

Fall 2017

North Tampa Housing Development Corporation

From the Desk of Don Shea, NTHDC Director and Contract Administrator

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I want to applaud the great Owners and Agents here in Florida and US Virgin Islands on their efforts to serve and protect the residents within their properties during the recent hurricanes and the following impact. In Florida, the magnitude of Hurricane Irma left very few without some level of storm impact. In the US Virgin Islands, the succession of Irma and Hurricane Maria was a devastating blow to the islands. Our thoughts are will all as the recovery continues. Certainly events we will never forget. While very unfortunate, hopefully all will take this opportunity to reassess their preparedness and recover plans so that we can all ensure we are doing all we can to protect residents and assets.

I want to stress the importance of having the NTHDC Contact Center Information posted in a visible, public area at each property. This is something that has been communicated by HUD so we want to ensure all are aware of the importance being placed on this. During the Management and Occupancy Review (MOR) the NTHDC representative conducting the review will be confirming the information is posted. If you have not done so already, please ensure this information is posted. We have included the NTHDC Contact Center information on the final page of this Fall Newsletter.

NTHDC is currently conducting a limited number of MORs in Florida due to the impact of Hurricane Irma. HUD requested submission of an MOR work plan for October, November and December 2017. HUD has approved MORs for October and November only to date. Hurricane Irma significantly altered the approved MOR schedule for October and November. Also, several MORs in September prior to and after Irma were postponed and have yet to be rescheduled. We understand many properties were impacted and need to recover as well as focus on ensuring all residents are able to be housed. As HUD deems appropriate, we will commence scheduling MORs at prior levels and will be reaching out to Owner/Agents individually to reschedule postponed MORs and/or schedule new reviews. In the US Virgin Islands, the MOR work plan does not begin until April so there remains several months before scheduling will commence.

Your ongoing commitment, even in the face of recent challenges, ensures those in need of affordable housing are being served. We thank you for that and look forward to assisting you in any way we can.

Thank you.



Fall 2017

Dealing with Natural Disasters

Being prepared for a storm can minimize property damage and in some cases, mean the difference between life and death. Being prepared is not just a task for apartment managers along the coastlines. It is equally important that inland properties be prepared for a storm and have an evacuation plan.

How can I prepare for a storm event?

- **Make a plan**. Put the plan in writing and distribute it to all of the residents at your property. Meet with residents to review and discuss preparedness and evacuation procedures in the event of a hurricane watch or warning.
- **Build a kit**. Ensure that you have emergency contact information for all of your residents and that the list is located in a secondary location apart from the property. Encourage your residents to create a list of important information such as their doctor and pharmacy contact, a list of all medications and be sure to include insurance information including agent contact and policy numbers. Residents should be encouraged to have a plan for their pets.
- Contact your local or regional planning council. Most planning councils offer templates and tips and have training materials available to help ensure that you are prepared for hurricane season.

What should I do during a storm event?

If a disaster is likely in your area, you should:

- Listen to weather forecasts and radio and television information.
- Ensure that the property is secure by closing storm shutters, windows, and outdoor furniture, etc.
- Turn off utilities if instructed by emergency management agencies. Otherwise, instruct residents to turn the refrigerators to the coldest settings and keep the doors closed.
- Ensure propane tanks have been turned off.
- Try to avoid using your cell phone, unless absolutely necessary.
- Evacuate if you are instructed to do so by your local authorities.

What do I do after the event?

- Continue to stay informed by listening to the NOAA weather radio and news information.
- If a catastrophic situation has occurred, contact FEMA.
- Residents should be informed that if they are displaced in an emergency, they are responsible for advising the owner and/or the owner's representative of their temporary housing location and their intentions during and after the emergency/disaster.
- If the displaced resident has a new, temporary address or telephone number, they should provide it to the owner or agent of the development from which they were displaced.
- Residents should also be advised that due to potentially dangerous conditions, they may not have ready
 access to their possessions.



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Dealing with Natural Disasters (cont.)

