BUILDING FUTURES

Creating More Family Supportive Housing in New York City

Enterprise

the Network
Supportive Housing Network of NY

CSH

ACKNOWLEDGEMENTS

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Enterprise Community Partners, Inc.

Enterprise is a leading provider of the development capital and expertise it takes to create decent, affordable homes and rebuild communities. For 30 years, Enterprise has introduced neighborhood solutions through public-private partnerships with financial institutions, governments, community organizations and others that share our vision. Enterprise has raised and invested more than $11.5 billion in equity, grants and loans to help build or preserve nearly 300,000 affordable rental and for-sale homes to create vital communities. Since opening our New York office in 1987, Enterprise has created more than 35,000 affordable homes for 116,000 New Yorkers, and has committed nearly $2.3 billion in equity, grants, and loans to community development projects across the city.

The Supportive Housing Network of New York

The Supportive Housing Network of New York represents more than 200 nonprofit organizations that have created over 45,000 units of supportive housing across New York State. Permanent, affordable housing linked to services, supportive housing helps formerly homeless and other very low-income individuals and families with special needs to gain independence and live healthy, fulfilling lives in the community. The Network uses advocacy, training, technical assistance, public education, research and policy analysis to: increase key stakeholders' understanding of supportive housing; share best practices that continually improve supportive housing's effectiveness; and, most importantly, encourage the creation of enough supportive housing to end homelessness among the most vulnerable New Yorkers.

Corporation for Supportive Housing

For over 20 years, CSH has led the national supportive housing movement. We help communities throughout the country transform how they address homelessness and improve people's lives. CSH develops innovative program models, provides research-backed tools and training, offers development expertise, and collaborates on public policy and systems reform. And, CSH is a certified community development financial institution (CDFI). We make it easier to create and operate high-quality affordable housing linked to services. To date, CSH has made over $300 million in loans and grants, and has been a catalyst for over 150,000 units of supportive housing nationally. CSH has committed over $92 million in loans and grants and has facilitated the development or rehabilitation of close to 20,000 units of supportive housing in New York State.

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We are extremely grateful to all the Family Forum attendees for their important contributions to the conversation on creating more supportive housing for families in New York City. This paper is the product of their thoughtful input over the course of the series. A full list of event participants is included in Appendix C.

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**Please note that all attendee affiliations are those represented at the time of the event.*

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INTRODUCTION

I. INTRODUCTION

Family homelessness in New York City is predominantly an economic phenomenon – an increase in household income and/or a rent subsidy is enough to keep most homeless families stably housed. But a significant subset of homeless families – those experiencing mental illness, substance abuse, chronic medical conditions or other barriers to independence – would greatly increase their chances for success if provided the on-site services and supports offered in supportive housing.

With this in mind, the City and State agreed in 2005 to develop 1,150 new units of supportive housing for chronically homeless families over ten years, as part of the New York/New York III Agreement (NY/NY III). Despite this commitment, a number of factors have conspired to limit development to 279 units at the seven-year mark of the agreement.

To address this lag in development, Enterprise Community Partners, Inc. (Enterprise), the Supportive Housing Network of New York (the Network), and the Corporation for Supportive Housing (CSH) organized a series of panel and roundtable discussions in 2011 to identify barriers to building supportive housing for families in New York City, and to spur the field to find and implement solutions. Three "Family Forum" events were held over the course of the year, focusing on both the policy and financial actions needed to address the issue. The conversations drew representatives from across the supportive housing and community development field, including representatives from government agencies, nonprofit and private developers, lawyers, consultants, architects, and key players in the financial industry. See Appendix C for a complete list of attendees.

This brief, entitled Building Futures, reviews the key issues discussed at these events. It highlights notable development challenges and promising opportunities to build supportive housing for homeless families. Building Futures begins with a discussion of financing options for developing family supportive housing, using existing City, State and Federal resources. The paper then reviews ideas suggested by participants for reducing underwriting barriers. It concludes with a brief summary of other challenges the supportive housing community must overcome to develop enough family supportive housing to address the need.

In June of 2012, the City announced that it would double annual production of supportive housing, from 500 to 1,000 units per year. Also in 2012, New York State substantially increased funding for supportive housing for high-cost Medicaid recipients. Both of these initiatives are expected to provide additional new resources that could be used to fund development of supportive housing for families, making the suggestions by the forum participants included in this brief all the more timely.

Lower East Side Service Center's Diversity Works in the Bronx: 42 units of housing for predominantly formerly homeless families as well as some low-income families and four low-income singles.

BACKGROUND

II. BACKGROUND

The New York City Department of Homeless Services (DHS) shelters approximately 42,000 homeless people on any given night, and nearly 113,000 distinct individuals over the course of a year. Most are members of families: as of June 2012, persons in households of two or more people made up 79% of the total homeless population.[1] This includes 40,000 different children who will sleep in the New York City shelter system over the course of a year.[2] During the past 30 years, the number of homeless families living in City-funded homeless shelters has risen from under 2,000 in 1983 to over 10,000 today, not counting those families living in privately funded shelters, domestic violence shelters, and unstable housing situations.[3]

The City has had success re-housing homeless families using federal Section 8 Housing Choice Voucher rent subsidies, with one study finding that approximately 80% of families provided with only a Section 8 voucher remained stably housed after five years.[4] After the City redirected scarce Section 8 vouchers to other populations, the NYC Department of Homeless Services created more modest time-limited rent subsidy programs, which were eliminated in 2011.

Yet a significant subset of homeless families – an estimated 10-20%[5] – requires additional services and supports beyond just a rental subsidy to remain stably housed. Families with disabled or otherwise impaired heads of households often cycle repeatedly through shelters, correctional facilities, hospitals and foster care, at great public cost.

