



State of Maine Pilot Recovery Housing Action Plan

Amendment for:
FFYs 2021, 2022, 2023 and 2024



Prepared by

Maine State Housing Authority

May 2024

mainehousing.org | 207-626-4600

Contents

FFY 2024 Amendment May 2024 Summary.....	1
Program Summary.....	1
Responsible Agencies	2
Resources.....	2
Use of Funds.....	3
Definitions.....	4
Anticipated Outcomes/Goals and Expenditure Plan.....	5
Citizen Participation.....	5
Partner Coordination	6
Subrecipient Management and Monitoring.....	6
Pre-award/Pre-Agreement Cost:	7
Certifications.....	7
Attachments	10
Standard Form 424 and 424D, Signed RHP Certifications, Notices.....	11

DRAFT

FFY 2024 Amendment May 2024 Summary

The State of Maine, Maine State Housing Authority (MH) receives an annual allocation of Recovery Housing Program (RHP) funds.

The U.S. Department of Housing and Urban Development (HUD) requires the State of Maine to publish a Recovery Housing Action Plan and amend the RHP Action Plan as additional funds are allocated. All 2024 plan amendments are in red text in the body of this RHP Action Plan.

The 2024 Annual Plan amendments are:

1. Adds \$1,267,575 of FFY2024 RHP funding.
2. Reallocates \$28,450 of FFY 2020 funding from TA to Project Funding
3. Updates the goals to reflect that FFY2024 will fund one (1) RHP project/twelve (12) beds per funding allocation.
4. Update Criteria to give priority to applicants Certified and in good standing with the State of Maine Association of Recovery Residences
5. Updates Citizen Participation to include 2024 public comment period of 15 days beginning May 28, 2024 and ending on June 17, 2024, with a public hearing to solicit input on the Recovery Housing Program Plan to be held on June 13, 2024.
6. Added list of Federal Compliance Requirements.

Program Summary

The purpose of the Recovery Housing Program (RHP) is to provide stable, temporary housing (up to 24 months) to low- or moderate-income persons in recovery from a substance use disorder. The RHP is authorized under Section 8071 of the SUPPORT for Patients and Communities Act and is a pilot program. Section 8071 requires RHP funds be treated as Community Development Block Grants (CDBG) funds, with certain waivers and alternative requirements. The State of Maine received RHP funding because it has an age-adjusted rate of drug overdose deaths above the national overdose mortality rate, according to the Centers for Disease Control and Prevention.

MaineHousing, in partnership with the Maine Department of Health and Human Service's Office of Behavioral Health (OBH), has identified a need for additional housing for individuals exiting recovery residences, as well as individuals for who a recovery residence may not be an appropriate setting. RHP funds will be awarded by MaineHousing to one or more entities to produce, preserve and/or rehabilitate rental housing.

Funds will be made available through an application process to ensure all HUD requirements are met. Applicants must demonstrate an ability to operate the housing and directly or indirectly provide recovery related services for participants. Operating and service funds are not provided with RHP funding. Suggested services include case management, direct connection to peer support, clinical addiction services, employment, vocational and educational opportunities, assistance with social, personal and living skills and mental health services.

Responsible Agencies

MaineHousing has been designated as the Recovery Housing Administrator and primary point of public contact for the Recovery Housing Plan. The Recovery Housing Plan including the 2024 Amendment can be viewed and downloaded on the MaineHousing website.

Resources

FFY 2020 RHP Allocation	\$951,000.00
Less Administration	\$47,550.00
Committed to RHP Projects	\$875,000.00
Total Amount Available	\$28,450.00
FFY 2021 RHP Allocation	\$860,778.00
Less Administration	\$43,038.90
Committed to Projects	817,739.10
Total Amount Available	\$0.00
FFY 2022 RHP Allocation	\$934,162.00
Less Administration	\$46,708.10
Committed to RHP Projects	887,453.90
Total Amount Available	0.00
FFY 2023 RHP Allocation	\$1,192,137
Less Administration	\$59,605.85
Committed to RHP Projects	\$0.00
Total Amount Available	\$1,132,531.15
FFY 2024 RHP Allocation	\$1,267,575
Less Administration	\$63,378.75
Committed to RHP Projects	\$0.00
Total Amount Available	\$1,204,196.25
Total Committed to RHP Projects	\$2,580,193.00
Total RHP Administration	\$260,281.60
Total Available for Award to Project	\$2,365,177.40

No program income or other federal program funding are expected to be available for RHP eligible activities.