- Owners are responsible for securing the property to the best of their ability immediately after the
 emergency, and to protect the personal property of the residents. The resident will need to contact their
 insurance agent (rental insurance) for any coverage on their personal property.
- Disposal of any personal property must be done in accordance with local law. Additionally, owners may take action to terminate a lease and dispose of personal property in accordance with local law when displaced residents indicate their intention not to return or fails to respond to the owner's notice.
- In the event a property's rental office has to be vacated, the owner should publish where he or she can be contacted and should regularly inform residents as to progress making repairs and when they might reoccupy their residence.
- Owners also have a responsibility to ensure that the property is secured and that residents' possessions and valuables are secured and protected to the greatest extent possible.
- It is very important that you notify your HUD Project Manager immediately in the event your property has sustained physical damage as a result of fire, flood, wind, or any other natural disaster.
- The owner must submit a damage report to the HUD Project Manager via fax or owners can email reports to hurricane.mailbox@hud.gov.

Residents' right to return

Residents displaced by a natural disaster have the right to return to the unit from which they were displaced. However if a tenant signs a lease at an alternative location during the displacement they are no longer considered displaced hence no longer eligible to return. The owner has no further obligation to the resident and may therefore proceed to re-rent the unit. Owners and agents are encouraged to allow residents to return, even in cases where the owner has no obligation to allow the resident to return.

Once a disaster-displaced resident has chosen alternative means of permanent housing, the resident is required to give the landlord notice of termination as outlined by their lease. The resident may need additional time to arrange for their belongings to be moved, and owners are encouraged to be flexible.

When disaster-displaced residents have been placed in mass shelters, hotels and other non-permanent housing, owners should make every effort feasible in order to locate the disaster-displaced residents as soon as possible. Owners should also encourage the residents to keep them informed regarding their whereabouts.

Owners are required to inform residents in writing at least 60 days prior to the expected date their unit will be ready for re-occupancy. Residents must respond within 30 days to inform the owner of their intention to return or not. In the event the tenant wishes to return to the unit upon readiness, the owner must give the resident a minimum of 60 days from the date the unit was ready for re-occupancy to re-occupy the unit.

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Dealing with Natural Disasters (cont.)

Providing Temporary Housing to Disaster-Displaced Residents

Owners are required to give a waiting list priority to applicants who are victims of presidentially declared disasters for either temporary or permanent multifamily housing financed under 221(d)(3), 221(d)(3)BMIR, 221 (d)(4) and 236 programs.

Owners are encouraged to lease units to people displaced by a disaster. HUD recommends a 30-day renewable lease.

Disaster-displaced residents must pay market rent for a unit being leased as temporary housing. Since the resident is to pay market rent, there is no need to process income certifications.

If a disaster-displaced resident leases a project-based unit permanently, FEMA and other disaster related assistance is excluded from income. The only exception to this rule is in the case where funds are deposited into an account or investment.

Links:

http://www.vitema.gov/

http://www.ready.gov/hurricanes

http://portal.hud.gov/hudportal/HUD?src=/program offices/comm planning/communitydevelopment/programs/dri

http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/disasterguide





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Spotlight on Special Claims

Special Claims are a way in which HUD provides subsidy payments for project expenses that are either unanticipated or ineligible for inclusion in the determination of the project rents due to vacancy, unpaid rent or tenant damages.

In this article we will briefly highlight frequently found issues with owner/agent initial submissions of Special Claims. These are items which will cause a claim to be either incomplete or denied by the CA.

Waiting List & Advertising:

Often times, the waiting list is missing proper explanations for applicants who have been skipped (or applicants who appear to be skipped). In order to remedy this, owner/agents must ensure that the notes section of their waitlist is detailed and legible.

While it is not a requirement, it is also recommended that the waiting list is submitted in order of application date. This enables the reviewer to determine that the waitlist is being properly utilized in an expeditious manner.

Another common error: when a waiting list is not available, current advertising documents do not contain the Fair Housing Logo, Motto, or statement which is a HUD requirement.

