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Reminder on Utility Allowance Requirements	1	<p>On June 22, 2015, HUD released <a href="#">Notice H-2015-04</a>: Methodology for Completing a Multifamily Housing Utility Allowance. The notice provided instruction to owners and agents (O/As) for completing the utility allowance analysis required at the time of the annual or special adjustment of contract rents and when a utility rate change results in a cumulative increase of 10 percent or more from the most recently approved UA. The notice immediately changed the way in which Utility Allowance Analysis were prepared and submitted. HUD has since released the corresponding <a href="#">FAQs</a> to HUD notice 15-04.</p> <p>This article summarizes both the baseline and UAF requirements, as well as the tenant notification requirements when an implementing a decrease to the utilities or a change in the tenants rent.</p> <p><b>Baseline Submission Requirements</b></p> <p>HUD Notice 2015-04 instructs O/As to establish a baseline for each bedroom size once very three years. For two years after the baseline submission, utility allowances for each bedroom size and each utility type at the property will be adjusted by a state-specific increase factor called a Utility Adjustment Factor (UAF).</p> <p>Owners may elect to submit a baseline submission in years two and three; however, such submissions do not negate the need for a new baseline submission at the end of the three year cycle.</p> <p><b>UAF Submission and Calculation</b></p> <p>Per Notice H-2015-04, for years two and three, following the year the baseline UA is established, owner/agents have the option to perform a factor-based utility analysis, for projects subject to the requirements found in the Utility Analysis Notice. Utility Allowance Factors will be effective on the same date as the OCAF, which is typically February 11 of each year. HUD will release the UAF factors at the same time as the OCAF factor.</p>
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Per HUD's UA FAQ Guidance #33: *Utility allowance regulations require an owner to "submit an analysis of the project's utility allowances" for review and approval each year. This requirement extends to the factor-based years in which an owner will show how the factor was applied and identify the resulting utility allowance recommendation.*



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## Reminder On Utility Allowance Requirements (cont.)

For projects with a Utility Allowance; when submitting an AOCAF package to the Contract Administrator (CA); owners should select the second checkbox on the AOCAF letter. This indicates that they are asking for one of the following options: 1) the AOCAF with a UAF adjusted utility allowance, including the written analysis to show how the factor was applied; or 2) the AOCAF with a baseline submission, with the necessary supporting documentation.

In factoring the UAF: owner/agents will determine their utility type and State specific UAF (Utility Allowance Factor) and apply the published UAF to their existing allowance to calculate the adjusted utility allowance amount.

### Tenant Notification Requirements

HUD Notice 2015-04 requires that whenever an adjustment to the utility allowance results in a decrease, the owner/agent must follow the requirements of 24 CFR Part 245.405(a) and §245.410 regarding notice to tenants.

Owner/agents should allow the required 30 day tenant comment period to expire prior to sending the submission to the CA. Any tenant comments received should be sent to the CA along with the submission, including the signed and dated Tenant Notice and the corresponding "Owners Certification as to Compliance with Tenant Comment Procedures in 24 CFR 245." The owner's certification should be dated *after* the 30 day notice was provided to the tenants.

Owners are encouraged to read and understand the tenant notice requirements [Located at 24 CFR 245.410.](#)

Per §245.410, a compliant notice must contain the following information:

- a) The mortgagor intends to submit a request to HUD for approval of the covered action or actions specified in the notice;
- b) The tenants have the right to participate as provided in §245.420, and what those rights are, including the address at which the materials required to be made available for inspection and copying under that section are to be kept;
- c) Tenant comments on the proposed covered action may be sent by the mortgagor at a specified address or directly to the local HUD office, and comments sent to the mortgagor will be transmitted to HUD, along with the mortgagor's evaluation of them, when the request for approval is submitted;
- d) HUD will approve or disapprove the proposed action, based upon its review of the information submitted and all tenant comments received. In the case of a proposed reduction in tenant-paid utilities, the notice must also state that HUD may adjust the proposed reduction upward or downward;
- e) In the case of a proposed conversion of residential units, partial release of mortgage security, or major capital additions to the project, the proposed action may require the owner to request HUD approval of a rent increase; and
- f) The mortgagor will notify the tenants of HUD's decision and it will not begin to effect any approved action (in accordance with the terms of existing leases) until at least 30 days from the date of service of the notification.