Use of Funds

1. Awards to Communities: MaineHousing will not distribute all or part of the RHP funds directly to municipalities.
2. Activities Carried Out Directly: MaineHousing will distribute RHP funds through a competitive process by selecting applications that are submitted by eligible recipients. MaineHousing will issue a Request for Proposals to eligible applicants that will assign scoring based upon a combination of the required selection criteria located in FR-6225-N-01 and selection criteria adopted by MaineHousing. All activities identified in the Notice shall be eligible, MaineHousing will prioritize obligating funds for acquisition and rehabilitation of existing housing units, adaptive re-use of existing buildings, and new construction of rental housing units. MaineHousing will retain 5% each annual RHP grant for administrative costs
3. Eligible Subrecipients: Eligible Subrecipients include not-for-profit organizations, including Indian Tribes. Applicants will need to demonstrate experience, or new capacity, to assist individuals in recovery to attain self-sufficiency and individual recovery goals. Additionally, eligible applicants must demonstrate capacity to comply with RHP program requirements as identified in Notice of FY2020 Allocations, Waivers, and Alternative Requirements for the Pilot Recovery Housing Program (Docket No. FR-6225-N-01) and Notice of FY2021 Allocations, Waivers, and Alternative Requirements for the Pilot Recovery Housing Program.
4. Criteria for Evaluation of Application and Applicants: MaineHousing will evaluate applications and applicants based on the two HUD-required criteria, which will be incorporated in to additional MaineHousing criteria.

Criteria:

Extent to which the applicant will provide housing and services to vulnerable populations. (HUD Criteria One) Applicants will receive points for projects that serve the specific needs of vulnerable populations. The degree of need for the populations served, and appropriateness of plans for providing services to tenants, will be evaluated.

Applicants' ability to obligate RHP funds in a timely manner. (HUD Criteria Two) Applicants will be evaluated on project readiness, including items like local approvals, architectural plans, and site control. Additionally, MaineHousing will consider their track-record for developing projects successfully within a reasonable timeframe.

Priority to Applicants Certified and in good standing with the State of Maine Association of Recovery Residences

Applicant's ability to undertake required eligible development activities. Applicants will be evaluated on their development capacity, and experience with public sector housing development programs. Past experience of members of the development team will be considered.

Extent to which the application makes use of additional funding sources. Applicants will be evaluated on the quantity, quality and timeliness of leveraged funding (other than MaineHousing resources) that will be committed to the proposed project. Additional points may be awarded to projects that leverage a greater amount of non-federal funding.

Amount of Federal, State, or local rental assistance to ensure rents are affordable to extremely low-income families. Applicants will receive points for projects that include assistance from other entities, which may include rental-assistance or service contracts for the duration of the project reporting period.

Priority based upon underserved areas. MaineHousing will regard the entire State of Maine as the eligible area for purposes of the RHP. However, applicants will receive points for projects that will be developed in locations that are underserved.

Merits of the application in meeting the State's housing priority needs. All applications will be required to address one or more of the following Consolidated Plan priorities: Improve and Preserve the Quality of Housing, Expand Affordable Housing Opportunities, and/or Help Maine People Attain Housing Stability.

Definitions

The following definitions apply to the MaineHousing RHP:

Individual in Recovery: OBH defines recovery from a substance use disorder as, “A process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.”

For the purposes of this RFP, an individual in recovery shall be defined as an individual engaged in the process of change through which they seek to improve their health and wellness, live a self-directed life, and strive to reach their full potential.

Substance Use Disorder: OBH defines substance use disorder as the recurrent use of alcohol and/or drugs causing clinically significant impairment, including health problems, disability, and failure to meet major responsibilities at work, school or home.

For the purpose of this RFP, substance use disorder shall be defined as the recurrent use of alcohol and/or drugs causing clinically significant impairment, including health problems, disability, and failure to meet major responsibilities at work, school or home.

Recovery Housing is a non-medical setting designed to support recovery from substance use disorders, providing a substance-free living environment commonly used to help individuals transition from highly structured residential treatment programs back into their day-to-day lives. Substance-free does not prohibit prescribed medications as directed by a licensed prescriber, such as pharmacotherapies specifically approved by the Food and Drug Administration for the treatment of opioid use disorder as well as other medications with the indication for the treatment of co-occurring disorders.

Anticipated Outcomes/Goals and Expenditure Plan

MaineHousing proposes the following performance measures:

3 Persons transitioned to permanent housing through RHP – assisted temporary housing
6 Individual assisted in RHP activities

Effective with the FFY2024 Allocation of RHP funding MaineHousing anticipates funding one (1) RHP project/twelve (12) beds per funding allocation. Based on 12 units, 30 years of affordability, and an average stay of 2 years, an estimated 150 people will be housed over the affordability period.

These measures will be reported to HUD annually.

Citizen Participation

MaineHousing made the Recovery Housing Action Plan available for public comment for a period of 15 days from July 22, 2021 to August 10, 2021. A public hearing to solicit input on the Recovery Housing Program Plan was held August 3, 2021.

MaineHousing made the FY21/FY22 Substantial Amendment to the Recovery Housing Action Plan available for public comment for a period of 15 days beginning July 12, 2022 and ending on July 27, 2022. A public hearing to solicit input on the Recovery Housing Program Plan was held on July 26, 2022. No comments were received on the FY21/FY22 Substantial Amendment.

The 2023 Amendment is does not substantially change the Maine Recovery Housing Action Plan. The updated Plan is posted on the MaineHousing website.