Lack of support service subsidy, however, originally posed a near-insurmountable obstacle to development. The only service subsidy available for families was created in 2003 – the Supported Housing for Families and Young Adults (SHFYA) Program funded by the NYS Office of Temporary and Disability Assistance (OTDA) – which has been under threat of extinction during virtually every year of its existence. As a result, only 2,100 (7%) of New York City's total 29,500 supportive housing units are designated for families, with the remainder serving single adults.[6]

The NY/NY III Agreement was the first initiative that simultaneously committed all three funding streams – capital, service and operating funds – for family supportive housing. Yet seven years into the NY/NY III Agreement's ten-year term, only 279 (24%) of the planned 1,150 family units have been built.[7] By contrast, 2,164 (42%) of the NY/NY III congregate units for individuals have been built in this timeframe.

A number of factors have caused this lag in development. The agreement did not clearly enunciate which agencies, under what programs, were expected to allocate capital financing for the 1,150 units. Substantial cuts to federal housing dollars, combined with State and City budget constraints, have led to additional delays in the City's overall affordable housing development pipeline.

Families with disabled or otherwise impaired heads of households often cycle repeatedly through shelters, correctional facilities, hospitals and foster care, at great public cost.

There has also been a lack of research on the success and cost-effectiveness of family supportive housing. Over the past decade a tremendous amount of research has been done to demonstrate that supportive housing is a successful, cost-effective tool to ending homelessness. However the majority of research has been focused on homeless and disabled individuals, and none of it has attempted to capture the more complicated, long-term savings associated with ending the cycle of family homelessness. The true 'payback' of rescuing high-risk families is spread across multiple systems and over decades. Although this paper focuses on overcoming development barriers to implement the physical creation of family supportive housing, in order to stimulate large-scale funding in the future a full accounting of the true cost savings generated by family supportive housing will be critical.

FINANCING

III. FINANCING THE CAPITAL DEVELOPMENT OF FAMILY SUPPORTIVE HOUSING

Against this background, experts and stakeholders at the Family Forum events convened by the Network, CSH and Enterprise found that development barriers fell into two categories: a lack of dedicated capital dollars identified for family supportive housing, and a need for new financing models that could facilitate access to new sources of funding.

1. Insufficient Capital Subsidy for Family Supportive Housing

The primary obstacle in the development of family supportive housing, one that was raised repeatedly by multiple parties during the event series, is the lack of sufficient and devoted capital subsidy specifically for family supportive housing. Forum participants praised New York City's Department of Housing Preservation and Development (HPD)'s Supportive Housing Loan Program (SHLP) and New York State's Office of Temporary and Disability Assistance (OTDA) Homeless Housing and Assistance Program (HHAP), the traditional "go-to" sources for supportive housing capital. However, both programs have been constrained by funding limitations and the competing priority to fund supportive studio apartments for chronically homeless individuals. Additionally, New York State Homes and Community Renewal (HCR)'s capital programs, as distributed under the Unified Funding Round, can also be used to provide capital funding for family supportive housing, but are not designated specifically for families or supportive housing.

These programs are valued for having open application cycles (HPD and OTDA), coordinated tax credit application processes (HCR and HPD), no hard debt requirements (HPD, OTDA and HCR), and supportive housing industry expertise and underwriting flexibility of their respective program staff (HPD, OTDA and HCR – see Appendix A for more information on these capital subsidies). Yet all three of these agencies and programs serve a wide range of affordable housing needs, and in the face of competing demands, family supportive housing has received only minimal funding from these capital sources.

Potential Solutions:

- **Create a dedicated capital source for funding supportive housing for families.**

  Although HPD has recently indicated that they will now fund at least one family supportive housing project per year through their SHLP program, a more abundant dedicated source or sources would immediately and dramatically increase opportunities to develop such projects. This dedicated source could be managed at the City or the State level, and would need to include the institutional knowledge and influence within its agency necessary to enable developers to assemble the other financing sources they need to complete a project's funding package, including tax credits and other subsidized and un-subsidized debt.

- **Establish a legislative or administrative set-aside for family supportive housing units.**

  Housing agencies could establish a specific annual funding amount set-aside, typically referred to as a "floor" or "base amount," specifically for family supportive housing within existing capital subsidy programs. One precedent for this is OTDA's HHAP program that sets aside $5 million of its capital budget each year for project proposals that include units reserved for people living with HIV/AIDS.

- **Establish a set-aside or provide additional points for family supportive housing in the scoring process for Low-Income Housing Tax Credit (LIHTC) awards.**

  States and localities with tax credit allocations are required to distribute these credits according to scoring criteria published in a Qualified Allocation Plan (QAP). It is within these QAPs that priorities are decided, giving points and therefore preference to projects with certain features, such as energy efficient features, deeper income-targeting, or units reserved for a certain percentage of people with disabilities. The City and State have financed supportive housing using LIHTC for years, either by setting aside an amount or percentage of total credits in the Notice of Credit Availability (NOCA) for supportive housing projects, or by offering points in their QAPs for proposals that include a certain percentage of supportive housing units. Both the City and State could use either of these strategies to specify that a share of federal tax credits each year go toward family supportive housing.

Working with Bonds

Several distinguishing factors of bond financing have an impact on project feasibility, with particular implications for family supportive housing development. On the positive side, bonds are distributed on an open application cycle, and can leverage an as-of-right allocation of 4% low-income housing tax credits. This availability eliminates some of the timing concerns of coordinating capital, debt and equity financing awards. Additionally, bond financing does not include the affirmative obligation to secure local community board approval to develop the housing, which is a widely noted hurdle for projects with HPD SHLP funds.

In general, bonds are more readily available for affordable housing development than other sources of capital and equity. However, this resource is not infinite, and all states, including New York, have a set volume of bonds they can issue, and must manage project financing commitments so as not to exceed their annual cap. Bond allocations must be shared amongst projects, only some of which are supportive housing.

