



NY Rising Housing Recovery Program

Frequently Asked Questions

Revised October 11, 2013

PROGRAM OVERVIEW

What type of Program is this? Who is running this Program?

This is a State Program run by New York State Homes and Community Renewal. It is federally funded through the Community Development Block Grant - Disaster Recovery Program (CDBG-DR), which is administered by the US Department of Housing and Urban Development (HUD).

What types of assistance does this Program offer?

This Program offers awards for Rehabilitation, Reconstruction, Resilience and/or Reimbursement assistance for residential property damaged as a result of Hurricane Sandy, Hurricane Irene or Tropical Storm Lee.

How is this Program related to NYS Sandy Help?

www.stormrecovery.ny.gov is the website to go to apply for the NY Rising Program. While a large part of the assistance will go to survivors of Hurricane Sandy, the NY Rising Program will also provide assists for damage caused by Hurricane Lee and Tropical Storm Irene.

TIMELINE

How long will the whole process take from beginning to end?

New York State is determined to get its homeowners back in their homes as quickly as possible. This process involves three primary steps; Application, Review and Construction. The timing of each step of this process will be different for every Homeowner, depending upon your individual circumstances; there is no set timeline for how long it will take. Your customer representatives are here to assist homeowners through this process as quickly as possible, provide them with updates along the way and answer any questions that may arise.

Why did it take so long for this program to start?

The State of New York wanted to be sure to have a program in place that could take full advantage of the federal funds allocated to assist in the disaster recovery. The Program has started up incredibly fast for a program of this kind. The State is required under federal regulation established by HUD to perform and complete all environmental reviews prior to the draw of any federal funds. This process, although lengthy, is necessary for homeowners to receive assistance.

How long will it take to get the grant money?

The State is committed to addressing any unnecessary delays to ensure the Homeowner receives the assistance they are eligible for as quickly and efficiently as possible. Each situation is unique. Factors include the type of Program, the relief requested, the ability of the homeowner to provide requested information, and other factors. For several of the construction programs, payments will be made directly to the Contractors. For reimbursement programs, the payments will go to the homeowner.



Can I get reimbursed for repair or replacement of property already completed?

- Work must be completed and paid for by the time a homeowner submits an application
- Real estate rehabilitation and mitigation must meet minimum local building code standards
- Required Federal environmental review requirements must be met

REPAIR AND RECONSTRUCTION

Will you replace my house back to its original state?

The goal of this program is to put you back in a habitable home; the program will not necessarily be building homes back exactly as they were. Every homeowner that participates in the program will have a home that is habitable and meets minimum building standards. If you choose to rehabilitate the home beyond the scope of the program you will be required to provide proof of funds to cover that expense prior to commencement of work. Your contractor may require you to deposit your construction funds into an escrow account. Homeowner funds will be paid to the contractor by the homeowner at the midpoint of construction when 50% of the payment is due.

My home was substantially damaged, but I really love it and want to repair it, rather than rebuild. Can I do that?

To ensure that the Program uses federal dollars wisely, the State will provide assistance to repair if it is more cost-effective to do so than rebuilding. For a substantially damaged home, it may not be cost-effective for the State to repair it compared to rebuilding. Cost-effectiveness will be assessed based on a standardized methodology. Ultimately, the choice will be yours to make, but the State's program will limit assistance available to assist you to the lesser cost of repair versus reconstruction.

I was building an addition pre-storm and it was unfinished when the storm hit. The work completed so far was damaged by the storm; will the program pay to finish the addition?

If leaving the addition unfinished makes the fail to meet the minimum building standards it will be included in the scope of work. The inspector will assess the need and use of the addition and make a final determination. The Homeowner may be requested by the contractor to put additional funds in escrow to cover the cost of the addition.

COVERAGE OF SPECIFIC ITEMS

Will appliances be covered?

Non-luxury appliances essential for the operation and habitability of your home will be required. These include, for example, refrigerators, stoves/ovens and other similar appliances. Washers and dryers will not be eligible under this program. A list of luxury items that are not eligible can be found on the website www.stormrecovery.ny.gov

Are items such as toilets and vanities covered?

