



# The CA Quarterly Review

Spring 2017 Edition

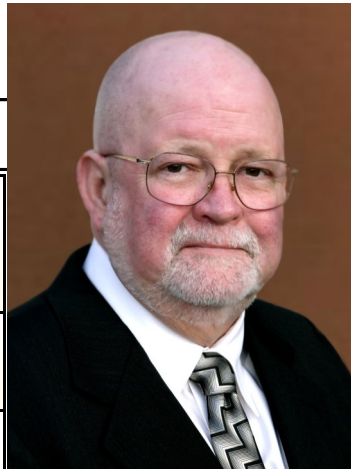
March 24, 2017

North Tampa Housing Development Corporation

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

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It is a pleasure to present our Spring 2017 CA Quarterly Review Newsletter. I speak for all of us at NTHDC when I say we are looking forward to the continued partnership we have with so many wonderful Owners and Agents here in the State of Florida and the US Virgin Islands.

The Spring is a great time to start thinking about and planning all the great things we can do right here in Florida or any location that has caught your attention.

As you know, Management and Occupancy Reviews have resumed and are currently being conducted. We have received several questions regarding MORs and when they will be taking place at specific properties. Currently, HUD has approved a work plan through the end of April. All MORs on that work plan have been scheduled so if you have not been contacted your property has yet to be approved for an MOR.

HUD is currently under a Continuing Resolution so funding has yet to be determined for any MOR activity after April. At the time HUD funding is provided and a work plan approved, NTHDC will reach out to Owner/agents for any scheduling after April 2017.

Again I want to thank you for all you are doing and if we can assist you please feel free to reach our NTHDC staff. We will be glad to assist in any way we can.

Don Shea,

NTHDC Director and Contract Administrator, Florida & U.S. Virgin Islands

# What's New on HUDClips



<i>Posted Date</i>		
1/11/2017	<a href="#"><u>H-2017-01</u></a>	Guidance for Multi-Family Property Assessed Clean Energy (PACE)
1/12/2017	<a href="#"><u>24 CFR Part 891</u></a>	Narrowing the Digital Divide Through Installation of Broadband Infrastructure; <b>CORRECTION</b> . Being corrected is on Page 92638 – 3 <sup>rd</sup> Column – Section 891.20 – Paragraph (f)(a) through (c). Re-designated to P (f)(1) through (3)
1/13/2017	<a href="#"><u>HUD NO. 17-007</u></a>	HUD Announces \$15 Million to Test A New Approach to Help Low-Income Seniors Age in Place
2/8/2017	<a href="#"><u>HUD NO. 17-017</u></a>	HUD Offers Grants to Clean-Up Lead-Based Paint Hazards
2/13/2017	<a href="#"><u>HUD Form 91066</u></a>	Certification of Domestic Violence, Dating Violence or Stalking
2/27/2017	<a href="#"><u>HUD Form 93104</u></a>	Monthly Report of Excess Income – New Expiration Date of 2/29/2020

## Farewell Message

I have really enjoyed the last 12 years working with NTHDC and getting to know many of you, but I have made the difficult decision to leave CGI and NTHDC effective March 23<sup>rd</sup>. I have been involved with the PBCA program since starting with the Ohio PBCA in August 2000. I relocated to Tampa in March 2005 to work with NTHDC as a Regional Manager and then I was eventually promoted to State Manager and Director. I moved back to Ohio in December 2012, but continued to work with NTHDC remotely and assumed other responsibilities with CGI. It has been an incredible journey and I appreciate meeting so many great people over the years. I will miss the talented team at NTHDC and I am thankful for meeting so many dedicated housing professionals in Florida.

I have accepted a position with an affordable housing management group in Columbus, Ohio, so I am sure I will develop an even greater appreciation for the challenges faced by property owners and management agents. I will continue to be involved with many of the national housing organizations, so I will continue to see some of you in my new role.

The NTHDC team is still filled with a lot of experience and knowledge, so I am confident you will continue to receive the excellent service you have come to expect. Best wishes to all of you and hopefully I will continue to see you in the future.