Unit Ready Date + 180 Days:

HUD allows an owner to submit a Regular Vacancy Special Claim for up to 180 days from the unit ready date. A vacant unit becomes ready for occupancy the **day after** all necessary maintenance work and cleaning have been completed. The owner must ensure that the vacancy claim is received by the CA **within 180 days of the unit ready date**, otherwise the claim will automatically be denied.

Owner/Agents are encouraged to implement a practice of setting a reminder, such as in Outlook, for 60 days from the date a unit was ready for occupancy. The owner could then check to see if that unit has been rerented or if the allowable 60 days of vacancy has transpired and then submit their claim to the CA.

Submitting Certifications to TRACS:

Often times, claims are submitted to the CA for processing before the MI & MO certifications are submitted to TRACS. A claim cannot be approved until the MI & MO certifications are received in order to confirm the dates on the claim are accurate.

Reconditioning Log:

The Reconditioning Log is a required document in every Special Claim, for each unit within the claim. This log should clearly indicate when work, maintenance and cleaning began and ended. This log drives the unit ready date. When reconditioning a unit takes longer than 30 days from the MO date, an explanation must be provided. The Owner/Agent should make the unit ready



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Spotlight on the Section 8 Renewal Guide: Highlights from the Recent Update

On June 30, 2017 HUD issued a new Section 8 Renewal Policy Guide. The policy changes outlined in the new Guide became effective for all contract renewal or rent adjustment packages received for processing or post-marked after July 28, 2017. These changes will have an impact not only on Contract Administrators but also on property owners and agents.

It is important to note that the below list represents only a partial summary of the changes made to the Section 8 Renewal Policy Guide, and therefore is not all encompassing. To view the new guide in its entirety and HUD summary of the changes, please go to https://portal.hud.gov/hudportal/HUD?src=/ https://portal.hud.gov/hudportal/HUD?src=/ program offices/housing/mfh/mfhsec8. Notable changes to the Guide:

Chapter 2, Section 8 Renewal Guide:

- An owner of an Option 4 contract who wishes to terminate the contract early and renew again using a 20 year contract under Option 4 to preserve long-term affordability can do so (Section 2-4. B.4).
- An owner of a project with an existing Preservation Exhibit wishes to terminate the contract and renew early, the new Preservation Exhibit will replace the existing and include only the number of years remaining on the contract being terminated (Section 2-4. D).
- Projects with 100% Section 8 must include a vacancy loss rate of 3% in the budget unless as part of refinancing, the lender requires a different vacancy rate. Exceptions to the policy are (Section 2.15. A.2):
 - a. Projects with 50 or fewer (which includes both assisted and unassisted units) units, 20% or more of which are assisted with Section 8, must include a vacancy loss of 5% in the budget;
 - b. Projects where the assisted units account for 20% or less of the total units, no matter the total number of units in the project, must use a vacancy loss rate of 7% in the budget;
 - c. Projects where the assisted units account for between 21 and 99% of the total units and have more than 50 units, must use a vacancy loss rate of 5% in the budget.
- The deposits to the reserve for replacement account must be increased by the most recent published "Regional AAF with Highest Utility Excluded," Table 2 for the region in which the project is located. Example: The current annual deposits are \$2,400 and the most recently published AAF is 1.02, then the RfR deposit would increase by \$48 or \$2,400 * 1.02 percent (Note #2 after section 2-16)
- Tenant notifications on utility analyses do not have to be separate from a rent increase notification so long as the notice meets the requirements of both subsections of 24 CFR Part 245. Should a notice need to be issued for both a rent increase and a utility allowance decrease, a single notice is sufficient if the owner clearly identifies both items in the notice (Section 2-17. C.1)

Chapter 3, Section 8 Renewal Guide:

- Non-profit owned projects that meet one of the three criteria below can qualify for an Option 1b and have the projects' rents marked up to market, assuming they otherwise qualify (Section 3-6. A. Note):
 - 1. Vulnerable Populations
 - 2. Vacancy Rates
 - 3. Community Support



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Spotlight on the Section 8 Renewal Guide: Highlights from the Recent Update

Chapter 4, Section 8 Renewal Guide:

An owner of a project currently renewed under Option Four in addition to those currently renewed under Option Two
can reduce rents to market to qualify for renewal under Option Two when they want to terminate their MAHRA
contract early and agree to a twenty year renewal (2-4. B). This applies to a twenty year renewal (Section 4-1 Note).