Yes, non-luxury items that become a permanent fixture in the home are allowable. See website for list of luxury items not covered by CDBG-DR funding.



Are lawns covered?

No, landscaping is not covered under the Program. Only items for the repair or reconstruction of the real property are covered. See website for list of luxury items not covered by CDBG-DR funding.

Is carpeting covered?

Yes, non-luxury items that become a permanent fixture in the home are allowable. See website for list of luxury items not covered by CDBG-DR funding.

Will storage costs be covered (if necessary to clear out a room for rehabilitation)?

Storage costs are not eligible for reimbursement. If the program contractor requires the owner to move things to storage during rehabilitation, the cost of storage will be a Program expense.

Will storage costs I have incurred since the storm be covered?

Storage costs are not eligible for reimbursement but may be used to reduce any duplication of benefits.

Are paint and spackle covered?

Yes, items that become a permanent fixture in the home are allowable.

Are cars covered?

No, cars are not covered under the program. Only items for the repair or reconstruction of the home are covered.

If tools/materials were stolen, can they get reimbursement?

These items will not be reimbursed but can be used to reduce any duplication of benefits. We will need all receipts and proof of payment for the tools/materials stolen. We will also need a copy of the police report documenting the stolen items.

My son is 17 and disabled. He lives at home and needs special accommodations, are these covered by the program?

Yes, if the home previously had an accessibility feature that was damaged or destroyed by Sandy, and continues to have that need, the State will cover the cost of restoring the accessibility feature within the cap amount. Accessibility improvements may also be completed on the property even if the property was not accessible prior to the disaster. This includes new and/or increased accessibility needs as a result of home elevation.

Will my deck be covered?

Real estate rehabilitation and mitigation must meet minimum State building standards and the required Federal environmental review requirements. An inspector will determine if the deck or porch need to be repaired or replaced to meet these requirements.

Is my basement covered under the program?

Properties with basements will be repaired to the extent necessary to make them safe and sanitary. If the basement was used as a bedroom for a family member, then it can be rehabilitated for living space as necessary to meet minimum design standards.

Is my bulkhead covered?

Does the Homeowner have repair needs to the home in addition to the bulkhead? If yes, the bulkhead may be covered.



INTAKE MEETING

Can anyone come with me to the intake meeting, such as a family member or my lawyer?

Yes, you may allow anyone to accompany you to the meeting if you are comfortable sharing personal information with them. Unless otherwise authorized, however, you will be required to attend all meetings; you may not send a family member or lawyer to attend on your behalf.

Why do I have to show you my taxes?

One of the primary goals of the funding for this Program is to serve low- to moderate-income populations. We gather income information so that we can report to HUD the amount of funding that is being used to assist this population.

What is the “Subrogation Agreement”?

In signing the Subrogation Agreement the Homeowner is giving the Program a superior interest to all future benefits up to the award amount meant to aid in disaster recovery from Sandy, Irene, and Lee that would be classified as a duplication of benefit. The Homeowner must notify the Program of any benefits received.

Why, by signing the Subrogation Agreement, do I have to report any additional disaster funding after my home is rehabilitated?

This Program is designed as a source of aid of last resort, so any future aid that you receive may be required to reimburse the Program for funds that are already expended.

Can I bring the forms home and consult my (spouse, lawyer, so on) before signing them?

Yes. While your Customer Representative will strive to answer all questions you have about the forms during the intake meeting, you are free to take as much time as you need to sign them. You should be aware; however, that your application cannot continue to be processed until you submit your signed forms, so this may delay your processing. Once you have signed the forms, you can drop them off at your Case Manager’s office, and your Customer Representative will update your file for continued processing.

Can I take the forms home to and have my Co-applicant sign them?

Yes, although we will need to meet with that person at a later appointment. If the other property owners are not able to come to the office at any time they will need to have their signature notarized.

Can I mail, fax, or email the forms back to you?

You can mail, but not fax or email forms since we need the original copies for our records. Our preferred approach is that you drop off the forms in person. All forms should be signed in blue ink.

