizes the balance of \$433.

If there are more applicants than can be served, a waitlist will be created within HMIS. When funding becomes available, clients will be selected off the waitlist based on the date of application (oldest to newest). The District is hopeful to assist clients who are still housed to prevent homelessness. The District may use the local existing CE list to assist the Districts homeless clients that find housing to assist with rental payments and provide them with stable housing.

Describe the outreach mechanisms that will be used. Receipt of TA is not a requirement for determining eligibility for the RSP, but at least 50% of the supplements shall be allocated for households who are currently in shelter or experiencing homelessness (unless sufficient demand does not exist for such households within a district). Describe the application and determination process, including the length of time within which applications will be approved or denied. OTDA encourages districts/contractors to make decisions regarding applications within 30 days of the application date.

Target population will be individuals and families with no more than 50% of area median income at the time of application, with initial priority given to households that have no more than 30% of AMI residing within Livingston County who are at risk of becoming homeless or are currently Homeless.

"At risk of homelessness" can be defined as exhibiting one or more of the following factors:

- Have insufficient resources immediately available to attain or maintain housing stability;
- Have moved 2 or more times in the last 18 months because of low income;
- Are living in the home of another because of low income;
- Have been notified that their right to occupy their current housing or living situation will be terminated by eviction or no lease renewal by landlord;
- Live in a hotel or motel paid for by private means;
- Live in severely overcrowded housing (more than 2 persons per available bedroom);

"Homeless" has defined per the HUD Homelessness definition:

- Are literally homeless in an uninhabitable situation such as vehicle, tent, abandoned building etc;
- Are in an overnight shelter or motel not intended for long term occupancy;
- Must vacate current place of habitation due to eviction and have no resources to obtain other permanent housing.

Local Community partners will be advised of the new Rental Assistance Program available to District residents. Program information will be posted on the County Website, as well as social media. Clients that present to the LDSS with a housing need will be screened for income. They will be offered the ability to complete the RSP Application and be screened for the program.

- 1) Applications will be accepted on a first come first served basis, or from the local CE list for homeless persons that have found housing and need assistance in paying the entire rental amount. Applicants will be individuals and families with no more than 50% of area median income at the time of application, with initial priority given to households that have no more than 30% of AMI residing within Livingston County who are at risk of becoming homeless or are currently Homeless.
- 2) All applicants will be encouraged to apply for HEAP/SNAP/MA to further assist them in meeting their immediate needs.
- 3) Accepted applicants will be required to verify their living and financial circumstance every 6 months. They will also be required to notice the department within 10 days of an income change, change in HH composition, or of intent to move to another location.
- 4) In order for a move to continue to be supplemented the client will need to demonstrate continued eligibility, that the move is not more costly for the client, and that the unit is still within the District. A higher rental cost with no increase in income would not be considered an affordable move and subsidy would be reassessed.
- 5) Applicants who move out of district will be eligible for only 1st month rent subsidy in new location.
- 6) Documents required will be:
 - Valid current ID
 - Proof of income for household
 - RSP application
 - Housing Questionnaire
 - Shelter verification or lease
 - RSP Agreement
 - Proof of any existing rental contributions
 - Vendor information for LL for payments
 - Landlord attestation that the rental unit has no health or safety hazards
- 7) Release of information will be obtained to verify no other rental subsidy programs have been accessed by the applicant.
- 8) Program Eligibility Determinations will be made within 30 days of application date.

Describe the forms and/or notices that will be used to facilitate the application and determination process. When households requesting a supplement do not meet the criteria established by the district, the denial/discontinuance letter must support the decision by explaining the criteria and the district's decision that the household does not meet such criteria. When a supplement is approved, an award letter must be provided to both the tenant and landlord and must detail the amount approved to be paid on a monthly basis and the months/term included.

The Livingston County Case Action/Determination Letter will be used as the notification for all outcomes of the case and will also be copied to the Landlord. See attached Application, Client

Rights and Responsibilities, Questionnaire, and Case processing checklist. Please see attachments.

Indicate the anticipated target population, including prioritization of certain households (e.g., those with children under the age of six, single individuals, veterans, individuals and families experiencing domestic violence (DV) and non-DV victims of violence). Eligible participants include individuals and/or families, regardless of immigration status, who are experiencing homelessness or facing an imminent loss of housing, including individuals and families with or without children.

