

## **HPD's Continuum of Care Moderate Rehabilitation Single-Room Occupancy (Mod SRO)**

### **What is Continuum of Care (CoC) – Project-Based Rental Assistance with Supportive Services (aka Moderate Rehabilitation Single-Room Occupancy)?**

HPD's CoC program is a federally funded supportive housing rental assistance program that assists homeless families or individuals by providing access to housing and/or the services needed to help them maintain permanent housing, with the goal of long-term stability.

The Mod SRO program, a component of the CoC program, provides project-based rental assistance and supportive services through long-term contracts with owners of private units. HPD provides monthly rental assistance payments for CoC Mod SRO units occupied by eligible tenants, who are CoC Mod SRO program participants. Participants pay approximately 30% of their adjusted incomes towards rent.

There are three parties in the program: the participant, the owner, and HPD.

### **What are the eligibility requirements for CoC Mod SRO subsidy?**

Applicants must:

- Meet the HUD definition of homeless<sup>1</sup>
- Provide all requested information to HPD
- Be a legal resident or citizen

### **What is an overcrowded unit?**

The CoC Mod SRO program assists single-room occupancy (SRO) units. Only single-member households may legally reside in SRO units. The addition of any household members in an SRO unit would make the unit overcrowded under federal regulations. "Overcrowded" means that there are more household members living in the unit than are allowed by HUD. If your SRO unit is overcrowded, HPD cannot provide rental subsidy to you.

### **How does HPD determine your income?**

HPD will determine your income, based on HUD's policies for how to calculate income. The determination will include income and any allowable deductions from your income.

HPD first calculates your gross income and income from assets.

- Gross income includes from all sources, which includes but is not limited to:
  - Wages (before taxes)
  - Social Security (SS) or Social Security Insurance (SSI)

---

<sup>1</sup> HUD's definition of homeless is found in the federal regulations for the CoC Mod SRO program (24 CFR § 578.3)

## HPD's Continuum of Care Moderate Rehabilitation Single-Room Occupancy (Mod SRO)

- Public Assistance
- Pensions
- Unemployment benefits
- Self-employment
  
- Income from assets. This includes (but is not limited to):
  - Bank accounts, including Direct Express accounts
  - Investment accounts
  - Equity in real estate property
  - Retirement savings accounts
  - Company retirement or pension accounts
  - Lump sum payment
  - Personal property held as investment

Some income sources do not count towards your gross income (they are considered “excluded” from your income). Examples of excluded income include Supplemental Nutrition Assistance Program (SNAP) benefits. You must report all income, and HPD will determine if any of this income is excluded.

Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered **fraud**.

Your assistance may be denied or terminated if you have willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. You may also face arrest and criminal prosecution.

- Deductions. HPD makes deductions for the following:
  - Seniors (62+) and persons with disabilities
  - Disability assistance expenses that allow you to be employed, such as a wheelchair that you need to be able to commute to work
  - Medical expenses that exceed 3% of your total income only if you are elderly or disabled.

## HPD's Continuum of Care Moderate Rehabilitation Single-Room Occupancy (Mod SRO)

HPD subtracts the amount of your allowable deductions from the amount of your gross income to determine your adjusted income. Your adjusted income is used to calculate your total tenant payment (rent share plus any tenant paid utilities).

$$\begin{aligned} & \text{Your gross income (before taxes)} \\ & - \underline{\text{Your allowable deductions}} \\ & = \text{Your adjusted income} \end{aligned}$$

### How does HPD determine your share of the rent?

The tenant share is the greatest of the below numbers minus an allowance for any utility costs:

- 30% of your monthly adjusted income
- 10% of your monthly gross income
- Welfare rent (if applicable)

### What is the participant's role in the program?

The assisted participant signs a lease with the owner and must comply with the program's participant obligations and with the lease requirements.

### What are the participant's obligations?

- Supply all information requested by HPD.
  - All information must be true and complete, including when responding to Requests for Additional Information (called A.I. Notices).
- Sign required consent forms.
- Allow HPD to conduct Housing Quality Standard (HQS) inspections of the unit at least once per year and as needed
- Allow management access to make required repairs in your subsidized unit.
- Correct any HQS failures that are determined to be your responsibility by an HPD inspector and provide access for HPD inspectors to confirm that the failures have been corrected.
- Notify HPD if you will be absent from the subsidized unit for 30 days in a row or more
- Reside in the subsidized unit, and the subsidized unit must be your only residence. This also means that you must not sublet or rent out the subsidized unit.
- Notify HPD if you have been given court papers by management or an eviction notice.

## HPD's Continuum of Care Moderate Rehabilitation Single-Room Occupancy (Mod SRO)

- Comply with all of the terms and conditions of the lease between you and the owner including paying your tenant share of rent on a timely basis, as required by your lease.
- Do not allow anyone to move into your subsidized unit.
- Do not commit fraud, bribery, or any other corrupt or criminal act in connection with the program.
- Do not engage in drug-related criminal activity or violent criminal activity.

Your obligations to the owner are described in detail on your lease and any riders.

### **What happens if you don't meet the participant obligations?**

If you do not meet your participant obligations, HPD may terminate your participation in the program. HPD will notify you in writing if you are terminated from the program. This notification will include instructions on how to appeal HPD's decision.

