

The CA Quarterly Review

North Tampa Housing Development Corporation

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



Left to right: Safrone Presley, Don Shea, Lorie Craft, Jackie Reynolds, Christy Shipman, Cedric Hernandez. Below right: Elvin Maldonado Not pictured: Dorothy Swayze

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It is my pleasure to present the CA Quarterly Review for Summer 2019. We truly hope you enjoy the upcoming months with your family and friends. There are no shortages of beautiful and exciting places to visit in Florida and the US Virgin Islands. We are happy to call ourselves the PBCA for both regions. Even happier to be able to say HUD and PBCAs are currently negotiating a 15 month extension to the current Annual Contributions Contracts (ACC). We are currently serving under the most recent PBCA extension through September 30, 2019. Once released, the additional 15 month HUD extension will push all PBCA contracts through end of December 2020. HUD continues to maintain their commitment to a Rebid of the PBCA contracts. When that time comes NTHDC will fully pursue the future PBCA contract as we remain committed to building future of affordable housing.

This Fall will be the 15 year anniversary of NTHDC. The great partnership between The Tampa Housing Authority and CGI has made it possible for us to serve as the PBCA in Florida since 2004 and USVI since 2013. It has been a great experience and we are looking forward to so much more. We are excited about what the rest of 2019 holds and look forward to partnering with you for the years to come.

Best Regards

Don Shea
NTHDC Director and Contract Administrator





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MOR Compliance - EIV Reports



The Management and Occupancy Review includes a thorough evaluation of how owner/agents are running and using EIV reports, whether or not they are documenting the actions they've undertaken to investigate discrepancies, and how they are storing the reports. To stay compliant with HUD Handbook 4350.3, Chapter 9, owner/agents must use EIV in its entirety, this means running the reports in accordance with Chapter 9 and your own policies and procedures.

Owner/Agents must develop EIV policies and procedures. In that document, owner/agents must include written policies for running and maintaining all required EIV reports.

HUD has outlined basic guidance for the frequency in which the reports must be run; however, owner/agents can

develop policies that increase the frequency of the reports. For instance, if the trend among the tenant population is to change jobs frequently, the owner/agent might find it beneficial to run the New Hires Report on a monthly basis as opposed to the basic requirement that it be run at least quarterly.

A reminder for all new admissions, including the initial certification (IC), the owner/agent must review the Income Report within 90 days after the transmission of the move-in certification to TRACS to confirm/validate the income reported by the household. If there are any income discrepancies as a result of the report, resolve any income discrepancies with the household within 30 days of the Income Report date. Print and retain the Income Report in the tenant file along with any documentation received to resolve the discrepancies, if applicable.

The Master Binder/Files must be made available at the time of the management and occupancy review. The master files must be retained for three years. Once the retention period has expired, owners must dispose of the data in a manner that will prevent any unauthorized access to personal information.

The chart provided in the following pages outlines the use and frequency of EIV reports, as well as where they should be retained.

Report	Use	File Documentation	Retention
Summary Report	Must be used at recertification (annual and interim)	Summary Report(s) as verification of the SSN for all household members whose Identity Verification Status is "Verified". Correspondence or documentation received to resolve a tenant's "Failed" or "Deceased" status.	Tenant file

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MOR Compliance - EIV Reports (continued)

Report	Use	File Documentation	Retention
Income Report	<p>Mandatory use at Recertification - Annual, Interim and 90 days from the date the MI or IC was transmitted to TRACS.</p> <p>May be used at other times as indicated in O/A's policies and procedures.</p>	<p>No Dispute of EIV Information: EIV Income Report Current, acceptable tenant provided documents Third party verification from the source, if necessary</p> <p>Disputed EIV Information: EIV Income Report Third party verification from the source for the disputed information</p> <p>Tenant-reported income not verified through the EIV system: EIV Income Report Current, acceptable tenant-provided documents, and/or Third party verification from the source</p> <p>Any correspondence with/from tenant relating to disputes of the employment or income reported in EIV. Form HUD-50059(s)</p>	Tenant File
Income Discrepancy Report	<p>Mandatory use at Recertification - (Annual and Interim)</p> <p>Report may be used at other times as indicated in O/A's policies and procedures.</p> <p>Must print the report at the same time the Income Report is printed.</p>	<p>All correspondence to/from the tenant regarding the income discrepancy.</p> <p>Documentation received to resolve the discrepancy, including written third party verification of income, if applicable.</p> <p>The file must be documented regardless of whether the O/A determines the discrepancy to be valid or invalid. Corrected form HUD-50059(s), if applicable.</p> <p>Repayment Agreement, if applicable.</p>	Tenant file

