



Kate Brown, Governor

## **HUD Contract Administration Section**

[www.ohcs.oregon.gov](http://www.ohcs.oregon.gov)

November 4, 2015

### **SECTION 8 PROGRAM UPDATES**

#### **NO SOCIAL SECURITY ADMINISTRATION 2016 COLA**

The Social Security Administration posted on their website that there will be no COLA increase to SSA benefits for 2016. You can view the website at <https://www.ssa.gov/news/press/factsheets/colafacts2016.html>. There is no information on the website regarding changes to the Medicare premiums.

#### **HUD NOTICE H 2015-10 "EXCLUDING THE USE OF ARREST RECORDS IN HOUSING DECISIONS"**

November 2, 2015, HUD issued notice H 2015-10 on "Excluding the Use of Arrest Records in Housing Decisions". The purpose of this Notice is to inform PHAs and owners of other federally-assisted housing that arrest records may not be the basis for denying admission, terminating assistance or evicting tenants, to remind PHAs and owners that HUD does not require their adoption of "One Strike" policies, and to remind them of their obligation to safeguard the due process rights of applicants and tenants. The Notice also reminds PHAs and owners of their obligation to ensure that any admissions and occupancy requirements they impose comply with applicable civil rights requirements contained in the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Titles II and III of the Americans with Disabilities Act of 1990, and the other equal opportunity provisions listed in 24 CFR 5.105. Finally, the Notice provides best practices and peer examples for PHAs and owners to review.

The notice can be accessed at <http://portal.hud.gov/hudportal/documents/huddoc?id=15-10hsgn.pdf>.

## **PORTLAND MULTIFAMILY PROGRAM CENTER TRANSITION**

The Portland Multifamily Program Center is beginning the transition which will result in eventually moving the Portland and Seattle MF program to San Francisco (Regional Center) and Denver (Satellite Office). By May 14, 2016, all Portland MF staff will be reassigned to the Office of Healthcare Programs, or will be retired from HUD. Approximately half of the Oregon portfolio will be transferred to a Utah contractor any day (transfer was originally to take place on October 29, 2015), with the final assignment to the contractor by January 6, 2016. A few properties in the portfolio may stay with Portland MF staff until May 14, 2016. All contracts will be transferred to the San Francisco/Denver offices by September 2016.

Although Oregon Housing and Community Services is still working under an amended contract for the Project Based Contract Administration, and we are not at full staff, we will become your contact for program questions as the transition progresses. Please try to reach your HUD project manager first for the questions that normally go to them, and then transition your questions over to OHCS as you lose the HUD contacts. We will forward your questions on to the contractor if we are not able to provide a suitable answer. We will appreciate your patience through this process.

More information about the HUD Multifamily Transformation can be accessed at [http://portal.hud.gov/hudportal/HUD?src=/transforming\\_hud/multifamily\\_transformation](http://portal.hud.gov/hudportal/HUD?src=/transforming_hud/multifamily_transformation).

## **UNINHABITABLE UNITS – WHAT ARE THEY AND HOW DO YOU REPORT?**

This is a reminder that when a unit becomes uninhabitable it must be reported to HUD and OHCS to ensure that proper payments of HAP are being distributed. Remember, that while a unit is uninhabitable the household (if damage is **not** tenant caused) is not responsible for their portion of rent for the damaged unit; the household is only responsible for their portion of rent if the entire property is undergoing a substantial rehab.

Following is a list of conditions that deems a unit uninhabitable; this list is not indefinite and can change.

- Propane/natural/methane gas smells and/or leaks
- No electricity
- No water
- No heat
- Any structural or interior damage in danger of collapsing
- Absence of/inoperable toilet, shower, and/or bathtub

- Toxic Mold
- Severe infestation of rodents and/or insects (e.g. mice, bedbugs, roaches, etc.)
- Flooding
- Fire
- Faulty sewage pipes/system
- Inoperable stove

Report an uninhabitable unit to OHCS in writing via email to the OHCS Voucher Specialist, who will inform the appropriate HUD representative. This notification must include the date of discovery, what caused the unit to be uninhabitable, where the household was placed during repairs, when the household returned to their unit (if available), and either the date the work was completed or the anticipated date of completion.

There are a few scenarios that can occur when management has deemed a unit uninhabitable. We have listed below a few examples of situations and the reporting requirements. Should you have questions when you are working with these situations, you may contact your Voucher Specialist and/or Contract Officer.

#### Example #1

Management discovered that there was no heat in the unit on 09/25/2015. Management placed the household in a hotel on 09/25/2015 and scheduled a contractor to make repairs. Repairs were completed on 9/30/2015 and household moved back into the unit the same day.

Management must transmit/report the following on their next HAP voucher:

- Termination (TM) with a "RR" Code effective 09/25/2015 (RR code means substantial rehab or repair-tenant expected to return)
- Initial (IC) effective 09/30/2015
  - Must be marked as "Y" for eligibility check not required
  - Next annual (AR) date must remain as it was prior to the TM

#### Example #2

Management discovered on 09/15/2015 that the pipes broke in Unit #1 and flooded the unit. Management moved the household into Unit #5 (rent ready vacant unit) at the property on 9/16/2015 and scheduled a contractor to make repairs. Repairs were completed on 10/25/2015 and household moved back into the unit the same day.

Management must transmit/report the following on their next HAP voucher:

- Unit Transfer (UT) from #1 to #5 with a unit out date of 9/15/2015 and a unit in date of 9/16/2015

- Unit Transfer (UT) from #5 to #1 with a unit out date of 10/24/2015 and a unit in date of 10/25/2015

## **FAIR HOUSING IN OREGON**

Please see the informational website at

**<http://www.oregon.gov/ohcs/pages/equal-access-to-housing-in-oregon.aspx>**

## **HUD REGION X WEBSITES**

The HUD Region X website has lots of good information that pertains to Oregon affordable housing owners. There have been many updates since the last OHCS memo was sent. To keep up on the latest information, click the links below:

<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/mf/w/hatsnew>

<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/mf/x/mfhsgmanageinfo>

## **INDUSTRY TRAINING OPPORTUNITIES**

- Many training opportunities can be found online by using one of the search engines. Examples include, but are not limited to, Oregon AHMA training classes and Conference, Quadel Consulting, and NCHM.
- The following link will take you to a Calendar of Events on the HUD RHIIP website (go to RHIIP Support and Training at the bottom of the page):  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/housing/mfh/rhiip/mfhrhiip](http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rhiip/mfhrhiip)

***If you have problems with any of the links in this memo, try the following:***

- 1. First, hold down the Ctrl key and click on the link, or***
- 2. If #1 did not work, highlight the link and copy/paste it into the browser address bar.***
- 3. OHCS Section 8 memos are posted to the OHCS website at***  
<http://www.oregon.gov/ohcs/Pages/hca-communication-memos.aspx>.  
***(There is a delay in posting the new memos.)***