



# The CA Quarterly Review

North Tampa Housing Development Corporation

Fall 2020

**It is with great sadness we announce the passing of Don Shea. His leadership, knowledge and sense of humor will be missed greatly. Don Shea embodied what NTHDC is and he took great pride in serving as Contract Administrator. While he is no longer with us, his vision lives on within NTHDC and we look forward to continuing the exemplary service he always strived for.**

SHEA, Joseph Donald, "Don," long-time resident of Valrico, FL, passed away on Saturday, October 10th, 2020, at age 73. Don was born in Tampa, FL to parents, Joseph and Ann Shea. He graduated from Jesuit High School in 1965. Following graduation, Don attended college at the University of South Florida. While attending USF he was drafted to the United States Army to serve in Vietnam. Don married the love of his life, JoAnn Diaz, in 1970.

In his younger days, Don owned Shea's Pharmacy and Liquor Store in Tampa, a family business since 1927. Throughout his time there, he worked alongside his father, his eldest daughter, Juanna, and youngest daughter, Donna, among many other family members. When he wasn't running the store, he could be found on his boat sailing on the waters of Tampa Bay or attending a Bucs game at Tampa Stadium where he was a season ticket holder for many years. Don loved his annual trip to Sebring for race weekend with the guys. He also enjoyed many long weekends at his family's property at the Suwannee River where cold beers were cracked by the campfire, and stories were not only told, but made. Don enjoyed the company of his best friends, sons-in-law, grandsons and his nephew when they'd go up for a guys trip.



Don was a devoted husband, father, grandfather, great-grandfather, uncle and friend. He attended every recital, concert, sporting event, homecoming court and graduation. He enjoyed vacationing on St. Pete beach every year with his family. He would hang back in the room blaring the news or could be found watching the sunset from the bar- just happy to be around everyone. Don was an excellent cook and had a taste for steak. He enjoyed his quiet nights at home with his wife, but the door was always open. All the kids had a key to the house and were welcomed at any time for a meal, a place to sleep or just spend time. Don was that type of "Dad," as everyone in the family called him, he was selfless and there for you. The only requirement was mastering how to talk over the TV.

Most recently, Don worked as Director and Contract Administrator for the North Tampa Housing Development Corporation. He was dedicated to his work and made a lasting impression on so many people he worked with. Don was known for making everyone in the office smile, whether it be with his genuine care and concern for others, his humor or his kind presence, he brought happiness. He truly cared about his work family. Don's involvement with affordable housing in Tampa began with a mentorship in college and he was dedicated to making it his life long career ever since.

Don is survived by his loving wife and best friend of 50 years, JoAnn Diaz Shea; his daughters, Juanna Shea Noriega and husband, Albert, Donna Shea Denhoff and husband, Aaron, and Terri Roper Redmon and husband, Lonnie; his grandchildren, Erica Noriega Lawrence and husband, Wesley, Andrea Noriega, Adam Noriega and wife, Sarah, Shea Denhoff, AJ Denhoff, Lily Denhoff, Emily and Grace Redmon; his great-grandson, Rex Joseph Lawrence; his sister, Joanne Shea Spencer; his sister-in-law, Dahlia Diaz Fernandez and husband, Ronnie; and many nieces, nephews and cousins. Don was preceded in death by his parents; and his brother-in-law, Timothy Spencer.

Due to the current pandemic, no services will be held. The family has chosen to hold small, private memorials. His family asks that if you'd like to make a donation on his behalf, please do so to the [Wounded Warriors Family Support](https://www.wwfs.org/donate/). Don was a proud Veteran that valued his family above all else. Providing a wonderful and comfortable life for them was important to him, as would aiding the families of fallen soldiers. <https://www.wwfs.org/donate/>



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## MORs Performed During the COVID-19 Pandemic

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### Background

On May 22, 2020, HUD lifted the suspension of MORs performed by PBCAs in locations where there are no restrictions by state or local law or ordinance to prevent them from performing these reviews.

- HUD released this [memo](#) with supplemental guidance that additionally established alternative methods in which a MOR may be conducted. The alternative manner MOR includes the following:
- HUD will, until September 30, 2020 (or such later date as HUD may determine), allow PBCAs to conduct on-site MORs without entering resident units.

On October 14, 2020, HUD updated the [Coronavirus \(COVID-19\) FAQ](#) and extended the period until December 31, 2020 (or such later date as HUD may determine).