In addition, significantly higher transaction costs for bond projects necessitate an economy of scale that rules out smaller buildings that can be efficiently built with other financing sources. Forum presenters recommended that developers only use bond financing for projects of 75 units or more in order to remain economically feasible. Attendees noted that larger projects with more special-needs tenants also allowed for more efficient social service delivery, though this can lead to "large project" challenges, discussed at greater length in the final section of this paper, "Other Challenges to Developing Supportive Housing for Families." Bundling a few smaller projects together as one larger transaction can also address challenges both of siting large projects and the necessary economies of scale for bond transactions.

- **Utilize "mainstream" affordable housing subsidies for supportive housing.**

  Another option is to open up more mainstream affordable housing subsidy programs to supportive housing projects. The final Family Forum was devoted partially to deconstructing the City's mainstream programs, explaining how they have been used to develop supportive housing to date, and outlining how HPD could use them to develop family supportive housing going forward. It was understood that these subsidies can be used in conjunction with new financial models that include hard debt – i.e., using bond-financed mortgages for the capital development of the buildings.

2. Incorporating New and Underutilized Financial Models

Until recently, only a few developers utilized mainstream affordable housing funding coupled with hard debt to develop supportive housing, either for individual or family residences. Early adopters of hard debt include Dunn Development, who developed Myrtle Avenue Apartments, the first family NY/NY III residence; and the Lantern Group, which has developed Silverleaf Apartments, Jasper Hall and Cedars/Fox Hall, all mixed affordable-family supportive housing residences in the Bronx.

Myrtle Avenue Apartments in Brooklyn: 33 units serving a mix of low-income families and formerly homeless families. Developed by Dunn Development and Northeast Brooklyn Housing Development Corporation with services provided by CAMBA.

Historically, there have been a number of obstacles to developing supportive housing with hard debt. There is a reciprocal lack of familiarity: the nonprofit development community lacks experience with these programs, and mainstream affordable housing administrators and developers lack understanding of supportive housing. Nonprofit developers may not have sufficient balance sheets, or a willingness, to assume large private loans. Until recently, only a few private developers have been interested in partnering with nonprofit organizations to develop supportive housing together. Now, with some tested models setting precedent and new investment available for supportive housing development in New York City, these obstacles have diminished considerably.

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Potential solutions:

It is now up to the funders to provide opportunity and guidance to the developers and development teams that are financially ready to take the leap. The Family Forum series highlighted two of the new models recently used in New York City, already being replicated as part of the City's plan to double supportive housing.

- **The LAMP/LIP Model**

  At the forum, HPD recommended this financing model for the development of NY/NY III supportive housing for families. The mixed population LAMP/LIP model combines a first loan provided through the sale of tax-exempt bonds by the New York City Housing Development Corporation (HDC)'s Low-Income Affordable Marketplace Program (LAMP), 4% as-of-right tax credits, and a low-interest HDC second mortgage, with a per-unit subsidy of up to $70,000 from HPD's Low Income Program (LIP). LAMP and LIP are both designed to serve families earning 60% or less of Area Median Income and provide favorable financing to support inclusion of Extremely Low Income (ELI) homeless families. LAMP ties the level of homeless targeting to the amount of supportable debt, while LIP requires a minimum 20% unit set-aside for homeless households. Mission-based developers that focus on supportive housing have used this model to finance projects that include as many as 30% of units set-aside for homeless families. The remaining units are occupied by non-special needs, low-income families from the community. For an example of a LAMP/LIP deal, please see Appendix B, Profile 1: Cedars/Fox Hall.

  The LAMP/LIP model must service hard debt. Accessing multiple sources of soft subsidy – for example, HDC, LIP, HHAP, Federal Home Loan Bank (FHLB), NYC Resolution A (discretionary capital funding awarded by local elected officials), and/or additional grants – can allow the HDC first mortgage loan to be reduced to a level amortizable through project rents, and is key to underwriting extremely low-income supportive housing households. LAMP developers at the Family Forum events expressed a preference to underwrite to the higher LIHTC or HOME project rental targets – not a prospective NY/NY III rental subsidy – given this more stringent debt servicing mandate.

  The co-presenters at the Family Forum made clear that the nonprofit community must increase its capacity and comfort with complex financing structures that carry greater financial risk. Projects developed using the LAMP/LIP model have fostered constructive partnerships between private developers, who bring significant financial resources and bond-related development experience to the table, and nonprofits that have expertise working with special needs populations and securing soft capital, operating subsidies and service subsidies. These partnerships carry with them both risk and reward, as discussed in the sidebar Partnerships: Challenges and Opportunities.

Partnerships: Challenges and Opportunities

During the series of Family Forum events, the practice of partnering with private developers was frequently held up as a practical approach to developing family supportive housing residences. Several family supportive housing residences – both completed and in the development pipeline – are the result of such partnerships.

Partnerships can take many forms: partners can co-develop, sharing the risk and developer's fee; they can "turnkey," with the private entity developing and the nonprofit taking over upon completion of construction; or a private developer can retain ownership and contract with nonprofits to provide supportive services in the residence.

Participants throughout the three forums noted the utility of partnering for both parties. Private developers bring to the relationship their expertise and increased capacity for risk. They can use their own assets as collateral, front acquisition and predevelopment expenses, and provide cash for reserve requirements. Nonprofits bring their comfort with and experience delivering services to high-needs families, and their knowledge of the particular design needs of supportive housing, in terms of common areas and service space. They have access not only to service funding streams, but also to capital grants and rent subsidies that cover the difference between what the poorest families can pay in rent and the actual cost of operating the housing.

