

<b>Questions</b>	<b>PBCA Response</b>	<b>HUD Handbook Criteria (if applicable)</b>
<b>Calculation/ Reporting</b>		
<p>1 Can you use the bank statement for the SSP? The bank statement does use the gross for the SSP. There is no tax taken out.</p>	<p>A bank statement is not an acceptable form of SSP verification. Owners must obtain third-party verification from the source using the acceptable methods of verification as described in paragraph 5-13 of the HUD Handbook. If third-party verification from the source is not available, Owners must document the tenant file to explain why third-party verification is not available and obtain family certification of income.</p> <p>Please note: There are a number of ways to obtain verification of SSP benefits as described at this link:  <a href="https://otda.ny.gov/programs/ssp/#proof">https://otda.ny.gov/programs/ssp/#proof</a> Owners are encouraged to provide assistance to tenants as necessary to obtain acceptable verification.</p>	<p>HUD Handbook 4530.3 REV-1 CHG-4, Paragraph 5-13 A. Acceptable methods of verification, in order of acceptability: 1) upfront-income verification (UIV) with use of EIV being mandatory and use of non-EIV UIV being optional; 2) third-party verification from source (written), 3) third-party verification from source (oral), and 4) family certification. If third-party verification is not available, owners must document the tenant file to explain why third-party verification was not available.</p> <p>RHIIIP Listserv Posting #316: “ In order to verify the payment in states administering SSP, verification can be obtained by the tenant from the state office and as outlined in Chapter 5 and Appendix 3 of HUD Handbook 4350.3 REV-1. As explained in Chapter 5 of HUD Handbook 4350.3, REV-1, the verification must be provided within 120 days of the certification date and must not be older than 120 days from the date provided to the owner. If the above causes a discrepancy in the EIV system, note the reason for the discrepancy and place in the tenant file.</p>
<p>2 If an individual living in NYS must reach the max of \$435.00 in order to receive SSI benefits if eligible, can I make the verified conclusion that the max. \$435.00 SSP was met if in fact an SSI monthly is listed in EIV? SSI &amp; SSP does not have gross and net. Why can't we use bank statements?</p>	<p>Owners may not assume what they cannot verify. A bank statement is not an acceptable form of SSI and SSP verification. Owners must obtain third-party verification from the source using the acceptable methods of verification as described in paragraph 5-13 of the HUD Handbook. If third-party verification from the source is not available, owners must document the tenant file to explain why third-party verification is not available and obtain family certification of income.</p> <p>Please note: There are a number of ways to obtain verification of SSP benefits as described at this link:  <a href="https://otda.ny.gov/programs/ssp/#proof">https://otda.ny.gov/programs/ssp/#proof</a> . Owners are encouraged to provide assistance to tenants as necessary to obtain acceptable verification.</p>	<p>HUD Handbook 4530.3 REV-1 CHG-4, Paragraph 5-13 A. Acceptable methods of verification, in order of acceptability: 1) upfront-income verification (UIV) with use of EIV being mandatory and use of non-EIV UIV being optional; 2) third-party verification from source (written), 3) third-party verification from source (oral), and 4) family certification. If third-party verification is not available, owners must document the tenant file to explain why third-party verification was not available.</p> <p>RHIIIP Listserv Posting #316: “ In order to verify the payment in states administering SSP, verification can be obtained by the tenant from the state office and as outlined in Chapter 5 and Appendix 3 of HUD Handbook 4350.3 REV-1. As explained in Chapter 5 of HUD Handbook 4350.3, REV-1, the verification must be provided within 120 days of the certification date and must not be older than 120 days from the date provided to the owner. If the above causes a discrepancy in the EIV system, note the reason for the discrepancy and place in the tenant file.</p>

3	<p>Is the HUD 92006 form required for annual certifications?</p>	<p>Owners should provide tenants who have completed the form HUD-92006 the opportunity to update, remove or change the information at the time of annual recertification to ensure that current information is on file. This includes allowing tenants who originally chose not to provide contact information or those who were not provided the opportunity to provide contact information if they request to do so.</p> <p>Please note: Tenants may request to update, remove or change the information provided on form HUD-92006 at any time and owners must honor this request. Providing contact information is optional on the part of applicants and tenants.</p>	<p>HUD Handbook 4350.3 REV-1, CHG, 4, Chapter 4, Paragraph 4-14 D. 2. After admission: a. Owners should provide tenants who were not provided the opportunity to provide contact information at the time of application and admission, the option to complete form HUD-92006 and provide contact information at the time of their annual recertification. c. Tenants may request to update, remove or change the information provided on form HUD-92006 at any time and owners must honor this request. Owners should provide tenants who have provided contact information using form HUD-92006 the opportunity to update, remove or change the information at the time of annual recertification to ensure that current information is on file. This includes allowing tenants who originally chose not to provide contact information the opportunity to provide contact information if they request to do so. Remember, providing contact information is optional on the part of applicants and tenants.</p>
4	<p>If self-certifications are not notarized will this result in a finding?</p>	<p>No. Change 4 of the Handbook no longer requires self-declaration statements to be notarized. The owner may witness the statement.</p>	<p>HUD Handbook 4350.3 REV-1 CHG-4, Chapter 5, Paragraph 5-13 B. 1. d. Family Certification. An owner may accept a tenant's notarized statement or signed affidavit regarding the veracity of information submitted only if the information cannot be verified by another acceptable verification method. In these instances, the owner must document the file why third-party verification was not available. (See Paragraph 5-18.E for documentation requirements when third-party verification is not available.). The owner may witness the tenant signature(s) in lieu of a notarized statement or affidavit.*</p>
5	<p>Can you use only two paystubs if a person gets paid bi-weekly?</p>	<p>HUD's preferred method to calculate annual employment income anticipated for the coming year is to use 4-6 current, consecutive check stubs along with the EIV Income Report to verify the tenant's employment. If the tenant does not have 4-6 current, consecutive check stubs available, owners should move onto the next preferred methods of acceptable verification. If the owner is unable to obtain acceptable verification of employment income following the methods described in the Handbook, the owner should document the tenant file with the reason fewer check stubs were accepted.</p>	<p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 5, Paragraph 5-5 A. The following are acceptable methods for calculating the annual income anticipated for the coming year: 3. *Using EIV: (a) The owner must not use the quarterly wage income reported on the EIV Income Report for calculating the tenant's annual income from employment. The owner must confirm with the tenant that the information in EIV is correct. If the tenant agrees that the employment information reported in EIV is correct, the owner must: (1) Use the Income Report as third party verification of the tenant's employment; and (2) Use tenant provided documents for calculating the tenant's annual income, e.g. 4-6 current, consecutive check stubs.</p>