- For REAC follow-up, in determining whether EH&S and other deficiencies have been corrected, the PBCA must attempt follow-up on those affected units via contact directly with the resident by way of phone or email and document the results or attempt(s) made on the MOR report. HUD understands that this method will require cooperation from both the Owner/Agent in obtaining a contact number or email for the resident(s) and from the resident(s) when contact is made.
- A physical on-site visit to the property must still occur to document the physical conditions, general appearance, security of the property and should include a visual assessment of each building and grounds of the property but does not require an assessment of resident units.
- An on-site entrance/exit interview should occur except in instances where state or local law or ordinances prevent such meetings. In instances where these interviews are prohibited from occurring on-site, they should be conducted by telephone or email and documented as such in the MOR Report.
- Tenant file review must be completed on-site, as HUD is not authorizing the transfer, either electronically or physically, of tenant files off-site. This portion of the review can be completed without contact with management staff. The PBCA will identify the files for review in advance and those files can be selected and left in a secured location for the PBCA staff's access on-site.
- All other portions of the MOR, Desk Review, and On-site review must be completed in their entirety. This includes an on-site review of tenant files.

### ATTENTION!

**Be sure to update NTHDC's address on form HUD-9887.**

The change of address must be listed on all 9887s going forward or a finding may be issued.

New address:

**4300 West Cypress Street Suite 300  
Tampa, FL 33607**

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## MORs Performed During the COVID-19 Pandemic (continued)

### What Changes were made to the MOR Process?

Since HUD has requested the PBCA to move forward with work plans for MORs in locations where there are no restrictions by state or local law or ordinance to prevent them from performing these reviews, below is a list of key changes made to the overall MOR process:

- Addendum C documents are requested electronically and prior to the day of the on-site review.
- Remote Entrance Meetings are permitted and encouraged in place of face-to-face Entrance Meetings. Remote Exit meetings are permitted in place of face-to-face meetings, as necessary.
- The MOR includes an on-site file review and physical inspection but occupied unit inspections will not occur.
- The PBCA may identify files for review in advance. The owner/agent should place those files in a secured location for the PBCA staff's access on-site prior to the PBCA staff's arrival.
- The owner/agent and the PBCA is expected to follow proper social distancing and use Personal Protective Equipment (PPE) during the on-site MOR to reduce the risk of spreading of COVID-19.

MORs performed during the COVID-19 pandemic must be conducted safely and all State and local guidelines must be followed. The Owner/Agent should contact the PBCA as soon as possible they are made aware of any active COVID-19 cases on-site.

### What Should Owner/Agents Expect?

#### Receipt of Scheduling Letter

In an effort to reduce the amount of time on-site and potential exposure for the PBCA staff, owner/agent's staff, and the residents, owner/agents are being asked to submit Addendum C documents electronically when the scheduling letter is sent to the owner/agent. At a minimum, the following documents are requested:

- Tenant Selection Plan, including any approved residency preference
- EIV Policies and Procedures
- Current waiting list
- Copy of lease, lease addenda and house rules
- Copy of Pet Policy
- Affirmative Fair Housing Marketing Plan
- Preventive Maintenance Schedules/Procedures

#### Two Days Prior to On-site Review

Owner/Agents should expect to be contacted by their Reviewer two days prior to the onsite review. The Reviewer will follow up with the owner/agent regarding:

- any submissions of electronic Addendum C documents; and
- confirm that conditions still permit a safe environment to conduct the MOR.

During this call, the Reviewer and the owner/agent will agree on how to execute the Entrance and Exit meetings. Entrance Meetings may be held remotely one day prior to the on-site review to limit the Reviewer's time on-site. Remote meetings are optional. When using remote Entrance/Exit meetings, the MOR must be scheduled so that the review does not overlap a weekend or holiday.

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## MORs Performed During the COVID-19 Pandemic (continued)

### The Day of the On-site Review

The property must have a secure private area with proper ventilation where two Reviewers can review files and conduct entrance/exit meetings while maintaining proper social distancing.

As an alternate method in determining whether EH&S deficiencies have been corrected, the PBCA must follow-up directly with the resident by way of phone or email. The Owner/Agent should review the properties most recent REAC Inspection Report and identify all units having EH&S deficiencies.

- Provide the Reviewer with contact information (telephone number and email) of the resident currently residing in the unit. Indicate whether the current resident resided in the unit at the time of the REAC inspection.
- Give resident advance notice that the PBCA will be calling to confirm whether or not the EH&S deficiency has been corrected.
- Gather completed work orders supporting the EH&S deficiency was mitigated in the event the PBCA cannot make contact with the resident.

