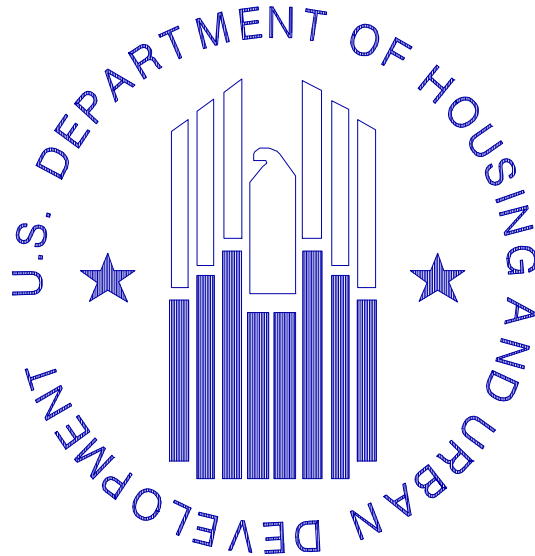


**U.S Department of Housing & Urban Development
Buffalo, New York Office**



Annual Community Assessment Report

for

Town of Amherst, New York

**Covering the Program Years of
April 1, 2011 – March 31, 2012
April 1, 2012 – March 31, 2013
April 1, 2013 – March 31, 2014**

INTRODUCTION

The Town of Amherst is a recipient of HUD Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) funds. As such, it is required annually to review and report on its progress in carrying out the goals and priorities of its Consolidated Plan, its community-approved plan of action. The Consolidated Annual Performance and Evaluation Report (CAPER) is the tool used to report to both HUD and the local community on the activities undertaken during the previous year. Prior to submission to HUD, a grantee must make its CAPER available for review and comment by the public.

HUD relies on the CAPER, financial data and audits, on-site monitoring and other resources to evaluate a grantee's overall performance and effectiveness. The review process is ongoing. This Annual Community Assessment (ACA) report summarizes and provides feedback on your community's performance and its continuing capacity to administer HUD Community Development funds.

The ACA report consists of four sections:

Section I provides a general overview regarding compliance and reporting accuracy.

Section II evaluates grantee performance in key cross-cutting functions.

Section III evaluates the progress and performance of each specific HUD program.

Section IV provides recommendations and follow-up activities, if applicable.

Assessment Periods:

April 1, 2011-March 31, 2012

Second year of a five-year Consolidated Plan

2011 Funding Amount:

CDBG	\$ 524,968.00
HOME	\$1,049,874.00
Program Income	<u>\$208,684.75</u>
2011 Total	\$1,783,526.75

April 1, 2012-March 31, 2013

Third year of a five-year Consolidated Plan

2012 Funding Amount:

CDBG	\$489,770
HOME	\$699,384
Program Income	<u>\$161,973</u>
2012 Total	\$1,351,127

April 1, 2013-March 31, 2014

Fourth year of a five-year Consolidated Plan

2013 Funding Amount:

CDBG	\$509,174
HOME	\$669,023

Program Income	<u>\$252,710</u>
2013 Total	\$1,430,897

Section I - Summary of Consistency with Consolidated Plan & Annual Action Plans

HUD’s review of the CAPER determined that the Town followed the HUD approved Consolidated Plan and Annual Action Plan during the 2011, 2012 and 2013 program years (PY). The activities undertaken during the years were consistent with the Town’s 2010-2014 Consolidated Plan goals, objectives and priority needs. These goals, objectives and priority needs as stated in the Amherst-Cheektowaga-Tonawanda Consortium’s 2010-2014 Consolidated Plan included the following key elements:

1. Rehabilitate existing owner-occupied low-income housing.
2. Provide assistance to low- and moderate-income first-time homebuyers.
3. Provide assistance and counseling to those who are or have become homeless.
4. Provide weatherization assistance for low-income homeowners and renters.
5. Install new/replace deteriorated infrastructure such as streets, sidewalks, waterlines, sewers, etc. to prevent or reduce deterioration in neighborhoods.
6. Maintain and upgrade the extensive park and recreation systems, to have a positive impact on the quality of life of the residents.
7. Support supportive and counseling services needed to improve the quality of life and mitigate and prevent problems for youth, senior citizens and families and individuals in need of assistance.
8. Support the economic stability and well-being of the Town with jobs (especially for low- and moderate-income people), diversification, expansion of the local tax base, maintaining neighborhood commercial centers, and the development of business parks and centers.
9. Preserve elements of local heritage and accomplish historic preservation.

