


**DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR**

ACTION REFERRAL

TO <i>Myers/Waldrop</i>	DATE <i>9-14-09</i>
----------------------------	------------------------

DIRECTOR'S USE ONLY		ACTION REQUESTED	
1. LOG NUMBER <i>000129</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____		
2. DATE SIGNED BY DIRECTOR <i>E-mail response attached.</i> 	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input type="checkbox"/> FOIA DATE DUE _____ <input checked="" type="checkbox"/> Necessary Action		

APPROVALS <small>(Only when prepared for director's signature)</small>	APPROVE	* DISAPPROVE <small>(Note reason for disapproval and return to preparer.)</small>	COMMENT
1.			
2.			
3.			
4.			



FM?

U. S. Department of Housing and Urban Development

Columbia Field Office
Strom Thurmond Federal Building
1835 Assembly Street
Columbia, South Carolina 29201-2480
www.hud.gov

September 11, 2009

RECEIVED

Ms. Emma Forkner
Director

SEP 14 2009

SC Department of Health & Human Services
1801 Main Street, P. O. Box 8206
Columbia, South Carolina 29202-8206

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Dear Ms. Forkner:

The purpose of this letter is to request your assistance, once again, in reviewing supportive services plans from applications for funding under the Section 811 Program of Supportive Housing for Persons with Disabilities. This program was authorized by the National Affordable Housing Act of 1990 and provides funding in the form of capital advances to nonprofit organizations (Sponsors) to construct, rehabilitate or acquire (with or without rehabilitation) housing for persons with disabilities. The capital advance does not have to be repaid as long as the housing remains available for very low-income persons with disabilities for at least 40 years. Project rental assistance funds are also provided to cover the HUD-approved operating costs of the housing with the exception of the cost of any necessary supportive services for the residents. Residents are required to pay no more than 30 percent of their adjusted incomes for rent.

On September 1, 2009, HUD published in the Federal Register a Notice of Funding Availability for the Section 811 Program as part of a Notice of Funding Availability (NOFA) for HUD's Discretionary Programs. You may download a copy from www.hud.gov/offices/adm/grants/fundsavail.cfm. The application deadline date is November 16, 2009. Nationwide, HUD has \$90.6 million in capital advance funds available which will facilitate the development of approximately 709 housing units for persons with disabilities.

The supportive services plan and the Sponsor's description of its experience in providing housing or related services to the intended population are key parts of a Section 811 application. HUD recognizes that housing without necessary supportive services may not be sufficient to enable many persons with disabilities to live independently in the community. Since HUD cannot pay for supportive services, it will not select an applicant for a Section 811 capital advance unless the provision of supportive services described in the supportive services plan is well designed to serve the needs of the proposed residents and there is evidence that any necessary supportive services will be provided on a consistent, long-term basis to ensure the continued viability of the housing project. It should be noted, however, that accepting the supportive services that are offered in conjunction with the housing cannot be a condition of occupancy.

HUD's mission is to increase homeownership, support community development and increase access to affordable housing free from discrimination

We again are requesting your assistance in reviewing the supportive services plans from Sponsors proposing to serve persons with Developmental Disabilities because of your agency's knowledge and expertise in the provision of supportive services to this population. In order to be approved for funding, Sponsors are required by law to have a certification from the "appropriate State or local agency" indicating that the provision of the services identified in the supportive services plan is well designed to meet the special needs of the proposed residents. Enclosed is a copy of the Certification for Provision of Supportive Services, HUD form 92043, which is an evaluation, designed to assist the reviewer.

Please note that, in addition to the statutory requirement for a determination as to whether or not the provision of services is well designed, we have included space for the reviewer to indicate whether the proposed project is consistent/inconsistent with State or local plans and policies addressing the housing needs of people with disabilities. For example, if the proposed project will be a group home for four adults with developmental disabilities but the State will only provide supportive services funding for three persons in a group home, the reviewer would check the "Inconsistent" box. This additional indication will help assure us that Sponsors who are receiving funding or referrals through a particular agency, or their projects will be licensed by that agency, are proposing projects that are sanctioned by that agency. There is also space for the reviewer to indicate whether or not the necessary supportive services will be provided on a consistent, long-term basis as well as whether the provision of supportive services will enhance the independent living success and promote the dignity of those who will access the proposed project.