### Exit Meeting

If a remote Exit Meeting is used, it must be scheduled no later than the morning following the onsite review and must not overlap a weekend or holiday. As the remote Exit Meeting is being held, Owner/Agents are provided the opportunity to refute potential findings or present documents that were identified as missing during the file review.

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## MORs Performed During the COVID-19 Pandemic (continued)

### Reminders and Tips from Reviewers

- “A general tip for O/As is reviewing their last MOR report and ensuring there are no repeating findings. A lot of sites, especially now during the pandemic, are experiencing a higher rate of staff turnover. I’m conducting a lot of 2nd and 3rd round MORs where the property manager is different or has never experienced an MOR.”
- I would suggest, “conducting the walk around and visiting the vacant units first thing in the morning before tenants are out and about.”
- Submit the Addendum C documents as soon as possible so the documents can be reviewed prior to the on-site review. “While we only ask for about 8 items specifically to be sent prior, any additional Addendum C documents O/As can send before the on-site review decreases time on site.
- Reviewers will arrive prepared with PPE (face masks), gloves, hand sanitizer, and disinfectant wipes. Reviewers will not enter any occupied units. Any property walkthroughs and REAC/EH&S follow up will be limited to common areas and exterior areas and vacant units. If O/As are made aware of any active COVID-19 cases on site, please advise the PBCA us as soon as possible.
- The Addendum C is attached to the scheduling letter. When O/As accept the meeting, be sure to open the attachment to view the Addendum C documents that are required to be submitted prior to the on-site review.
- “During the remote exit meeting in which we provide the O/As an opportunity to find documents/information that may have been overlooked in the tenant file. OA’s are interrupting this to mean that if they correct the deficiency that day, the finding will be removed and not affect their MOR score. While there are certain items we can accept to remove a finding (misplaced document), having a tenant sign a document that day or transmit a certification that day may close the finding in advance, but does not remove the finding from the MOR Report.

We encourage Owners and Agents to continue to monitor and reference the [Questions and Answers for Office of Multifamily Housing Stakeholders](#) document and distribute the [ADDRESSING TENANT CONCERNS DURING THE COVID-19 NATIONAL EMERGENCY brochure](#). Both documents are available on the [Multifamily Housing website](#).

## Updated HUD COVID-19 FAQ

On October 14, 2020 HUD updated the COVID FAQ document.

Updated topics include:

- Tenant health
- Clarification to the Eviction Moratorium Order
- Updates to Property Reviews, Inspections, and Rent Comparability Studies
- Dealing with Hazard pay
- Clarification on lending requirements

[Click here](#) to review the document that highlights the changes.



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## Procedures in the Event of Resident Displacement and/or Property Damage

HUD has acquired a great amount of knowledge and best practices over the past several years on how to efficiently respond to a Presidentially Declared Disaster (PDD). As a result HUD has developed guidance that covers the many different aspects of servicing multifamily properties that were damaged or vacated as a result of a PDD. This guidance also applies to all HUD insured/HUD assisted properties in situations where the Hub Director determines that an emergency exists.

To remind you of the procedures and tools available for owners and residents impacted by natural disasters, HUD has developed the [Multifamily Housing Guidance for Disaster Recovery](#) website. The information found here will make post-recovery efforts go more smoothly if an event occurs that impacts your residents and/or your property.

For your convenience, Chapter 38: Multifamily Emergency/Disaster Guidance, from [HUD Handbook 4350.1](#) includes procedures to provide HUD staff, Owners, Management Agents, and communities with the tools that they need to react to emergency situations. HUD encourages you to review this material before an event occurs.

Following an event that impacts residents and/or properties, HUD has reporting obligations based on information staff obtains from Owners and Management Agents of HUD insured and/or assisted properties. Owners and Management Agents are obligated to always immediately report physical damage to a property interior or exterior that has resulted from a fire, flood, wind, severe cold, or other natural disaster or weather event. It is most convenient for all parties if Owners and Agents proactively report to HUD. Owners are encouraged to complete and forward damage assessments to HUD. Please use the forms as follows:

- For a FEMA Declared Emergency or Disaster: Preliminary Disaster Assessment (Appendix A-3 of Chapter 38 of Handbook 4350.1.)
- For an Event not declared by FEMA: Basic Damage Assessment

Please forward the appropriate Assessment Form within 24 hours of the damage. Either form should be legibly handwritten and emailed to:

To find your assigned Account Executive, please go to the following website: <https://www.hud.gov/states/florida/offices/>

Updated reports should be submitted as additional information is available concerning resident displacement or regarding the level/amount of damage sustained. While the Department is not a payee on an insurance loss draft for a property with an insured mortgage, HUD must still be notified of the event and any damage sustained to the property.