Note that including the UA dollar amounts in the notice to the tenants is a requirement for the Northern California Office.

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## Reminder On Utility Allowance Requirements (cont.)

If a 'material change' is made during the 30 day tenant comment period, the owner is required to make the revised materials available to the tenants at the project for the longer of: 15 days from the date of the change or the remainder of the applicable comment period, as per 24 CFR 245.420 (c).

Below is an example of what constitutes a 'material change.'

*An owner/agent plans to apply the UAF factor for the upcoming rent adjustment submission. They notice that the UAF would decrease the utilities for the property, so they provide the 30 day notice to the tenants of their intent to submit a request for a decrease in utilities. During processing, the Contract Specialist identifies that the owner/agent is required to submit a baseline as per HUD notice 15-04 (required every 3 years) and notifies the owner/agent that they must submit a full baseline analysis to the Contract Administrator rather than apply the UAF factor. This would constitute a material change because the documents that are being sent to the CA and the documents that were made available to the tenants for review for a baseline are far different than the documents that were compiled to apply the UAF factor. To complete the baseline, the owner/agent would be required to obtain copies of the utilities bills from the tenants and/or utility company or required to receive a summary directly from the utility company. In this case, the documents that were made available to the tenants for review were incorrect since the owner/agent originally planned on having the UAF factor applied. They likely provided the tenants with the current UA amount, and then showed the UAF factor for the year as the materials to review. The tenants now need to have time to review the documents that are being sent for the baseline submission. This includes the summary received from the utility company, the summary completed by the owner/agent, and/or all of the supporting utility bills for each unit included in the analysis. In the scenario described above, the owner/agent would be required to repost the materials for the tenants to review for either 15 days or the remaining time left on the original 30 day notice, whichever is greater.*

If the CA's figures are different from the owner/agent proposed figures, the owner/agent is not required to repost the notice as this is not considered a material change.

If the utilities are decreasing for the property, once the owner/agent receives the approved rent schedule from Contract Administrator, they must then provide their tenants with a 30 day notice as per §245.15.

Should you have any property specific questions or general questions about the Utility Allowance Requirements, please contact your [contract specialist](#).





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## Vouchering Tips: TRACS Release 2.0.3.A

TRACS release 2.0.3.A is rapidly approaching with a “Go Live” date of 8/1/2017 and a transition period end date of 10/31/2017. While HUD will allow a parallel process during the transition period (September 2017 – November 2017 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 11/1/2017 with the submission of the December 2017 voucher.

### **Effective 11/1/2017, TRACS will no longer accept files in 2.0.2.D format.**

Failure to convert by 11/1/2017 may result in the inability to receive or process certifications and voucher files, which can lead to a delayed voucher payment.

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. Below are some of the key highlights from this transition (including HUD links) which should be reviewed in detail to ensure all items are converted for compliance.

#### **MAT10 Section 3: Family Record**

In response to a Presidential Directive, expanded Ethnicity and Race categories are being added to the MAT10, Section 3 Member record.

The following Ethnicity fields have been added to the MAT10 Section 3: Family Record:

**Note: if any of fields 27-30 are filled with “Y” then field 17 (Ethnicity) must be set to a value of 1.**

- 27 = Puerto Rican
- 28 = Cuban
- 29 = Mexican, Mexican American, Chicano/a
- 30 = Another Hispanic, Latino/a or Spanish Origin

The following Race fields have also been added:

**Note: if any of fields 31-37 are filled with “Y” then field 19 (Race – Asian) must be set to Y.**

- 31 = Asian India
- 32 = Japanese
- 33 = Chinese
- 34 = Korean
- 35 = Filipino
- 36 = Vietnamese
- 37 = Other Asian

**Note: if any of fields 38-41 are filled with “Y” then Field 21 (Race – Native Hawaiian or Other Pacific Islander) must be set to Y.**

- 38 = Native Hawaiian
- 39 = Samoan
- 40 = Guamanian, Chamorro
- 41 = Other Pacific Islander

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## Vouchering Tips: TRACS Release 2.0.3.A (cont.)