The actual 2011, 2012 and 2013 Program Year expenditures recorded in IDIS reflect that the Town did expend HUD funds in these broad categories and within the requirements of HUD funding regulations.

Performance Reports / CAPER Completeness

A Consolidated Annual Performance and Evaluation Report (CAPER) is due 90 days after the Town completes its program year, which would be June 30. The Town’s 2011 CAPER was received on June 29, 2012. The Town’s 2012 CAPER was received on June 28, 2013. The Town’s 2013 CAPER was received on June 30, 2014.

The reports were determined to be substantially complete, including providing an adequate description of the Town’s progress and performance throughout the program year. More detailed information and an assessment of accomplishments can be found in Section III of this report. Comments/Notes and any requests for supplemental information will also be noted below.

Section II - General Overview and Cross Cutting Areas

FHEO - HUD’s FHEO division evaluated the 2011 and 2012 CAPERs and verified that programs and expenditures are acceptable in terms of equal opportunity and fair housing. Its

review of the 2013 CAPER elicited comments about two actions that must be taken: 1) A Limited English Proficiency (LEP) policy must be created for the Hispanic community, which is comprised of 2,870 residents, and 2) A relocation policy must either be documented or created. It is noted that the Town prepared an updated Analysis of Impediments with the other partners in the Amherst Consortium, for submission with the 2015 Consolidated Plan.

PH and MFH – HUD’s Multifamily and Public Housing divisions also were tasked with evaluating CAPERS. PH found the 2011 and 2012 CAPERS to be satisfactory. MFH found the 2011 CAPER to be satisfactory, and was not tasked with reviewing CAPERS after that year.

Citizen Participation - The grantee conducted the required hearings and public notification to comply with citizen participation requirements. No comments were received during the reporting periods.

Compliance Monitoring – The following HUD programs were monitored during the reviewed program years:

Program Reviewed: CDBG and HOME – Subrecipient Oversight and Management; implementation of pertinent Fair Housing and Equal Opportunity programs.

Date of Monitoring: June 26-29, 2012

Monitoring Status: Two Findings and Two Concerns were noted.

Subrecipient Oversight & Monitoring – The Town of Amherst has two HOME subrecipients: the Town of Cheektowaga and the Town of Tonawanda, and five agencies that receive CDBG funds under contract. The five agencies are Belmont Housing Resources of WNY, the Boys & Girls Club of Buffalo, Buffalo Urban League, Catholic Charities, and Housing Opportunities Made Equal, There is also one cooperative agreement that renews automatically with the Town of Williamsville. Amherst monitors its subrecipients on an ongoing basis and provides technical assistance as needed to ensure compliance with CDBG and HOME requirements.

Management – Amherst has experienced staff and consultants that are capable of administering and overseeing the HUD funded programs.

Financial – The financial information reported by the Town appears to be complete, accurate, and sufficiently detailed to document the overall condition of HUD programs. Our review did not disclose any issues related to financial compliance.

Audits - A Single Audit must be submitted each year, nine months from the close of the Town’s fiscal year. Both the Federal Audit Clearinghouse (FAC) and HUD have received and reviewed Amherst’s 2011, 2012 and 2013 Single Audits.

Quarterly Federal Financial Reports (SF-272 Reports) were received and are current for the time period reviewed.

Interest earned on HUD funds was returned to the U.S. Treasury, as required.

Section III – Specific Program Progress and Performance

Community Development Block Grant (CDBG)

National Objective Compliance: The CDBG program was designed to principally benefit low and moderate income persons.

The CDBG program was designed to principally benefit low and moderate income persons. The annual percentages of non-administrative funds used on activities that principally benefitted low-moderate income persons were: 99.67% in PY2011; 97.24 in PY2012, and 97.65% in PY2013. All activities reported appear to meet a national objective.