What if co-applicant signs the documents at home – do we require them to come in to show ID?

Yes, the Homeowner(s) need to come to the office to provide copies of all ID’s. The Homeowner(s) must sign all Program documents prior to submitting the file to the Verification of Benefits Team.



If the husband is the only person listed on the deed, does the wife need to sign the forms?

Real property ownership can be separate despite being married in the State of New York. One name on a deed indicates the intent to have that property be separate. It is possible the property could be transferred via equitable distribution at a future date. In that case the other spouse's signature could be helpful but not necessary. You may want to ask for the spouse's signature but not require it.

If the husband and wife are in the process of divorce and both are listed on the deed how should we proceed with the Intake meeting?

Both signatures are required on all documents until a Quit Claim Deed is recorded. One spouse could execute a limited power of attorney for decisions affecting the property if they do not want to actually transfer their interest in the property.

Does a co-owner have to sign the application?

No, the application needs to be signed by the applicant only. All other documents must be signed by all owner(s).

My 2012 Federal Taxes are not signed

Were the taxes filed electronically? If we have the authorization for the electronic signature, that may serve as documentation that the taxes were filed with the IRS. We may also request a transcript from the IRS by completing the 4506-T EZ form. The Homeowner may not sign the taxes in our office.

What do we need to document if a Homeowner is deceased?

We need some verification that the Homeowner that is applying for the Program is the full owner of the property. Documentation transferring ownership either from the deceased owner prior to death or from the deceased owner's estate is needed. A death certificate alone will not document this transfer.

Rezoning has caused documents to show conflicting towns for the same address.

Review all documents available with your Team Leader. If it is clear that the property is part of rezoning issues we should document this in the communications log and perhaps refer the Homeowner to the proper local office to resolve this.

What if I am at risk of becoming bankrupt?

If you are at risk of becoming bankrupt, you should consult your lawyer before agreeing to participate in this program.

INSPECTIONS

I've already had inspectors from FEMA and from my homeowner's insurance company. Do I have to have more inspections?

Yes, in order to make sure we have the most accurate up to date information.

How many times will my house have to be inspected?

Typically 3-5 times; it depends on the level of work to be done



What types of inspections are required for my home?

Typically there will be an initial inspection, an environmental inspection (with follow up as required), periodic green building standard inspections and a final inspection.

How do I know if I have mold? I answered “I don’t know” on the form.

An inspector will visit your home to inspect and make that determination.

Do I have to pay for the inspections that are required for this Program, or any remediation needed as a result of the inspection?

No, you will not be required to pay for the required inspections and any remediation needed as a result of the inspections will be an eligible cost of the program. Homeowners are only required to pay for costs above their cap.

If I’m only requesting reimbursement, does my home have to be inspected?

Yes, the Program will verify the work done previously passes all Program inspections.

Who can I contact regarding my inspection?

NY Rising Construction Management Team’s Hotline at **(516) 522-0772** with any construction related questions, seven days a week, 7AM to 7PM

Who is the Construction Management Team?

The Construction Management Team is made up of multiple firms, including The LiRo Group and URS Corporation, who have been retained by the Program to conduct these on-site damage inspections.

Why do I need an inspection?

The purpose of this inspection is to determine the required repairs to the property and to generate an Estimated Cost of Repair (ECR). This ECR will be used in determining the assistance available to you through this Program.

When are appointment hours?

Appointments will be scheduled between 7AM and 7PM.

How long will the inspection last?

The appointment will last approximately 2-3 hours.

Do I need to be there?

At least one of the applicants will need to be available and on site during the inspection.

How do I know the person really is an inspector?

The Inspection Team will be carrying NY Rising identification.

What if I have no power in my home?

If there is no power in the home the assessment must occur during daylight hours.

What is the “Right-of-Entry Permit and Release agreement?”

This is an agreement that states you are allowing the Inspector access to your home. Without this form an inspector can conduct a proper inspection.



AWARDS

Do I get money directly?