Forum participants also pointed to the potential risks inherent in partnerships, noting the importance of maintaining trust between the two parties, a trust that can be threatened by the presence of the profit motive. Both parties must be clear about their expectations regarding eviction policies, whether or not the building is intended to be a supportive residence in perpetuity, and what kinds of concessions to community opposition are acceptable. Nonprofits with the capacity and expertise to develop large projects on their own must be sure that a private partner's contributions justify sharing or ceding developer fees, ownership and control. Participants counseled both careful research to determine compatibility as well as thorough "prenuptial" agreements covering roles and responsibilities before, during and after development.

- **The HCR/HHAP model**

  Similar to the LAMP/LIP model, HCR combines a primary financing source of tax exempt bonds and 4% tax credit equity with capital grants from OTDA HHAP. These principal sources are supplemented with soft subsidy from HCR, an HCR second mortgage, and HHAP and Housing Trust Fund capital subsidy, to allow deep affordability targeting to homeless households, including families. Early uses of this model created mixed-tenancy projects with a 50/50 split of affordable housing for non-special needs families from the community and supportive apartments for mentally ill individuals subsidized by OMH funds. Out of that experience, HCR has explored other mixed-tenancy models, some of which have included family supportive housing units. At the first event of the series, HCR leadership indicated their openness to considering further family supportive housing deals for HCR bond financing, an encouraging sign for the future availability of this financing model. For more details on using the HCR/HHAP model, please see Appendix B, Profile 2: Castle Gardens.

  This model shares many of the challenges noted in the discussion of the LAMP/LIP model involving mixing populations, the increased costs of bond financing and unsubsidized debt, and partnering. However, the model deserves strong consideration by organizations interested in developing family supportive housing. As with LAMP/LIP, HCR invites developers to submit proposals that could utilize this model.

Lantern Group's Cedars/Fox Hall in the Bronx: 93 units for a mix of formerly homeless families and low-income individuals from the community.

UNDERWRITING

IV. UNDERWRITING BARRIERS AND SOLUTIONS

In addition to the need to develop new capital funding sources and financing models, a number of underwriting challenges must be addressed if the development of supportive housing for families is to be brought to scale.

A. The Need for "Guaranteed" Rental Subsidies

For any low-income housing development to meet its financial obligations over the long term, it must include not only sufficient capital subsidy, tax credit equity and/or loans to construct the building, but adequate rental and operating income as well. For supportive housing projects, there must also be appropriate levels of funding for social services. The immediate underwriting challenge lies in ensuring there is sufficient revenue to fund the daily operations of the building (heat, electricity, water, maintenance, staff and other operational expenses), as well as any debt service obligations and other financial costs. Adequate rent/operating subsidies are a particular concern for residences housing extremely low-income tenants. Without reliable rental and operating revenue, the project is not viable.

Currently, the only operating contracts available for family supportive housing projects are awarded through the joint City-State New York/New York III Agreement. These contracts typically provide $25,000 per unit per year for both building operations and social service costs. They typically span three years and are renewable for two additional three-year terms. While no NY/NY III contracts have reached the end of the renewal periods, similar contracts issued under the first two NY/NY agreements have all been replaced with new contracts at the end of the nine-year term.

While $25,000 per unit is arguably a sufficient rate, there are two major underwriting issues associated with these contracts.

- First, the duration of the contracts is shorter than the tax credit compliance period, in essence committing government funding for less time than the investors are required to commit to the project. This issue is, to date, speculative: the City and the State have always renewed NY/NY supportive housing service contracts with existing nonprofit operator/owners, and issued new contracts to the same operator/owners on occasions after the second renewal period expires. Nevertheless, there will continue to be this structural risk until the subsidy contract period matches the length of the investment period.
- Second, the contracts are flat-funded, and while $25,000 is likely sufficient to run the buildings and provide appropriate services today, the same amount of funding will not be able to cover costs over the long run, as utility, insurance, personnel and other costs increase. Government agencies occasionally provide Cost of Living Adjustments (COLAs) to social service providers, but these are not guaranteed in contracts, and in the case of supportive housing, rate enhancements have been rare. While HPD and other City and State agencies have an estimable track record of taking quick remedial actions to increase rental subsidies and building income in individual projects that have experienced operating shortfalls (by providing additional Section 8 vouchers or expanded service contracts), this could become a growing concern in the face of shrinking public resources.

Palladia's Fox Point in the Bronx: 48 units for a mix of formerly homeless and low-income families and individuals.

To address these limitations, the City regularly supplements NY/NY III supportive housing contracts with U.S. Department of Housing and Urban Development (HUD) rental subsidies provided through one of three programs: Housing Choice Vouchers (a.k.a. Section 8); Shelter Plus Care; and, most recently, the HUD-Veterans Affairs Supportive Housing program (HUD-VASH), all of which are typically project-based to the building. Each of these programs provides subsidy for five years, with indefinite renewals. Each is also tied to Fair Market Rate (FMR) and therefore increases to cover rising costs. However, accessing sufficient rental subsidies to support all of the new NY/NY III residences that open each year is a challenge.

Potential Solutions:

- **Prioritize a small portion of the City and State's share of federal rental subsidies for family supportive housing.**

  One solution for financing the remainder of the NY/NY III family units is for the City and State to designate a portion of their tenant-based Section 8 allocation for these units. HPD already prioritizes many of its rental subsidies for chronically homeless and disabled individuals, as well as a small subset for families. If the three public housing authorities that administer Section 8 vouchers in New York City – the New York City Housing Authority (NYCHA), HPD, and HCR – were to each set aside two to three hundred more vouchers over the course of the next three to four years, the rest of the family units in NY/NY III could be completed. The recent announcement by NYCHA in June 2012 that the agency will contribute 200 Section 8 vouchers annually for project-basing in new supportive housing residences is a terrific step in this direction.