## Verification

6	<p>I have a resident who didn't report the SSI of his son, he claims the mother who doesn't live with them gets it, do I still count that income because he's a member of that household. Is that right?</p>	<p>Yes. The son is a household member therefore payments received on behalf of the son must be included as income, regardless if the assigned payee resides in the household.</p>	<p>Count the gross amount, before deductions for Medicare, etc., of periodic Social Security payments. Include payments received by adults on behalf of individuals under the age of 18 or by individuals under the age of 18 for their own support.</p> <p>HUD Handbook 4350.3, Rev-1, Chg.4 Ch 5, 5-6.A.3.c "When more than one family shares custody of a child, and both families live in assisted housing, only one family at a time can claim the dependent deduction. The family that counts the dependent deduction also counts the unearned income of the child. The other family claims neither the dependent deduction nor the unearned income of the child."</p>
7	<p>Our employment verification form asks what is the estimated earnings for the next 12 months, if this amount is higher than the amount calculated using the hourly rate provided on the verification form, which should be used as the applicant/resident income?</p>	<p>If information received by the source verifying the income is unclear, owners should contact the source for clarification and document the tenant file. Owners should have written policies and procedures to identify the method of calculation that will be used in this circumstance and apply to all household consistently.</p> <p>Please note: Income Discrepancies resulting from the method used to calculate annual income must be resolved in accordance with the HUD Handbook and the owners EIV policies and procedures.</p>	
8	<p>Is it mandatory to obtain social security numbers for foster children?</p> <p>Has anything changed for foster children whose SSN cannot be obtained?</p>	<p>Yes, foster children and foster adults must meet Social Security number disclosure and documentation requirements.</p> <p>Foster children and foster adults must meet Social Security number disclosure and documentation requirements.</p>	<p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 3, Paragraph 3-9 All applicant and tenant household members must disclose and provide verification of the complete and accurate SSN assigned to them except for those individuals who do not contend eligible immigration status or tenants who were age 62 or older as of January 31, 2010, and whose initial determination of eligibility was begun before January 31, 2010.</p>
9	<p>What if the household doesn't have a checking account for 6 months?</p>	<p>If the checking account has not been open for at least six months, use the average balance for the months the account has been open and document the tenant file with the reason average 6 month balance is unavailable.</p>	

10	<p>Banking verification is sent to the bank and they send back their own form with 12 months instead of the 6 months that are required what should we do?</p>	<p>Request 6 months of bank statements from the tenant. Documentation provided by the applicant is the next tier of acceptable forms of verification after written third party. You can configure the 6 month average using them.</p>	<p>HUD Handbook 4350.3, Rev-1, Chg.4, Chapter 5, 5-12 "(A.1) Owners must verify all income, assets, expenses ... (B.2.) as part of the annual recertification process. (5-13 A.) Owners must use verification methods that are acceptable to HUD... *Acceptable methods of verification...: (A.2) third-party verification from source (written), (A.3) third-party verification from source (oral), and 4) family certification.* If third-party verification is not available, owners must document the tenant file to explain why third-party verification was not available.</p> <p>HUD Handbook 4350.3, Rev-1, Chg.-4, Exhibit 5-2, A.1,"Cash held in savings and checking accounts, safe deposit boxes, homes, etc. For savings accounts, use the current balance. For checking accounts, use the average balance for the last six months..."</p> <p>HUD Handbook 4350.3, Rev-1, Chg.4, Appendix 3: Acceptable Forms of Verification "Current net family assets.... Third Party Provided by Applicant... Passbooks, checking, or savings account statements..."</p>
11	<p>If an applicant/tenant receives SSI/SSD, is this sufficient to verify disability status or will we get a finding if we don't verify this separately?</p>	<p>When determining project eligibility, receipt of social security disability payment is adequate verification of an individual's disability status <u>only</u> for programs using definition E in Figure 3-6 of the Handbook (Section 8 New Construction, Section 8 Substantial Rehabilitation, Section 8 State Agency, RHS Section 515/8. Section 8 Property Disposition Set-Aside. Section 231 with Section 8). However, other programs, such as Section 202 and 811 projects do not use this definition therefore, third-party verification of disability must be obtained from an appropriate source such as a physician, psychologist, clinical social worker, other licensed health care, or the Veteran's Administration. The third-party verification form sent to the source should provide the definitions of disability used to determine eligibility and rent and should request that the source completing the form identify whether the applicant meets the definition. In this way the owner is not required to make any judgments about whether a condition is considered a disability, and will not have prohibited information.</p>	<p>HUD Handbook 4350.3, REV-1, CHG 4, Chapter 3, Paragraph 3-28 B. 1. A third-party verification form may be sent by the owner to an appropriate source of information, including but not limited to *a physician, psychologist, clinical social worker, other licensed health care*, or the Veterans Administration. b. The form should provide the definitions of disability used to determine eligibility and rent and should request that the source completing the form identify whether the applicant meets the definition. In this way the owner is not required to make any judgments about whether a condition is considered a disability, and will not have prohibited information. 2. Receipt of social security disability payments is adequate verification of an individual's disability status for programs listed in Figure 3-5 that use definition E for person with disabilities. NOTE: Applicants who meet the Social Security's definition of disabled are eligible even if they do not receive social security benefits. The Section 202 and Section 811 programs do not use this definition of disability, *therefore*, this note does not apply to applicants for units in Section 202 or 811 projects. *</p>
12	<p>If a tenant is already subsidized in a property managed by the same manager does the additional existing tenant search requirement apply or the paperwork reduction act?</p>	<p>Owners must use the EIV Existing Tenant Search as part of their screening criteria for all new tenants. If a tenant residing in "Property A" submits an application to move to "Property B" and both properties are managed by the same managing agent, an Existing Tenant Search must be processed prior to the tenant moving to "Property B."</p>	<p>HUD Handbook 4350.3, REV-1, CHG 4, Chapter 9, Paragraph 9-8 Using EIV Reports B. Owners must: 1. Use the Existing Tenant Search in EIV as part of their screening criteria for new tenants and must include written policies for using the search in their Tenant Selection Plan.</p>

