



**Housing Trust Fund, Ending Long-Term
Homelessness Initiative Fund &
Housing with Supports for Adults with
Serious Mental Illness**

**Operating Subsidy
Program Guide**

October 2016



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Chapter 1 - Introduction

Mission Statement

Minnesota Housing finances affordable housing for low- and moderate-income households while fostering strong communities.

Background

The Minnesota Housing Finance Agency (Minnesota Housing) was established by the 1971 session of the Minnesota Legislature to finance the construction and rehabilitation of housing for families of low and moderate income. In addition to providing financing for multifamily rental units, single family mortgage loans and home improvement loans and grants, Minnesota Housing participates in and administers other programs which assist in increasing or improving affordable housing for Minnesota residents.

Chapter 2 – Program Purpose and Background

The Minnesota Legislature established the Housing Trust Fund Program (HTF) in 1988 to support the development of affordable housing for low-income persons and families. Revenue for HTF is generated from the interest earnings on real estate broker's trust accounts; interest accrued on revenue bond application fees and forfeited fees; and state appropriated funds.

In 2001, the Legislature, at the request of Minnesota Housing, made substantial changes to HTF including the expansion of its funding activities. Since 2002, HTF resources may be used for operating subsidy and rental assistance funding, in addition to the capital funding it has historically provided.

In 2005, HTF Rules were modified to add a funding priority for developments and programs that serve households experiencing long-term homelessness in response to the State's Business Plan for Ending Long-Term Homelessness. To begin implementation of the State's Business Plan, the Minnesota Housing Board approved the amendment of the 2004-2005 Affordable Housing Plan on May 27, 2004, to establish the Ending Long-Term Homelessness Initiative Fund (ELHIF) for permanent rental housing that will serve households experiencing long-term homelessness, as defined in Section II.D.2 of this program guide. ELHIF will be administered through the HTF Rules.

In 2007, the Department of Human Services-Adult Mental Health Division (DHS-AMHD) entered into an Interagency Agreement with Minnesota Housing to provide operating funding to developments that expand housing opportunities for adults with serious mental illness. The Housing with Supports for Adults with Serious Mental Illness (HSASMI) funds are integrated into the HTF Operating Subsidy program and are administered in cooperation with DHS-AMHD through the HTF rules.

The HTF and ELHIF Programs may be used to fund three general types of activities: capital funding, operating subsidy, and rental assistance. Minnesota Housing must allocate the overall funding among these three categories as provided in the HTF Rules.

For operating subsidy funding Minnesota Housing may provide an operating subsidy for rental housing for which Minnesota Housing has provided capital funding. The operating subsidy is available in two forms:

- **Revenue shortfall:** To cover revenue shortfall caused by the difference between the cost of operating the housing development and rents paid by eligible tenants.
- **Unique costs:** The unique costs associated with operating low-income rental or supportive housing must be critical to both the economic viability of the housing development and to serving the population for whom the housing is designed. Unique costs may include:
 - Front Desk and Security
 - Tenant Service Coordination

HSASMI Operating Subsidy may fund unique operating costs and revenue shortfall costs associated with operating housing providing appropriate supportive services for adults with serious mental illness, which cannot be funded through other revenue sources and as permitted in accordance with the HTF Rules.

This guide will focus only on the operating subsidy funding program. Refer to the Housing Trust Fund Capital Funding Program and Housing Trust Fund Rental Assistance Program Guides for additional information relating to these programs.

Chapter 3 – Eligibility Criteria

3.01 Eligible Applicants

To be eligible to apply for a temporary HTF and/or ELHIF operating subsidy funding, an applicant should have experience in operating or administering permanent rental housing or supportive housing programs for low and moderate income persons and families and must be (1) the owner of a housing development that is funded with a loan or a grant from Minnesota Housing, or (2) an applicant for a loan or grant from Minnesota Housing to fund the acquisition, construction, or rehabilitation of rental housing.

