HOUSING HOUSING FOR THE ELDERLY (SECTION 202) 2011 Summary Statement and Initiatives (Dollars in Thousands)

HOUSING FOR THE ELDERLY (SECTION 202)	Enacted/ <u>Request</u>	<u>Carryover</u>	Supplemental/ <u>Rescission</u>	Total <u>Resources</u>	<u>Obligations</u>	<u>Outlays</u>
2009 Appropriation	\$765,000	\$776,547ª/		\$1,541,547	\$799,771ª/	\$979,365
2010 Appropriation/Request	825,000	734,348 ^{b/}		1,559,348	771,000 ^{b/}	921,497
2011 Request	273,700	<u>780,098</u> ^b	<u></u>	<u>1,053,798</u>	<u>706,000^b</u>	<u>949,400</u>
Program Improvements/Offsets	-551,300	+45,750		-505,550	-65,000	+27,903

a/ The fiscal year 2009 Appropriation includes a \$1.6 million non-expenditure transfer to the Working Capital Fund. These amounts are excluded from carryover, obligations and outlays but reflected in the Working Capital Fund account.

b/ The fiscal year 2010 Appropriation includes a \$8.2 million non-expenditure transfer to the Transformation Initiative. The fiscal year 2011 includes a \$2.7 million non-expenditure transfer to the Transformation Initiative. These amounts are excluded from carryover, obligations and outlays but reflected in the Transformation Initiative account.

Summary Statement

The Department proposes an appropriation of \$273.7 million to fund the Service Coordinators, Congregate Services and PRAC Renewal/Amendment programs. HUD requests a suspension of funding for Section 202 Capital Advance Grants in Fiscal Year 2011 in order to redesign the program to better target the resources to meet the housing and supportive service needs of frail elderly very low-income households. The redesigned program will maximize HUD's financial contribution through enhanced leveraging requirements and will also encourage or require partnerships with the Department of Health and Human Services to create housing that, while not medically licensed, still effectively meets the needs of very low-income elderly populations unable to fully live independent. The program would be used to convert existing independent-living facilities (including existing HUD-assisted or public housing) to housing- plus health care models, as well as to fund the development of new facilities.

Through the HUD/HHS Collaborative, HUD is exploring the possibility of a partnership with HHS to combine HHS funding for supportive services with Section 202 funding. Programs such as the All-inclusive Care for the Elderly/All Services in One Location (PACE model) may be used to fund the supportive service component of the redesigned program. Developed in the mid-1980's, PACE provides comprehensive services to enable elderly residents to remain in independent, rather than institutional, living environments. It became a permanent program under Medicare in 1997. PACE provides social and medical services primarily in an adult day health center, supplemented by in-home and referral services based on the participant's needs. As of 2003, approximately one-third of the currently existing PACE program sites are co-located with HUD assisted housing. Aside from the initial funding to provide the space for the program, there is no on-going cost to HUD or the project owner. When combined with our redesigned 202 program, the cost to develop the PACE service space would be an eligible

project cost, but we would require leveraging of additional capital financing from the Medicare and Medicaid payment stream. Maximum program flexibility will be provided in the use of the Section 202 funds in order to facilitate generous leveraging by these and other funding sources.

In addition to the inclusion of the "PACE" model and an enhanced leveraging requirements, the redesigned Section 202 program will provide a number of other important reforms to address the financial and delivery inefficiencies of the current program. These reforms reflect the Department's new commitment to using Section 202 funding to meet a growing demand for more service-enhanced elderly housing at a lower overall cost to the government. These will include the following:

- 1. <u>New requirements to establish demand</u>. In order to ensure that resources are spent only where the need is the most significant, sponsors will be required to demonstrate, and HUD will verify, that the allocation of funds will have a meaningful impact by providing dollars based on demand as opposed to geographic, as is the case with the current program.
- 2. <u>Raised threshold for sponsor eligibility</u>. The program will be designed to ensure that funding is awarded only to sponsors with adequate capacity to develop and operate the proposed housing. We recognize that special competency is required to develop this model and will establish strict and effective criteria in the NOFA process to achieve this competency requirement.
- 3. <u>Revised project size limitations</u>. Minimum project sizes will be established to ensure financial feasibility for the healthcare components and that economy of scale efficiencies are achievable for project management.
- 4. <u>Increased access to industry-standard financing tools</u>. The program will provide financial incentives to encourage timely project development and will revise existing requirements related to ownership structure in order to facilitate applicants' use of other financing resources such as low-income housing tax credits, tax-exempt bonds and local government funding.
- 5. <u>New operational discipline</u>. The program will ensure operational efficiencies by requiring Green construction and on-going energy conserving management practices.
- 6. <u>Better synchronization with other regulatory agencies</u>. The environmental requirements of the existing program will be modernized to be consistent with local standards to permit remediation of contaminated, but otherwise desirable sites. The program will permit the use of current industry practices for remediating sites. This change will expand the base of potential applications, enhance competition and permit the use of program funds in broader revitalization efforts of environmentally challenged sites or neighborhoods.
- 7. <u>Broader impact</u>. The redesigned program will ensure significant beneficial community impact. This will be achieved by providing PACE services to both project residents and the larger community, spreading program funds beyond the project and maximizing the benefits of the program resources.
- 8. <u>Reduced development timeframes</u>. The program will deliver housing more quickly by incorporating several new concepts: 1) permitting placement of 202/PACE models in existing housing, 2) eliminating site identification and zoning impediments that currently delay delivery of units in the current program and 3) rewarding developments that are "shovel ready" at the time of application. For example, points will be award ed for developments that already have locally approved project plans.

Need for Funding and Estimated Results

Providing independent living opportunities with supportive service assistance is a preferable, lower cost housing alternative to institutionalization for many frail older persons and persons with disabilities. An estimated 365,000 persons living in HUD-assisted housing experience some form of frailty, and this number will

increase as people living in those units grow older. Arranging for delivery of services and care can extend the length and improve the quality of independent living and reduce the costs associated with institutionalization. There is evidence that supportive services linked to residents can prevent premature and inappropriate institutionalization. A recent HUD study, Multifamily Property Managers' Satisfaction with Service Coordination, found that the presence of service coordination increased residents' length of tenure by 6 years at an average housing cost savings of \$70,000 per year per individual. For the PACE component of the program, current models demonstrate that a minimum of 100 elderly residents need to be participating with a PACE provider for it to cover all of the costs of services and rent for the facility. Residents of the HUD-assisted housing as well as members of the community may benefit from PACE services.

HOUSING HOUSING FOR THE ELDERLY (SECTION 202) Summary of Resources by Program (Dollars in Thousands)

Budget Activity	2009 Budget <u>Authority</u>	2008 Carryover <u>Into 2009</u>	2009 Total <u>Resources</u>	2009 <u>Obligations</u>	2010 Budget Authority/ <u>Request</u>	2009 Carryover <u>Into 2010</u>	2010 Total <u>Resources</u>	2011 <u>Request</u>
				-				
Elderly Expansion	\$522,726	\$670,051	\$1,192,777	\$605,635	\$540,050	\$582,227	\$1,122,277	
Elderly PRAC								
Renewal/Amendment	102,674	2,155	104,829	104,548	128,000	240	128,240	\$181,863
Service Coordinators/								
Congregate Housing	~~ ~~	~~ ~~		10 500			455 262	00 100
Service Program	90,000	23,003	113,003	46,589	89,100	66,262	155,362	89,100
Conversion to Assisted								
Living/Emergency Repairs	25,000	42,140	67,140	32,678	39,600	34,410	74,010	
•			,			,		
Planning Grant	20,000	35,238	55,238		20,000	48,209	68,209	•••
Technical Assistance	2,000		2,000			2,000	2,000	
Working Capital Fund	1,600		1,600					
Intergenerational								
Families Demonstration		2.000	2.000	2 007				
Project		3,960	3,960	3,907				
Delegated Processing	1 000		1 000			1 000	1 000	
Demonstration	1,000		1,000			1,000	1,000	
Initiative					8,250		8,250	2,737
	765 000	776 547	<u></u> 1 541 547			724 249		
Total	765,000	776,547	1,541,547	799,771	825,000	734,348	1,559,348	273,700

FTE	2009 <u>Actual</u>	2010 <u>Estimate</u>	2011 <u>Estimate</u>
Headquarters	43	42	42
Field	<u>251</u>	248	<u>248</u>
Total	294	290	290

Elderly Expansion	Amount
2009 Appropriation	\$522,726
2010 Appropriation/Request	540,050
2011 Request	<u></u>
Program Improvements/Offsets	-540,050
Elderly Expansion	Units

Elderly Expansion	Units
2009 Appropriation	3,677 ^{ª/}
2010 Appropriation/Request	3,521 ^{<u>b</u>/}
2011 Request	<u></u>
Program Improvements/Offsets	-3,521

a/ Actual units for fiscal year 2009.

b/ Unit estimate for fiscal year 2010.