Reporting of Race and Ethnicity on the Printed 50059 is unchanged from TRACS Version 2.0.2.D. While the new values are not to be printed on the 50059 form, they are required to be transmitted as part of the MAT record. See 2.0.3.A MAT User Guide, Chapter 5, MAT10, Section 3 record Fields 17, 19, 21 and 24 for the revised instructions for these existing fields

### Streamlining Rule as related to Children Under the Age of 6 at Move-In or IC

As a result of a regulatory change adding a new exception to the Social Security Number Disclosure requirement, effective April 7, 2016; a child who is under the age of six, does not have a valid SSN and is an **ineligible non-citizen**:

- For a new MI or IC, when an owner/agent is made aware that a child under the age of six is included as part of the household, the child (under the age of six) must be included on the 50059 using 999-99-9999 as the SSN in the Section 3 Member Record and the Exception Code C if the child was an ineligible non-citizen. TRACS will assign a TRACS ID (T-ID) and the T-ID must be used on all subsequent certifications in lieu of 999-99-9999 unless/until a valid SSN is provided. Proration rules apply based on rules outlined in the regulations and the MAT Guide. **Please note: This rule has not changed.**

As of April 7, 2016 a child who is under the age of six, does not have a valid SSN and is a citizen or an **eligible non-citizen**:

- For a new MI or IC, when an owner/agent is made aware that a child under the age of six is included as part of the household, the household is **NOT ELIGIBLE** if the child:
  - Was added to the household more than six months prior to the move-in/initial certification effective date and
  - Does not have a valid SSN or documentation to verify the SSN and
  - The household claims the child is an eligible US Citizen or and eligible non-citizen.

In this case, owner/agents are prohibited from starting subsidy with a MI or IC transaction.

- For a new MI or IC, the household IS **ELIGIBLE** even if the child does not have a valid SSN or there is not adequate documentation to verify the SSN as long as the child was added to the household **within six months** of the move-in/initial certification effective date.

### **2.0.3.A Rule:**

The OA must use 999-99-9999 as the SSN and the Exception Code M (Minor) when creating the MI or IC. TRACS will assign a TRACS ID (T-ID) and the T-ID must be used in lieu of 999-99-9999 until the valid SSN is provided. The resident is given 90 days from notification to provide a valid SSN and adequate documentation to verify the SSN. The OA may extend the deadline another 90 days under specific circumstances. If the household does not comply, the OA must pursue termination of tenancy.



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## Vouchering Tips: TRACS Release 2.0.3.A (cont.)

The OA is entitled to continue to receive subsidy while pursuing eviction unless local tenant/landlord guidance prohibits such action.

When the valid SSN is provided to the OA, the OA should:

- 1) Create an IR or AR as appropriate (instead of a correction to the previous cert)
- 2) Replace 999-99-9999 (or the T-ID) with a valid SSN
- 3) Remove any values from the Exception Code field.

### MAT 65 Termination/Suspension Record

In TRACS 2.0.2.D there are two Move-Out codes (9 = Uninhabitable unit – Abated and 10 = Substantial Rehab or Repair – Tenant Expected to Return) and two Termination codes (ND = Natural Disaster or Uninhabitable Unit and RR = Substantial rehab or repair - Tenant expected to return) that could be used; depending on whether a tenant was temporarily moving to another assisted project or not; in cases of natural disasters, rehab or major repairs.

HUD has determined that only a TM is to be used in these situations because a MO does not give the tenant a right to return to the old unit when it is back online. As a result, MO codes 9 and 10 have been removed for 2.0.3.A.

In addition, the MAT65 Termination Record is being renamed the Termination/Suspension Record. The codes are now grouped according to whether they apply to a termination situation (everything but ND and RR) or a suspension situation (ND and RR) due to natural disasters and rehab, or major repairs. Suspensions are looked at as temporary, unrelated to any negative tenant action and grant the tenant the right to return to the unit when it is back online.

TRACS will be modified to recognize suspensions and will not report a tenant move-in to another subsidized unit to EIV as double subsidy.

### New Member Special Status Code

- A new Code F has been added to identify members participating in the Family Self Sufficiency program.
- Not all household members might be participants.
- The Special Status Code, MAT10, Section 3 Field 10, has been widened to 10 characters to accommodate this and possible future codes.
- The former future code of F for frail elderly has been dropped.
- F = FSS-Family Self Sufficiency Participant (such individuals have executed an ITSP-Individual Training and Services Plan. ITSPs are attached to, and incorporated as part of the CoP-Contract of Participation

**Note: HUD Form 50059 is not being modified at this time to allow more space for printing codes.**

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## Vouchering Tips: TRACS Release 2.0.3.A (cont.)