13	I thought 3rd party for employment was no longer necessary if the EIV report and past earnings were in line with prior earnings and tenant did not dispute amount used on certification?	For employment income - the EIV Income Report is used as third party verification of the tenant's employment. Tenant provided documents, such as 4-6 current, consecutive check stubs, are used to calculate the annual income anticipated for the coming year.	HUD Handbook 4350.3 REV-1, CHG 4, Chapter 5, Paragraph 5-5 A. The following are acceptable methods for calculating the annual income anticipated for the coming year: 3. *Using EIV: (a) The owner must not use the quarterly wage income reported on the EIV Income Report for calculating the tenant's annual income from employment. The owner must confirm with the tenant that the information in EIV is correct. If the tenant agrees that the employment information reported in EIV is correct, the owner must: (1) Use the Income Report as third party verification of the tenant's employment; and (2) Use tenant provided documents for calculating the tenant's annual income, e.g. 4-6 current, consecutive check stubs.
14	Other than a birth certificate what document can we accept that would verify DOB?	See Appendix 3, Acceptable Forms of Verification of the Handbook. The examples provided in Appendix 3 are only suggested items to be used for verification, and, in some instances, alternative forms of verification must be used.	Documents that can be provided by Applicant per Appendix 3: - Birth Certificate, Baptismal Certificate, Military Discharge papers, Valid passport, ☐ Census document showing age, Naturalization certificate, Social Security Administration Benefits printout

## Eligibility

15	I have an eligibility question, for a Section 202 PRAC. Is an Elderly person 62+ who wishes to Move in with a grandchild and/or Adult child who is NOT their Live in aide Eligible?	<p>According to the HUD Handbook 4350.3 Rev 1, Change 4, Paragraph 3-23-D. The Fair Housing Act prohibits housing providers from discriminating on the basis of familial status, making it illegal to discriminate against families because of the presence of children. Owners may neither exclude families with children from their properties, nor may they develop policies or procedures that have the purpose or effect of prohibiting children (e.g., policies in tenant selection plan, occupancy standards and house rules). Owners may not exclude otherwise eligible elderly families with children from elderly properties or elderly/disabled properties covered by this handbook. There is no HUD requirement for any household member to have legal custody of a child.</p> <p>An adult child is not eligible to move into a Section 202 PRAC after initial occupancy unless they are performing the functions of a live-in aide and are eligible to be classified as a live-in aide for eligibility purposes.</p>	<p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 3, Paragraph 3-23 D.</p> <p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 7, Paragraph 7-4 E. E. When a change in family composition is reported in Section 202 PRAC and Section 811 projects, occupancy by adult children is subject to the following restriction. Adult children are not eligible to move into a unit after initial occupancy unless they are performing the functions of a live-in aide and are classified as a live-in aide for eligibility purposes. See paragraph 3-6 E.3 for eligibility requirements for a live-in aide.</p>
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16	<p>Is a background check required for friend or relative of the current tenant that may have been affected by a PPD?</p>	<p>Owners may – but are not required - to screen temporary PDD guests. Required screening criteria listed in Chapter 4 of the Handbook are only for those receiving subsidy. Owners should consider developing written policies and procedures for PDD guests or including PPD guests rules in the property's House Rules.</p> <p>Please note: As a condition of approval by the owner, the “guest” must endorse a lease addendum (see Appendix A-9 of the HUD Asset Management Handbook 4350.1 REV-1, CHG-2).</p>	<p>HUD Handbook 4350.3 REV-1, CHG, 4, Chapter 4, Paragraph 4-7 A. 2. Screening is a determination that an otherwise eligible household has the ability to pay rent on time and to meet the requirements of the lease.</p> <p>HUD Asset Management Handbook 4350.1 REV-1, CHG-2, Chapter 38, Paragraph 38-28 In the case of a project based Section 8 Housing Assistance Payments (HAP) assisted unit, if a current, eligible family chooses to allow a non-eligible, but FEMA-certified individual/family to move into the unit on a short-term basis, the non-eligible family is considered a guest. A multifamily project owner may allow the eligible family to house the guest(s) for a limited period (e.g., 90 days) without interruption of the subsidy. Residence by the eligible family is the predicate for continuation of the Section 8 subsidy. As a condition of approval the “guest” must endorse a lease addendum (see Appendix A-9). Should the eligible family move out, the “guest” must vacate also.</p>
17	<p>In the circumstance of housing a person/family from a PDD ... is the O/A allowed to do criminal checks on the "guests" .....and should this be in the TSP of a site?</p>	<p>Owners may – but are not required - to screen temporary PDD guests. Required screening criteria listed in Chapter 4 of the Handbook are only for those receiving subsidy. Owners should consider developing written policies and procedures for PPD guests to ensure that all households are treated equally.</p>	<p>HUD Handbook 4350.3 REV-1, CHG, 4, Chapter 4, Paragraph 4-7 A. 2. Screening is a determination that an otherwise eligible household has the ability to pay rent on time and to meet the requirements of the lease.</p>
<p><b>Timing/ Notices</b></p>			
18	<p>If a resident comes in after the 1st notice, but is missing documents, is a 2nd reminder required?</p>	<p>When the tenant responds to the owner after receiving the first reminder notice but fails to provide the required documents, the owner should notify the tenant of the documents that are needed to complete their recertification and document the tenant file accordingly. No further reminder notices are necessary. The owner must terminate a tenant's assistance when a tenant fails to provide required information at the time of recertification in accordance with Chapter 8, Paragraphs 8-5 and 8-6 of the Handbook.</p> <p>Please note, owners must consider extenuating circumstances in accordance with Chapter 7, Paragraph 7-8 of the Handbook before terminating assistance.</p>	<p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 7, Paragraph 7-8 When a tenant fails to provide the required recertification information by the recertification anniversary date, an owner must inquire whether extenuating circumstances prevented the tenant from responding prior to the anniversary date. If the tenant is a person with disabilities, the owner must consider extenuating circumstances when this would be required as a matter of reasonable accommodation.</p> <p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 8, Paragraph 8-5 An owner must terminate a tenant’s assistance in the following circumstances: A. A tenant fails to provide required information at the time of recertification, including changes in family composition, or changes in income or social security numbers for new *household* members.</p>