Applications will be accepted for individuals and families with no more than 50% of area median income at the time of application, with initial priority given to households that have no more than 30% of AMI residing within Livingston County who are at risk of becoming homeless or are currently Homeless.

Indicate how the following eligibility standards will be met:

- **Households must earn no more than 50% of area median income (AMI) at the time of application (using current monthly income for the household and excluding earned income of a minor child; adoption/foster care payments; one-time loans, gifts, lump sum payments or other non-recurring income; and childcare subsidy payments) based on location and household size, with initial priority given to households who have no more than 30% of AMI;**
- **A household's financial contribution will be limited to 30% of their households' total earned and/or unearned income; and**
- **Supplements will be provided until the household's income is able to sustain the calculation of 30% of income goes towards their monthly rent. At that time the housing will be considered affordable for the individual/family and the supplement will end.**

The following will be used to assist in determining eligibility:

FY 2022 AMI per HUD Standards for the Rochester Metro area that encompasses Livingston County

Median Income	Family size	1	2	3	4	5	6	7	8
\$91,500	30%	\$18,850	21,550	24,250	27,750	32,470	37,190	41,910	46,630
Monthly Avg income	30%	\$1571	\$1796	\$2021	\$2313	\$2706	\$3099	\$3493	\$3886
	Max % of income for rent	\$471	\$539	\$606	\$694	\$812	\$930	\$1048	\$1166
	50%	\$31,400	35,900	40,400	44,850	48,450	52,050	55,650	59,250

Monthly Avg income	50%	\$2617	\$2992	\$3367	\$3738	\$4038	\$4338	\$4638	\$4938
	Max % of income for rent	\$785	\$898	\$1010	\$1121	\$1211	\$1301	\$1391	\$1481

FY 2022 Fair Market Rent(FMR) HUD standards for Livingston County

Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
\$727	\$828	\$1039	\$1284	\$1409

For each additional bedroom add 15% to the highest bedroom FMR
(ie 5 bedroom would be $1409 * 15\% = 211$; $1409 + 211 = 1620$ FMR for 5 Bedroom.)

Maximum Rental Subsidy (85% of FMR)

Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
\$ 618	\$704	\$883	\$1091	\$1198

Maximum subsidy for over 4 bedrooms is calculated based on formula above and then multiplying by 85%. Applicant's portion of the rental cost will be determined by calculating 30% of their monthly income.

List any other established eligibility criteria and indicate how each criterion will be determined and documented. Include the following:

- **Will leases be required of all tenants?**

If available, but minimally a statement from the Landlord that the applicant is renting from them, cost of the rental unit and that the applicant can continue to rent from them, and under what terms the client may continue to rent from them.

- **How will the district/contractor ensure that the rental costs are legitimate and the responsibility of the recipient if a lease is not required?**

See above eligibility standards.

- **Will there be any health and safety standards regarding the housing that must be met prior to paying the supplement at a specific location?**

Landlord attestation that the rental unit is free of any safety hazards

- **How will the district handle modifications (e.g., moves, rent increases, changes in household composition, etc.)?**

Applicant is to provide notice within 10 days of Household composition changes, and any change in income. The District will note the changes, and rental subsidy or tenant portion of the rent will be redetermined within 20 days of the notice provided. A Letter of Case Action/Determination will

be sent to the client noticing them of the change or no change. Applicant and/or Landlord will be required to also report if applicant is unable to pay their portion of the rent, and why they are unable to pay.

- **What standards will be followed in determining whether supplementation will continue following a move?**

LDSS will pay the 1st month's rent if a client moves to another county, otherwise all eligibility criteria will be utilized to ensure the new rental unit is within the parameters of affordability and not over 30% of the client's income.

- **Will the district/contractor require the recipient household to report changes related to the supplement within a set timeframe as a condition of continued eligibility for the supplement?**

Every 6 months for a recertification of income and Household composition; and client to report any changes in household income or composition within 10 days of the change. The District will note the changes, and rental subsidy or tenant portion of the rent will be redetermined within 20 days of the notice provided. A Letter of Case Action/Determination will be sent to the client noticing them of the change or no change.