### Family Self Sufficiency (FSS) Escrow

Section 7 record is also being reformed for TRACS 2.0.3.A to include information and transactions related to deposits and withdrawals for Family Self Sufficiency (FSS) Escrow accounts per the [HUD Housing Notice 2016-08: Family Self Sufficiency Program in Multifamily](#).

Under the FSS program, tenants agree to an ITSP (Individual Training and Services Plan) outlining their obligations. Withdrawals may be made when the tenant fulfills the ITSP requirements or when participation in the program is terminated. Owner/Agents supporting the FSS program should follow HUD FSS guidance with respect to the escrow account.

FSS Escrow transactions are different than Repayment Agreement transactions in that there is no agreement amount. While Repayment Agreements are returning money to HUD, FSS Escrow transactions are receiving money from HUD; accordingly, the Beginning Agreement Amount, Agreement Change Amount and Ending Agreement Amount fields are not completed for escrow transactions. The amount a tenant pays toward their Repayment Agreement is entered as a positive amount and results in a negative requested amount on the voucher. For an FSS Escrow, the payment is entered as a negative amount that results in a positive requested amount on the voucher.

See examples of Repayment Agreements and FSS Escrow transactions which have been added to the [2.0.3.A Calculations For Repayments](#) spreadsheet in the TRACS 2.0.3.A Final Industry Specification Documents.

### Repayments and Escrows

In an effort to increase the accuracy of Repayment Agreement data transmitted to TRACS, additional fields are being added to the MAT30, Section 7 Record in order to tie a transaction to those previous to and immediately following it. New added fields are listed below:

- **Record Type**
  - R = Repayment Agreement
  - F = Family Self Sufficiency Escrow
  - RB or FB = First Time Baseline Record (no payments or changes to the agreement or escrow and will have a requested amount of 0)
- **Agreement End Date**
  - Applies to FFS Escrows only.
- **Transaction Type** (formerly Agreement Type)
  - **For Repayment Agreements:** T, O or N. (No change for Repayment Agreements)
  - **For Family Self Sufficiency Escrows:** E, D, W or C
    - E = Execution of the FSS ITSP Agreement and establishing the Escrow Account;
    - D = Deposit to Escrow Account;
    - W = Withdrawal/Disbursement to the tenant
    - C = Cancellation of Escrow—return of funds to HUD

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## Vouchering Tips: TRACS Release 2.0.3.A (cont.)

- **Status**
  - On the first 2.0.3.A voucher that is submitted for a contract or project, baseline records (RB or FB) are to be submitted for ALL Repayment Agreements that have a balance for current residents or for tenants who have moved out.
    - All Repayment Agreement Records and all Records for FSS Escrow Accounts must have a status code. See [MAT Guide Chapter 4, Paragraph 4.9 Repayments and Escrows](#) for the rules for what records to include on the first 2.0.3.A voucher transmission.
  - On the initial 2.0.3.A voucher transmission, the Beginning Agreement Amount field is completed with the Former Agreement Amount field from the last submitted transaction under TRACS 2.0.2.D.
  - The Beginning Balance field is completed with the Ending Balance value from the prior transaction in 2.0.2.D.
  - The status will appear on the monthly voucher regardless if a payment has occurred, until the agreement has been:
    - Completed (CO)
    - Terminated (TE)
    - Reversed (RV) - Agreement submitted in error
    - Moved Out Inactive (MO) - Tenant has moved out and is no longer making periodic payments
  - For a complete list of status codes and applicability, please refer to the 2.0.3.A MAT User Guide, Chapter 6 - MAT30 Section 7: Repayments and Escrows under [TRACS 2.0.3.A Final Industry Specification Documents](#) on the TRACS Documents page.
- **Beginning Agreement Amount**
- **Ending Agreement Amount** (formerly Agreement Amount)  
**Please note:** The Beginning Agreement Amount, Agreement Change Amount, and Ending Agreement Amount fields are not applicable to FSS Escrows and are mandatory to Repayment Agreements only.
- **Beginning Balance**
- **HOH ID (SSN)**

**Working with the Central Contract Specialist assigned to reconcile all Repayment Agreement records with a balance prior to 2.0.3.A implementation, will allow for a smoother 2.0.3.A transition!**



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## Vouchering Tips: TRACS Release 2.0.3.A (cont.)