Thank you and Farewell,  
Shawn D. Steen

## MOR Common Findings

NTHDC resumed Management and Occupancy Reviews (MOR's) in early 2016. As the PBCA, it is our goal to work with Owner/Agents to ensure continued compliance with HUD regulations. Since resuming MOR's, some common deficiencies are noted below:

### **EIV Reports (Chapter 9, Section 3, Paragraphs 9-8, 9-9, Exhibit 9-5):**

- EIV Income Report as a third party source to verify a tenant's employment and income during mandatory recertifications (Annual and interim) of family composition and income (**Paragraph 9-8 A1**)
- Other EIV Income Reports (Income Discrepancy Report, New Hires Report, No Income Reported on 50059, and No Income Reported by HHS or SSA) to identify issues or discrepancies which may impact a family's assistance (**Paragraph 9-8 A2**)
- EIV Certification Reports (Existing Tenant Search, Multiple Subsidy Report, Identity Verification Reports, Deceased Tenants Report) that further assists in reducing subsidy payment errors (**Paragraph 9-8 A3**)
- EIV Income Report and third party verification from the source for disputed information (See **Paragraphs 9-9 B Disputed EIV Information, 9-11 C3 and Exhibit 9-5**)
- EIV Reports not being properly run, used, maintained and retained (**Exhibit 9-5**). Examples are:
  - Income Report not run with 90 days after MI information transmitted to TRACS (**Paragraph 9-12B**)
  - Income Discrepancy Report not run per requirement (**Paragraph 9-12C**)

### **Security of EIV Data (Chapter 9, Section 4, Paragraphs 9-18 and 9-20):**

- Rules of Behavior were not completed annually for EIV/TRACS users
- Cyber Security Awareness Training was not completed and/or Certificate was not printed and put in the EIV file for review
- Initial and/or current CAAF or UAAF's were not available for all coordinators and/or all users with EIV access

### **Penalties for Failure to Have Access to or Failure to Use EIV (Chapter 9, Section 5, Paragraphs 9-19):**

- Owners who do not have access to or are not using the EIV system in its entirety: Will incur a penalty of a five percent decrease in the voucher payment for the month following the date the violation was found and each subsequent voucher payment until the violation is cured. (**Paragraph 9-19 A 2**)

# Common MOR Findings Cont'd...

## **Owner/Agent EIV Policies:**

- EIV Reports are not being run as in accordance to established Owner's Policies and Procedures
- O/A policies do not describe how to address problems identified on EIV Reports
- O/A policies do not include for when a household member turns 18 between certifications

## **Applications are not updated with the required questions ("All States Lived In" and "Sex Offender").**

- Because the Sex Offender Screening must be conducted in all states where an applicant has resided, it is imperative that the application asks the household, regardless of age, to disclose any and all states where they have ever lived.

## **Lease addendums or unauthorized charges without documented HUD approval.**

- HUD 4350.3 Chapter 6, 6-4 D. states that lease modifications by owners using a lease addendum must be approved by HUD. Therefore any owner or management created lease addendum must be approved prior to implementation.
- HUD 4350.3 Chapter 6, 6-25 F. states that owners may require tenants to pay additional charges if they are approved by HUD and the schedule of charges is listed either in the lease agreement or has been distributed to all tenants in accordance with the modification of the lease requirements and procedures listed in paragraph 6-12. D.

## **Income and Expense calculations errors**

- The income and expense figures input on the 50059 do not match the third party verified information.
- The owner/agent uses medical expenses that are not third party verified.
- The owner/agent uses wage and asset information without third party verification.

## **Incomplete required forms**

- Race and Ethnicity form
- Declaration of Citizenship
- HUD 92006 Supplemental and Optional Contact Information from HUD

## **Unit inspections**

- Unit inspections are not being completed on an annual basis.
- Inspection forms are incomplete (missing signature, date, not marking the appropriate boxes)
- Move-in unit inspections do not contain the required "Decent, Safe, and Sanitary" language.

# Violence Against Women Act: Emergency Transfer Plans

In the winter edition of the CA Quarterly we provided an overview of the VAWA reauthorization act of 2013. This article explains the portion of the regulations that will need to be enacted prior to June 14 of 2017. Be reminded that the other VAWA provisions went into effect on 12/16/2016. Although VAWA regulations encompass all HUD housing programs, this article focuses on the requirements of Multi-Family Housing owners.