If you have already completed some or all repairs to your home, you may be eligible for reimbursement for some of those costs, which would be paid directly to you.

If you have not yet begun the repair or reconstruction process, you may be eligible for assistance to repair or rebuild. In these situations, the State will make payments directly to construction contractors with your approval, and on your behalf.

How much money can I get?

The amount of assistance is determined by the work write up, completed by a program inspector, not to exceed the program cap.

What do “duplication of benefits” and “verification of benefits” mean?

According to the Stafford Act, the federal government cannot pay for repairs that were already paid for by a different source, this is a duplication of benefits. Verification of benefits is the process used to verify the sources of aid provided in response to Hurricane Sandy, Tropical Storm Lee and Hurricane Lee.

If I was offered an SBA loan but declined it, does this affect my award?

If the Homeowner applied for and was offered an SBA loan but declined all or part of the loan, the amount of the loan declined may be considered a duplication of benefits. The Homeowner must document the reason they declined the loan, and on a case by case basis, a determination will be made. Please fill out “Applicant’s SBA Loan History Form” and forward it to your Customer Representative to address this issue.

If I was offered assistance from a non-profit, does this affect my award?

The amount of assistance received from any other source for the rehabilitation of the home may count as a duplication of benefit. We ask that you provide your Customer Representative with all documentation stating what the assistance was for and who gave it to you so we can better determine how it will affect your award.

What is ICC?

If your home or business is damaged by a flood, you may be required to meet certain building requirements in your community to reduce future flood damage before you repair or rebuild. To help you cover the costs of meeting those requirements, the National Flood Insurance Program (NFIP) includes Increased Cost of Compliance (ICC) coverage for all new and renewed Standard Flood Insurance Policies. There are 4 options to take to comply with the community’s floodplain management ordinance and help reduce future flood damage: Elevation, Relocation, Demolition, and Flood proofing.

Is ICC a Duplication of Benefits?

ICC is a duplication of benefits if the Homeowner is requesting reimbursement or additional assistance for elevation, demolition or flood proofing.



How do I prove zero income?

We are generally using the signed 2012 Federal Tax Return. If you have no income there is a certification form you can sign stating as such.

Will I have to pay taxes on the assistance received?

You must contact a tax professional for more information.

CONTRACTORS

Who will do the repair or reconstruction of my home? Will the State provide me with a list of approved contractors?

All contractors must meet the State's eligibility requirements in order to be compensated for work conducted on behalf of participating Homeowners.

Homeowners will select their own contractor. A list of contractors who meet program requirements will be posted on NY Rising website www.stormrecovery.ny.gov for homeowners and case managers to access. The selected contractor and all related sub-contractors must be willing to agree to the State's minimum property standards which will be posted online and other eligibility requirements. A list of contractors who meet program requirements will be posted on this website.

ELIGIBILITY

I live in New York City. Am I eligible?

New York City received its own funding from the federal government to support its affected residents. You should contact them directly for assistance.

How do I know if I live in the 100-year or 500-year flood plain?

You can review flood plain maps at www.floodsmart.gov. Your Customer Representative will also work with you to confirm this information.

Are second homes or vacation homes eligible?

No, by the terms of Federal law, second homes, as defined in IRS Publication 936 (mortgage interest deductions), are not eligible for rehabilitation assistance, residential incentives, or to participate in a CDBG-DR Buyout Program.

My home is a condo. Is it eligible?

Yes, condos and coops are both eligible for assistance, both to individual unit owners and to the associations or common ownership entities of these property types.

I inherited the property from my mother who had applied to the Program before her death. She was in the process of transferring the deed before her death. Am I eligible for this Program?

Yes, you may be eligible for this program, as long as you are willing to abide by the Program requirements.

Does forbearance make the applicant ineligible?

Forbearance is a special arrangement between the lender and borrower to delay or reduce payments. Forbearance alone does not make the applicant ineligible.



The bank holding the Homeowner’s second mortgage is foreclosing, is the Homeowner still eligible for the program?