### Calculation Rules & Record Consistency Checks

- **Between Record Integrity Checks**
  - Beginning Agreement Amount = Ending Agreement Amount from the prior record
  - Beginning Balance = Ending Balance from the prior record
- **Amount/Balance Calculations**
  - Ending Agreement Amount = Beginning Agreement Amount + Change Amount
  - Ending Balance = Agreement Change Amount + Beginning Balance minus Payment
  -
- **Requested Amount Calculations**
  - Requested Amount = Agreement Change Amount – Payment + Retained Amount
  - Retained Amount less than or equal to 20% of the Payment
- Fatal errors **must** be corrected by the owner/agent before voucher can be paid
- To avoid fatal errors, check adherence to the rules before transmitting your voucher
- Keep in mind that the “between record integrity checks” require that the first instance of a record for an ID on the current voucher needs to tie to the last record for that ID submitted on a prior voucher.

### Helpful Links

2.0.3.A Industry Specifications Docs:

[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)

TRACS helpdesk:

Email - [tracs\\_hotline@hud.gov](mailto:tracs_hotline@hud.gov)

Phone: (888) 297-8689, option 5

Multifamily Help Desk:

[RealEstateMGMT@hud.gov](mailto:RealEstateMGMT@hud.gov)

WASS ID User Registration:

[https://hudapps.hud.gov/public/wass/public/participant/partreg\\_page.jsp](https://hudapps.hud.gov/public/wass/public/participant/partreg_page.jsp)



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[Andrew.Hill@cgifederal.com](mailto:Andrew.Hill@cgifederal.com)



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## DUNS Number Requirements

### What is DUNS?

DUNS is a unique nine-digit identification number for each physical location of an entity's business. In order to conduct business with the government the entity must obtain a DUNS number as well as register in the System for Award Management (SAM). Business entities that have obtained a DUNS number must register/re-activate **annually** in SAM to be eligible to receive financial assistance.

System for Award Management (SAM) is the official U.S. Government system that consolidates the Central Contractor Registration (CCR), Federal Contract Registry (FedReg), Online Representations and Certifications Application (ORCA) and Excluded Parties List System (EPLS).

In order to keep an Active status with SAM visit: [www.sam.gov](http://www.sam.gov)

Click [here](#) for the Quick Start Guide for Updating/Renewing an Entity

### Steps for Updating/Renewing an Entity

1. Go to [www.sam.gov](http://www.sam.gov) and login with your SAM username and password
2. Click "Register/Update Entity" and then "Complete Registrations" (if you started your update earlier, click on "Incomplete Registrations")
3. In the Entity List panel, click on the Entity you want to update/renew
4. Click the Update Entity button in the "Registration Details" Panel
5. Complete Purpose of Registration (You only have to do this once)
6. Validate/Update "Core Data"
7. Validate/Update "Assertions" (not required to be eligible for Grants only)
8. Validate/Update "Representations and Certifications" (not required to be eligible for Grants only)
9. Validate/Update "Points of Contact", including optional POCs. If you no longer wish to have the optional POCs, please delete all data in these fields.
10. If you qualify as a small business, validate/update your information in SBA's Dynamic Small Business Search (DSBS) or apply for a small business certification on the "SBA Supplemental" page.
11. Click Submit

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## DUNS Number Requirements (cont.)

### DUNS Number Required on All Voucher Submissions

HUD issued a memorandum, dated June 2, 2017, which implements the requirement to include the DUNS Numbers on all vouchers submitted to Tenant Rental Assistance Certification System (TRACS). Effective December 1, 2017, vouchers that do not contain an active DUNS number will generate a TRACS fatal error and will not receive payment until corrected.

### DUNS Number Required on All Contract Renewal Requests

Owners must now include the DUNS number on the Contract Renewal Request Form HUD-9624. If the number is not present, the PBCA will return the document to the Owner and request the number be completed. If your Contract Renewal is already in process but you did not include the DUNS number, resend the HUD-9624 document to the PBCA. HUD Fort Worth will return a Contract Renewal missing the DUNS number and the Owner will not receive payment until the DUNS is included with the Contract sent to HUD Fort Worth.

