

January 2009

HAP HAPPenings

SECTION 8

NYC
Department of
Housing Preservation
& Development

LANDLORD NEWSLETTER

Volume 1 Issue 1

Welcome to the first edition of HAP Happenings, our new Section 8 Landlord newsletter. You are receiving it because you are one of over 6,000 landlords partnering with HPD to provide decent, safe, and affordable housing to 29,000 low-income New Yorkers through the Section 8 rental subsidies program. HAP Happenings aims to keep you informed about the issues that are most important to our landlords. In it you will find information on our policies and services, as well as important contact information. So please take a few minutes and give HAP Happenings a read.

A MESSAGE FROM THE ASSISTANT COMMISSIONER

This first issue will focus mainly on new policies implemented in the Housing Quality Standards (HQS) Inspection unit. These new policies are an example of HPD's commitment to meeting the needs of our landlords, and to making our policies as clear and fair as possible. We thank you for your continued participation and we hope you enjoy this first edition of HAP HAPPenings!



Patricia Zafiriadis

WHAT'S NEW?

HPD Introduces Self-Certification for HQS Inspections

Housing Quality Standard (HQS) inspection procedures and policy have changed significantly. Effective July 14th, 2008, landlords are able to certify repairs of non-emergency HQS failure items, without requiring a reinspection. You will be asked to return a "Certification of Completed Repairs" (CCR) form verifying that repairs were made to HPD within 28 days in order to avoid suspension of HAP. Forms must include a tenant and landlord signature. Subsidy for apartments that are still in failure status after the 28-day correction period will be abated on the first of the month following the 28-day correction period, per HUD regulations. HPD will not lift the abatement until you either return a completed self-certification form or request a reinspection that results in the unit passing.

If you have made the necessary repairs but are unable to obtain the tenant's signature, you should use space provided on the Certification of Completed Repairs form to request a re-inspection. In order to avoid an abatement of HAP, the

inspection needs to be requested before the correction deadline indicated on the Failure notice.

Self-certification is only acceptable for non-emergency failures that are the landlord's responsibility to fix. HQS failures in vacant units, emergency failures and failures identified as the tenant's responsibility to fix must be re-inspected by the HQS unit and in those cases automatic re-inspections will be scheduled. HQS reserves the right to conduct re-inspections at anytime with proper notice to tenant and landlord.

The goal of this new policy is to make it easier for landlords and tenants alike to maintain their apartments in HQS compliance and enjoy uninterrupted subsidy payments.

"No Access" by Tenant to Repair HQS Failure Policy

HPD understands that sometimes a tenant can make it difficult for a landlord to correct HQS failures. Provisions in a standard lease should allow you the right to gain access to your rental unit to make repairs. If you have attempted to make repairs but your tenant has not allowed you access, it is in your best interest to document these attempts and inform HPD. Examples of documents include certified mailings to the tenant, proof of scheduled appointments with contractors and copies of any court papers filed.

If you have made at least two (2) documented attempts (during reasonable times and after reasonable notice) to gain entry to the unit, you may submit these documents to the HQS Unit. The HQS unit will send the tenant a letter reminding them of their obligation to provide access to you to make repairs. When and if the repairs have been made and verified, HPD will make retroactive HAP payments back to the time of your first documented proof of attempt to gain access.

You may submit your documents to the HQS unit via Certified mail or fax.

By Mail:

**NYC Department of Housing Preservation
and Development
100 Gold Street Room 4-N
New York, NY 10038
Attn: Carrol Dixon**

By Fax:

(212) 863-5233 Attn: Carrol Dixon

HAP Contracts Made Easy!



Now it is easier than ever to receive HAP Contracts from HPD. Effective June 30th, HPD's Move & Portability Unit began sending HAP contracts via priority mail to our Section 8 Landlords. Previously, HAP Contracts were sent through certified mail, which required landlords to go the post office. The benefit of sending HAP Contracts via priority mail is that landlords are guaranteed to receive their HAP Contracts within 2 to 3 days, and need not sign for delivery. HPD will still be able to track delivery online.

HAP Contracts can now also be sent by e-mail, upon request. Landlords must print and sign two copies of the HAP contract and return them both to HPD along with a signed copy of the lease. HPD will execute the contracts, and return one original to the landlord via priority mail.

HPD hopes these new procedures will speed processing time for HAP contracts. Please remember, the faster the documents are returned to HPD, the faster subsidy payments can begin. Federal regulations require that HAP Contracts be executed within 60 days of issuance.

It is important that all assisted units remain in compliance with Housing Quality Standards. Once HQS failure item(s) have been identified, they must be corrected by the correction deadline or else HPD must take enforcement actions. If the landlord is the responsible party, enforcement includes HAP abatement; if the responsible party is the tenant, enforcement may include termination from the program. The table below describes HPD emergency failures items, as well as some common HQS failures, the party typically responsible, and the standard correction period.