PY11 Summary of Use of CDBG funds (unadjusted for program income):

	Activities Completed	'11 \$ Disbursed	% of total Expended
Housing	46 activities	\$ 323,827.14	53.93%
Public Facilities	14 activities	\$ 81,142.75	13.51%
Public Services	15 activities	\$ 91,931.76	15.31%
Planning & Admin	11 activities	\$ 103,511.74	17.24%
TOTAL	86 activities	\$ 600,413.39	99.99%

PY2012 Summary of Use of CDBG funds (unadjusted for program income):

	Activities Completed	'12 \$ Disbursed	% of total Expended
Housing	46 activities	\$ 367,282.46	61.23%
Public Facilities	11 activities	\$ 41,151.58	6.86%
Public Services	14 activities	\$ 68,548.84	11.42%
Planning & Admin	12 activities	\$ 122,881.83	20.48%
TOTAL	83 activities	599,864.48	99.99%

PY2013 Summary of Use of CDBG funds (unadjusted for program income):

	Activities Completed	'13 \$ Disbursed	% of total Expended
Acquisition	0 activities	\$ 0	0%
Economic Development	0 activity	\$ 0	0%
Housing	38 activities	\$ 461,969.65	55.97%
Public Facilities	10 activities	\$131,274.65	15.9%
Public Services	14 activities	\$ 101,631.57	12.31%
Planning & Admin	6 activities	\$ 130,476.47	15.81%

TOTAL	68 activities	\$ 825,352.34	99.99%
--------------	---------------	---------------	--------

Activities: Program activities were adequately described during the reporting period. CDBG funds were spent on activities that were eligible under program rules. The above “Activities Completed” chart reflects multiple program year funding and does not reflect work in progress or activities underway at the time of the CAPER report.

The CAPERS and IDIS indicate that stated numeric goals for specific activities were met in PY2011, PY2012 and PY2013.

The following five public services programs were funded through CDBG: Boys and Girls Club “Prime Time” After School activity, family service counseling (Catholic Charities), housing counseling services (Belmont), foreclosure prevention and anti-predatory lending counseling (Buffalo Urban League), and community policing in target areas. Summaries indicate public service disbursements were 14.92% in PY2011, 9.81% in PY2012, and 12.44% in PY2013. All three years were within their annual 15 percent cap.

Financial:

Planning and Administration: Planning and Administration expenditures for all three years were reviewed and were within the annual 20 percent limit. The annual percentages were: 14.11% in PY2011, 18.85% in PY2012, and 17.13% in PY2013.

Program Income: The Town receives program income from housing rehabilitation loans. The Town’s 2011, 2012 and 2013 CAPER outlined the number of loans processed and the program income received during those years. A review of the IDIS system indicates that Amherst does not carry a balance of program income, except that which is designated as a Revolving Loan Fund for Housing Rehabilitation or Economic Development.

Expenditure Timeliness: The CDBG program requires that the Town’s unexpended CDBG funds be no more than 1.5 times their annual grant 60 days before the end of the program year. The Town was in compliance with the 1.5 timeliness test made on February 1st, each of the three years. The Town continues to expend HUD funds expeditiously. It is anticipated that the Town will have no problem meeting its February 1, 2017 timeliness test.

IDIS Data: The Town has addressed open CDBG activities in the IDIS database, and should continue to monitor the reported status of activities at least quarterly.

Productivity: Per unit costs were not excessive and CDBG program delivery expenses were reasonable.

Other Issues / Recommendations / Highlights

Highlights noted during the three CAPER reviews include these accomplishments:

- Rehabilitated 66 existing low and moderate income owner-occupied housing units, including removal of lead-based paint, when needed
- Provided weatherization assistance to nine low income homeowners and renters
- Acquired 3 substandard, vacant units for rehabilitation and resale to low and moderate-income homebuyers
- Adjusted goals to assist the homeless and at-risk based on information now available regarding the homeless population in the Town that was unavailable when the Consolidated Plan was prepared
- Funded the Buffalo Urban League and Belmont Housing Resources to provide counseling services for homeowners who are targets of predatory lending and at risk of foreclosure;
- Completed improvements at Eggertsville and Dellwood Parks
- Funded youth counseling through Catholic Charities, and youth services through the Boys & Girls Club at Eggertsville Community Center
- Provided access to HPRP funds for homeless prevention that were allocated to Tonawanda and available through Catholic Charities.