<p>19 Initial notice is signed at the time of annual recert - but is less than one year because AR is late due to failure to provide adequate documentation/verification. Is this a finding? Also is an initial notice required for each IR? We have different findings on this.</p>	<p>Owners must issue the initial notice to recertify at initial lease signing and at every annual recertification thereafter. The initial notice to recertify is not required for an interim recertification. If an initial notice is issued late as a result of a tenant-caused delay in the annual recertification process, owners should document the tenant file and the PBCA will consider the circumstances when reviewing the file during the MOR.</p>	<p>HUD Handbook 4350.3 Change 4. Chapter 7-7. B. 1. Initial Notice. Upon initial signing of the lease and at each annual recertification, the owner must provide an Initial Notice to the tenant. This notice serves to ensure that tenants understand that they will need to report to the property's management office by the specified date the following year to prepare for their next recertification. The Initial Notice must do the following:  (1) Refer to the requirements in the HUD model lease regarding the tenant's responsibility to recertify annually.  (2) Specify the cutoff date (the 10th day of the 11th month after the last annual recertification) by which the tenant must contact the owner and provide the required information and signatures necessary for the owner to process the recertification.  b. The tenant must sign and date the initial notice to acknowledge receipt; the owner or manager must sign and date the notice as a witness.  c. The owner must maintain the notice with original signatures in the 1. tenant's file and provide a copy of the signed notice to the tenant.</p>
<p><b>EIV</b></p>		
<p>20 You commented earlier about not being able to review EIV without a signed 9887. Our policy references the 9887. It was questioned that the policy doesn't reference the 9887A. We thought the A was specific to third parties and 9887 was for government agencies (which would be EIV because the agencies are HUD and HHS/SSA). Can you confirm if our policy has to reference the 9887A?</p>	<p>EIV policies must include Form HUD-9887/9887-A; Applicant's/Tenant's Consent to the Release Of Information Packet must be signed by each household member 18 years of age or older prior to accessing income reports in EIV. The 9887 allows for the release of information between government agencies/HUD, the Owner, and the CA. The 9887-A allows the Owner to obtain the tenant's information. Owners must have written policies and procedures for staff to follow for using the EIV Income Report as third party verification of employment and income and for using the other EIV reports, e.g., Income Discrepancy Report and the EIV Verification Reports.</p>	<p>Housing Notice H-2013-06 Section VI.</p>
<p>21 If the EIV does not indicate an amount for tenant but the tenant provided Award letter which do we accommodate?</p>	<p>If social security benefits cannot be verified using the EIV income report or if the tenant disputes the information contained in the Income Report, the owner may use the social security award letter provided by the tenant.</p>	<p>HUD Handbook 4350.3 REV-1 CHG-4, Chapter 5, Paragraph 5-13 B. 1. a. (2) (a) Owners may use other non-HUD UIV tools such as The Work Number and other state government databases, if available, to verify income: (1) Of applicants; (2) When no employment or income is available in EIV; or (3) For other types of income received by the family.</p>

22	<p>Is it mandatory to keep EIV files in sealed envelopes in the resident files or can they be locked in a separate file cabinet?</p> <p>Are EIV reports supposed to be in an envelope in the files?</p>	<p>Owners are prohibited from sharing the EIV information with governmental entities not involved in the recertification process used for HUD's assisted housing programs, e.g. the Low Income Housing Tax Credit (LIHTC) program and the Rural Housing Services (RHS) Section 515 program. The owner's EIV policies and procedures determine the manner in which the EIV reports are maintained in the tenant file. The data in the EIV system contains personal information on individual tenants that is covered by the Privacy Act. Owners must establish policies and procedures to ensure that the EIV information contained in the tenant file is only used for limited official purposes. Owners must obtain proper written consent from an individual before sharing their individual's EIV data with another adult household member or with a person assisting with the recertification process.</p>	<p>HUD Handbook 4350.3, Rev-1, Chg.4, Chapter 9, Paragraph 9-17 lists the Disclosure of EIV Data requirements.</p>
23	<p>Sometimes there is an eligibility finding due to a typo when inporting into the data fields in EIV. However; when corrected in the system, we get no response from EIV stating as such.</p>	<p>Sometimes the corrections to the 50059 take time to reach the EIV sytem. In addition, there are circumstances when a discrepancy will recur every month (e.g.; tenants who are exempt from disclosing their SSN). Owners must continue to notate each discrepancy report regardless if the discrepancy has already been resolved.</p>	