3.02 Use and Level of Funding

Eligible Uses. Operating Subsidy funds may fund a development’s operating and maintenance expenses, including:

- Revenue Shortfall: Costs to cover revenue shortfall caused by the difference between the cost of operating the housing development and rents paid by eligible tenant
- Unique Costs: Costs that are unique to the operation of the supportive housing and are critical to both the economic viability of the building and the welfare of the population to be served including, youth, individuals, families, and persons and households experiencing long-term homelessness. Examples of operating costs that are eligible for funding include, front desk operation, costs of operating service related space, security, tenant coordinator and interpretive services. See definitions below:
 - Tenant Service Coordinator: A Tenant Service Coordinator performs tasks associated with fostering housing stability and landlord related housing support that will assist residents in maintaining their housing, including:
 - Budgeting to pay rent, utilities, food and other basic necessities.
 - Tenant counseling to assist individuals to understand leases and tenant responsibilities.
 - Mediation services related to neighbor/landlord issues.
 - Community building activities that is generally social and recreational in nature, to assist residents in developing social skills and a sense of community.
 - Referral source for supportive services – and facilitate the connection of support services to residents.
 - Front Desk and/or Security Staff: A front desk and/or security staff may perform tasks associated with housing tenancy support services, such as a concierge-like watchful eye to alert supportive service providers when a tenant appears to need assistance or attention – (State’s Business Plan for Ending Long-Term Homelessness).

Ineligible Uses. Operating Subsidy funds shall not be used for the following costs:

- Asset management fees, partnership management fees, reserves required by other lenders, distributions to the Owner, or other fees and expenses over and above what Minnesota Housing deems as necessary operating expenses.

- Supportive services such as:
 - [Case management](#), defined by the MN Interagency Task Force on Homelessness
 - Daily independent living skills
 - Medication management
 - Psychiatric and chemical dependency counseling
 - Nursing or medical services
 - Cost reimbursable services such as those covered by Adult Rehabilitative Mental Health Services (ARMHS), ACT (Assertive Community Treatment) teams, Community Alternative for Disabled Individual (CADI) Waiver, or Community Support Program (CSP).

Eligible Housing Proposals. To be eligible for operating subsidy funding, rental housing must satisfy the following requirements:

- Any rental unit assisted with operating subsidy program funds (Assisted Unit) must provide rental housing for persons and families whose gross incomes, at the time of initial occupancy, do not exceed program income limits as described Section 3. D. Income and Occupancy Requirements.
- The proposed housing development must consist of a minimum of four rental-housing units.
- The housing development, in which the operating subsidy will be used, must be in compliance with the requirements of Minnesota Housing Capital Loan(s) under which it was or is to be funded.
- The housing shall be marketed for general occupancy and families, except for those units specifically deemed to serve households experiencing long-term homelessness (LTH Assisted Units).
- Temporary and transitional housing as defined by the U.S. Department of Housing and Urban Development (HUD) may be funded only by the HTF Program.
- For supportive housing proposals and proposals seeking HSASMI Operating Subsidy funding, individuals will be linked to or offered rehabilitative services and treatment, but not required to accept services as a condition of housing.

Ineligible Housing Proposals. Nursing homes, board and care facilities, and supervised living facilities licensed by the Minnesota Department of Health or a delegated local department of health, or properties where all residents require an individual 24-hour plan for supervision, medical or health care are ineligible housing developments.

Level of Funding. Minnesota Housing determines operating subsidy grant amounts by reviewing cost reasonableness on a per-unit cost basis. Minnesota Housing will also analyze the development and operating costs to determine that the amount of operating subsidy funds provided to the development is held as low as possible while not compromising the economic viability of the proposed housing.

Funding Priorities. Minnesota Housing shall give priority to awarding operating subsidy funding to those proposals that best address the greatest number of funding priorities as outlined in the [Minnesota Multifamily Consolidated Request for Proposals Guide](#)- Chapters 4 and 5.

Additional Requirements. Additional funding requirements may be called for as a condition of the applicant’s selection and, further conditions may be negotiated prior to the closing. Additional requirements will be made a part of the terms of the Grant Agreement.

3.03 Site Inspection

A site inspection may be necessary. Minnesota Housing staff will assess the existing condition of the building and expects that the existing rental housing will meet inspection standards of decent, safe and sanitary conditions.