Chapter 5, Section 8 Renewal Guide:

- Section 202 projects are eligible for Referral to RECAP and restructuring if the project meets the following requirements (Section 5-1. H):
 - 1. The project has been refinanced at least two times if the second refinance using a loan insured under the National Housing Act,
 - 2. The project refinanced with a FHA insured loan at the time of the 202 refinancing but did not refinance under the terms in Notice 13-17. All other projects refinanced under Section 202 are ineligible for restructuring under Mark-to-Market.

Chapter 7, Section 8 Renewal Guide:

• The only renewal option available to an owner of a preservation project is Option 5 unless the project is being transferred or sold, in which case the owner may request Mark-to-Market debt-restructuring (Option 3) in accordance with Section 5-1. D. (Section 7-6)

Chapter 9, Section 8 Renewal Guide:

- HUD allows the use of a lender ordered MAP appraisal to serve as a substitute for the HUD required RCS if the following conditions are met (Section 9-14):
 - 1. The appraisal must be ordered, paid for, and underwritten by the lender. The MAP appraiser must follow the existing requirements as stated in Chapter 9 of the Renewal Guide to determine the rent. In cases where there is project-based Section 8 (Section 8), comparable market rents must be estimated both before and after repairs. The MAP Guide will be used for the remainder of the assignment.
 - 2. The MAP appraiser will use the form HUD 92273-S8 in lieu of the form HUD 92273. The HUD 92273-S8 form will be used in all Section 8 related appraisals. The 92273 form will continue to be used for non-Section 8 assignments.
 - 3. Any appeals are to be made by the lender to processing Regional Centers/Satellite Offices office. No direct appeals to Headquarters by the owner will be accepted.
 - 4. To set the Section 8 rents, HUD staff shall use the lender-supplied appraisal and the HUD 92273-S8 as they would have used the HUD procured RCS and use Section 14. C. to determine the final comparable market rents for the project.
 - 5. Appraisers and HUD review appraisers should follow the most current USPAP.

Chapter 15, Section 8 Renewal Guide:

• Nonprofit owners or purchasers who meet one of the three criteria listed in Section 3-6 can use this chapter when renewing under Option 1, Mark Up to Market (Section 15-1).

Should you have any questions regarding the content of the Section 8 Renewal Guide, email Section8RenewalGuide@hud.gov. Be sure to check the NTHDC website frequently for updated content as HUD releases additional information. Additionally, you can contact your contract specialist with any questions.



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Compliance Spotlight on Occupancy: VAWA round three

In the Winter 2016 and Spring 2017 editions of the CA Quarterly, we provided important information relating to the VAWA Reauthorization Act of 2013. On July 26, 2017, HUD presented a webcast to assist Owners with understanding the requirements of the Final Rule. This article touches on the highlights of the webcast. Owners are encouraged to view the webcast, VAWA Final Rule from an Owner/Agent Perspective, available at https://www.youtube.com/watch?v=FhraC7t2Cxo&feature=youtu.be.

- Requirements now apply to all assisted housing properties, INCLUDING SECTION 202 AND 811 PRAC.
- VAWA protections apply to all applicants and tenants of HUD housing programs without regard to sex, gender identity, or sexual orientation.
- Owners may establish a preference for victims of dating violence, sexual assault, or stalking, in addition to domestic violence.
- VAWA protections do not apply to guests, unassisted household members, and live-in aides. NOTE: As
 a reasonable accommodation, a tenant can request VAWA protections if a live-in aid is a victim and may
 request an emergency transfer for household.