24	Should UAAF's be kept in the EIV master file for Employees who have been terminated?	Owners must maintain the signed initial and current online (unsigned) access authorization forms containing the ROB for current users. The owner's EIV policies and procedures should address retention of documents and the manner in which the owner will dispose of the data that will prevent any unauthorized access to personal information, e.g., burn, pulverize, shred, etc.	<p>HUD Handbook 4350.3 REV-1 CHG-4, Chapter 9, Paragraph 9-18 A. All EIV users who have access to the EIV system must adhere to the EIV ROB signed at the time of requesting access to the EIV system. 2. External users. The signed initial and current online (unsigned) access authorization forms containing the ROB must be kept on file along with the owner approval letters. Upon request, the forms must be made available to the entity monitoring EIV system compliance. 3. Internal users. A copy of the signed ROB will be kept on file by the TRACS/EIV Security Officer and a signed copy should also be retained by the EIV user. 4. Each HUD Program Center and Contract Administrator must have at least two staff members with access to the EIV system who can provide other staff members with EIV reports used for monitoring purposes.</p> <p>Enterprise Income Verification (EIV 9.3) System User Manual for Multifamily Housing Program Users Section 3.4.1: EIV Coordinator Applicants. The approved CAAF will be signed and returned to the EIV Coordinator, who must keep the approved CAAF, along with written owner and authorizing CA official approval letters on file and make them available for review by HUD or the CA during an annual Management and Occupancy Review (MOR) or audit.</p> <p>Enterprise Income Verification (EIV 9.3) System User Manual for Multifamily Housing Program Users Section 3.4.2: EIV User Applicants. The EIV Coordinator will sign and retain the original UAAF and return a copy of the signed UAAF to the EIV User who must keep the approved form on file and make available for review by HUD or the CA during an annual MOR or audit.</p>
25	Can you review which EIV reports need to be run for a new applicant?	Please refer to Exhibit 9-5, Use of EIV Reports, in the Handbook. Exhibit 9-5 provides a detailed description of minimum requirements for all EIV reports. Owner's EIV policies and procedures may require EIV reports to be processed more frequently.	

26	If tenants cannot fix EIV errors, why does the O/A need to notify them?	Owners must meet with the tenant to discuss the discrepancy and to collect necessary verification(s) to resolve the discrepancy. If the discrepancy has already been resolved and the tenant file contains proper documentation, but the discrepancy will continue to recur on future reports (e.g.; tenants who are exempt from disclosing their SSN), the owner must continue to notate each discrepancy report but it is not necessary that they meet with the tenant.
27	Why are two identity report generated during the quarterly report?	The Failed EIV Pre-screening Report identifies tenants who have missing or invalid personal identifiers. The Failed Verification Report is for those who passed the Failed EIV Pre-screening Test but their personal identifiers do not match the SSA's database. Both of these reports are required to be generated monthly.
28	Does a non-system user (accountant / auditor) have to do security awareness training AND ROB?	EIV users with access to the EIV system and owner and management staff who do not have access to EIV but who use EIV reports to perform their job function must have security training annually. IPAs hired by the owner to perform a financial audit are not required to have security training annually but must sign and adhere to the ROB. Upon request, the signed ROB must be made available to the entity monitoring EIV.  HUD Handbook 4350.3 REV-1, CHG 4, Chapter 9, Paragraph 9-20 A.  NOTICE: H 2013-06 issued March 8, 2013
29	What documents go into the EIV master file different from the tenant's file?	Please refer to Exhibit 9-5, Use of EIV Reports, in the Handbook. Exhibit 9-5 provides retention requirements for all EIV reports.
30	Why SSP's are not included in monthly EIV reports.	SSP is a state benefit. EIV information is populated from the NDNH and the SSA database, both of which are National databases. An O/A will need to use third party verification for tenants State Supplemental Program to verify the award amount, just like they would a pension.  RHIP Listserv Posting #316: "Multifamily Housing has recently been informed that some states no longer have their State Supplementary Payments (SSP), which supplement the Federal Supplemental Security Income (SSI) benefit, administered by the Social Security Administration (SSA). Because of this, SSA has advised they are not able to maintain any information about SSP in the states identified in their table below. The new protocol effects the income amounts provided by SSA to HUD and displayed in the Enterprise Income Verification (EIV) System. In order to verify the payment in states administering SSP, verification can be obtained by the tenant from the state office and as outlined in Chapter 5 and Appendix 3 of HUD Handbook 4350.3 REV-1. As explained in Chapter 5 of HUD Handbook 4350.3, REV-1, the verification must be provided within 120 days of the certification date and must not be older than 120 days from the date provided to the owner. If the above causes a discrepancy in the EIV system, note the reason for the discrepancy and place in the tenant file. The below information and tables can be found on SSA's website at <a href="http://www.socialsecurity.gov/ssi/text-benefits-ussi.htm">http://www.socialsecurity.gov/ssi/text-benefits-ussi.htm</a> ."