3.04 Income and Occupancy Requirements

Income Limits. Units assisted with operating subsidy funds must be occupied by households whose income at the time of initial occupancy does not exceed 60 percent of the metropolitan area median income for a family of four as determined by HUD and adjusted for families of five or more. The metropolitan area is defined as the area over which the Metropolitan Council has jurisdiction, including only the counties of Anoka, Carver, Dakota excluding the city of Northfield, Hennepin, excluding the cities of Hanover and Rockford, Ramsey, Scott excluding the city of New Prague, and Washington. The HUD metropolitan area median income limits are applied statewide. A household with Section 8 project-based or voucher assistance is deemed to meet these income requirements.

Because the HTF Statute requires that 75 percent of the program funds be used for the benefit of households whose income at the time of initial occupancy does not exceed 30 percent of the metropolitan area median income for a family of four as determined by HUD and adjusted for families of five or more, Minnesota Housing will prioritize developments that will serve these lower-income households.

There are no income limits for non-assisted units in a mixed income development, unless dictated by another source of funding.

Long-Term Homelessness Occupancy Requirements. The proposed housing development units deemed for occupancy by households experiencing long-term homelessness must consist of permanent supportive housing, as defined below and, must provide or coordinate with linkages to services necessary for residents to maintain housing stability.

- Permanent Supportive Housing is defined as “permanent rental housing affordable to the population served, where support services are available to residents. Permanent supportive housing is available to individuals and families with multiple barriers to obtaining and maintaining housing, including those who are formerly homeless or at risk

of homelessness and those with mental illness, substance abuse disorders, and/or HIV/AIDS.”

- Households experiencing long-term homelessness is defined as “persons including individuals, unaccompanied youth, and families with children lacking a permanent place to live continuously for a year or more or at least four times in the past three years. Any period of institutionalization or incarceration shall be excluded when determining the length of time a household has been homeless.” Refer to Minnesota Housing’s [website](#) for additional clarification on the long-term homelessness definition.

Compliance. The income and occupancy requirements will be monitored by Minnesota Housing for the length of the grant. Household incomes for all assisted units will be reviewed for compliance by Minnesota Housing through the review and analysis of various forms and formats acceptable to Minnesota Housing.

As Assisted Units become vacant, incomes of new households occupying the Assisted Units will be verified and analyzed and reported to Minnesota Housing on an annual basis. Households need only qualify at the time of initial occupancy and do not need to be re-certified thereafter.

For more detail, refer to Chapter 4 – Section D. Monitoring and Reporting Requirements of this guide.

Chapter 4 – General Characteristics of Funding

Minnesota Housing underwriting parameters for all developments will include analysis of financial feasibility, development costs, and review of management, marketability, and architectural requirements.

4.01 Funding Terms

Operating Subsidy funds are awarded in the form of a grant to the owner and may be awarded for a two year period, with the second year of the award being conditional and dependent upon (1) the availability of such funds, and (2) the satisfactory performance of the grantee. Minnesota Housing and DHS-AMHD are not obligated to fund a second year of operating subsidy and grantees should actively pursue alternatives.

Before Minnesota Housing will enter into a Grant Agreement with the grantee, the development must have closed a Minnesota Housing capital funding loan.

If Grantee does not expend the proceeds of the Grant before the end of the term of the Agreement, Minnesota Housing shall reduce the amount of the Grant.

4.02 Grant Agreement

The Grant Agreement specifies the terms and conditions under which Minnesota Housing will disburse funds awarded under the Operating Subsidy Program.

- Before Minnesota Housing will enter into an Agreement with the grantee, the grantee must provide documents in a satisfactory form, as identified on a checklist to be provided by Minnesota Housing.
- Additional documents for supportive housing developments are required.

4.03 Management and Operations

Average Management and Operating Budget Costs. The budget submitted by the grantee will be reviewed and compared to budgets of comparable Minnesota Housing-financed developments. Eligible income and expenses will be reviewed and approved to ensure compatibility with the operating subsidy grant funds.

Minnesota Housing reserves the right to reject or adjust the operating and maintenance figures based upon the information supplied, specific development type, circumstances and/or significant changes to the economics of the development's current market place.