Proposed Actions

The Department is not proposing any funding for expansion activities in fiscal year 2011. Elderly Expansion funds include capital advance grants to support new construction of Section 202 units, as well as funding for initial, three-year project rental assistance contracts (PRAC). HUD is requesting a suspension of funding for Section 202 Capital Advance Grants to take time to redesign the program to better target the resources to meet the housing and supportive service needs of very low-income elderly households. The redesigned program will maximize HUD's financial contribution through enhanced leveraging requirements and will also encourage or require partnerships with the Department of Health and Human Services to create supportive housing that, while not medically licensed, still effectively meets the needs of very low-income elderly populations unable to live completely independent. The redesigned program would be used to convert existing independent-living facilities (including existing HUD-assisted or public housing) to housing-plus health care models, as well as to fund the development of new facilities.

	Direct Loans	
	<u>Outstanding</u>	<u>Outlays</u>
Section 202 Direct Loan Program (Mandatory)		
2009 Appropriation	\$3,942,642	-\$746,508
2010 Estimate	3,505,784	679,000
2011 Estimate	<u>3,105,898</u>	<u>-635,000</u>
Program Improvements/Offsets	-399,886	+44,000

The Direct Loan Program. The Housing for the Elderly or Handicapped Direct Loan program was authorized by Section 202 of the Housing Act of 1959, as amended. New project development activity was ended with the enactment of the Cranston-Gonzales National Affordable Housing Act in 1990 which replaced the 202 loans with capital advance awards to finance new construction, although projects developed under the Direct Loan Program continue to operate. The program provided direct loans to non-profit organizations sponsoring the construction and management of rental housing for the elderly or non-elderly persons with disabilities. Many projects originally developed under Section 202 also receive Section 8 subsidies to enable low-income households to afford the rents in these projects. The 1992 VA-HUD-IA Appropriations Act (Public Law 102-139) provided language to enable the conversion of pipeline Section 202 direct loan projects to the Supportive Housing program starting January 1, 1992. All of the pipeline Section 202 projects were converted in 1992. Any remaining activity for the loan program includes amendments for projects reaching final endorsement and management of the loan portfolio.

Service Coordinators/Congregate Housing Service Program	Amount
2009 Appropriation	\$90,000
2010 Appropriation/Request	89,100
2011 Request	<u>89,100</u>
Program Improvements/Offsets	

Proposed Actions

The Department is proposing \$89.1 million for Service Coordinators/Congregate Housing Services Program (CHSP) in fiscal year 2011. The proposed funding will be used for selecting new projects under this program as well as to extend previously approved Service Coordinators and Congregate Housing Service grants.

Section 808 of the Cranston-Gonzalez National Affordable Housing Act authorized the use of Service Coordinators within existing projects for the elderly. Sections 674 and 676 of the Housing and Community Development Act of 1992 expanded the universe of projects eligible to receive service coordinator assistance by authorizing funding for service coordinators in Section 202, Section 8 and Sections 221(d)(3) and 236 projects. The purpose of the Service Coordinators program is to enable residents who are elderly or have disabilities to live as independently as possible in their own homes.

Service Coordinators funds pay the salary and fringe benefits of a Service Coordinator and cover related program administrative costs. The primary responsibility of a Service Coordinator is to help link residents of eligible housing with supportive services provided by community agencies. The Service Coordinator may also perform such activities as providing case management, acting as an advocate or mediator, coordinating group programs, or training housing management staff.