HUD will not review the supportive services plan of Sponsor's applications and, consequently, there will be no points assigned to the plan. Instead, the supportive services plan and the Certification are threshold requirements which means that if the application does not include them and, after being notified by the HUD Office, the Sponsor does not provide the missing information within 14 days, the application is rejected. Furthermore, if the agency completing the Certification indicates any of the following, the application will be rejected:

- 1) the provision of supportive services is **not** well designed to serve the individual needs of persons with disabilities the housing is expected to serve;
- 2) the provision of supportive services will **not** enhance the independent living success or promote the dignity of those who will access the proposed project;
- 3) the necessary supportive services will **not** be provided on a consistent, long-term basis; or
- 4) the proposed housing is **inconsistent** with State or local plans and policies addressing the housing needs of people with disabilities; (if the agency will be a major funding or referral source for or license the proposed project).

Unless we are informed otherwise, we assume that your agency is the appropriate agency to review the supportive services plans of applications from Sponsors proposing to develop housing for persons with Developmental Disabilities and to complete the Certification and we will be informing applicants interested in submitting a Section 811 application for persons with Developmental Disabilities that they are to send one copy of their application including the supportive services plan to your agency for review and completion of the Supportive Services Certification.

We are having an orientation workshop for prospective Sponsors on **October 7, 2009, Strom Thurmond Federal Building, Room 166, 1835 Assembly Street, Columbia, South Carolina** and would like you or your representative to attend in order to receive more detailed information on the Section 811 Program and to be available to help answer any questions on the provision of supportive services to persons with Developmental Disabilities. If you or a representative will be attending, please call **Cloretta Middleton at (803) 253-3245** to confirm.

If your agency is not the appropriate agency for Sponsors proposing to serve persons with Developmental Disabilities to send a copy of their applications for review, please direct us to the appropriate agency as soon as possible.

Thank you for your time and attention to this important effort. We look forward to hearing from you soon.

Sincerely,



Glenda L. Fesperman
Supervisory Project Manager
Columbia Multifamily Program Center

Enclosures

**CERTIFICATION FOR
PROVISION OF
SUPPORTIVE SERVICES
(Section 811 Only)**

**U.S. Department of Housing
and Urban Development**
Office of Housing
Federal Housing Commissioner

OMB Approval No. 2502-0462
(exp. 7/31/2010)

Public reporting burden for this collection of information is estimated to average .40 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This collection of information is required for HUD's Supportive Housing for Persons with Disabilities under Section 811. The information is necessary to assist HUD in determining applicant eligibility and ability to develop housing for persons with disabilities within statutory and program criteria. A thorough evaluation of an applicant's qualifications and capabilities is critical to protect the Government's financial interest and to mitigate any possibility of fraud, waste, or mismanagement of public funds. This collection of information does not collect any sensitive information. HUD does not ensure confidentiality.

The undersigned certifies that this Agency has reviewed the Sponsor's supportive services plan and finds that:

1. The provision of supportive services is:

☐ Well designed ☐ Not well designed

to serve the individual needs of persons with disabilities the housing is expected to serve.

2. The provision of supportive services will enhance independent living success and promote the dignity of those who will access the proposed project.

☐ Will enhance ☐ Will not enhance

3. The supportive services will be available on a consistent, long-term basis.

☐ Yes ☐ No

4. The proposed housing is:

☐ Consistent ☐ Inconsistent

with State or local plans and policies addressing the housing needs of people with disabilities.

Sponsor _____

Project Location _____

(Print Name of Authorized Official)

(Signature) (Date)

(Title)

(Agency Name)

Log #129 ✓

From: Sam waldrep
To: George Maky
Date: 9/15/2009 4:05 PM
Subject: Re: log 129 - HUD

CC: Richard Kluender
Yes, sorry, I skimmed it and missed that. Richard- Please reassign to maria Patton with copies to Susie and Mavis.

Note to Maria- Please see if this is appropriate for CLTC since they are targeting NH transitions.