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If you are not already receiving this publication via e-mail, or if you have ideas, suggestions or questions for future publications, we'd like to hear from you.

Please visit the [NTHDC website](#) OR send an email to [michelle.thomas@cgifederal.com](mailto:michelle.thomas@cgifederal.com)





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## Procedures in the Event of Resident Displacement and/or Property Damage (continued)

### OWNER RESPONSIBILITIES

Owners/agents are responsible for:

- Developing an emergency relocation plan to relocate residents prior to the storm especially at 202/811 Elderly or Disabled Properties and nursing homes;
- Developing a pre-disaster checklist that is shared with tenants in case of a disaster;
- Ensuring that the property and records are secured and that residents' possessions and valuables are secured and protected to the greatest extent possible.
- Contacting FEMA for on-going guidance and instruct residents to register with FEMA through 1-800-621-FEMA (3362), or [www.fema.gov](http://www.fema.gov).
- Applying for assistance with FEMA, Small Business Administration, Housing Finance Agency and others;
- Contacting the local HUD office following a disaster;
- Providing a status report for the residents and property condition;
- Ensuring that residents provide EMERGENCY contact numbers;
- Determining the extent of damage, security needs, resident property protection needs, etc.
- Contacting the property's insurance provider to apply for property and business interruption claims;
- Maintaining inventory of all residents, property, phone numbers, mailing address, and emails;
- Determining which residents have been displaced due to unit damage or a failure of a major building system such as the electrical system, etc.; and
- Tracking each displaced resident's temporary location and maintain contact information for each displaced resident, particularly if the property will likely have units off-line for more than 30 days.

### REMINDER TO OWNERS IN AFFECTED AREAS:

Owners should not evict tenants from their unit in order to make hurricane related repairs. The Department encourages you to revisit the instructions provided in Chapter 38 of Handbook 4350.1 for related Emergency/ Disaster Guidance.

### Other Important Contact Information:

- Federal Emergency Management Agency (FEMA) 1-800-621-3362 – <https://www.fema.gov/>
- American Red Cross - <http://www.redcross.org> 1 800 RED CROSS (1-800-733-2767)
- HUD's housing discrimination hotline: 800-669-9777 (Voice), 800-927-9275 (TTY).
- Florida Emergency Information Hotline: **1-800-342-3557**
- Information on shelters, road closures, and evacuation routes. <http://www.floridadisaster.org>
- Salvation Army- <http://www.salvationarmyflorida.org> (813) 962-6611
- Department of Agriculture's Rural Housing [www.rd.usda.gov/fi](http://www.rd.usda.gov/fi) (352) 338-3402
- Florida Housing Finance Corporation <http://www.floridahousing.org/> (850) 488-4197



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## Family Self Sufficiency Program in Multifamily

The Family Self Sufficiency (FSS) Program enables HUD-assisted families to increase their earned income and reduce their dependency on public assistance programs such as welfare assistance and rental subsidies. FSS promotes the development of local strategies to coordinate the use of HUD rental assistance programs with both private and public resources. This enables eligible families to make progress toward economic independence and self-sufficiency.

During a five-year period, participants will work individually with a case manager to set and pursue goals related to education, job training, money management, childcare, and transportation. Through case management, the program provides life-skills guidance and links to network service providers. Participants are expected to make continual progress towards their educational and career goals while meeting the additional requirements of the FSS program in order to graduate successfully in five years. Families who wish to participate will sign a contract of participation (CoP) with the owner, for up to five years, and each individual participating member will have their goals set out in Individual Training and Services Plan (ITSP) that are part of the CoP.

A key component of the FSS program is an interest-earning escrow savings account that accumulates as earned income increases. Owners are required to set up the interest bearing accounts for all families participating in the program, with separate accounting for each family. The escrow account is funded by HUD through adjustments to rental subsidy payments to the owner. If family members' earned incomes and rental payments increase while participating in the FSS program, the owner will credit the incremental rent due to the increase in earned income amount to the family's escrow account. Families will receive the funds from that account after they have successfully completed the program. Families involved with the FSS program have used their escrow accounts to purchase homes, pay off debts, and finance higher education for themselves or for their children.

[HUD Notice 2016-08](#) implements the policies and procedures applicable to a FSS program in a HUD-assisted multifamily housing property. Owners of privately-owned HUD assisted multifamily housing can voluntarily establish and operate an FSS program at their housing sites. Participation in the FSS program is voluntary for families living in these properties.

