



Office of Victim Services

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New York State Office of Victim Services Match Waiver Policy Guidance

January 24, 2024

The policy of the New York State Office of Victim Services (OVS) is to require Victim of Crime Act (VOCA) subrecipients to meet their match requirements. If a subrecipient anticipates difficulty meeting the match requirement on a VOCA supported award, a request for a match waiver may be submitted to the New York State Office of Victim Services (OVS). Generally, match waiver requests will be considered at the start of an award period. A partial or full match waiver may be requested for each one-year budget period*. Match waivers are considered by the Director of OVS and/or the Deputy Director of Operations and Program Development on a case-by-case basis and approval will be determined based on a well-justified hardship. Approval considerations include, but are not limited to:

1. Who is being served by the project?
 - e.g., priority underserved victims as identified by OVS in the grant solicitation.
2. Practical and/or logistical obstacles to providing match
 - e.g., public agencies that do not engage in private fundraising and may have limitations on soliciting contributions.
3. Local resource constraints
 - e.g., recent loss of local fund sources or a rural or impoverished community with limited funding availability.
4. Increases to VOCA funding levels, whereas local funding availability has not increased to the same degree as the award.
5. Past ability to provide match
 - OVS generally expects subrecipients to provide a similar amount of match as provided in the previous budget period unless the subrecipient can document a significant change in circumstances.
6. Length of time the subrecipient has been providing services
 - e.g., Is this a new project/service?

OVS reserves the right, in accordance with guidance issued by the Federal Office for Victims of Crime (OVC) to issue partial or full match waivers to some or all OVS subrecipients during any contract term when circumstances justify such action. Examples of qualifying circumstances include, but are not limited to, a natural disaster, a pandemic, or a mass violence incident. A recommendation for a blanket match waiver must be sent by the Deputy Director of Operations and Program Development to the Director for written approval and signature. Such recommendation must include detail on the justification for a blanket waiver and any supporting



documentation. If OVS chooses to take this action, notification will be sent to all subrecipients providing additional guidance.

To request an individual match waiver, subrecipients must email a match waiver justification request on their organization's letterhead to ovsgrants@ovs.ny.gov and copy their assigned OVS Contract Management Specialist containing the following information:

1. Legal name of the subrecipient requesting a match waiver;
2. OVS Contract Number;
3. A brief description of the subrecipient, project, and services to be provided;
4. A justification explaining the hardship reason for the match waiver request:
 - How is the grant currently being matched?
 - Has the subrecipient considered all options for match?
 - What methods were used to consider all options for meeting match?
 - What steps are being taken to meet the match requirement in the future?
 - What impact to the VOCA project would a denial of match waiver have?
 - Would the subrecipient have to decline part or all of their award if the waiver was denied?
5. Amounts:
 - Total amount of match required based on the relevant VOCA funded award.
 - Total amount of match the subrecipient is able to provide, broken out by in-kind and cash match.
 - Amount of match the subrecipient is requesting to be waived.
 - Amount of match provided in the prior grant year for the same project (if applicable).
 - Budget period for which the match waiver request is being made.
6. Signatures from both the subrecipient's Executive Director and Board Chairperson or authorized signatory where applicable.

A subrecipient may include more than one match waiver request in the same letter as long as each request is separately detailed and includes the information requested in 2-6 from the list above.

Notification will be made electronically via email no later than 15 business days from the date of receipt of waiver request. The decision of OVS shall constitute final agency action.

If a subrecipient with an approved match waiver wishes to renegotiate the terms of the waiver during the budget period, an electronic request must be made to OVS outlining the justification for an amended match waiver (e.g., additional unanticipated hardship during the project period). This request will be considered by the Director and/or Deputy Director of Operations and Program Development and a decision will be rendered electronically, within 30 days of receipt of the request.

Upon approval, a match waiver determination notice will be sent to the subrecipient and retained in the subrecipient's grant file. The subrecipient's approved budget will be updated to reflect the reduced match that is now required. The match waiver determination notice will contain the

following:

1. a brief description of the project/services provided by subrecipient;
2. the scope of the waiver and waiver amount; and
3. the approval of the waiver request for the reasons set out in the determination.

Unless a blanket match waiver has been issued for all subrecipients, OVS will submit each individual match waiver determination to OVC (via Grant Award Modification (GAM), or as otherwise specified by OVC) no later than 90 days after fiscal year end.

OVS will submit the match waiver spreadsheet, using the OVC template, showing all active waivers approved in a federal fiscal year, no later than 90 days after the fiscal year end.

Prior OVC approval will be required for any match waiver requested by a subrecipient within 30 days before the subaward project end date, or after that date. OVS anticipates this would only occur in exigent circumstances.

**The budget year is the current federal fiscal year that OVS is funding. E.g. the budget period for the 2022 RFA year 1 is 10/1/22 – 9/30/23.*