- **Extend the contract period for NY/NY III contracts and include an annual adjuster to meet changes in Fair Market Rent.**

  Another viable option is for the City and State to amend the NY/NY III contracts to periodically adjust for inflation, and to match the contract period to the tax credit compliance period. This could eliminate the need for coupling the contracts with federal rental subsidies, ensure that the supportive housing residences receive sufficient funding over time, and free up Section 8 vouchers for other needy households in the city.

B. Addressing Project Reserve Issues

Even with full funding and rental subsidies, supportive housing is subject to "appropriations risk," the possibility that operating contracts will not be renewed or subsidies appropriated. Once again, this is a theoretical risk: in the 22-year history of the NY/NY agreements, neither the City nor the State has ever reduced funding for NY/NY operating and service contracts.

Nevertheless, lenders and investors must continue to consider this risk. To compensate, investors will underwrite with a "loss-run," which analyzes the financial needs of the project in the absence of the subsidy. This cost is then added to the required reserves, so that reserves are sufficient to cover rent/operations in the event of subsidy loss.

This results in supportive housing projects having unusually large reserves, which requires the project sponsor to find additional or larger sources of capital subsidy, thus reducing the amount of capital available to develop other projects. These reserves generally sit unused throughout the life of the project, tying up potentially valuable resources. Additional units could be financed with these funds if a sound method of measuring risk were developed to provide sufficient reassurance to investors.

Potential solutions:

- **Create pooled project reserves.**

  Pooling reserves is an innovative idea that would enable multiple projects to share reserves and thus reduce the overall amount needed. As the Family Forum attendees noted, however, there are challenges, including complexities with the structuring and administering of such a pool. Additionally, investors at one of the forums raised the concern that pooled reserves may not sufficiently protect them in the event that subsidies are reduced to all projects in the pool. Nonetheless, the concept of pooled reserves deserves more investigation, and useful applications may be found in single-developer or government-sponsored contexts.

- **Loosen the "use" parameters and/or borrow against reserves.**

  Other more practical ideas for mitigating the problem of large reserves lie in freeing up constraints once a project has aged through a portion of its loss-run period, or in developing methods to borrow against reserves to fund further development. Both these ideas would enable developers to make practical use of large reserve funds in the service of additional supportive housing development.

- **Investigate the use of carefully structured regulatory relief.**

  Private developers and investors at the forum suggested that reserves could be reduced by including clauses in regulatory agreements allowing owners to discontinue serving homeless populations in the event that operating subsidies are not renewed for the building. This regulatory relief would reduce some of the sponsor's risk by allowing sponsors to then rent to tenants with incomes as high as 60% of area median income, and in doing so, obviate the need for large reserves. It could increase the pool of potential investors and developers by addressing one of the primary concerns in supportive housing deals. Regulatory relief also has the potential to solidify government's ongoing commitment to the building, since the future of their investment in supportive housing would depend on maintaining service and operating funds. However, if not exercised carefully, this "relief" could undercut the intent of supportive housing, and the question is whether it is worth the risk. Enterprise, the Network and CSH only recommend pursuing this option under the condition that the topic undergoes significant analysis and discussion and that any regulatory relief of this sort includes carefully crafted contract language to safeguard against loopholes that could provide an easy out for developers.

C. The Need for Greater Understanding of Risk in Supportive Housing

Although supportive housing has become a familiar and well-trusted affordable housing model among certain banks, investors, and credit committees, its reputation as a sound investment is not universally known. Long-time industry experts know that supportive housing projects in New York have never defaulted, thanks in large part to the ongoing commitment of City and State agencies, the many stakeholders involved, the combination of public and private investors, and the fact that reserves have rarely been tapped during the compliance period. However, investors unfamiliar with the model are often wary.

Potential solution:

- **Provide further information to inform investors and credit committees.**

  Many investors simply require more information about the nature and demonstrated value of supportive housing before making their investments. The three organizations authoring this paper – CSH, Enterprise and the Network – will continue to initiate, create and distribute research that quantifies supportive housing's track record.

Housing Works' Stand Up Harlem Houses in Manhattan: 4 units serving families with at least one parent living with HIV/AIDS.

OTHER CHALLENGES

V. OTHER CHALLENGES TO DEVELOPING SUPPORTIVE HOUSING FOR FAMILIES

Developing supportive housing for families in New York City is a challenging, multifaceted process. In addition to capital financing issues, there are a number of other important aspects of the process that can impede development.

A. Finding Sites for Family Supportive Housing

One of the most difficult issues for providers developing any type of supportive housing is siting – the process that begins with finding and acquiring a site and ends with garnering sufficient community and/or political approval to move forward with development.

Site acquisition – finding sites that are properly zoned, affordable, and near public transportation and amenities – is always a challenge, made even more so by the need for significantly larger lots to accommodate family-sized apartments. These limiting factors frequently force supportive housing developers to build on irregular lots, which, in turn, often require remediation measures that can lead to higher costs and longer development timelines.

The process of obtaining sufficient political and/or community board approval to satisfy government funders continues to be a significant development challenge, typically second only to finding buildable sites. While these requirements vary – HCR and OTDA require community/political notification only, while HPD asks developers to try to obtain actual support – developers report that the presence of these requirements almost always slows development and adds cost. Research conducted by the Network indicates that the presence of these requirements actually prevents developers from even attempting to build in certain neighborhoods. Bundling smaller sites into one transaction is another option to create economies of scale with smaller projects, but seeking multiple community approvals can be problematic.

Potential solutions:

- **Include family supportive housing in City land RFPs.**

  Forum attendees noted that New York City and State have a number of government agencies and public authorities that own vacant and under-utilized land in the City that could potentially be used for developing supportive housing. It was suggested that HPD could work with these agencies, in particular NYCHA and the Health and Hospitals Corporation (HHC), to craft RFPs prioritizing family supportive housing as a development component, especially in bigger lots that can accommodate residences with larger family apartments.