#### Contract Renewal Request Form Multifamily Section 8 Contracts

U.S. Department of Housing  
and Urban Development  
Office of Housing

OMB No. 2502-0587  
(Exp. 04/30/2017)

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Title V of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act of 1988 (P.L. 106-65, 111 Stat. 1384) authorizes the FHA Multifamily Housing Mortgage and Housing Assistance Restructuring Program. HUD implemented a statutory permanent program directed at FHA-insured multifamily projects that have project-based Section 8 contracts with above-market rents. The information collection is used to determine criteria eligibility of FHA-insured multifamily properties for participation in the Mark to Market program and the terms on which participation should occur. The purpose of the program is to preserve low-income rental housing affordability while reducing the long-term costs of Federal rental assistance. While no assurances of confidentiality are pledged to respondents, HUD generally discloses this data only in response to a Freedom of Information request.

#### Cover Sheet

PROJECT NAME	
PROJECT ADDRESS	
PROJECT OWNER	
FHA PROJECT NO	DUNS NUMBER
TOTAL UNITS IN PROJECT	TOTAL SECTION 8 UNITS IN PROJECT
DATE OF SUBMISSION	DATE RECEIVED BY HUD



#### Section 8 contracts and stages in the project:

Section 8 Contract Number	Stage Number (if applicable)	Combine (Yes?)	# Units	Expiration Date	Renew (Yes?)

Please note: The PBCA will not verify DUNS numbers for accuracy or active status. It is important that the owner ensures accuracy and that the DUNS number is active when entered on required documents to avoid delay in payment of HAP funds.

For technical support questions regarding a DUNS number, contact the SAM Federal Service Desk at 1-866-606-8220.



## Best Practices When Responding to an MOR

This article focuses on three aspects of the Owner response. It commences with the items that should be included with the response, continues with how a response should be organized, and concludes with the MOR appeal process.

### What to include in the Owner response

If an owner/agent receives the Summary Report and there are no deficiencies noted on the report, no additional action is required. If an owner/agent receives the Summary Report and deficiencies are noted, the owner must take action to resolve the deficiencies. Targeted Completion Dates (TCDs) will be noted for all deficiencies identified during the review and will not exceed 30 calendar days. Owner/agents must provide documentation to support the deficiencies were corrected by the TCD noted on the Summary Report.

The Owner/agent response needs to include all items that had been requested in the corrective action portion for each finding identified in the report. Each finding needs to be addressed whether it has been completed or not and an explanation provided along with the progress on each finding that has not been completed. As required, follow-up will occur every 30 days until each discrepancy as noted on the report has been resolved. A proper response should have three basic components including the cover letter, supporting documentation, and a written certification for each finding.

#### Cover Letter

Please include a reference line that lists the property's name, iREMS number(s), and contract number(s). The cover letter should provide an overview of the response and what is being submitted in the initial response. If appealing, be sure to clearly state at the beginning of the cover letter that the MOR is being appealed and specifically identify what is being appealed. Appealing an MOR does not usurp the requirements to respond to the items listed on the MOR with the target completion date as identified on the MOR report. The cover letter should provide the contact information for the staff member that has been assigned to close out the MOR and be signed by the owner and/or the owner's designee.

#### Supporting Documentation

Include all items requested for each corrective action and clearly label each supporting document(s) with the finding item number they coincide with. If appealing, be sure to include supporting documents to support the appeal and clearly label the documents accordingly. Basic supporting documentation requested in a corrective action typically includes:

- 1) Policy and Procedures  
Policy and procedures are written instructions to be followed by site staff for a particular item. A corrective action will tend to require either the creation of new procedures or the revision of existing procedures. When responding, be sure to include the updated procedure in the response.
- 2) Documents  
Each corrective action will specifically describe the documents that were missing or erroneously completed the time of the on-site review. Responding to these types of corrective actions typically require the following tasks:
  - Locate missing document
  - Revise an existing document
  - Create a document
  - Execute a document



## Best Practices When Responding to an MOR (cont.)

### 3) Specific Documentation

Specific Documentation that is required to demonstrate a finding has been cured will be specifically described in each corrective action as to what to provide. Examples include:

- Completed work order or completed vendor invoice.
- Voucher adjustments.
  - Clearly identify what the adjustment is for on the voucher.
  - Reviewer will determine if it is the correct amount and will verify with the CCS that the adjustment processed.
- Documentation of a tenant refund.
  - Copy of check to tenant for total amount of refund
  - If tenant requested the refund in the form of a rent credit, a copy of the tenant ledger showing the total rent credit.