Forms

The following VAWA forms have expired but Owners may continue to use them until new forms are released:

- Form HUD-5380: Notice of Occupancy of Rights Under the Violence Against Women Act, and;
- Form HUD-5382*: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation (
 - *Form HUD-5382 replaces form HUD-91066. Form HUD-91066 is obsolete and should not be used.
 - Owners must provide both forms with notice of eviction and notice of termination of assistance regardless of the reason for the action.
 - ♦ Forms must be provided once for each action.
 - ♦ Although other methods of distribution are encouraged, Owners must provide forms to current residents at their scheduled AR by 12/15/2017.
 - Acknowledgment of receipt is not required but strongly encouraged by HUD.
- VAWA Lease Addendum (form HUD-91067):
 - ♦ HUD plans to release an updated form HUD-91067 to include the new provisions.
 - Owners must continue using the current form HUD-91067 until the updated form is released.
 - ♦ Once released, Owners must provide the revised form to current households at next AR in accordance with lease modification requirements found in the HUD Handbook 4350.3, Chapter 6, Paragraph 6-12 and all move-ins.
 - Owners of 202 PRAC and 811 PRAC may wait to implement the form HUD-91067 until the updated form has been released.



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Compliance Spotlight on Occupancy: VAWA round three

Emergency Transfer Plan

DEADLINE TO DEVELOP AN EMERGENCY TRANSFER PLAN: JUNE 14, 2017

 Housing Notice 2017-05 includes a list of best practices Owners should consider when developing their Emergency Transfer Plan. Implementing an Emergency Transfer Plan may require revisions to other controlling documents such has the TSP, Waiting List, and/or House Rules.

Confidentiality

It is critical that Owners establish or update existing policies to maintain the confidentiality and privacy of victims who seek protections under the VAWA Final Rule.

- Housing Owners should ask victims of their preferred method of communication and document the tenant file.
- Any information submitted to an Owner when documenting a VAWA occurrence must be maintained in a secure area, separate from tenant file.
- HUD acknowledges the challenges of collecting information from and communicating with a VAWA victim
 while meeting the confidentiality requirements in the Final Rule. A list of best practices designed to
 address these challenges are contained in the Housing Notice 2017-05 available at https://portal.hud.gov/hudportal/documents/huddoc?id=17-05hsgn.pdf

TSP Revisions

The VAWA Final Rule requirements may result in changes to the project's TSP.

- Be sure the TSP is updated to comply with the implementation of the Emergency Transfer Plan.
- If the Owner's TSP includes VAWA definitions, Owners must update the definitions in accordance with the Final Rule.
- Owners should not remove the required policies for applying VAWA protections already contained in the TSP rather add updates as necessary.

HUD Enforcement

As part of the Management and Occupancy Review, the following items will be reviewed:

- VAWA claims, policies and transfer plan
- Reviewer will identify areas of noncompliance
- TSP
- Wait Lists (internal and external)
- Preference and priority
- Confidentiality
- Record keeping

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: www.nthdc.org OR send an email to

Andrew.Hill@cgifederal.com



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Vouchering Tips: Updates

Effective November 1, 2017, with the submission of the December 2017 Voucher, vouchers that do not contain an active DUNS number will generate a Tenant Rental Assistance Certification System (TRACS) fatal error and **will not** receive payment until corrected. Link provided under "Helpful Links" below.

TRACS 2.0.3.A transition period has been delayed. The new "Go Live" date is 2/1/2018 with a transition period end date of 5/31/2018. While HUD will allow a parallel process during the 4 month transition period (March 2018 – June 2018 vouchers), wherein vouchers and tenant files will be accepted in both 2.0.2.D and 2.0.3.A formats, Owner/Agents must be 2.0.3.A compliant no later than 6/1/2018 with the submission of the July 2018 voucher.

Effective 6/1/2018, TRACS will no longer accept files in 2.0.2.D format. Failure to convert by 6/1/2018 may result in the inability to receive or process certifications and voucher files, which can lead to a delayed voucher payment.