HQS FAILURE ITEMS

EMERGENCY ITEMS

FAILURE ITEM	RESPONSIBLE PARTY	CORRECTION PERIOD
No hot water at any time, and/or no heat from October 1st-May 31 st , the designated "Heat Season"	Landlord	24 hrs
Broken, non-insulated, or frayed wiring	Landlord	24 hrs
Serious defects to ceilings or walls where there is a potential for imminent collapse	Landlord	24 hrs
 Missing window guards where there are children ten (10) and under residing in the unit	Landlord	24 hrs

Common Failure Items that are the tenant's responsibility to fix

FAILURE ITEM	RESPONSIBLE PARTY	CORRECTION PERIOD
Double-key cylinder lock on the apartment door	Tenant	28 days
No battery in smoke/carbon monoxide detector or detector is inoperable	Tenant	28 days
Heavy accumulation of refuse or debris in the unit	Tenant	28 days
No electricity when the tenant is responsible for paying the utility	Tenant	28 days

Common Failure Items that are the landlord's responsibility to fix

FAILURE ITEM	RESPONSIBLE PARTY	CORRECTION PERIOD
Broken window balance	Landlord	28 days
Leaking faucet/pipe	Landlord	28 days
Water damage in ceiling/walls	Landlord	28 days
Electrical Outlet not working	Landlord	28 days

Check us out online at www.nyc.gov/hpd where you will find links to: HPD Section 8 Administrative Plan, Rent Increase Applications, other Section 8 Landlord forms, and an electronic version of HAP HAPpenings.

Let's Communicate!

If you have any questions or concerns regarding your participation as a Section 8 landlord, please feel free to call us at 917 286-4300. You can also e-mail us at s8landlords@hpd.nyc.gov.

Each year, the Department of Housing and Urban Development (HUD) issues the new Fair Market Rents for the metropolitan area. FMRs are used to determine the payment standards for the Housing Choice Voucher Program. HPD's payment standards are the maximum allowable by HUD: 110% of FMR.

Payment Standards Effective October 1, 2008

New Payment Standard	SRO \$900	0BR \$1,200	1BR \$1,298	2BR \$1,444	3BR \$1,777	4BR \$1,999	5BR \$2,299	6BR \$2,598
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Utility Allowance Effective October 1, 2008

# of Bedrooms	Gas	Electric	Total Gas & Electric	Gas Heat & Hot Water	Oil Heat & Hot Water	Electric Heat & Hot Water
SRO	\$21	\$49	\$70	\$78	\$210	\$153
Studio	\$21	\$49	\$70	\$78	\$210	\$153
1	\$24	\$54	\$78	\$87	\$236	\$172
2	\$26	\$60	\$86	\$97	\$262	\$191
3	\$26	\$70	\$96	\$102	\$275	\$200
4	\$27	\$77	\$104	\$104	\$288	\$210
5	\$27	\$90	\$117	\$112	\$302	\$219
6 or more	\$27	\$102	\$129	\$116	\$315	\$228

THE "ENHANCED" CORNER

This section is dedicated to our landlords that participate in the Enhanced Section 8 program.

One Year Grace Period Extended for Over-housed Enhanced Families

HUD recently changed an important regulation concerning families with enhanced (or "sticky") vouchers. Previously, enhanced voucher families living in units with more bedrooms than are listed on their voucher were classified as "overhoused" and given one-year in which to move to an appropriately-sized unit. If they did not move within the year, their voucher would convert to a regular voucher and the payment standard for their voucher size would apply, an option unaffordable to most families. As of February 15, 2008, HUD Notice PIH-2008-12 removes the one year limit and provides for continued enhanced voucher assistance until such a time that a family is offered an appropriately sized-unit. If no appropriately-sized units exist in the building, the family may remain in the oversized unit with enhanced assistance indefinitely. If a unit becomes available, however, the family is required to move. If the family refuses, their enhanced voucher will convert to a regular voucher and the proper payment standard will apply.

Owners of developments with enhanced families must still notify HPD and over-housed families when an appropriate size unit becomes available in the project. At that time, the over-housed family must move in order to continue to receive enhanced subsidy.

MOD/SRO Corner

Recertification Training for MOD/SRO Sponsors

On April 28th and April 30th 2008, HPD hosted recertification trainings for sponsors of our Mod-Rehab and SRO developments. In total almost 100 sponsors attended the training. The training focused on the differences between the older and newer versions of the Recertification package and the proper way to complete these new forms. Participants of this training were able to provide program feedback and ask questions regarding Section 8 policies. At the conclusion of the training, sponsors were introduced to the case manager assigned to their developments. HPD would like to thank the sponsors for attending these sessions and for their continued dedication and support to our Section 8 Participants.

Got E-mail? If you have an e-mail address, make sure you register it with Owners Services. You can receive important correspondence from HPD immediately by e-mail. Please call 917-286-4300 or e-mail slandlords@hpd.nyc.gov.



Division Of Tenant Resources
100 Gold Street Rm. 1-0
New York, NY 10038

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