Due to Privacy Act issues

- Do not send copies of corrected 50059s to the PBCA as part of a close out. All adjustments to the voucher can be viewed submitted and reviewed via vouchering software tools.
- Do not submit any copies of EIV reports as a response to an MOR Finding.

### Corrective action plans

Occasionally, a corrective action will require additional time to correct the deficiencies noted in the report. In these situations the PBCA will request a corrective action plan to resolve the noted deficiency. These findings can include a 100% file review for to resolve a recurring issue identified in the file review, multiple maintenance issues and/or high cost maintenance issues that need to be addressed or for security issues. When submitting a corrective plan the Owner/agent will be requested to:

- Include each item to be addressed or task to be performed.
- Identify staff that will be responsible for follow up and staff that will assist in resolving each issue.
- Include estimated start and completion times for each item included in the plan.

### Written Certification

Written certifications need to be separate for each finding that asked for a written certification (one blanket certification that states we certify we will comply with all corrective actions listed on the MOR report will not be acceptable). An individual certification for each item will ensure all items are addressed. Written certifications may be accompanied by a request in the corrective action to provide a summary of adjustments made or a summary steps/action taken. Each written certification needs to be specific as to what is being certified for that particular finding.

- Rather than stating, "We certify we will comply with this corrective action"
- State, "We certify that a 100% file review will be conducted and a Declaration of Citizenship obtained for all household members that do not have one on file prior to next MOR."

### Organization of Owner Response

Although there are limitless options when organizing a response, there are two optimal methods for an owner to organize a response.



## Best Practices When Responding to an MOR (cont.)

### Method One

List each finding in order of the MOR report by finding item number on the cover letter and include the supporting documentation as labeled attachments for each finding in the order listed on the cover letter.

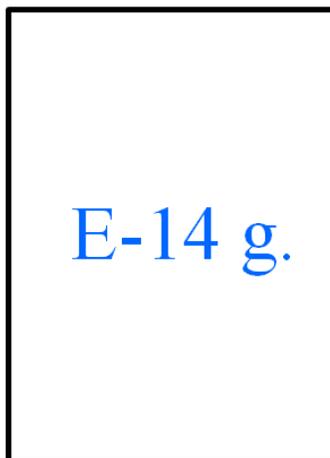
- Include any necessary explanations for each individual finding under the appropriate finding item number on the cover letter.
- Include a written certification on the cover letter under each finding item number that requests a written certification.
- Label the attachment by either including a cover page for each attachment with the finding item number listed or by clearly writing the finding item number on the top of the attachment.
  - If using a highlighter to highlight finding item numbers or changes within an attached supporting document, please only use yellow. Other highlighter colors black out the highlighted information when copied or scanned.
- Assemble the attachments in order as listed on the cover letter.

### Method one example

On Cover Letter:

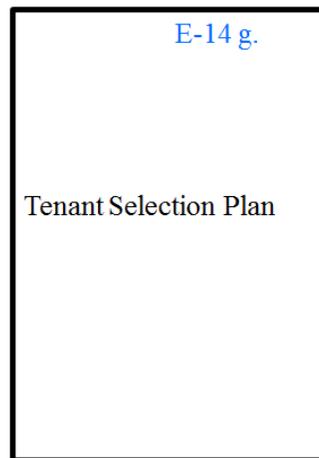
“E-14 g. Tenant Selection Plan has been revised to include student eligibility criteria for students at an institution of higher education and is attached. Please see attachment E-14 g. I certify that the Tenant Selection Plan has been provided to the site staff and has been implemented at the property going forward. I also certify that the tenant Selection Plan will be reviewed annually and updated as needed to ensure that it reflects current policies and procedures as well as current/new HUD requirements.”

On attachment



Separate sheet in front of  
the attachment

OR



Labeled on the actual  
document

Continued on Page 15



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## Best Practices When Responding to an MOR (cont.)

### Method Two

Include a brief cover letter and then address each finding individually as a separate attached document for each finding item number that includes all explanations, written and signed certifications, and supporting documentation for each finding separately.

One example of this approach is provide the cover letter and then assemble, in order of the MOR report, a separate bound attachment for each finding item number. A cover sheet should list the finding item number and subsequent pages should include the necessary explanation, written certification and support documentation for that particular finding. Bind each of the individual items together with a paperclip, staple, or clip.