Average Unique Expenses for Supportive Housing. The following average cost data on front desk, and tenant service coordinator is based on the experience of agency 2010 funded supportive housing developments to date. While we recognize that a project's expenses will vary, based on the composition of the development, location and tenant demographics, this information should be used as a tool to control costs.

Activity	Housing and FTE Cost	Families	Youth	Singles	Mixed Income
Front Desk	Cost/Room/Year	\$234	\$1,920	\$940	\$0
	Cost/Unit/Month	\$104	\$341	\$201	\$0
	FTE/Room/Year	\$312	\$457	\$242	\$0
	FTE/Unit/Month	\$139	\$81	\$52	\$0
Tenant Service Coordinator	Cost/Room/Year	\$287	\$0	\$294	\$763
	Cost/Unit/Month	\$140	\$0	\$81	\$221
	FTE/Room/Year	\$287	\$0	\$182	\$480
	FTE/Unit/Month	\$140	\$0	\$50	\$139

Utilization of Units. All units must be rented to family sizes appropriate to the unit size with a ratio of at least one person per bedroom. If, during the course of tenancy, a family size changes, a household may submit a written request to the management agent to transfer to another unit or be placed on a waiting list for such transfer. In the event of a decrease in family size, the household may be required to move into the next available suitably sized smaller unit.

Marketing. Owner/Agent shall demonstrate that they have established networks and linkages with city and county supportive service organizations that will be necessary for residents to maintain housing stability.

For LTH grantees, referrals are anticipated to come from: outreach workers, emergency shelters, organizations serving persons or families experiencing long-term homelessness, , Continuum of Care (COC) advisory committees, and other service providers such as youth and mental health service providers.

For DHS - Housing with Supports for Adults with Serious Mental Illness (HSASMI) grantees, referrals are expected to come from: tribal mental health, the County Adult Mental Health Authority, or local Adult Mental Health Initiative (AMHI) partner(s) and other organization considered vital to linking tenants to mental health resources, including available mental health evidence-based rehabilitative services and treatment.

4.04 Monitoring and Reporting Requirements

Annual Operating Subsidy Submissions. Required annual submissions will be outlined in the grantees grant agreement and will be required for disbursement of funds. Visit the Minnesota Housing [website](#) for additional information and compliance-related agency forms.

Other Minnesota Housing Required Monitoring Submissions. Minnesota Housing actively monitors each development it finances. This includes monitoring of tenant incomes, rents, and

affirmative action and equal opportunity requirements, and year-end operating reports. Current versions of the forms may be found on the Minnesota Housing [website](#).

Initial Occupancy Statement. As Assisted Units become vacant, they must be leased to qualified households who must disclose their income at initial occupancy on the Initial Occupancy Statement form, as provided by Minnesota Housing. This form will be used to ensure that tenants are qualified to occupy the Assisted Unit. In addition, this form, along with the Tenant Demographic Profile form, will assist in completion of annual reporting for compliance and demographic data as requested by Minnesota Housing through a [Tenant Characteristics Form](#) for program evaluation.

Data Practices Act Disclosure Statement. A Data Practices Act Disclosure Statement will be required for each household that occupies an Assisted Unit. This information is necessary for the administration and management of State or Federal programs that provide housing for low and moderate-income families.

Ending Long-Term Homelessness Reporting. Developments and programs serving households experiencing long-term homelessness (LTH Assisted Units) in response to the State's Business Plan for Ending Long-Term Homelessness shall comply with the following requirements:

- Long-term Homelessness Verification Forms: The owner shall ensure that a long-term homelessness (LTH) verification form or a self-certification form is completed prior to the initial time of occupancy for households that meet the state's definition of long-term homelessness. The form shall be maintained in the tenant's file for at least three years after the tenant vacates. These forms are available on [Minnesota Housing's website](#).
- Homeless Management Information System (HMIS): The Owner shall utilize HMIS and ensure that the required information is collected and entered on behalf of eligible households that occupy LTH assisted units. It is important that the data entered in HMIS and submitted in reports complies with Minnesota Housing's and Wilder's requirements. Quarterly and annual HMIS reports will be provided to Minnesota Housing. More information on HMIS can be found at: <http://hmismn.org>.
- Supportive Housing Assessment Report: The Owner and service provider shall complete an annual supportive housing assessment report. Minnesota Housing will send this form to owners annually.