Owners will need to adopt an emergency transfer plan, no later than June 14, 2017 based on HUD's model emergency transfer plan. The model transfer plan has been published as [VAWA Appendix B: Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, form HUD-5381](#)

Owners need to understand the following definitions:

- *Internal emergency transfer* refers to an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.
- *External emergency transfer* refers to an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is the tenant must undergo an application process in order to reside in the new unit.
- *Safe unit* refers to a unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

The emergency transfer plan must provide that a tenant receiving rental assistance, or residing in a subsidized unit, who is a victim of domestic violence, dating violence, sexual assault, or stalking qualifies for an emergency transfer if:

- The tenant expressly requests the transfer; **and**
  - A. The tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying; **or**
  - B. In the case of a tenant who is a victim of sexual assault, either the tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying, or the sexual assault occurred on the premises during the 90-calendar-day period preceding the date of the request for transfer.

# Violence Against Women Reauthorization Act of 2013

## Cont'd...

The emergency transfer plan must detail the measure of any priority given to tenants who qualify for an emergency transfer under VAWA in relation to other categories of tenants seeking transfers and individuals seeking placement on waiting lists. The emergency transfer plan must incorporate strict confidentiality measures to ensure that the O/A does not disclose the location of the dwelling unit of the tenant to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

The emergency transfer plan must allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available.

The emergency transfer plan must describe policies for assisting a tenant in making an internal emergency transfer under VAWA when a safe unit is not immediately available, and these policies must ensure that requests for internal emergency transfers under VAWA receive, at a minimum, any applicable additional priority that housing providers may already provide to other types of emergency transfer requests.

The emergency transfer plan must describe reasonable efforts that will be taken to assist a tenant who wishes to make an external emergency transfer when a safe unit is not immediately available.

The plan must include policies for assisting a tenant who is seeking an external emergency transfer under VAWA out of the O/A's program or project, and a tenant who is seeking an external emergency transfer under VAWA into the O/A's program or project. These policies may include:

- Arrangements, including memoranda of understanding, with other covered housing providers to facilitate moves; and
- Outreach activities to organizations that assist or provide resources to victims of domestic violence, dating violence, sexual assault, or stalking.

The plan must not limit a tenant from seeking an internal emergency transfer and an external emergency transfer concurrently if a safe unit is not immediately available.

The emergency transfer plan must be made available upon request and, when feasible, the plan must be made publicly available.

Owner/Agents must keep a record of all emergency transfers requested under the emergency transfer plan, and the outcomes of such requests, and retain these records for a period of three years, or for a period of time as specified in program regulations. Requests and outcomes of such requests must be reported to HUD annually.

# Violence Against Women Reauthorization Act of 2013

## Cont'd...

The emergency transfer plan may require documentation from a tenant seeking an emergency transfer, provided that:

- The tenant's submission of a written request to the O/A, where the tenant certifies that they meet the criteria, shall be sufficient
- The O/A may, at its discretion, ask an individual seeking an emergency transfer to document the occurrence of domestic violence, dating violence, sexual assault, or stalking for which the individual is seeking the emergency transfer, if the individual has not already provided documentation of that occurrence; and
- No other documentation is required to qualify the tenant for an emergency transfer.

### **Updating Policies and Procedures for Transfer Plans**

Owner/Agents are encouraged to undertake whatever actions permissible and feasible to assist tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to remain in their units or other units under the covered housing program or other covered housing providers.

- Owner/Agents are encouraged to bear the costs of any transfer, unless prohibited by local or state ordinance.

### **FAMILY, 515/8 and 202/8 PROPERTIES:**

In order to facilitate emergency transfers for victims of domestic violence, dating violence, sexual assault, and stalking, the O/A has discretion to adopt new, and modify any existing, admission preferences or transfer waitlist priorities.