Congregate Housing Services Program (CHSP)

This program was authorized by the Housing and Community Development Amendments of 1978 to provide 3- to 5-year grants to fund service coordinators for eligible residents of Public Housing and Section 202 Housing for the Elderly or Persons with Disabilities. The intent was to avoid costly and premature or unnecessary institutionalization of individuals and to reduce Government outlays for institutional care. The program was revised in 1992 to add other assisted housing program.

The CHSP grant from HUD, in conjunction with grantee match and participant fees, subsidizes the cost of supportive services that are provided on-site and in the participant's home. Such services may include at least one or all of the following: (1) congregate meals; (2) housekeeping; (3) personal assistance; (4) transportation; (5) personal emergency response systems; (6) case management; and (7) preventative health programs. HUD requires that each program includes a Service Coordinator and that each makes at least one hot meal available every day to participants. Eligible participants are residents of eligible housing who are frail (i.e. have difficulty performing three or more activities of daily living) or are persons with disabilities age 18 or older.

CHSP funds allow residents of subsidized housing to afford supportive service that enable them to continue living as independently as possible in their homes for as long as possible. Without this program, many of the low- and very low-income participants would have no choice but to relocate to a facility that provides a higher level of care, such as a nursing home, to meet their daily living needs.

Conversion to Assisted Living/Emergency Repairs	Amount
2009 Appropriation	\$25,000
2010 Appropriation/Request	39,600
2011 Request	<u></u>
Program Improvements/Offsets	-39,600

Proposed Actions

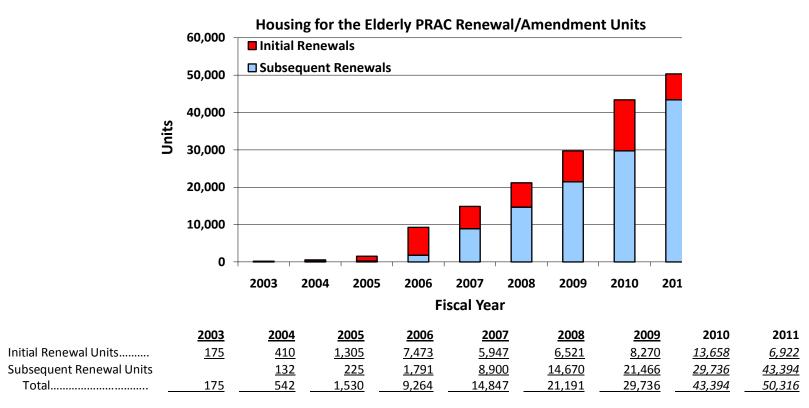
The Department is not requesting any funding for Conversion to Assisted Living in fiscal year 2011. This is an activity that is administered in conjunction with expansion activities and a suspension of the funding for Conversion to Assisted Living is being requested to give way to the redesign of the Housing for the Elderly program.

Elderly PRAC Renewal/Amendment	Amount
2009 Appropriation	\$102,674
2010 Appropriation/Request	128,000
2011 Request	<u>181,863</u>
Program Improvements/Offsets	+53,863
Units Supported by Elderly PRAC Renewal/Amendment Funds	<u>Units</u>
2009 Appropriation	29,736
2010 Appropriation/Request	43,394
2011 Request	<u>50,316</u>
Program Improvements/Offsets	+6,922

Proposed Actions

The Department is proposing \$182 million in fiscal year 2011 for Project Rental Assistance Contract (PRAC) Renewals/Amendments. The PRAC Renewal/Amendment program is continually growing. New units are funded by this program throughout the fiscal year due to PRAC contracts needing to be amended or extended. These new units represent initial PRAC contracts which have disbursed all obligated funds. During the following fiscal year, these units will be funded under a PRAC Renewal contract and the cycle of new units will repeat. Initial PRAC contracts are funded for 3 years and Renewal contracts are funded annually.

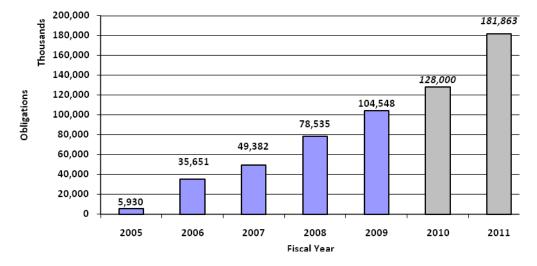
The following chart shows the number of new units and total units funded by PRAC Renewal/Amendment funds since fiscal year 2003.