Should an owner of a multifamily section 8 property choose to participate in the FSS program, they are responsible for the following activities:

1. Coordinating services with appropriate local entities;
2. Writing an Action Plan and submitting to HUD for approval;
3. Recruiting program participants and, if desirable, screening for motivation;
4. Creating and executing a Contract of Participation (CoP) with participating families;
5. Providing service coordination, case management, coaching, including referring, monitoring, and evaluating supportive services provided to FSS families;
6. Creating FSS escrow accounts and managing deposited funds;
7. Submitting quarterly reports to HUD; and
8. Complying with Fair Housing and Equal Opportunity Requirements.

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## Family Self Sufficiency Program in Multifamily (continued)

Families who choose to participate in the FSS program also have obligations, including:

1. The Head of Household will execute a CoP with the owner;
2. The Head of Household must seek and maintain suitable employment during the term of the contract (and any extension thereto);
3. The Head of Household and those family members who have decided to execute an individual ITSP will work with the owner to set goals that become part of the CoP;
4. FSS participants will complete the activities within the dates identified in each ITSP;
5. All family members must report increases in earned income immediately to property management staff;
6. All family members must become independent from welfare assistance and remain independent at least one year before the expiration of the term of the CoP; and
7. All family members must comply with the terms of the lease.

Should a property owner choose to participate in the FSS program, they must develop an action plan in consultation with both the public and private entities that will provide tenant services and/or other resources for the operation of the FSS program. The action plan must then be subsequently submitted to HUD for approval. As part of the approval process, HUD will assess the owner's capacity to effectively run an FSS program by reviewing the property's recent Management and Occupancy Review (MOR) and the Financial Assessment Subsystem (FASS) score. The owner must demonstrate a rating of Satisfactory or higher on the most recent MOR and must be current in the submission of the Annual Financial Statements (AFS) in the form required by HUD for the prior three-year period, and have all compliance flags resolved. Owners should not begin operating their FSS program before receiving the official approval from HUD.

The owners created Action Plan must describe the policies and procedures of the FSS program. It must also contain, at a minimum: information on family demographics, estimation of participating families, FSS family selection procedures, incentives plan, outreach efforts, FSS activities and supporting services, funding of the program, identification of family support needs, the owner's policies concerning terminating participation in the FSS program, the rights of the non-participating families, and the timetable for the program implementation. The owner can choose to include any information that will support the proposed plan.

Property owners and Management agents are encouraged to visit the [Multifamily Housing Family Self-Sufficiency \(FSS\) Program](#) on the HUD Exchange website for detailed information and available resources, including recorded trainings, detailed guidance on how to submit a Plan of Action to HUD, and in-depth procedures to implement the program at your property.





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## Member Spotlight

## Introducing Elizabeth Santos



Elizabeth Santos currently has over 20 years of experience in the housing industry. Elizabeth began her career in 2000 working with Financial Self Sufficiency and Section 8 Home Ownership program for Housing Authorities in Pinellas County and Syracuse, NY.

In 2006 she joined NTHDC in the role of Central Contract Specialist. In her current role she processes contract renewals, rent adjustments, special claims and voucher payments. In addition, she has assisted in the Housing Quality Standards inspections performed for a related contract with the Tampa Housing Authority.

Her experience over the years and dedication to her work allows her to manage a diverse portfolio of properties in Florida, DC and US Virgin Islands. She takes pride in assisting the owner/agents in her assigned portfolios while also finding time to assist her colleagues when challenging issues require collaboration

Her hobbies include golfing and she enjoys spending time at the beautiful beaches on the Florida gulf coast. When at home she enjoys gardening.

### Please continue to direct electronic submissions as follows:

Vouchers: [voucher@cgifederal.com](mailto:voucher@cgifederal.com)

Special Claims: [specialclaim@cgifederal.com](mailto:specialclaim@cgifederal.com)

MOR Responses: [tampageneralmailbox@cgifederal.com](mailto:tampageneralmailbox@cgifederal.com)

Fax Numbers: 813-877-1412 and 813-877-1434

Office: 4300 West Cypress Street, Suite 300

Tampa Florida 33607

Phone: 813-873-8200



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## Lead-Based Paint Compliance

If your property was built prior to January 1, 1978, residents may be at risk of exposure to lead-based paint. Children under the age of six are particularly at risk of harm due to lead-based paint, as they are more likely to ingest the toxin from hand to mouth contact, toy to mouth contact from chipping paint, chewable surfaces, or barren soil.

Chances are you have already addressed the potential of lead-based paint at your property and are either certified lead free or have an on-going lead abatement or hazard control plan. During your Management and Occupancy Review (MOR), the reviewer will examine your compliance with the Lead Safe Housing Rule.