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MOR Compliance - EIV Reports (continued)

Report	Use	File Documentation	Retention
No Income Reported on 50059	As identified in O/A's policies and procedures.	Correspondence/documents received for re-verification of zero income tenants	Tenant File
No Income Reported by HHS or SSA	As identified in O/A's policies and procedures.	Third party verification from income sources of other income reported by tenant, if applicable. Correspondence/documents received for re-verification of zero income tenants	Tenant file
New Hires Report	At least quarterly	New Hires Report with notation of action(s) taken. No Dispute of EIV Information: EIV Income Report Current, acceptable tenant provided documents Third party verification from the source, if necessary Disputed EIV Information: EIV Income Report Third party verification from the source for the disputed information Any correspondence with/from tenant relating to new employment or income reported in EIV	Master file Retain New Hires Summary Report in a master "New Hires Report" file for 3 years. Tenant file Retain New Hires Detail Report for the tenant along with any correspondence with tenant, third party verifications, form HUD-50059 (s), etc., for term of tenancy plus 3 years.
Existing Tenant Search	At the time of processing an applicant(s) for admission	Search results for each member of the household. Results of any contact with applicant must be recorded on and/or with the search results for affected household member. Results of any contact with PHA, owner, management agent where applicant is reported as receiving assistance must be recorded on and/or with the search results for affected household member	Application file If not admitted – retain search results and any supporting documentation with the application for 3 years. Tenant file If admitted – retain search results and any supporting documentation with the application for term of tenancy plus 3 years.

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MOR Compliance - EIV Reports (continued)

Report	Use	File Documentation	Retention
Multiple Subsidy Report	At least quarterly	<p>Search results</p> <p>Documentation supporting any contacts made or information obtained to determine if household and/or household member is receiving multiple subsidies.</p> <p>Documentation to support any action taken if household and/or household member is receiving multiple subsidies.</p>	<p>Master file Retain Multiple Subsidy Summary Report and supporting documentation in a master "Multiple Subsidy Report" file for 3 years.</p> <p>Tenant file Retain a copy of the Multiple Subsidy Detail Report for the tenant along with any documentation of action taken for a household member for term of tenancy plus 3 years.</p>
Failed EIV Pre-screening Report	Monthly	Failed EIV Pre-screening Report documented with action taken to resolve invalid or discrepant personal identifiers.	<p>Master file Retain copy of report in a master "Failed EIV Pre-screening Report" file for 3 years.</p> <p>Tenant file Documentation to verify discrepant personal identifiers for term of tenancy plus 3 years.</p>
Failed Verification Report (Failed SSA Identity Test)	Monthly	Failed Verification Report (Failed SSA Identity Test) report documented with action taken to resolve invalid or discrepant personal identifiers	<p>Master file Retain copy of report in a master "Failed EIV SSA Identity Test" file for 3 years.</p> <p>Tenant file Documentation to verify discrepant personal identifiers for term of tenancy plus 3 years.</p>
Deceased Tenants Report	At least quarterly	<p>Deceased Tenants Report</p> <p>Documentation obtained to resolve discrepancy.</p> <p>Form HUD 50059 with change of family composition.</p> <p>Form HUD 50059-A for move-out.</p>	<p>Master file Retain copy of report in a master "Deceased Tenants Report" file for 3 years.</p> <p>Tenant file Form HUD-50059 and/or form HUD-50059-A plus any other documentation received for a particular tenant must be retained for term of tenancy plus 3 years.</p>



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The Achieving a Better Life Experience Act of 2014 (ABLE)

The Achieving a Better Life Experience Act of 2014 (ABLE) creates tax-free savings accounts for individuals with disabilities. This effort seeks to reduce the financial strain on those individuals with disabilities by creating tax-free flexible savings accounts to cover qualified expenses, including housing, education, medical and dental care, and transportation. The ABLE Account is established for the benefit of an eligible individual and maintained under a state qualified ABLE program.

Earlier this year HUD posted [Housing Notice 2019-06](#) which provided guidance on the federally mandated exclusion of ABLE accounts from the calculation of income and assets.

Treatment of ABLE account in HUD programs

Section 103 of the ABLE Act mandates that an individual's ABLE account (specifically, its account balance, contributions to the account, and distributions from the account) is excluded/disregarded when determining the designated beneficiary's eligibility and continued occupancy under certain federal means-tested programs. Since the ABLE Act creates a federally mandated exclusion, in determining a family's income, HUD will exclude amounts in the individual's ABLE account pursuant to 24 CFR 5.609(c)(17).