The chart illustrates the growth in the number of units funded with PRAC Renewal/Amendment funds each fiscal year. The "initial renewal units" represent units which have not been funded by the PRAC Renewal/Amendment program in a previous fiscal year, e.g. amendment units and units with expiring initial PRACs.

The table below the chart above shows a comparative flow of the units funded each fiscal year and estimated to be funded in fiscal years 2010 and 2011. Ideally, the total units funded in one fiscal year should equal the subsequent renewal units funded in the next fiscal year as shown between fiscal years 2009-2011. However, as the historical table demonstrates, not all units funded in one fiscal year receive additional funding in the next fiscal year as shown between fiscal years 2003-2004. Consequently, there could be a year where there is a dramatic increase in the number of units funded because although these units were funded previously they may not have been funded in the fiscal year(s) immediately preceding the increase as shown between fiscal years 2005-2006.

The following chart shows the amount of PRAC renewal/amendment obligations incurred since fiscal year 2005.



Housing for the Elderly PRAC Renewals/Amendments

This chart illustrates the growth in the amount of budget authority that must be obligated annually to maintain operating assistance for Section 202 projects. As new projects and units come out of the construction pipeline and initial PRACs expire, this budget authority requirement will continue to grow with a similar trend. The fiscal year 2011 estimate reflects an analysis of subsidy balances on currently active PRAC contracts that are expected to require renewal or amendment.

Planning Grant	Amount
2009 Appropriation	\$20,000
2010 Appropriation/Request	20,000
2011 Request	<u></u>
Program Improvements/Offsets	-20,000

Proposed Actions

The Department is not requesting any funding for Planning Grants in fiscal year 2011. This is an activity that is administered in conjunction with expansion activities and a 1-year suspension of the funding for Planning Grants is requested to give way to the redesign of the Housing for the Elderly program.

Working Capital Fund	Amount
2009 Appropriation	\$1,600
2010 Appropriation/Request	
2011 Request	<u></u>
Program Improvements/Offsets	

Proposed Actions

In fiscal year 2011, all expenses related to the steady-state maintenance of HUD's information technology systems will be funded by the Working Capital Fund, program offsets to Working Capital Fund are no longer requested. All other information technology investments will be funded through the Department's Transformational Initiative. The Transformation Initiative allows the Secretary the necessary flexibility to undertake an integrated and balanced effort to improve program performance and test innovative ideas. Up to 1 percent of the funds appropriated for Housing for the Elderly account will be transferred to the Transformation Initiative account to undertake research, demonstrations, technical assistance, and technology improvements.

Technical Assistance	Amount
2009 Appropriation	\$2,000
2010 Appropriation/Request	
2011 Request	<u></u>
Program Improvements/Offsets	

Proposed Actions

In fiscal year 2011, Technical Assistance activities will be funded through the Department's Transformational Initiative. The Transformation Initiative allows the Secretary the necessary flexibility to undertake an integrated and balanced effort to improve program performance and test in novative ideas. Up to 1 percent of the funds appropriated for Housing for the Elderly account will be transferred to the Transformation Initiative account to undertake research, demonstrations, technical assistance, and technology improvements.

Intergenerational Families Demonstration Project	Amount
2009 Appropriation	
2010 Appropriation/Request	
2011 Request	<u></u>
Program Improvements/Offsets	

Proposed Actions

The fiscal year 2006 Appropriations Act provided \$3.96 million for a demonstration to determine the efficiency of implementing Section 203 of Public Law 108-186, which authorizes assistance for intergenerational dwelling units for families in connection with the supportive housing program under Section 202. Pending the assessment of this demonstration, no new funding is requested for fiscal year 2011.

Delegated Processing Demonstration	<u>Amount</u>
2009 Appropriation	\$1,000
2010 Appropriation/Request	
2011 Request	<u></u>
Program Improvements/Offsets	

Proposed Actions

In fiscal year 2009, \$1 million was allocated to the Delegated Processing Program, which authorized the delegation of grant application review and processing to local housing agencies with experience in underwriting multifamily loans that provide housing and supportive services, for projects which will be using other funding sources in addition to HUD's Capital Advance program. Pending the assessment of this demonstration, no new funding is requested for fiscal year 2011.