Home Investment Partnerships Program (HOME) Grant

The Town of Amherst is the Lead Agency for the Amherst-Cheektowaga-Tonawanda (ACT) HOME Consortium.

Beneficiary Compliance: Beneficiaries were compliant with HOME low-mod income requirements.

Activities: HOME funds were spent on housing rehabilitation and first time homebuyer programs, for activities that were eligible under program rules. The PJ is on track to achieve goals that were stated in the five-year Consolidated Plan.

Financial

Program Administration: HOME administration costs were within the 10% cap each year.

Program Income (PI): In PY2011, PY2012 and PY2013, the Town receipted a total of \$1,415,977.97, drawing each year's full deposit and leaving a \$0 cumulative HOME PI balance.

Deadlines for HOME Commitments/Reservations/Disbursements: The Town met its annual July 31st deadline for HOME commitments and CHDO reservations: in 2011 for 2009 funds; in 2012 for 2010 funds, and in 2013 for 2011 funds. The Town met its annual May 31st deadline for disbursement of HOME funds: in 2011 for 2006 funds; in 2012 for 2007 funds, and in 2013 for 2008 funds.

IDIS Data: The Town is current with HOME activity reporting in IDIS, and should continue to monitor data quarterly for accuracy.

Match: The Town of Amherst did not receive a match reduction in PY 2010; therefore a 25% match was required. The HUD-40107-A HOME Match Reports submitted by the

Town indicates that it had a significant amount of excess match each year that will be carried over into the next Federal fiscal year.

CHDO Issues: The HOME program requires that grantees reserve a minimum of 15 percent of their annual award to one or more Community Housing Development Organizations (CHDOs), for the development of affordable housing. The Town reserved the correct amounts in the years reviewed. The percentage reserved per year was 30.4% in FY2011, 20.4% in FY2012, and 75.3% in FY2013. New Opportunities Community Housing was the designated CHDO.

Other Issues/Recommendations/Highlights

Highlights noted during the CAPER reviews include these accomplishments:

- Provided rehabilitation assistance to 203 existing low and moderate income owner-occupied housing units,
- Provided purchase assistance to 122 First-time homebuyers
- Acquired ten substandard homes for rehabilitation or demolition/construction for sale to First-time homebuyers

Section IV – Summary and Follow up

Follow Up Items

1. Please revise and resubmit the Town's PY2012 PR26 Financial Summary within 30 days of the date of this correspondence. Explanation is required for line 14, adjustments to compute low/mod benefit, and line 38, program administration unliquidated obligations.
2. In the PY2012 CAPER, The Town reported that funds were disbursed for Economic Development but did not describe any subsequent job creation activities or accomplishments. Please provide further detail within 30 days of the date of this correspondence.
3. HUD's Fair Housing and Equal Opportunity Division reviewed the CAPER and noted the following: 1) A Limited English Proficiency (LEP) policy must be created for the Hispanic community, which is comprised of 2,870 residents. 2) A relocation policy must either be documented or created. Please confer with your HUD Fair Housing representative to address these actions.

This report was prepared by

Vicki Vigorito, Senior CPD Representative
716-551-5755, ext. 5812
Victoria.Vigorito@hud.gov

HUD is providing you the opportunity to review this assessment and comment. Based on the information available at the time of this review, HUD has determined that at this time, the Town of Amherst has the continuing capacity to carry out the HUD programs indentified in this report.

If you have any questions or would like to discuss the Assessment Report, please contact Vicki Vigorito, Senior CPD Representative at 716-551-5755, ext. 5812. If you disagree with this assessment, please respond, in writing to William O'Connell, Director of Community Planning & Development – HUD, 465 Main Street, Buffalo, NY 14203. Your response should identify any areas of disagreement and corrections or any additional comments you would like HUD to consider.

If no response is received, this report is final and should be considered your community's Program Year Letter as required by HUD regulation. Consistent with the Consolidated Plan regulations, this assessment should be made available to the public. This can be accomplished by making it available through your established citizen participation process. HUD will also make it available to citizens upon request.