When a safe unit is not immediately available for a victim of domestic violence, dating violence, sexual assault, or stalking who qualifies for an emergency transfer, the O/A must:

- Review the covered housing provider's existing inventory of units (Waitlist) and determine when the next vacant unit may be available; and
- Provide a listing of nearby HUD subsidized rental properties, with or without preference for persons of domestic violence, dating violence, sexual assault, or stalking, and
- Provide contact information for the local HUD field office.

### **202/8 Properties only:**

The O/A is responsible for determining whether applicants are eligible for admission and for selection of families. To be eligible for admission, an applicant must be an elderly or handicapped family; meet any project occupancy requirements approved by HUD; meet the disclosure and verification requirement for Social Security numbers and sign and submit consent forms for obtaining wage and claim information from State Wage Information Collection Agencies.

# Revised Chapter 9 of the Section 8 Renewal Policy Guide Reminder

The Winter 2016 Newsletter highlighted the changes which occurred with HUD's release of the revised Chapter 9 regarding Rent Comparability Studies signed by the appraiser on or after March 1, 2017. HUD has posted a short informational video regarding these changes which can be found at:

[Training on Rent Comparability Studies](#)

Owner/Agents are encouraged to review their Rent Comparability Studies utilizing this HUD provided checklist found in the revised Chapter 9 Appendix 9-2-1:

## Appendix 9-2-1

### Owner's Checklist for RCS Submission

#### Owner's Materials

- Signed Cover Letter
- Signed Owner's Checklist
- Scope of Repair

#### RCS Materials

- RCS Appraiser's Transmittal Letter
- Scope of Work
- Description of Subject Project (including color photographs)
- Identification of the Subject's Market Area
- Description of Neighborhood
- Narrative Describing Selection of Comparables
- Locator Map for Subject and Comparables
- Rent Comparability Grid for Each Primary Unit type
- Narrative Explaining Adjustments and Market Rent Conclusions (one set of explanations for each Rent Grid)
- Comparable Project Profiles (each including a color photo)
- RCS Appraiser's Certification
- Copy of RCS Appraiser's License (only if relying upon a temporary license)

#### Mandatory Market Rent Threshold Materials

- Distribution of RCS Rents and Subject Project's median rent
- Comparison of Project's median rent to the Median Gross Rent

#### Owner's Signature & Date

For a complete transmittal of changes and the revised Chapter Nine, see the [Revised Chapter 9 Rent Comparability Studies](#) of the Section 8 Renewal Policy Guide.



## Wait, WHAT? TRACS 2.0.3.A!?

That's correct, HUD will be releasing an updated TRACS version 2.0.3.A to encompass 4350.3 new rules and changes to the MAT User Guide. A quick summary of the updates:

- Updates to incorporate The Rental Assistance Demonstration (RAD) program.
- MAT 30 updated to include additional information items for Repayment Agreements.
- MAT 30 updated to include transactions related to deposits and withdrawals for FSS Escrow Accounts.
- Additional Status Fields for repayment agreements FSS escrows to include active, inactive, suspended, reversed, terminated, transferred, moved out active, moved out inactive.
- First voucher that is submitted in 203A must contain all "active" repayment agreement(s) for the property. HUD encourages OA to work with CA prior to 203A implementation to reduce the number of potential errors.
- TRACS has/will be updated to include additional fatal errors in this section so that incorrect entry line items will not be accepted (exception is difference in status codes).
- The Instructional Guide for Forms HUD-50059 and HUD-50059-A will be updated.
- Proposed go live date is 8/1/2017 with final date to submit 2.0.2.D files at 10/31/2017. These dates are subject to change.

For a detailed look at the proposed document and changes please visit the TRACS page:

[https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/housing/mfh/trx/trxsum](https://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/trx/trxsum)



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Please visit: [www.nthdc.org](http://www.nthdc.org) OR send an email to: [Andrew.Hill@cgifederal.com](mailto:Andrew.Hill@cgifederal.com)

# 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

Contact Numbers: 1-800-982-5232 fax: 614-985-1502

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

Email: [PBCA@NTHDC.org](mailto: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+
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## 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)



2000 Polaris Parkway, Suite 110, Columbus, Ohio 43240-2007, Phone 1-800-982-5232, TDDY 1-800-955-8771