This article will review the evaluation and disclosure requirements of the Lead Safe Housing Rule and documentation you are required to have available during your MOR to demonstrate your compliance with Lead Safe Housing Rule.

### Applicability

Properties built before January 1, 1978, must comply with the Lead Safe House Rule.

The lead-based paint rules do not apply to any housing built on or after January 1, 1978, zero bedroom units or efficiencies, any housing where the leases are less than 100 days, housing for the elderly or disabled (unless a child under 6 resides there), or housing that is certified "lead free."

### Evaluation Requirements

First and foremost, your property must be, where applicable, free of lead hazards or have an ongoing plan to mitigate and control the lead with the ultimate goal of abatement. Most property owners who have properties with lead-based paint have already taken steps to begin abatement, if not already certified lead-free altogether, but for those who are not, the first step is to have a certified inspector come and conduct a formal risk assessment and evaluation. Remember, only a certified professional is qualified to consult you on the risk assessment.

Your certified risk assessor, planner, or designer should then develop a site specific hazard control plan. The plan should be based on the hazards identified, feasibility of the control measures, occupancy of young children, and financing. Measures to mitigate or control lead-based paint must be taken throughout the life of the property. Those measure vary depending upon the amount of housing assistance the project receives and include:

- Visual assessments to identify deteriorated paint or (for assistance over \$5,000 per unit annually) risk assessments to identify lead-based paint hazards;
- Paint stabilization or (for assistance over \$5,000 per unit annually) interim controls with clearance testing when appropriate;
- Ongoing lead-based paint maintenance to identify hazards (Lead Hazard Control Plan);
- Re-evaluation conducted every two years by a certified professional to identify hazards;
- Notification of tenants about the actions above; and
- Special actions when a child under six years old is reported to have high blood lead levels.

If your property has an ongoing Lead Hazard Control Plan, you must maintain documentation of your compliance with the plan (documentation of the interim controls, visual inspections, maintenance, tenant notifications, etc.).

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## Lead-Based Paint Compliance (continued)

### Disclosure Requirements

If the lead-based paint requirements apply to your property, you will need to disclose any known information concerning lead paint and lead hazards to your residents, which includes, but is not limited to, disclosing the location of known lead-based paint, and the condition of your painted surfaces. You will also need to keep your residents informed of any reports or records concerning lead-based paint in the units and common areas when the information is available as a result of a building wide evaluation.

Residents must be given an informational pamphlet titled, "Protect Your Family From Lead In Your Home." You must also include an attachment to the lease that includes a lead warning statement and confirms that the owner is in compliance with the lead-based paint notification requirements.

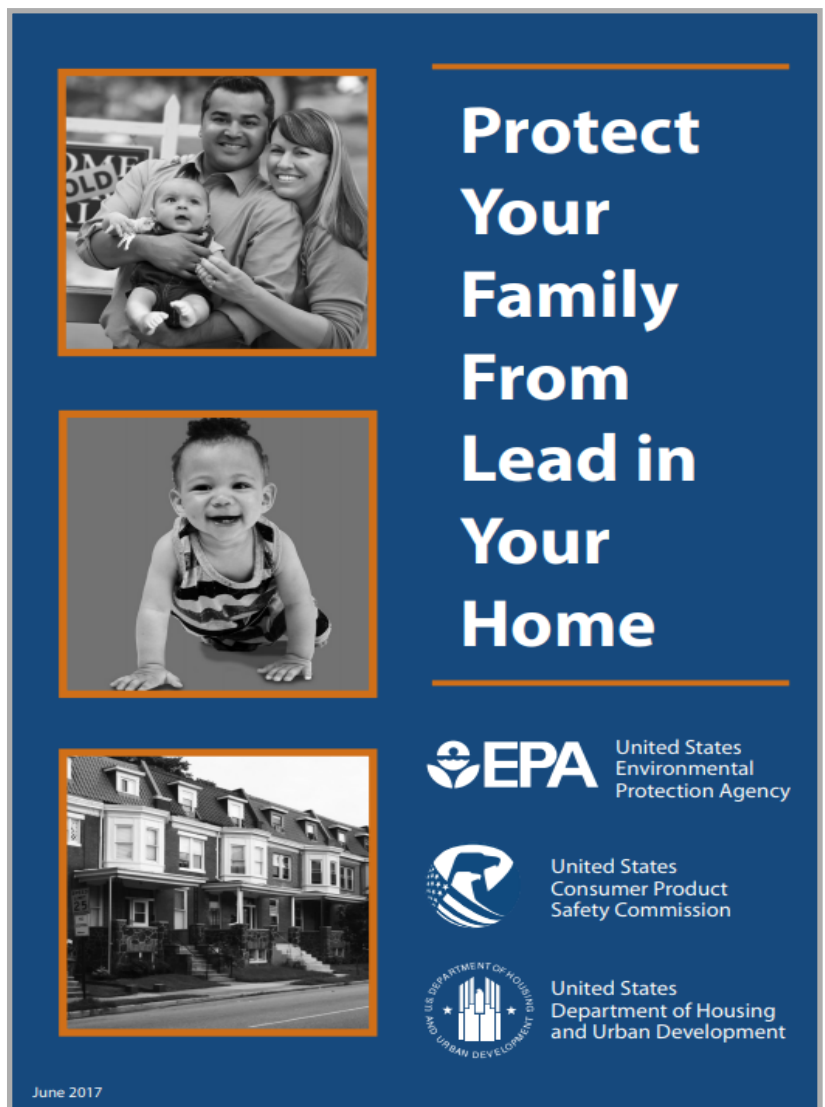
### Demonstrating Lead-Based Paint Compliance During the MOR