Another example is to assemble a three ring binder and use separator pages with tabs labeled with the finding item number in order as listed on the MOR report. After each tab include any necessary explanation, written certification and supporting documentation for that particular finding.

In summary, choose an organizational style that best fits the needs of the particular response. The most important element to observe is to provide a framework for the reviewer to easily navigate and locate the materials that are being provided in the response.

### Appealing an MOR

If an owner/agent receives an overall score of 'Below Average' or 'Unsatisfactory' as indicated on HUD form 9834 Summary Report, the owner/agent may appeal the rating using the following process:

#### Initial Appeal to the CA

- The Initial appeal must be in writing, forwarded to the PBCA, and postmarked within 30 calendar days from the date of the report.
- The appeal letter must explain the factual basis supporting a change in the rating, with sufficient specific examples provided to warrant further evaluation.
- The PBCA is responsible for evaluating the additional information, including another on-site visit for only those items in dispute, if necessary and if resources are available.
- The initial appeal decision must be in writing and transmitted to the owner/agent by the CA within a 45 calendar day period following receipt of the appeal

#### Final Appeal to HUD

- If the owner/agent does not agree with the CA appeal decision, they must submit a final appeal to the Multifamily Hub Director
- The final appeal must be in writing and postmarked within 15 calendar days of the transmittal date of the initial appeal decision letter from the CA.
- The Multifamily Hub Director will be responsible for obtaining all information from the Contract Administrator performing the original management review and initial appeal determination.
- The owner/agent may request a meeting with the Multifamily Hub Director (or, at the discretion of the Multifamily Hub Director, a representative) to present verbal arguments, however the meeting must be requested and scheduled during the 30 calendar day period following the transmittal date of the initial appeal decision letter.
- The final appeal decision must be in writing and transmitted to the owner/agent by the HUD Multifamily Hub Director within a 45 calendar day period following receipt of the final appeal letter or 45 calendar days upon conclusion of the meeting with the owner/agent.



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## VAWA Forms Posted to HUDClips & Training Dates Announced

From RHIP Listserv Posting #383

**NEW!** Translated VAWA forms HUD-5380, 5381, 5382, and 5383 are posted on [HUDClips](#). Form HUD-91066 is obsolete and removed from HUDClips. Form HUD-91067 is in the process of being revised, refer to the Notice for guidance.

**SAVE THE DATE! Upcoming live trainings:**

- Wednesday, July 26, 2017, 2:30 – 4:00 PM (Eastern): VAWA Final Rule from Owner/Agent Perspective.
- Tuesday, August 1, 2017, 1:30-3:00 PM (Eastern): VAWA Final Rule from HUD/PBCA Perspective. *\*\*Owners/Agents are encouraged to attend.*

Registration information for the trainings will be out soon.

**COMING SOON!** VAWA FAQs are being drafted and will be provided soon. [Send HUD](#) your questions.

## What's New on HUDClips?

Posted Date	Link	Description
6/2/2017	<a href="#">FR-5997-N-25</a>	30-Day Notice of Proposed Information Collection: Small Area Fair Market Rent Demonstration Evaluation
5/26/2017	<a href="#">FR-6021-N-01</a>	Proposed Changes to the Methodology Used for Estimating Fair Market Rents
5/24/2017	<a href="#">FR-6011-N-01</a>	Annual Indexing of Basic Statutory Mortgage; Limits for Multi-family Housing Programs
5/19/2017	<a href="#">2017-08</a>	Violence Against Women (VAWA) Reauthorization Act of 2013 Guidance
5/16/2017	<a href="#">FR-6003-N-03</a>	60-Day Notice of Proposed Information Collection: Resident Opportunity and Self-Sufficiency Service Coordinator (ROSS-SC) Program Evaluation
5/11/2017	<a href="#">FR-6001-N-08</a>	60-Day Notice of Proposed Information Collection: Section 8 Renewal Policy Guide

# All Residents of HUD Subsidized Properties



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California Affordable Housing Initiatives, Inc. (CAHI) is the HUD Contract Administrator and is responsible for responding to resident concerns. CAHI 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: 8:00am to 5:00pm (PST)

Contact Numbers: 1-800-982-5221

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

Email: [PBCA@cahi-oakland.org](mailto:PBCA@cahi-oakland.org)

Website: <http://www.cahi-oakland.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)