>>> George Maky 9/15/2009 4:00 PM >>>

Re: Log letter from HUD to be sponsoring agency to review 'supportive service plans', with your note to call and indicate we aren't the appropriate agency to approve these plans

Sam,

It appears to be a program that would help those we were targeting in the former NF transition grant which has now been rolled into the Community Choices waiver. Should we route this to Roy's area since it involves HUD housing assistance funds?

9/29/09

Richard,

I contacted Ms. Thompson at
HUD. she advised no response
was needed to her letter. It was
for information and while it was
not necessary, the agency could send
a representative to the HUD
meeting if we wanted more information
about the Section 811 Program's
supportive housing for people with
disabilities. Should an applicant
for this program apply to target
people with physical disabilities,
HUDS would be sent the supportive
services form and could forward
it to a more appropriate agency. I
feared that would provide details
for the particular physical disability
and example could tell persons who are
deaf and the form could be sent to the above
for the Hearing and Blind.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Meyers/Waldman</i>	DATE <i>9-14-09</i>
-----------------------------	------------------------

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>001129</i>	<input type="checkbox"/> I Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR _____	<input type="checkbox"/> I Prepare reply for appropriate signature DATE DUE _____
	<input type="checkbox"/> I FOIA DATE DUE _____
	<input checked="" type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			



U. S. Department of Housing and Urban Development

Columbia Field Office
Strom Thurmond Federal Building
1835 Assembly Street
Columbia, South Carolina 29201-2480
www.hud.gov

September 11, 2009

RECEIVED

Ms. Emma Forkner
Director

SEP 14 2009

SC Department of Health & Human Services
1801 Main Street, P. O. Box 8206
Columbia, South Carolina 29202-8206

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Dear Ms. Forkner:

The purpose of this letter is to request your assistance, once again, in reviewing supportive services plans from applications for funding under the Section 811 Program of Supportive Housing for Persons with Disabilities. This program was authorized by the National Affordable Housing Act of 1990 and provides funding in the form of capital advances to nonprofit organizations (Sponsors) to construct, rehabilitate or acquire (with or without rehabilitation) housing for persons with disabilities. The capital advance does not have to be repaid as long as the housing remains available for very low-income persons with disabilities for at least 40 years. Project rental assistance funds are also provided to cover the HUD-approved operating costs of the housing with the exception of the cost of any necessary supportive services for the residents. Residents are required to pay no more than 30 percent of their adjusted incomes for rent.

On September 1, 2009, HUD published in the Federal Register a Notice of Funding Availability for the Section 811 Program as part of a Notice of Funding Availability (NOFA) for HUD's Discretionary Programs. You may download a copy from www.hud.gov/offices/adm/grants/fundsavail.cfm. The application deadline date is November 16, 2009. Nationwide, HUD has \$90.6 million in capital advance funds available which will facilitate the development of approximately 709 housing units for persons with disabilities.

The supportive services plan and the Sponsor's description of its experience in providing housing or related services to the intended population are key parts of a Section 811 application. HUD recognizes that housing without necessary supportive services may not be sufficient to enable many persons with disabilities to live independently in the community. Since HUD cannot pay for supportive services, it will not select an applicant for a Section 811 capital advance unless the provision of supportive services described in the supportive services plan is well designed to serve the needs of the proposed residents and there is evidence that any necessary supportive services will be provided on a consistent, long-term basis to ensure the continued viability of the housing project. It should be noted, however, that accepting the supportive services that are offered in conjunction with the housing cannot be a condition of occupancy.

HUD's mission is to increase homeownership, support community development and increase access to affordable housing free from discrimination

We again are requesting your assistance in reviewing the supportive services plans from Sponsors proposing to serve persons with Developmental Disabilities because of your agency's knowledge and expertise in the provision of supportive services to this population. In order to be approved for funding, Sponsors are required by law to have a certification from the "appropriate State or local agency" indicating that the provision of the services identified in the supportive services plan is well designed to meet the special needs of the proposed residents. Enclosed is a copy of the Certification for Provision of Supportive Services, HUD form 92043, which is an evaluation, designed to assist the reviewer.