## Pets

31	<p>Can pet policy applies to family projects?</p>	<p>Pet rule requirements found in paragraph 6-10 of the Handbook apply only to housing for the elderly and persons with disabilities and do not apply to family housing. Family housing projects may allow pets and subsequent pet rules are covered by state and local requirements.</p> <p>Please note, certain Section 8 properties may be available for occupancy only to elderly and/or disabled tenants and in these properties, language addressing pets found in Model Lease for Section 202/8 and Section 202 PACs must be added to the family model lease as an addendum approved by HUD or the Contract Administrator.</p>	<p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 6, Paragraph 6-5 C. 4. Lease provisions for pets are found only in the Model Leases for Section 202/8, Section 202 PACs, Section 202 PRACs, and Section 811 PRACs. However, certain properties (e.g., Section 8 New Construction, Section 8 State Agency) may be available for occupancy only to elderly and/or disabled tenants. As a result, the language addressing pets that is found in the Model Lease for Section 202/8 and Section 202 PACs must be added to the Model Lease for Subsidized Programs for use in these properties. Modifying the Model Lease for Subsidized Programs to include the pet provisions from the Model Lease for Section 202/8 and Section 202 PACs, must be made as a lease addendum approved by HUD or the Contract Administrator.</p> <p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 6, Paragraph 6-10 A. 1. Pet rule requirements in this paragraph apply to housing for the elderly and persons with disabilities. 2. These pet rule requirements do not apply to family housing. Those properties are instead covered by state and local requirements.</p>
32	<p>Can a site charge for service animals; What is it's an emotional pet?</p>	<p>An emotional support animal is used interchangeably with an "assistance animal." They are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, or animals that provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals often referred to as "service animals," "assistance animals," "support animals," or "therapy animals" perform many disability-related functions, including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing minimal protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support</p> <p>An owner may not require an applicant or tenant to pay a fee or a security deposit as a condition of allowing the applicant or tenant to keep the assistance animal. However, if the individual's assistance animal causes damage to the applicant's unit or the common areas of the dwelling, at that time, the housing provider may charge the individual for the cost of repairing the damage if the provider regularly charges tenants for any damage they cause to the premises.</p>	<p>HUD Handbook 4350.3 REV-1 CHG-4, Chapter 2, Paragraph 2-44.A.</p> <p>HUD Handbook 4350.3 REV-1 CHG-4, Chapter 2, Paragraph 2-44.E</p>

33	Can you refuse to allow dogs at a 202/8 project?	<p>No. Owners must not prohibit tenants residing in a 202/8 project from having common household pets in the tenant's unit or discriminate against applicants based on their ownership of a pet. Common household pets include a domesticated animal, such as a dog. Owners may include reasonable discretionary rules in their pet policy such as placing reasonable limitations on the size and weight of the dog (see Exhibit 6-4 of the Handbook for a mandatory pet rules as well as possible discretionary pet rules). Tenants must be consulted in developing discretionary rules, as discussed in Exhibit 6-5.</p> <p>Please note: An owner must not apply house pet rules to assistance animals and their owners. However, this prohibition does not preclude the owner from enforcing state and local health and safety laws, if they apply, nor does it preclude the owner from requiring that the tenant with a disability who uses an assistance animal be responsible for the care and maintenance of the animal, including the proper disposal of the assistance animal's waste.</p>	HUD Handbook 4350.3 REV-1, CHG 4, Chapter 6, Paragraph 6-10
34	So all pet security must be returned if no damage. It can be withheld if there is damage correct?	Correct, if there is no damage, the deposit must be returned. If there is damage, the tenant must be provided a list of charges.	HUD Handbook 4350.3, Rev-1, Chg.4, Chapter 6 6-24 A.D "An owner may use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet on the property. Such expenses would include, but not be limited to, the cost of repairs and replacement to the unit, fumigation of the unit, and the cost of animal care facilities."
<b>Presidentially Declared Disasters (PDD)</b>			
35	For section 8 HAP displacement period allows for 90 days, what if they are not FEMA certified?	The guest rules in the owner's House Rules would apply to guests without a FEMA certified displaced resident status.	
36	There are many HUD employees who are helping with the hurricane disasters and approvals for AFHMP are delayed. Will the properties get findings for these items?	No, as long as the owner provide documentation of their efforts to support their attempts to follow up with HUD to obtain approval of the AFHMP, the PBCA will not issue a finding.	

37	Can you confirm that a PDD preference is not required for S8 NC?	Owners of the following properties <u>must</u> give preference to applicants who have been displaced by government action or a presidentially declared disaster (PDD): Section 221(d)(4), 221(d)(3), 221(d)(3) BMIR, and Section 236 properties. This preference is optional for owners of other properties such as Section 8 New Construction, Property Disposition Set Aside (PDSA), 202/8, and Loan Management Set Aside (LMSA).	HUD Handbook 4350.3 REV-1 CHG 4 Chapter 4, Paragraph 4-6 B
38	What constitutes temporary residence in the event of a displacement? Is the owner able to provide keys? What's the maximum timeframe the owner should allow for temporary displacement?	Please refer to the HUD Asset Management Handbook 4350.1 REV-1, CHG 2, Chapter 38 Multifamily Emergency/Disaster Guidance. Owners should review this guidance and develop policies and procedures accordingly.	
<b>Violence Against Women Act (VAWA)</b>			
39	Does the VAWA addendum need to be signed at every recertification or just at initial lease signing?	The VAWA lease addendum must be signed by all adult household members at the time the member signs the lease - this includes new members being added to the household. The VAWA lease addendum is not signed annually.	<p>HUD Handbook 4350.3 REV-1 CHG-4, Chapter 6, Paragraph 6-5.B.2, The head of household, spouse, any individual listed as co-head, and all adult members of the household must sign the lease, HUD issued lease addendums and owner's lease addendums.</p> <p>HUD Handbook 4350.3 REV-1 CHG 4, Chapter , 6-5.G.1, Violence Against Women and Justice Department Reauthorization Act of 2005 Lease Addendum (VAWA) (form HUD-91067) Section 8 only</p> <p>1. Owners must attach the HUD-approved lease addendum to each existing or new lease. The addendum must be signed by all tenants required to sign the lease. The lease addendum revises the applicable Section 8 lease to reflect the statutory requirements of the VAWA.</p>
40	Yesterday the HCR VAWA training stated we need to hand out 5380 and 5382 with all applications?	The Notice of Occupancy of Rights Under the Violence Against Women Act (form HUD-5380) and the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation (form HUD-5382) must be distributed to rejected applicants, at move-in, with notice of eviction or termination of assistance, and to existing household during its annual recertification by 12/15/2017 or lease renewal. <i>(After 12/15/2017, HUD assumes all current households will have received the form HUD-5380 and form HUD-5382 and does not require O/As to provide the notice and certification form at future ARs.)</i>	Housing Notice H-2017-15 issued June 30, 2017