During your MOR, you will be required to provide documentation to demonstrate your compliance with the Lead Safe Housing Rule. Below are examples of documents you should maintain onsite and have available for review.

### Properties Claiming Lead Free Status:

The reviewer will ask you to produce the certified lead-based paint inspector's documentation of the status of lead hazards. In order to be considered "lead free", you must obtain an official certification from a certified lead-based paint inspector (as certified by the state or EPA). An owner's self-certification that the property is lead free is not sufficient proof that the property is free of lead hazards.

HUD provided clarification that not all certified LBP consultants provide a Lead-Based Paint Free "Certificate." HUD does not require a certificate as demonstration of a property being LBP free and exemption from the rules. HUD guidelines suggest the use of the following language in the report, which would be satisfactory to determine that the property is lead-based paint free:



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## Lead-Based Paint Compliance (continued)

*"The results of this inspection indicate that no lead in amounts greater than or equal to 1.0 mg/cm<sup>2</sup> in paint was found on any building components, using the inspection protocol in Chapter 7 of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing."*

### "Elderly" or "Disabled" Properties:

If your property is "elderly" or "disabled", the reviewer will ask if you have any children under the age of six in residence. If you have a child under the age of six residing at your "elderly" or "disabled" property, please keep in mind that the regulations apply to the dwelling unit in which the child resides, any commons areas servicing such dwelling unit, and exterior painted surfaces associated with such dwelling unit or common areas. HUD expects that, if numerous exceptions are made to allow young children to reside in a property designated for occupancy by the elderly or persons with disabilities, the exemption from the regulation would no longer be available and the regulation would apply to the entire property.

### Properties built before January 1, 1978, that were identified as containing lead or lead hazards:

If your property receives an average of more than \$5,000 per unit annually in project-based assistance, the reviewer will ask that you produce:

- The initial risk assessment completed by a certified risk assessor and documentation that the required hazard reduction activities and subsequent clearance examination were completed, if applicable.
- The property's Lead Hazard Control Plan and documentation that ongoing lead-based paint maintenance activities are being performed in accordance with the plan (interim controls, visual inspections, maintenance, tenant notifications, etc.).
- Copies of the lead re-evaluation reports completed by a certified inspector or risk assessor every two years since the initial risk assessment was conducted.
- Notifications provided to tenants regarding the above actions, if applicable.
- Documentation relating to special actions taken when a child under six is reported to have high blood levels, if applicable.

If your property receives an average of \$5,000 or less per unit annually in project-based assistance, the reviewer will ask that you produce:

- The initial visual assessment, the results of the assessment, and paint stabilization activities completed to eliminate lead hazards, if applicable.
- The property's Lead Hazard Control Plan and documentation that ongoing lead-based paint maintenance activities are being performed in accordance with the plan (interim controls, visual inspections, maintenance, tenant notifications, etc.).
- Copies of the lead re-evaluation reports completed by a certified inspector or risk assessor every two years since the initial risk assessment was conducted.
- Notifications provided to tenants regarding the above actions, if applicable.
- Documentation relating to special actions taken when a child under six is reported to have high blood levels,

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# The CA Quarterly Review

Fall 2020

## Lead-Based Paint Compliance (continued)

### Disclosure Requirements

If the lead-based paint requirements apply to your property, the reviewer will confirm that the tenant file contains:

- An acknowledgement form or copy of the pamphlet signed and dated by the tenant certifying that the "Protect Your Family From Lead In Your Home" pamphlet was given to the household at move-in.
- An attachment to the lease that includes a lead warning statement and confirms that the owner is in compliance with the lead-based paint notification requirements.