- **Allow for land banking to develop supportive housing.**

  Another suggestion for easing the task of site acquisition concerned utilizing the City's land bank program, which is currently administered by the New York City Housing Partnership. Land banking is the process by which local governments acquire surplus or tax-foreclosed properties and either convert them to productive use or hold them for long-term strategic purposes. Land banks are public entities, authorities or special nonprofit corporations that can acquire, manage and transfer title of tax-foreclosed properties. HPD, working with the Housing Partnership, has been able to make strategic acquisitions of both land and buildings to create affordable housing. Land banks allow communities to ensure that tax-foreclosed properties are either sold or developed with long-term interests, such as the development of affordable housing, in mind. This program, which has primarily been applied to homeownership projects, should be explored further for use in multifamily affordable rental housing, in particular family supportive housing. Some of the challenges in using land banking for multifamily housing are the larger lot sizes that are needed for this type of housing, and the relatively high cost of land in New York City.

- **Create a more transparent siting process.**

  Several attendees noted that the HPD siting process often can appear opaque, arbitrary and inconsistent across communities. Suggestions were made about creating a more transparent process at HPD by which providers would develop and execute comprehensive plans for obtaining support from community stakeholders. Such a process would have a clear beginning, middle and end, specify a minimum and maximum timeframe, and require community boards to engage with developers in the process. In this way, projects would be less likely to be delayed by unreasonable community opposition, and developers who made a good faith effort to gain community support could not be stymied by community boards that refused to give a fair hearing to supportive housing proposals. Forum participants also suggested that in cases where multiple agencies contribute capital funding, the lead funding agency's community support requirements should govern.

B. Operating and Service Funding Challenges for Family Supportive Housing

The pairing of supportive services with affordable apartments is the key to supportive housing's success in ending homelessness. Yet, not infrequently, providers face flat-funded operating and rental subsidies that do not keep pace with rising costs. For example, water and sewage fees, while only a small percentage of the overall operating expenses, are not negligible, and they have skyrocketed in recent years. This is particularly problematic for family supportive housing residences given the greater number of people – and therefore usage – per unit.

Forum attendees raised another related issue: that non-special needs families – who are often housed as part of mixed tenancy projects – frequently use as much, and sometimes more, of the on-site social services as those with histories of homelessness, creating an unplanned drain on services (which are funded on the basis of the number of supportive housing households only).

Potential solutions:

- **Provide regular Cost of Living Adjustments (COLAs).**

  This will keep pace with inflation and assure investors that the service funding will be adequate in these buildings.

- **Segregate and ameliorate utility cost increases.**

  A key problem with flat operating and services funding is that it does not keep up with rising utility costs. One solution proposed at the Forum is to incorporate sustainable design elements that dramatically reduce the use of resources. All new and substantially rehabilitated HPD-sponsored housing is already required to meet the Enterprise Green Communities Criteria, a major step in this direction. Another recommendation raised at the forum to mitigate high utility costs is the creation of a water/sewage fee abatement for nonprofit housing organizations.

- **Structure utility cost payments as a pass-through expense.**

  Some housing contracts with the NYS OMH reimburse provider-operators for utility expenses at cost, separated from other operating costs. In this way, providers' service offerings would not be reduced over time to pay for rising utility costs. To maintain providers' incentives to take measures to promote energy efficiency and water conservation, pass-throughs could be limited to fall within an acceptable range. Central tracking of utility costs would also allow agencies to identify and remediate inefficient buildings.

- **Adjust service funding for mixed tenancy buildings.**

  Supportive housing providers have always opened up their social services to all residents in mixed-tenancy buildings, but most buildings have had a higher ratio of supportive to affordable units. For buildings with a smaller ratio of supportive to affordable housing units, there should be limits placed on services provided to the non-special needs households. Alternatively, a new service funding calculation that includes the low-income families' service usage could be used. Since the low-income individuals and families in supportive housing are sometimes only one crisis away from homelessness themselves, these services have long been believed to help stabilize and improve their lives as well. It would be helpful to research the effect of services on their life outcomes, and decide on the funding thereafter, as it may prove to be a cost effective use of government funding to provide services to the low-income households if it improves their ability to remain housed.

CONCLUSION

VI. CONCLUSION

Supportive housing is widely recognized as a proven, cost-effective means of providing vulnerable people with the foundation and stability they need to build healthy, productive lives. The potential social, economic and health benefits of increasing the supply of family supportive housing are enormous: helping all family members reduce their use of emergency rooms and shelters; helping children stay with their families as opposed to going into foster care; and ensuring better health, education, employment and mental health outcomes for children as they grow up. Family supportive housing can also help ensure that children are less likely to become homeless adults themselves.

However, as this paper describes, there are still many financial, policy, and practical obstacles standing in the way of creating more supportive housing specifically for families. The timing is right to overcome these obstacles, as both the City and State of New York have announced new commitments that could provide vital new resources to fund the development of family supportive housing. With more New York City families than ever facing homelessness, we hope this paper can be used as a roadmap to develop innovative, practical solutions to address this urgent need.

Fortune Society's Castle Gardens in West Harlem: 113 apartments for a mix of formerly homeless and low-income families and singles.

ENDNOTES

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APPENDIX A: FAMILY SUPPORTIVE HOUSING FUNDING IN NEW YORK

Most supportive housing projects are financed with multiple funding streams and a combination of public and private investment. The following is a list of agencies and a short description of the programs that have financed family supportive housing in New York City. For more information on these programs, visit the Network's online guide to funding supportive housing: http://shnny.org/funding/funding-guide/.