41	Have the updated VAWA forms been published? Some of The current forms are expired	As of the date the PBCA posted this response, HUD has not released new updated VAWA forms. The Office of Multifamily Housing announced in RHIP Listserv #376 that they will be updating the Lease Addendum form, HUD-91067 in the coming months. In the meantime, owners/agents may continue to use the current form posted on HUDClips. The Office of Multifamily Housing will have further written guidance and will plan to include a sample lease addendum that can be used prior to the update of form 91067.	RHIP Listserv #376
42	I use the one site software to generate VAWA (lease addendums). Sexual assault is not listed as one of the protections. Do I have to contact one site to update the VAWA?	As of the date the PBCA posted this response, HUD has not released new updated VAWA forms. The Office of Multifamily Housing announced in RHIP Listserv #376 that they will be updating the Lease Addendum form, HUD-91067 in the coming months. In the meantime, owners may continue to use the current form posted on HUDClips. The Office of Multifamily Housing will have further written guidance and will plan to include a sample lease addendum that can be used prior to the update of form 91067.	RHIP Listserv #376
43	Where can I find more info on the Notice of Occupancy Rights & Certification Form?	<p>HUD issued Notice H-2017-05 on June 30, 2017 that provides implementation guidance to owners and management agents of HUD multifamily assisted housing on the requirements of the Violence Against Women Reauthorization Act of 2013. This notice does not encompass every aspect of the VAWA Final Rule and should be used in conjunction with the VAWA Final Rule.</p> <p>You may view this notice at:  <a href="https://www.hud.gov/sites/documents/17-05HSGN.PDF">https://www.hud.gov/sites/documents/17-05HSGN.PDF</a></p> <p>You may view the VAWA Final Rule at  <a href="https://www.gpo.gov/fdsys/granule/FR-2016-11-16/2016-25888">https://www.gpo.gov/fdsys/granule/FR-2016-11-16/2016-25888</a></p>	
44	Do I need to supply the tenants with the updated VAWA annually?	After 12/15/2017, HUD assumes all current households will have received the Notice of Occupancy of Rights Under the Violence Against Women Act (form HUD-5380) and the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation (form HUD-5382) and does not require O/As to provide the notice and certification form at future ARs.	Housing Notice H-2017-15 issued June 30, 2017

45	<p>For the VAWA when a child in the household turns 18 do they need to sign the VAWA meaning do we need to send out another one and have?</p>	<p>Tenants are not required to report when a family member turns 18 years of age between annual recertifications. Therefore, the owner must obtain required signatures to the lease and lease addenda - including the VAWA addendum - at the next scheduled AR. Please note: If a tenant turns 18 and has not signed the form HUD-9887, the owner must not use the EIV income reports until the form is signed. Owners must address in their policies and procedures notification requirements and timeframes for tenants who turn 18 between annual recertifications to sign the consent HUD-9887 and HUD 9887-A and/or lease.</p>	<p>HUD Handbook 4350.3 REV-1, CHG 4, Chapter 7, Paragraph 7-10 C. Tenants are not required to report when a family member turns 18 years of age between annual recertifications. Tenants must follow the requirements in their lease for reporting changes in the household income. However, if a tenant turns 18 and has not signed the form HUD-9887, the owner must not use the EIV income reports until the form is signed. Owners must address in their policies and procedures notification requirements and timeframes for tenants who turn 18 between annual recertifications to sign the consent forms HUD-9887 and HUD9887-A and/or lease. If the tenant fails to sign the consent form(s) the household is in non-compliance with their lease and assistance to, and the tenancy of, the household may be terminated.</p>
46	<p>I have a question about the 5382 and 5380 forms that a tenant has completed if there is an incident. Is there a separate HUD certification form for receiving these docs?</p>	<p>The VAWA Final Rule clarifies that owners are not required to ask for documentation when an individual presents a claim for VAWA protections. Instead, an owner may choose to provide benefits to an applicant or tenant based solely on the individual's verbal statement or other corroborating evidence. Owners should develop written policies for how and under what circumstances a verbal statement will be accepted (e.g. the owner was aware of the abuse and encouraged the victim to request VAWA protections). It is recommended that in cases where an owner decides to rely on such information, that the owner documents, in a confidential manner, the individual's verbal statement or other corroborating evidence in the tenant's file. Owners may also require written certification or other documentation - the owner's request for written certification must be in the form of a written dated letter. Form HUD-5382 serves as an option way for victims to comply with a written request for documentation about the incident(s) that occurred that are covered under VAWA protections. Form HUD-5382 replaces form HUD-91066, which is now obsolete. Other permissible documentation may include: Signed document from professional from whom victim sought assistance, record(s) from governmental law enforcement or administrative agency or court, another statement or form of evidence at the discretion of the owner.</p> <p>Please note: An owner cannot require more than one type of documentation, for example: form HUD-5382 must be accepted in lieu of other permissible documentation. The O/A is prohibited from requiring third-party documentation of victim status, except as outlined in Section VIII.E of Housing Notice H-2017-05.</p>	<p>Housing Notice H-2017-15 issued June 30, 2017</p>