DHS Monitoring and Reporting. Developments and programs receiving HSASMI funds will be required to collect and report HSASMI data using the Mental Health Information System (MHIS) for each Assisted Unit in the development. For more information, contact the Mental Health Program Consultant, Department of Human Service-Adult Mental Health Division identified on the last page of this Guide.

Chapter 5 – Administration of Operating Subsidy

5.01 Disbursement Schedule

Operating subsidies may be disbursed quarterly, semi-annually, or annually, as agreed upon between Minnesota Housing and the grantee in the Operating Subsidy Program Grant Agreement.

Disbursement Requests. The grantee is responsible for submitting a disbursement request to the Operating Subsidy Program Administrator identified on the last page of this Guide. Each operating subsidy disbursement request must be accompanied by an operating report provided on the appropriate Minnesota Housing’s Operating Subsidy Budget Form in electronic format that demonstrates need for that period. The report should include actual expenditures and revenues for the last year (or time period of last draw), and a budget for the next year (or draw period).

Add different budget types

A current rent roll must be available upon request.

Chapter 6 – Termination and Reduction of Operating Subsidy

6.01 Termination of Subsidy

Minnesota Housing may terminate the operating subsidy if:

- the operating subsidy is no longer needed to ensure the economic viability of the housing development. Minnesota Housing’s determination of economic viability is based on whether the development can generate sufficient operating income to meet its operating expenses if the operating subsidy is reduced or eliminated; and/or
- the grantee has failed to comply with the Operating Subsidy Program Grant Agreement or other Minnesota Housing agreements.

6.02 Reduction of Subsidy

Revenue Shortfall. Minnesota Housing may reduce the number of units for which a Revenue Shortfall Operating Subsidy is provided, or the amount of assistance per unit, if the full amount of the Revenue Shortfall Operating Subsidy is not necessary to ensure the economic viability of the development.

Unique Costs. Minnesota Housing may reduce the amount of a Unique Costs Operating Subsidy if the full amount of the Unique Costs Operating Subsidy is not necessary to ensure the economic viability of the development.

Chapter 7 – Equal Employment Opportunity and Contract Compliance

7.01 Policy

It is the policy of Minnesota Housing to take affirmative action to provide equal opportunity in all of our projects, programs, and other endeavors. Minnesota Housing’s goal is to achieve a client and recipient mix that is representative of the people who live in our state and our communities so that all employment and contractual benefits that develop as a result of our programs will be shared by all Minnesotans. This policy applies to all Minnesota Housing employees and outside parties with whom Minnesota Housing does business.

7.02 Purpose

The purpose of the Contract Compliance Plan is to make Minnesota Housing’s commitment to act affirmatively to achieve equal opportunity in all facets of its operation clear to both Minnesota Housing employees and outside parties with whom Minnesota Housing does business.

7.03 Goals

Minnesota Housing’s goal is to ensure minority and female contractors and subcontractors equal access to business opportunities on Minnesota Housing-financed developments and to encourage the presence of minorities and women at all levels, on the staffs of the program participants having contractual agreements with Minnesota Housing. Minnesota Housing’s goal is to ensure that the workforces on the developments and programs we finance reflect demographically the area in which they are located. Minnesota Housing’s goal is to ensure equal business opportunity to minority and female contractors and subcontractors on the developments we finance and equal employment opportunity in the workforces of the firms with whom we sign contractual agreements, in which a contractor commits to meet Minnesota Housing’s employment and business goals. These goals will apply for the length of the contract or the term of Minnesota Housing’s loan agreements. Minnesota Housing, at its discretion, may set numerical or percentage goals dependent on the location and size of a given project. Current goals will be determined by staff based on the location of the project.