NYC Department of Housing Preservation and Development

- HPD Supportive Housing Loan Program (SHLP) - SHLP has been the City's primary source of capital funding for supportive housing for over two decades. The program blends federal HOME funding with City funds to subsidize integrated supportive housing for both singles and families, all for households making less than 60% AMI. The standard model is a split with 60% of the units set aside for supportive housing tenants and 40% for low-income residents of the community.

- HPD Low-Income Program (LIP) - LIP is HPD's principal program for financing new construction of multifamily rental projects affordable to households earning up to 60% of Area Median Income (AMI). The program is open to private and nonprofit developers and requires at least a 20% set-aside for formerly homeless households or households making less than 40% AMI. The program incentivizes taking homeless families by offering rental subsidies for these units but not for the low-income families.

  HPD uses 9% and 4% federal Low-Income Housing Tax Credits (LIHTC) to bring private equity to their capital projects. They also provide federal Section 8 vouchers and Shelter Plus Care, subject to availability.

NYC Housing Development Corporation (HDC)

Through their Low-Income Affordable Marketplace Program (LAMP), HDC uses the sale of tax-exempt bonds to provide low-interest loans to private and nonprofit developers in the form of first mortgages. Second mortgages are also provided through corporate reserves and, since the developments are funded via tax-exempt bonds, LAMP projects are eligible for as of right 4% federal Low-Income Housing Tax Credits. HDC-funded supportive housing projects are typically done in conjunction with HPD and their LIP program.

NYS Homes and Community Renewal (HCR)

HCR employs an annual Unified Funding application process for its state and federal housing capital programs. The state allocates its federal LIHTC and HOME funding through this process. Both programs have been used to fund family and single supportive housing projects. The state programs that are also part of this process that fund family supportive housing are:

- Housing Trust Fund (HTF) – The HTF provides up to $125,000 per unit for affordable and supportive housing projects serving households making below 80-90% AMI. The funding is available for nonprofit and private developers and is often matched with LIHTC.

- State Low-Income Housing Credits (SLIHC) - The state generates additional private equity for affordable housing through their SLIHC program. Available to private and nonprofit developers, SLIHC provides equity for projects with households making up to 90% AMI. Currently there are scoring incentives for projects in which 15% or more of all tenants have special needs such as homelessness, mental illness, substance abuse, domestic violence and physical disabilities.

  HCR also uses the sale of tax-exempt bonds to provide low-interest loans to private and nonprofit developers either as a construction or permanent source of financing. These projects are typically combined with as of right 4% federal Low-Income Housing Tax Credits and done in conjunction with state and/or city soft subsidies.

NYS Office of Temporary and Disability Assistance (OTDA)

- Homeless Housing Assistance Program (HHAP) – This program provides capital subsidy to nonprofit developers who are building transitional or permanent housing for people who are homeless or at risk of homelessness and who are unable to secure housing without special assistance. Populations include: veterans, people living with HIV/AIDS, people struggling with substance abuse, people with mental illness, ex-offenders, the chronically homeless, victims of domestic violence and runaway and homeless youth. HHAP is critical to the state's homeless housing production, especially for families, since 100% of its funding goes toward homeless housing.

- NYS Supportive Housing Program (NYSSHP) – This funding stream consolidates programs that serve single adults and the program previously known as Supported Housing for Families and Young Adults (SHFYA). NYSSHP provides social service funding to nonprofit providers across New York State for formerly homeless, at-risk and disabled families, youth and single adults.

NYS Office of Alcoholism and Substance Abuse Services (OASAS)

- New York/New York III – As part of the City-State Agreement to create 9,000 new units of supportive housing in New York City, the state committed to providing operating and service funding for 375 family units. OASAS is providing funding and contract management for the first 125 units.

NYC Department of Health & Mental Hygiene (DOHMH)

- New York/New York III - As part of the City-State Agreement to create 9,000 new units of supportive housing in New York City, DOHMH committed to providing operating and service funding for 775 family units.

US Department of Housing and Urban Development (HUD)

- Housing Choice Vouchers – HUD provides Housing Choice Vouchers, a.k.a. Section 8 Vouchers, to state and local housing authorities to provide rental assistance to low-income households in their catchment area. In New York City, HPD gives Section 8 priority for supportive housing, which is most often used as project-based support for new development for both single and family supportive housing. In 2012 the NYC Housing Authority committed for the first time to set aside 200 vouchers for supportive housing. These will be used to provide project-based rental support to city-funded supportive housing residences.

- McKinney-Vento Homeless Assistance – Supportive housing providers also receive HUD funding through the McKinney-Vento Homeless Assistance Program. This funding is overseen by the local Continuum of Care, a coalition of consumers, advocates, government representatives, providers and other funders. The McKinney-Vento program provides funding for rental assistance, operating costs and social services in single and family supportive housing as well as other homeless programs. Capital funding is also available on a very limited basis.

APPENDIX B: EXAMPLES OF SUCCESSFUL FAMILY SUPPORTIVE HOUSING DEVELOPMENT

PROFILE 1: CEDARS/FOX HALL

Completed in 2009, Cedars/Fox Hall provides 95 units of affordable and supportive housing for low-income and chronically homeless families. Located in the Longwood Historic District of the Bronx, the Cedars residence preserves the Denison-White Mansion, restoring a historic site for use again. Cedars was accredited with a LEED Gold rating.

- 67 of the newly constructed units house low-income families and individuals from the local community.
- 28 of the units are reserved for chronically homeless families, or families at serious risk of homelessness.

Owner/Sponsor: Lantern Organization

Service Provider: Lantern Community Services

Tenant Profile: Chronically homeless families, or families at serious risk of becoming chronically homeless, in which the head of household suffers from a substance abuse disorder, a disabling medical condition or HIV/AIDS and low-income families and individuals.