47	<p>In regards to the VAWA.....can we have clarification on what has to be signed and/or retained in the tenant file for MI and Recertification.</p>	<p>Form HUD-5380 and form HUD-5382: Must be distributed at the time the household is provided assistance or admission (i.e., at move-in (MI) or initial certification (IC)) or at the time the applicant is denied assistance or admission. Owners are not required to have an applicant/household to sign acknowledgement of receipt of form HUD-5380 and 5382 nonetheless, it is strongly recommended that O/As maintain a note or other documentation in each tenant's file that indicates when each applicant or household was provided the forms. Please note: For existing households - Through December 15, 2017, each household should have received the form HUD-5380 and 5382 at the tenant's annual recertification. After 12/15/2017, HUD assumes all current households will have received the form HUD-5380 and form HUD-5382 and does not require O/As to provide the notice and certification form at future ARs.</p>	<p>Form HUD-91067: The Violence Against Women and Justice Department Reauthorization Act of 2005 Lease Addendum (VAWA) must be signed by all adult household members required to sign the lease at move-in or initial certification. This form must be retained in the tenant file.</p> <p>Please refer to Housing Notice H017-05 issued June 30, 2017 for additional documents that may be required to be distributed or maintained in the tenant file when VAWA protections are enacted by a tenant.</p>
<b>Other</b>			
48	<p>Do we have to update our AFHM plan if our waiting list is closed and we have enough applicant for approx. 7 years?</p>	<p>An AFHMP must be reviewed every five years by the O/A even if the waiting list is closed and may not reopen for another seven years. The O/A needs to review if the demographics or advertising for the plan has changed, if it hasn't then the plan doesn't need to be updated and sent to HUD for approval. If the demographics or advertisement has changed, the O/A will need to update the plan and send to HUD for approval.</p>	<p>HUD Handbook 4350.3 REV-1 CHG-4, 4-12.F.2 &amp; 3, "Owners must review their Affirmative Fair Housing Marketing Plan every five years or when the local Community Development jurisdiction's Consolidated Plan is updated. When reviewing the plan, the owner should look at the current demographics of the market area to determine if there have been demographic changes in the population in terms of race, ethnicity, religion, persons with disabilities and/or large families. The owner will then determine if the population least likely to apply for the housing is still the population identified in the Affirmative Fair Housing Marketing Plan, whether current advertising sources still exist, whether the advertising and publicity cited in the current Affirmative Fair Housing Marketing Plan are still the most applicable or whether advertising sources should be changed or expanded. Even if the demographics of the community have not changed, the owner should determine if the outreach currently being performed is reaching those it is intended to reach as measured by project occupancy. If not, the Affirmative Fair Housing Marketing Plan should be updated."</p>
49	<p>Is there a specific time limit that owner/agent must be provided the MOR outcome report?</p>	<p>MOR Reports are issued to O/A's within 30 calendar days of the completion of the MOR</p>	<p>HUD Handbook 4350.1, REV-1 CHG-2, 6-9, "...Reports for on-site reviews conducted by HUD staff and CAs must be completed within 30 calendar days of completing the on-site review."</p>

50	If the reviewer is provided with the HUD approval for the Lead Plan plus finding by licensed lead contractor - are reviewers qualified to review the already-approved plan?	The PBCA will review the owner's compliance with lead-based paint requirements and the HUD-approved Lead Hazard Control Plan, when applicable.	
51	If we have issued a Spanish lease for one of our Spanish Speaking Resident, should we include a copy of the lease in Spanish in the resident file?	The signed English HUD Model Lease is official, legal, and prevailing lease and must be maintained in tenant file. Residents who speak Spanish should be provided the lease that has been translated to Spanish in order for them to read and understand the lease provisions however the translated lease is not an official document. Owners may use discretion when developing policies and procedures involving leasing to LEP individuals to demonstrate their efforts to ensure that the tenant fully understands the provisions of the lease while residing in a federally assisted housing program.	<a href="https://www.hud.gov/sites/documents/DOC_20479.PDF">https://www.hud.gov/sites/documents/DOC_20479.PDF</a>
52	Can we get a sample of the Interviewer's Q/A worksheet?	The best practices worksheets and documents that were demonstrated during the training have been developed and are property of the managing companies that agreed to allow the PBCA to use during the training. The PBCA does not have the permission to distribute these proprietary tools and instruments.	
53	Please clarify again which lease addenda is not required HUD approval.	All proposed changes to the HUD Model Lease in the form of a lease addendum require HUD approval. When HUD proposes changes to the HUD Model Lease, HUD-issued lease addendums are released (e.g.; The Violence Against Women and Justice Department Reauthorization Act of 2005 Lease Addendum (VAWA), form HUD-91067). Attachments to the lease, such as House Rules or Pet Rules do not require HUD approval.	
54	Will MOR be conducted annually for properties with above average score at the last MOR?	As of the date the PBCA posted this response, HUD has not implemented the 'risk-based approach' to scheduling MORs as this questions seems to be asking. MORs will still be scheduled on an annual basis for all properties within the PBCA's portfolio. As of this date, this schedule is contingent upon a HUD HQ funding and approval process.	
55	What if the MOR reviewer makes a finding for information that was provided but refuses to remove the finding even when it is demonstrated. How do we handle this if it impacts the score?	Owners receiving a "Below Average" or "Unsatisfactory" overall rating as indicated on the form HUD-9834 Summary Report, may appeal the rating to the HUD Field Office and/or CA. If the owner does not agree with the initial appeal decision, the owner may submit a final appeal to the Multifamily Hub Director. Instructions to submit an appeal may be found in the HUD Asset Management Handbook 4350.1 REV-1, CHG 2, Chapter 6, Paragraph 6-14.	HUD Asset Management Handbook 4350.1 REV-1, CHG 2, Chapter 6, Paragraph 6-14 If an owner/agent receives a "Below Average" or "Unsatisfactory" overall rating as indicated on the form HUD-9834, Summary Report, the owner/agent may appeal the rating using the following process. A. Initial Appeal to the HUD Field Office and/or CA. B. Final Appeal