- **How will contributions towards rental costs from individuals outside the household be verified and what standards will be applied in determining whether such contributions can be sustained in the future?**

Only client's household income will be considered at application. Clients will also be referred to Section 8 for application and information on eligibility requirements for that program as a potential long-term resource of assistance.

Indicate the length of time the supplement will be offered to households (e.g., three months, six months, indefinitely, etc.) and whether there is a recertification process for the supplement.

Subsidy can continue until the income reaches a level where rent is 30% or less of the client's total income, or another long-term subsidy has been approved for the client, or until there is no more funding for the subsidy. Clients will be required to recertify every 6 months. The rental subsidy can continue until the rent would be considered affordable when the amount is 30% or less of the household's total income. During the recertification clients will be counseled on ways to increase their wages and/or finding housing they are able to maintain without additional subsidy based on their income. Information for Workforce Development and Dept of Labor will be provided to RSP applicants.

Indicate the payment mechanism (e.g., check, transfer of funds, etc.) and whether the supplement will be paid to the tenant or the landlord.

Supplement will be paid directly to the unit Landlord via direct check from LDSS.

Indicate how fraudulent and/or cases determined to otherwise be ineligible will be handled, including the procedure for recouping funds, if necessary.

Rental Subsidy will be terminated for the following:

- Failure to recertify and provide requested income and Landlord documentation/ verification.
- Failure of applicant to pay their portion of the rent
- Moves out of county, or to a location that is larger than what is needed for the family size per HUD standards (2 heartbeats per bedroom)
- There is no more subsidy available

Fraud – if an Applicant is found to have provided inaccurate income information, and they are over the program income limits, rental subsidy will be terminated, a request for reimbursement from the applicant will be made, and a referral to the appropriate law enforcement agency will be made if the amount of subsidy provided was greater than \$1000.

Upon learning of the overpayment, the Department will send out written notice within 7 business days to the client explaining the overpayment of subsidy. The letter will ask the client to voluntarily contact the Department within 14 days of receipt of the notice to set up a repayment schedule based on household expenses and income. In the event the client does not contact the Department within 14 days of receipt, the Department will continue to send out numbered notices (ie "2nd Notice") every 30 days in an effort to mitigate the situation. A provision will be contained in the notices indicating that further legal action may be taken if a payment arrangement continues unable to be executed and depending on the total amount of funds dispersed.

Describe how the district/contractor will ensure that households do not receive duplicate benefits from other sources that may assist with paying future rent/ongoing rental supplements.

Release of information will be obtained to verify no other local / state rental subsidy programs have been accessed by the applicant. ERAP data cross reference will be utilized to further ensure there has been no duplicative benefits issued for the client/LL/address given. HMIS system will also be reviewed.

Indicate how client records will be maintained (e.g., paper file cabinets, electronic records, or a combination of both) and whether any specific software or system will be used. Notifications regarding eligibility determinations (e.g., approvals, denials and discontinuances) must be maintained in the case record for a minimum of six years following submission of the final expenditure report.

Cases will be identified by the RSP prefix attached to numeric order in which the applications are received. (ie Case # RSP001) Client demographics will be added to HMIS/AWARDS under Housing Assistance Programs. All case related documents will be kept within OnBase which is Livingston County's electronic document repository, this will include all case notes.

RSP Spreadsheet will be maintained with client information with a unique tracking number(case number), approved payments information, LL information.

Indicate how the progress of those served in the RSP will be monitored. Reports that describe the progress of RSP activities and those served will be required on at least a quarterly basis. A report template will be provided. Minimally, reports must include the amount of rental supplement payments provided, the number of households served and certain demographic information including receipt of TA and household composition.

LDSS will utilize the data collection report template provided by OTDA and will submit the information requested quarterly to the identified contact at OTDA.

RSP Spreadsheet will be maintained with client information with a unique tracking number, approved payments information, LL information.
Reports specific to Livingston will also be built through HMIS for program data.

To the fullest extent possible, RSP funding should not be used to supplement existing Shelter Supplement Programs. Districts who currently have an approved Shelter Supplement Plan must indicate the following:

- **How the RSP will be different from their current approved Shelter Supplement Plan**
- **The process established to ensure funds are not duplicated**
- **How participating households will be distinguished**

Livingston does not have an existing Shelter Supplement Program.