### Tips To Avoid Lead-Based Paint Findings

- Maintain a file or binder on-site that contains all required lead-based paint documents. Locate any documents that you do not have currently.
- Ensure visual inspections are conducted and documentation is maintained and available for review. All activities to eliminate hazards identified by the visual inspections are completed and documentation is maintained and available for review, if applicable.
- Ensure required lead re-evaluations are conducted every two years by a certified inspector or risk assessor. If it has been longer than two years since a lead re-evaluation has been performed - schedule one now! Be sure that all activities to eliminate hazards identified by the re-evaluation is carried out and a subsequent clearance examination is performed, if applicable. Documentation of all activities must be maintained and available for review.
- Know the requirements for when a re-evaluation is no longer required. To be exempt from additional re-evaluation, at least two consecutive re-evaluations conducted at such two-year intervals must be conducted without finding lead-based paint hazards or a failure of an encapsulation or enclosure. If, however, a re-evaluation finds lead-based paint hazards or a failure, at least two more consecutive re-evaluations conducted at such two-year intervals must be conducted without finding lead-based paint hazards or a failure.
- If you are a new owner/agent of a property built prior to 1978, be sure to locate all required lead-based paint documents. Being a new owner/agent will not prevent lead-based paint findings.
- Provide your staff with training on lead-based paint requirements!

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards			
<b>Lead Warning Statement</b> <i>Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.</i>			
<b>Lessor's Disclosure</b>			
(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):			
(i) _____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).			
_____			
(ii) _____ Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.			
(b) Records and reports available to the lessor (check (i) or (ii) below):			
(i) _____ Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).			
_____			
(ii) _____ Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.			
<b>Lessee's Acknowledgment (initial)</b>			
(c) _____ Lessee has received copies of all information listed above.			
(d) _____ Lessee has received the pamphlet <i>Protect Your Family from Lead in Your Home</i> .			
<b>Agent's Acknowledgment (initial)</b>			
(e) _____ Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.			
<b>Certification of Accuracy</b> The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.			
Lessor	Date	Lessor	Date
Lessee	Date	Lessee	Date
Agent	Date	Agent	Date



## **ALL RESIDENTS OF H.U.D. SUBSIDIZED PROPERTIES**

North Tampa Housing Development Corporation (NTHDC) is the HUD Contract Administrator and is responsible for responding to resident concerns. NTHDC Call Center has a team of Customer Relation Specialist (CRS) that will receive, investigate and document concerns such as, but not limited to the following:

- ◆ Questions or concerns regarding work order follow-up.
- ◆ Questions regarding the calculation of your rent.
- ◆ Address health & safety and HUD Handbook 4350.3 concerns.

### **Call Center Purpose:**

- ◆ Call Center aids in ensuring HUDs mission of providing Decent, Safe and Sanitary Housing.
- ◆ Serve as a neutral third party to residents, owners and the public.
- ◆ Assist with clarifying HUD Occupancy Handbook 4350.3 requirements.

### **Call Center Contact Information and Business Hours:**

- ◆ Hours of Operation: Monday – Friday, 8:30am to 5:30pm
- ◆ Contact Numbers: 800-982-5232 fax: 614-985-1502
- ◆ Written Summaries: 8760 Orion Place, Suite 110, Columbus, Ohio 43240
- ◆ Email: [PBCAContactCenter@cgifederal.com](mailto:PBCAContactCenter@cgifederal.com)
- ◆ Website: [www.nthdc.org](http://www.nthdc.org)

### **Concerns can be submitted by the following:**

- ◆ Phone
- ◆ Fax
- ◆ Mail
- ◆ Email
- ◆ Voicemail
- ◆ FOIA- Freedom of Information Act request must be submitted directly to HUD

### **Required Information to open an inquiry:**

- ◆ Property name
- ◆ Caller's name (anonymous calls accepted)
- ◆ Caller's telephone number with area code
- ◆ Caller's address including apartment number
- ◆ A brief, detailed description of the caller's concern(s)

## **EQUAL HOUSING OPPORTUNITY**

4300 West Cypress Street, Suite 300, Tampa Florida 33607

Tele: (813) 877-1434 | Fax: (813) 877-1412 | TTY English: (800) 955-8771 | TTY Español: (877) 955-8773 |  
Contact Center (800) 982-5232