Service Approach: Lantern Organization provides a comprehensive array of professional services to support families in establishing stability and achieve full independence. All tenants receive a service assessment and ongoing case management and counseling to help them identify both their strengths and their unmet needs.

Key Features and Innovations:

- Site required zoning changes to increase floor area to create workable economies of scale.
- Historic Site - Combination new construction and gut renovation, which required approvals from historic overseeing entities.
- The project features energy efficient and green design elements including a geothermal heating/cooling system and a green roof, which extends over 7,000 square feet.
- The green roof at Cedars covers the entire 7,000 square feet of the residential wings of the building with a beautiful garden of sedums that bloom throughout the summer months and into autumn, to further reduce heating and cooling costs.

Financing Information

CAPITAL	
NYC Housing Development Corporation First Mortgage	$2,525,000
NYC Housing Development Corporation Second Mortgage	$5,170,000
NYS Office of Temporary and Disability Assistance, Homeless Housing Assistance Program	$4,500,000
Borough President Capital Funds	$750,000
NYS Energy Research Development Authority	$423,857
Low Income Housing Tax Credits	$12,003,830
Private Funding	$1,165,644
Developer Equity	$1,788,000
Total	**$28,326,332**
OPERATING (ANNUAL)	
New York New York III, New York City Department of Health and Mental Hygiene	$108,000
SERVICES (ANNUAL)	
New York New York III, New York City Department of Health and Mental Hygiene	$699,879

PROFILE 2: CASTLE GARDENS

The Fortune Society's second development is an expansion of the existing Fortune Academy complex (know as "the Castle") in West Harlem. As an integrated, mixed-use (affordable and supportive) green housing residence, Castle Gardens provides 114 new construction affordable housing units, including:

- 50 furnished studio apartments for individuals who are homeless with histories of incarceration
- 13 one-, two- and three-bedroom units for homeless families with at least one member who is formerly incarcerated
- 50 studio to three-bedroom apartments affordable to community residents and families earning 50-60% of Area Median Income
- 1 apartment for a live-in superintendent

Owner, Sponsor and Service Provider: The Fortune Society

Co-Developer: Jonathan Rose Companies

Tenant Profile: Formerly incarcerated homeless individuals with special needs or homeless families with at least one member who is formerly incarcerated with special needs (including substance abuse, mental illness, and/or a physical disability), and low-income households.

Service Approach: The Fortune Society provides a comprehensive array of services to support individuals to establish stability, achieve full independence and re-enter the community. All tenants receive a service assessment and ongoing case management and counseling to help them identify both their strengths and their unmet needs.

- Provides affordable and supportive housing.
- Residents of Castle Gardens can access supportive and reentry services at the onsite 20,000 square foot Service Center. Services include counseling, case management, substance abuse treatment, financial planning and vocational education.
- Energy-efficient green design, based on LEED Gold Certification standards that will lead to significant long-term health benefits and cost savings.

Other Castle Gardens highlights include:

- Computer lab and library
- 725 square foot conference and event room with state-of-the-art technology also serves local community groups

Financing Information

CAPITAL

NYS Housing Finance Agency (HFA) First Mortgage	$3,600,000
NYS Housing Finance Agency (HFA) Second Mortgage	$4,000,000
Federal Home Loan Bank Affordable Housing Program	$1,500,000
NYS Office of Temporary and Disability Assistance, Homeless Housing Assistance Program	$5,500,000
NYC Supportive Housing Loan Program (SHLP)	$8,300,000
Mayor's Fund	$250,000
NY City Council	$2,000,000
Borough President Capital Funds	$1,000,000
NYS Energy Research Development Authority	$239,390
Enterprise Green Communities $50,000	
Low-Income Housing Tax Credits (4%)	$16,060,594
Deferred Developer Fee	$1,000,000
Total	**$43,499,984**

Operating and Service Sources

The operating budget is funded with rents set at federal Low-Income Housing Tax Credit rates; units reserved for formerly homeless tenants are funded with Project-Based Section 8 Vouchers and tenant contributions of 30% of their incomes.

The supportive services are funded by the Department of Mental Health and Hygiene New York/ New York III and a number of governmental and foundation funders.

APPENDIX C: FAMILY FORUM ATTENDEES

Please note that all attendee affiliations are those represented at the time of the event.

Amy Larovere
A. Larovere Consulting LLC

Benjamin Warnke
Alembic Development Company & Warnke Community Consulting

Michael McCarthy
Alembic Development Company & Warnke Community Consulting

Amie Gross
Amie Gross Architects

Erin Galligan
Bank of America Merrill Lynch

Jill Edwards-Resnick
Bank of America Merrill Lynch

Jonathan Springer
Bank of America Merrill Lynch

Donald Logan
Barrier Free Living

Paul Feuerstein
Barrier Free Living

Bernie Carr
Benchmark Title Agency

David Rowe
CAMBA

Desiree Francis
Capital One Bank

Kathy McDermott
Center for Urban Community Services

Tony Hannigan
Center for Urban Community Services

Matthew Gross
Citibank

Thu Tran
Citibank

Tricia Yarger
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William Yates
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David S. Beer
Common Ground Community

Olga Jobe
Common Ground Community

Sarah Morrison
Common Ground Community

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Karin L. Baere
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Diane Louard-Michel
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Juan Sebastian Arias
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Victoria Rowe-Barreca
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Victoria Shire
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David Goldstein
Goldstein Hall

Alan Epstein
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Tesa Fitzgerald
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Magnus Magnusson
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Desiree Fisher
National Equity Fund

Tony Thesing
National Equity Fund

Michael Callaghan
Nazareth Housing

Carol Corden
New Destiny Housing Corporation

Joan Beck
New Destiny Housing Corporation

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New York City Housing Authority

Lamar Fenton
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Zennia Datulayta
The Lantern Group

Elizabeth Cribbs
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Stephanie Green
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