HOUSING HOUSING FOR THE ELDERLY (SECTION 202) Program Offsets (Dollars in Thousands)

Transformation Initiative	Amount
2009 Appropriation	
2010 Appropriation/Request	\$8,250
2011 Request	2,737
Program Improvements/Offsets	-5,513

Proposed Actions

The Transformation Initiative allows the Secretary the necessary flexibility to undertake an integrated and balanced effort to improve program performance and test innovative ideas. Up to 1 percent of the funds appropriated for Housing for the Elderly account will be transferred to the Transformation Initiative account to undertake research, demonstrations, technical assistance, and technology improvements.

HOUSING HOUSING FOR THE ELDERLY (SECTION 202) Justification of Proposed Changes in Appropriations Language

The fiscal year 2011 President's Budget included proposed changes in the appropriations language listed and explained below. New language is italicized and underlined, and language for deletion is bracketed.

For [capital advances, including] amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, [\$825,000,000] <u>\$273,700,000</u>, to remain available until September 30, [2013] <u>2014</u> [, of which up to \$582,000,000 shall be for capital advance and project-based rental assistance awards]: *Provided*, That amounts for project rental assistance contracts are to remain available for the liquidation of valid obligations for 10 years following the date of such obligation: *Provided further*, That of the amount provided under this heading, up to \$90,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for substantial and emergency capital repairs as determined by the Secretary: *Provided further*, That of the amount made available under this heading, \$20,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 capital advance projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration. *(Department of Housing and Urban Development Appropriations Act 2010)*

Explanation of Changes

The Department is proposing to only fund the Project Rental Assistance Contract (PRAC) Renewal/Amendment program and the Service Coordinators program in fiscal year 2011. Funding may also be available for amendments to capital advance contracts, as needed. HUD would like to suspend issuance of Capital Advances for 1 year to redesign the program and make way for funds to be used more effectively and efficiently. The appropriations language above has therefore, provided no funding for Capital Advance, Conversion to Assisted Living and Pre-Development Grants.

HOUSING HOUSING FOR THE ELDERLY (SECTION 202) Crosswalk of 2009 Availability (Dollars in Thousands)

Budget Activity	2009 Enacted	Supplemental/ <u>Rescission</u>	Approved <u>Reprogrammings</u>	<u>Transfers</u>	<u>Carryover</u>	Total 2009 <u>Resources</u>
Elderly Expansion	\$522,726				\$670,051	\$1,192,777
Elderly PRAC Renewal/Amendment Service Coordinators/ Congregate	102,674				2,155	104,829
Housing Service Program Conversion to Assisted	90,000				23,003	113,003
Living/Emergency Repairs	25,000				42,140	67,140
Planning Grant	20,000				35,238	55,238
Technical Assistance	2,000					2,000
Working Capital Fund Intergenerational Families	1,600					1,600
Demonstration Project					3,960	3,960
Delegated Processing Demonstration	1,000					1,000
Transformation Initiative	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
Total	765,000				776,547	1,541,547

HOUSING HOUSING FOR THE ELDERLY (SECTION 202) Crosswalk of 2010 Changes (Dollars in Thousands)

Budget Activity	2010 President's Budget <u>Request</u>	Congressional Appropriations Action on 2010 <u>Request</u>	2010 Supplemental/ <u>Rescission</u>	<u>Reprogrammings</u>	<u>Carryover</u>	Total 2010 <u>Resources</u>
Elderly Expansion	\$522,000	\$540,050			\$582,227	\$1,122,277
Elderly PRAC Renewal/Amendment Service Coordinators/ Congregate	128,000	128,000			240	128,240
Housing Service Program Conversion to Assisted	90,000	89,100			66,262	155,362
Living/Emergency Repairs	25,000	39,600			34,410	74,010
Planning Grant		20,000			48,209	68,209
Technical Assistance					2,000	2,000
Working Capital Fund Intergenerational Families						
Demonstration Project						
Delegated Processing Demonstration					1,000	1,000
Transformation Initiative	<u></u>	8,250	<u></u>	<u></u>	<u></u>	8,250
Total	765,000	825,000			734,348	1,559,348