Please note that, in addition to the statutory requirement for a determination as to whether or not the provision of services is well designed, we have included space for the reviewer to indicate whether the proposed project is consistent/inconsistent with State or local plans and policies addressing the housing needs of people with disabilities. For example, if the proposed project will be a group home for four adults with developmental disabilities but the State will only provide supportive services funding for three persons in a group home, the reviewer would check the "Inconsistent" box. This additional indication will help assure us that Sponsors who are receiving funding or referrals through a particular agency, or their projects will be licensed by that agency, are proposing projects that are sanctioned by that agency. There is also space for the reviewer to indicate whether or not the necessary supportive services will be provided on a consistent, long-term basis as well as whether the provision of supportive services will enhance the independent living success and promote the dignity of those who will access the proposed project.

HUD will not review the supportive services plan of Sponsor's applications and, consequently, there will be no points assigned to the plan. Instead, the supportive services plan and the Certification are threshold requirements which means that if the application does not include them and, after being notified by the HUD Office, the Sponsor does not provide the missing information within 14 days, the application is rejected. Furthermore, if the agency completing the Certification indicates any of the following, the application will be rejected:

- 1) the provision of supportive services is **not** well designed to serve the individual needs of persons with disabilities the housing is expected to serve;
- 2) the provision of supportive services will **not** enhance the independent living success or promote the dignity of those who will access the proposed project;
- 3) the necessary supportive services will **not** be provided on a consistent, long-term basis; or
- 4) the proposed housing is **inconsistent** with State or local plans and policies addressing the housing needs of people with disabilities; (if the agency will be a major funding or referral source for or license the proposed project).

Unless we are informed otherwise, we assume that your agency is the appropriate agency to review the supportive services plans of applications from Sponsors proposing to develop housing for persons with Developmental Disabilities and to complete the Certification and we will be informing applicants interested in submitting a Section 811 application for persons with Developmental Disabilities that they are to send one copy of their application including the supportive services plan to your agency for review and completion of the Supportive Services Certification.

We are having an orientation workshop for prospective Sponsors on **October 7, 2009, Strom Thurmond Federal Building, Room 166, 1835 Assembly Street, Columbia, South Carolina** and would like you or your representative to attend in order to receive more detailed information on the Section 811 Program and to be available to help answer any questions on the provision of supportive services to persons with Developmental Disabilities. If you or a representative will be attending, please call **Cloretta Middleton at (803) 253-3245** to confirm.

If your agency is not the appropriate agency for Sponsors proposing to serve persons with Developmental Disabilities to send a copy of their applications for review, please direct us to the appropriate agency as soon as possible.

Thank you for your time and attention to this important effort. We look forward to hearing from you soon.

Sincerely,



Glenda L. Fesperman
Supervisory Project Manager
Columbia Multifamily Program Center

Enclosures

**CERTIFICATION FOR
PROVISION OF
SUPPORTIVE SERVICES
(Section 811 Only)**

**U.S. Department of Housing
and Urban Development**
Office of Housing
Federal Housing Commissioner

OMB Approval No. 2502-0462
(exp. 7/31/2010)

Public reporting burden for this collection of information is estimated to average .40 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This collection of information is required for HUD's Supportive Housing for Persons with Disabilities under Section 811. The information is necessary to assist HUD in determining applicant eligibility and ability to develop housing for persons with disabilities within statutory and program criteria. A thorough evaluation of an applicant's qualifications and capabilities is critical to protect the Government's financial interest and to mitigate any possibility of fraud, waste, or mismanagement of public funds. This collection of information does not collect any sensitive information. HUD does not ensure confidentiality.

The undersigned certifies that this Agency has reviewed the Sponsor's supportive services plan and finds that:

1. The provision of supportive services is:

☐ Well designed

☐ Not well designed

to serve the individual needs of persons with disabilities the housing is expected to serve.

2. The provision of supportive services will enhance independent living success and promote the dignity of those who will access the proposed project.

☐ Will enhance

☐ Will not enhance

3. The supportive services will be available on a consistent, long-term basis.

☐ Yes

☐ No

4. The proposed housing is:

☐ Consistent

☐ Inconsistent

with State or local plans and policies addressing the housing needs of people with disabilities.

Sponsor _____

Project Location _____

(Print Name of Authorized Official)

(Signature) _____ (Date)

(Title)

(Agency Name)