The most recently updated TRACS Release 2.0.3.A Industry Specification documents dated 9/6/2017 have been posted to the "What's New" section on HUD.gov website. Link provided under "Helpful Links" below.

It is imperative to attend any internal software company provided workshops and trainings to be aware of all system changes and updates to this conversion. The biggest change will be in Section 7 of the MAT30 record (Repayments & Escrows) where CAs may not add any records in this section with fields that have a monetary value other than the CA Paid Amount. This is due to the Calculation Rules & Record Consistency Checks that will be implemented with the 2.0.3.A rollout. If the CA inserts a line with the Agreement Change Amount, Total Payment, Amount Retained, or Requested Amount fields filled in, the data will be out of sync between the OA, CA, and HUD resulting in the following voucher submission to fail TRACS and not get paid. Due to this change, it is crucial to work with your assigned specialist *prior* to 2.0.3.A transition to resolve all Repayment Agreement amount and balance issues.

Helpful Links

HUD Memo - DUNS Number Required:

https://portal.hud.gov/hudportal/documents/huddoc?id=DUNS TRACS MEMO.PDF

2.0.3.A Industry Specifications Docs:

https://portal.hud.gov/hudportal/HUD?src=/program offices/housing/mfh/trx/trxsum

TRACS helpdesk:

Email - <u>tracs_hotline@hud.gov</u> Phone: (888) 297-8689, option 5

Multifamily Help Desk:

RealEstateMGMT@hud.gov

WASS ID User Registration:

https://hudapps.hud.gov/public/wass/public/participant/partreg_page.jsp



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Contact Center: Pro-active Pest Control

As the leaves start changing and the temperature starts dropping, it's that time of year when pests, particularly rodents, start gravitating towards the indoors. Although pests can be a problem year round in most places, some specifically move indoors in the fall and winter months to stay warm. It would be good practice, if not already done on a regular basis, to perform monthly pest/housekeeping inspections. Most properties, such as elderly/disabled buildings, usually engage in monthly or quarterly preventative treatments and pest/housekeeping inspections. One of the main reasons for this is that all residents are not always forthcoming on reporting pest issues for a variety of reasons, such as worried about cost, lease violations, etc. This is a good practice to help identify residents with housekeeping issues that may be lending to the pest problem in the building. This leads to the next issue, hoarding.

Here in the Contact Center, we come across numerous hoarding problems in all states served which are contributing to massive pest issues on the properties and not enough is being done, in some cases, to address these issues. Hoarding things, regardless of what it may be, is also a huge fire hazard and potential liability for management. It also affects the ability for exterminators to properly treat a unit for mice, roaches, bed bugs, etc. Hoarding provides a perfect environment for pests. After a certain point, an exterminator will refuse to even treat an apartment if the housekeeping issues are not addressed by the tenant. So inspect those units and have a merry Fall/Winter.

What's New on HUDClips?

Posted Date	Link	Description
9/5/2017	FR-6001-N-30	60-Day Notice of Proposed Information Collection: Continuation of Interest Reduction Payments After Refinancing Section 236 Projects
9/5/2017	FR-6001-N-35	60-Day Notice of Proposed Information Collection: Annual Adjust- ment Factors (AAF) Rent Increase Requirement
9/1/2017	FR-5997-N-46	30-Day Notice of Proposed Information Collection: Rent Schedule – Low Income Housing
9/1/2017	FR-6021-N-02	Fair Market Rents for the Housing Choice Voucher Program, Moderate Rehabilitation Single Room Occupancy Program, and Other Programs Fiscal Year 2018 and Adoption of Methodology Changes for Estimating Fair Market Rents
8/22/2017	HUD-2	Request for Waiver of Housing Directive – Multifamily Housing
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All Residents of HUD 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 Specialists (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: 8:30am to 5:30pm Mon-Fri

Contact Numbers: 1-800-982-5232 fax: 614-985-1502 (leave message after hours.)

Written Summaries: 2000 Polaris Parkway, Suite 110, Columbus, Ohio 43211

Email: PBCA@NTHDC.org

Website: 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)