Highlights

- The entire value of the designated beneficiary's ABLE account will be excluded from the household's assets. This means actual or imputed interest on the ABLE account balance will not be counted as income. Therefore, do not include any amounts in a verified ABLE account when determining the \$5,000 threshold of Actual Cash Value to impute assets.
- Distributions from the ABLE account are not considered income.
- Contributions made by the designated beneficiary
 - If the beneficiary has a portion of his/her wages directly deposited into his/her ABLE account, then all wage income received, regardless of which account the money is paid to, is included as income.
 - However, pre-tax employer contributions to an ABLE account (that are not deducted from wages) are excluded. This will likely need to be properly verified from the employer.
- Contributions made by others directly into the ABLE account
 - If someone other than the designated beneficiary contributes directly to the ABLE account, even when provided as a recurring gift, that contribution will not be counted as income to the designated beneficiary.
- Rollovers from existing ABLE accounts
 - Rollovers from existing ABLE accounts to the designated beneficiary's ABLE account are not counted as income to the designated beneficiary.

Verification

Owner/Agents must verify the amount held in the ABLE account and should develop a policy and procedure for verifying ABLE accounts that obtains the following information:

- The name of the designated beneficiary; and
- The State ABLE program administering the account to verify that the account qualifies as an ABLE account.



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Working With Owners and Residents at HUD Multifamily Housing

HUD posted [Working With Owners and Residents at HUD Multifamily Housing Properties](#) which provides clarifications to existing HUD guidance related to working with residents and addressing issues at HUD MFH properties as well as a reminder of the importance of following the guidance.

The memo addresses the following:

- Owners' Responsibility to Notify Residents of a Physical Inspection
- Owners' Responsibility to Make Inspection Documents Available for Comment and Review
- Implementation of New House Rules at Assisted Housing Properties
- Owner Responses to Tenant Complaints
- Owner Self-Certification of Completed Repairs and Exigent Health & Safety (EH&S) Findings



You can read the memo in its entirety [here](#).

Reminder on Utility Allowance Data

For many properties, this year marks the year for a required Baseline Utility Allowance Submission. A Baseline year requires the Owner/Agent to conduct a full analysis as detailed in [HUD Notice 2015-04](#) for all unit types. In this Baseline cycle, the outcome of the full utility analysis establishes the utility allowance for each bedroom type.

As a reminder, HUD does not require the Owner/Agent to submit full data (utility bills) to the Contract Administrator (CA). If the Owner/Agent obtained actual monthly utility bills from a tenant, the Owner/Agent may submit a spreadsheet summarizing the average of the monthly bills. It is recommended to utilize the tool published with HUD Notice 2015-04. However, Owner/Agents may develop their own worksheets to suit their needs, as long as they provide HUD/CA with adequate documentation. If Owner/Agents elect to submit a spreadsheet, the actual utility bills may be requested at the discretion of HUD/CA. These bills, regardless of whether they are provided to HUD/CA, must be retained by the Owner/Agent for three years.

Should you have any questions regarding the submission of a baseline analysis for your property, contact your [contract specialist](#).



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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/cm² 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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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			
Lead Warning Statement <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>			
Lessor's Disclosure			
(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.			
Lessee's Acknowledgment (initial)			
(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> .			
Agent's Acknowledgment (initial)			
(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.			
Certification of Accuracy 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



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Member Spotlight

Introducing Rebecca Kuntz



Rebecca has been with CGI for 11 years and holds the position of a Local Services Manager and . Within her 11 years with CGI, she has added to her wealth of experience through positions as a Local Contract Specialist, Central Contract Specialist, and a HQS inspector.

Rebecca has over 18 years of affordable housing experience. Prior to joining CGI, Rebecca was a Regional Manager Assistant coordinating the financial, physical and regulatory reporting for 8 communities in 4 states. Rebecca also managed a Project-based Section 8 community with 150 units for the elderly/disabled.

The thing Rebecca enjoys most about working as a Local Services Manager is interacting with Owners/Agents and her LCS staff to ensure project compliance.

Rebecca's hobbies include spending time with her family, attending theme parks, traveling, playing games, and we recently started to enjoy kayaking!

REMINDER!

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:

1509 West Swann Ave., Suite 250, Tampa, FL 33606.

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](http://www.nthdc.org)

OR send an email to

michelle.thomas@cgifederal.com





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
- ♦ Website: 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

1509 W. Swann Ave. Suite 250, Tampa, Florida 33606
Tele: (813) 873-8200 | Fax: (813) 877-1412 | TTY English: (800) 955-8771 | TTY Español: (877) 955-8773 |
Contact Center (800) 982-5232