MaineHousing will make the FFY 2024 Action Plan Amendment available for public comment for a period of 15 days beginning May 28, 2024 and ending on June 17, 2024. A public hearing to solicit input on the Recovery Housing Program Plan will be held on June 13, 2024.

A summary of any comments or views not accepted and the reasons therefore will be attached to the Recovery Housing Action Plan.

Partner Coordination

MaineHousing will coordinate RHP funding with Maine Department of Health and Human Services' Office of Behavioral Health (OBH). OBH manages State Opioid Response funding which aims to support recovery by increasing access to medication-assisted treatment and reducing unmet treatment needs through the support of evidence-based prevention, treatment and recovery support services. OBH also manages Substance Abuse Prevention and Treatment Block Grant funding, which provides funding with the objective to help plan, implement and evaluate activities that prevent and treat substance abuse.

Subrecipient Management and Monitoring

MaineHousing will use existing policies and procedures to monitor RHP subrecipients, ensuring that all activities are carried out in accordance with all applicable laws, regulations and policies.

All projects awarded RHP funding will be monitored, on an annual basis after completion and before closeout of the project. If any monitoring findings are identified, findings will be resolved before completion and/or closeout.

Prior to awarding funds MaineHousing staff will conduct activities associated with application review, environmental review, underwriting and construction document review. After funds have been awarded, MaineHousing staff will monitor construction process through on-site visits and meetings, budget and process via monthly requisitions and loan closing process.

After construction, and for the duration of the compliance period, MaineHousing will perform project monitoring to ensure compliance with loan documents.

In addition, applicants must demonstrate capacity to comply with RHP program requirements, including:

1. 24 CFR 570.489(g) regarding procurement;
2. Environmental review requirements of 24 CFR Part 58;
3. Uniform Relocation and Real Property Acquisition Act (URA);
4. Federal Labor Standards, including the Davis-Bacon and Related Acts;

5. 24 CFR 42.375 regarding demolition or change in use of lower-income dwelling units;
6. 2 CFR 200 regarding financial records and audits;
7. Section 3 employment opportunities
8. Build America, Buy America (BABA) Act, 41 USC 8301

Pre-award/Pre-Agreement Cost:

RHP funds may be used for pre-award/pre-agreement technical assistance and administrative costs of MaineHousing including application and technical assistance to potential subrecipients, development of the RHP Action Plan, to conduct the citizen participation process and related administrative costs.

Certifications

- (1) The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the RHP program. The grantee certifies that it will comply with the residential anti-displacement and relocation assistance plan, relocation assistance, and one-for-one replacement housing requirements of section 104(d) of the Housing and Community Development Act of 1974, as amended (42 USC § 5304(d)) and implementing regulations at 24 CFR part 42, as applicable, except where waivers or alternative requirements are provided.
- (2) The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- (3) The grantee certifies that the RHP Action Plan is authorized under state and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, and any contractor, subrecipient, or designated public agency carrying out an activity with RHP funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and the grant requirements. The grantee certifies that activities to be undertaken with RHP funds are consistent with its RHP Action Plan.
- (4) The grantee certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 *et seq.*), and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided.
- (5) The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 135.
- (6) The grantee certifies that it is following a citizen participation plan adopted pursuant to 24 CFR 91.115 or 91.105 (as imposed in notices for its RHP grant). Also, each unit of general local government receiving RHP assistance from a state must comply with the citizen participation requirements of 24 CFR

570.486(a)(1) through (a)(7) for proposed and actual uses of RHP funding (except as provided in *Federal Register* notices providing waivers and alternative requirements for the use of RHP funds).

- (7) The grantee certifies that it is complying with each of the following criteria: (1) funds will be used solely for allowable activities to provide individuals in recovery from a substance use disorder stable, temporary housing for a period of not more than 2 years or until the individual secures permanent housing, whichever is earlier; (2) with respect to activities expected to be assisted with RHP funds, the RHP Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income individuals and families; (3) the aggregate use of RHP funds shall principally benefit low- and moderate-income families in a manner that ensures the grant amount is expended for activities that benefit such persons; and (4) the grantee will not attempt to recover any capital costs of public improvements assisted with RHP grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (a) RHP grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than RHP; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient RHP funds (in any form, including program income) to comply with the requirements of clause (a).
- (8) The grantee certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations, and that it will affirmatively further fair housing.
- (9) The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, must certify that it will require local governments that receive grant funds to certify that they have adopted and are enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and (2) a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
- (10) The grantee certifies that the grant will be conducted and administered in conformity with the requirements of the Religious Freedom Restoration Act (42 U.S.C. 2000bb) and 24 CFR 5.109, allowing the full and fair participation of faith-based entities.
- (11) The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out RHP eligible activities in a timely manner and that the grantee has reviewed the requirements of the grant.

- (12) The grantee certifies that its activities concerning lead-based paint will comply with the requirements of HUD's lead-based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).
- (13) The grantee certifies that it will comply with environmental review procedures and requirements at 24 CFR part 58.
- (14) The grantee certifies that it will comply with applicable laws.

DRAFT

Attachments

DRAFT

DRAFT