7.04 Requirements

Minnesota Housing is required to comply with all applicable state, federal and local laws. These requirements are passed on to everyone we do business with, either by contractual agreement or as a Minnesota Housing policy.

7.05 Sanctions

Minnesota Housing has the contractual authority to demand full payment of any loan or grant, stop proceeding with any project at any stage, and cease to do business with any entity or individual that fails to follow our affirmative action policies or fails to meet its/his/her contractual equal opportunity obligations.

7.06 Equal Opportunity Laws/Rules

The operations of Minnesota Housing are regulated by Equal Opportunity Laws and Rules, including, but not limited to, the following as may be amended:

- Executive Order 11246 (Affirmative Action Requirements, Federal and federally derived Contracts)
- Executive Order 11625 (Minority Business Enterprises)
- The Civil Rights Act of 1964 (Title VII)
- Equal Employment Act of 1972
- The Americans with Disability Act of 1990
- Section 504 of the Rehabilitation Act of 1973 as amended
- Minnesota Human Rights Act (Section 363A.36)
- Fair Housing Amendments Act of 1988

Chapter 8 – Fair Housing Policy

It is the policy of Minnesota Housing to affirmatively further fair housing in all its programs so that individuals of similar income levels have equal access to Minnesota Housing programs, regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, familial status, gender identity or sexual orientation.

Minnesota Housing's fair housing policy incorporates the requirements of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988, as well as the Minnesota Human Rights Act. Housing providers are expected to comply with the applicable statutes, regulations, and related policy guidance. Housing providers should ensure that admissions, occupancy, marketing and operating procedures comply with non-discrimination requirements.

In part, the Fair Housing Act and the Minnesota Human Rights Act make it unlawful to, because of protected class status:

- discriminate in the selection/acceptance of applicants in the rental of housing units;
- discriminate in terms, conditions or privileges of the rental of a dwelling unit or services or facilities;
- engage in any conduct relating to the provision of housing that otherwise make unavailable or denies the rental of a dwelling unit;
- make, print or publish (or cause to make, print or publish) notices, statements or advertisements that indicate preferences or limitations based on protected class status;
- represent a dwelling is not available when it is in fact available;
- deny access to, or membership or participation in, associations or other services organizations or facilities relating to the business of renting a dwelling or discriminate in the terms or conditions of membership or participation; or
- engage in harassment or quid pro quo negotiations related to the rental of a dwelling unit.

Minnesota Housing has a commitment to affirmatively further fair housing for individuals with disabilities by promoting the accessibility requirements set out in the Fair Housing Act, which establish design and construction mandates for covered multifamily dwellings and requires housing providers to make reasonable accommodations and to allow persons with disabilities to make reasonable modifications.

Applicants will be required to submit an Affirmative Fair Housing Marketing Plan at the time of application, to update the plan regularly and to use affirmative fair housing marketing practices in soliciting renters, determining eligibility and concluding all transactions.

As a condition of funding through Minnesota Housing, housing providers are not permitted to refuse to lease a unit to, or discriminate against, a prospective resident solely because the prospective resident has a Housing Choice Voucher or other form of tenant-based rental assistance.

Chapter 9 – Allocation of Funds

Funding is available on a statewide basis and is made available through Minnesota Housing’s Multifamily RFP that provides a means of “one-stop shopping” by consolidating and coordinating multiple programs into one RFP.

Previously-awarded operating subsidy grantees reaching the end of their current grant term may have an opportunity to request a operating subsidy grant renewal. Subject to the availability of funds, Minnesota Housing and DHS-AMHD will directly invite eligible applicants to apply for renewal operating assistance.

Chapter 10 – Program Contact

Contact the Housing Development Officer identified in your selection letter or Vicki Farden, Program Manager, at 651.296.8125 or email Vicki.farden@state.mn.us for questions concerning this program.

Contact Laird Sourdif, Program Administrator, at 651.296.9841 or email laird.sourdif@state.mn.us for questions concerning disbursement schedules and requests for this program.

Contact Gary M. Travis, Mental Health Program Consultant, Department of Human Service-Adult Mental Health Division at 651.431.2252 or email Gary.M.Travis@state.mn.us for questions concerning the HSASMI program.