Even though it is the second mortgage, not the first, the Homeowner is still in foreclosure and is not eligible. If the Homeowner clears the default and is otherwise still eligible then the Homeowner will be able to participate in the Program.

Two homes are located on 1 property with common ownership. Are both properties eligible?

The Customer Representative should review the deed with the Team Leader to see if the damaged property is included on the deed. In general, the NY Rising Program is for the primary residence. The application for the NY Rising of rental properties is available online.

What is Triage Team?

Triage Team will assist in 2 major ways:

1. Review of files determined to be ineligible at the completeness review or after the Intake Meeting (e.g. located in NYC, not the owner, not a primary residence, etc.)
2. Follow up on files that are non-responsive (after due diligence has already been completed by the Case Manager)

REIMBURSEMENTS

I’ve already completed all repairs on my house. Will the program reimburse me for it?

Yes, the Program may reimburse you for these costs, if the repairs completed meet the reimbursement guidelines of the Program.

The storm damaged home was demolished and replaced with a pre-fab home – is this eligible for reimbursement? Will the program pay for elevation?

Yes, as long as the reimbursement and elevation are not otherwise disqualified the Program may reimburse.

GRANT RESIDENCY REQUIREMENT

What is this requirement?

To ensure proper utilization of CDBG-DR funds for Repair, Reconstruction or Reimbursement, Homeowner’s in this program will be required to agree to a three year residency requirement enforced by a covenant deed restriction.

You must occupy the property as your primary residence for a three year term that starts when you sign the covenant that will be recorded in the public records. During that three year period you may not sell, transfer, lease or allow the property to be foreclosed. If any of these actions occur during the three year term, or if you do not occupy the property, then you will be required to repay the grant amount according to this schedule:

During Months 0 -12 of the term	You must repay 100% of the grant award
During Months 13 -24 of the term	You must repay 66% of the grant award
During Months 35 -36 of the term	You must repay 33.3% of the grant award
During Months 37 and beyond	There is 0.0% repayment due



What is the 3 year Homeowner residency compliance requirement?

A three year residency requirement enforced by a covenant means that as long as you maintain primary residence of the home for three years, and buy flood insurance if you are in the flood plain you do not need to repay any funds.

INTERERIM MORTGAGE ASSISTANCE

What does IMA stand for? Interim Mortgage Assistance

What is the purpose of the IMA program?

The Interim Mortgage Assistance Program (IMA) will provide mortgage assistance to Homeowners who, because of Hurricane Sandy, Hurricane Irene or Tropical Storm Lee, are displaced from their primary residences and are paying for interim housing This program is currently under evaluation by HUD. More information will be provided shortly **OTHER**

What environmental standards will be used in the reconstruction and rehabilitation of affected homes and land?

As required by Federal law, an environmental review and approval will be required for all activities paid for through the CDBG-DR Grant Program, including repair, rehabilitation, and reconstruction activities. Environmental reviews will be conducted by the State and/or local grant administrator and will come at no cost to a Homeowner. Grant Applicants must consult with a Customer Representative before beginning any work on their property, because work conducted prior to the completion of an environmental review may preclude eligibility for CDBG-DR funding.

What is the definition of the 100-year and 500-year flood plain?

A 100-year flood plain has a 1% chance of having a flood occur in a given year. In other words, for every 100 years it is probable that it will flood in that area at least once. A 500-year flood plain has a 0.2% chance of flooding in a given year. So, for every 500 years it is probable that it will flood in that area at least once.

If my property is not located in a floodplain am I required to maintain flood insurance?

No, if the property is not in floodplain flood insurance is not required.

How long am I required to maintain flood insurance on my property?

If the property is in a floodplain, then flood insurance coverage must be secured and maintained at the homeowner's expense for the life of the property. It is the homeowner's responsibility, in case of a sale, or change in ownership, to notify future homeowners of this requirement.

PRIVACY

How can I be sure you won't share my personal information?

Consent and Release form allows the Program to disclose and request non-public personal information with 3rd parties involved in the Program. Information will not otherwise be released to non-participating agencies or entities. All information provided by an applicant will be held secure and confidential according to written policy.