If you have committed fraud or another crime you may be referred to federal, state, and local law enforcement agencies for prosecution.

### **When will your rental assistance end?**

#### **HPD must terminate assistance if:**

- You fail to sign and submit consent forms required by HUD to obtain necessary information.
- You are not a U.S. citizen or do not have eligible immigration status. Your assistance will not be terminated while verification of immigration status is pending.
- You vacate, abandon, or are evicted from the subsidized unit.
- You are absent from the subsidized unit for more than 90 days in a row for any reason under any circumstances, including but not limited to incarceration or stay in a medical facility

#### **HPD may terminate assistance if:**

- You have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
- You commit drug-related criminal activity or violent criminal activity.
- There is reasonable cause to believe that your alcohol or illegal drug use threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.
- You have engaged in or threatened abusive or violent behavior toward HPD personnel.
- You have misrepresented income, household members, or other reported information.

## **HPD's Continuum of Care Moderate Rehabilitation Single-Room Occupancy (Mod SRO)**

- You have violated one of the participant obligations.
- You have failed to provide requested information or failed to attend a mandatory conference.
- You have failed to reimburse a public housing authority (PHA) for amounts paid to an owner under a Housing Assistance Payments (HAP) contract with that PHA due to your failure to report information.

### **Fraud and program integrity**

Fraud and program abuse are single acts or a pattern of actions that are intended to deceive or mislead. Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered fraud and program abuse.

Your assistance may be denied or terminated if you have willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. You may also face arrest and criminal prosecution.

If you know of anyone who provided false information on a housing assistance application or recertification, or if anyone tells you to provide false information, report that person to:

- HPD's Program Integrity and Compliance Unit at: **917-286-4300**, extension **8032**
- The New York City Department of Investigation at: **212-825-5900**
- HUD Office of Inspector General Hotline at: **1-800-347-3735** Or
- Call **311**

### **What are the owner's obligations?**

- Screen, select, and enter into leases with tenants.
- Comply with fair housing and equal opportunity requirements.
- Comply with the CoC Mod SRO Housing Assistance Payment (HAP) contract with HPD and with the lease with the participant.
- Carry out normal owner functions: enforce the lease, collect tenant share of the rent, charge tenants for damage.
- Make required repairs to the unit so that it meets federal Housing Quality Standards (HQS).
- Offer and provide supportive services to participants.
- Pay for owner-supplied utilities and services
- Provide reasonable accommodations for persons with disabilities

## HPD's Continuum of Care Moderate Rehabilitation Single-Room Occupancy (Mod SRO)

- Must NOT charge any extra amounts to the participant except for what is listed in the rent breakdown letter and reasonable charges to participants for damages.
- Must NOT collect security deposits from the tenant. Security deposits may be provided from other sources, such as the New York City Human Resources Administration (HRA), if available.
- Landlords may request a rent increase annually at lease expiration from HPD. Assisted applicants are not responsible for any increases in the rent until the rent increase is approved by HPD. Both the landlord and tenant will then receive a rent breakdown letter listing the new contract rent, participant share, and HPD share.
- Notify HPD if a tenant vacates a CoC Mod SRO unit

### What if you have a problem with your unit?

Contact management directly to notify them first of the problem. If you are unable to resolve the problem, contact 311 to request a Housing Quality Standards (HQS) inspection of your subsidized unit.

### What do you need to do after you start receiving CoC Mod SRO assistance?

- You must **recertify** your income at least once annually when HPD sends you a recertification package by submitting the completed recertification package to HPD along with any other documents requested by HPD.
  - You may also **report** any decrease in your household income to HPD at any time so that HPD can adjust your tenant share of the rent.
- You must **complete and return** HPD's annual recertification package within 30 days of HPD mailing you the package.
- You must **allow HPD access to inspect** your subsidized unit when scheduled.
- You must **allow** the owner to make any necessary repairs in the subsidized unit

### What happens to the CoC Mod SRO assistance if you move out of your CoC Mod SRO unit?

Your CoC Mod SRO assistance is tied to your unit. This subsidy cannot be used to move out of the subsidized unit. In certain documented circumstances, HPD may approve a transfer from one assisted unit to another within the same building, or in some extraordinary cases to another CoC Mod SRO building. These circumstances include an approved reasonable accommodation for a documented medical disability or an accommodation under the Violence Against Women Act (VAWA). If you are transferring to another CoC Mod SRO unit, the unit must pass an HQS

## HPD's Continuum of Care Moderate Rehabilitation Single-Room Occupancy (Mod SRO)

inspection and the transfer must be approved by HPD before you move in order for you to continue to receive a rent subsidy.

You must notify HPD immediately if you will be temporarily relocated from your unit for any reason (including rehabilitation of the unit).

If you want to move to another affordable apartment, you may apply for other affordable housing developments, including project-based developments in HPD's Moderate Rehabilitation (Mod Rehab) program—HPD can provide you a listing of Mod Rehab developments if you request one from HPD by calling 917-286-4300. More information about available affordable housing in New York City can be found at NYC Housing Connect: [www.nyc.gov/housingconnect](http://www.nyc.gov/housingconnect).

### **What if I don't agree with HPD's decisions about my eligibility or assistance?**

You may **appeal** a decision made by HPD affecting your eligibility or the amount of your assistance, including if your assistance is denied or your subsidy is terminated. The instructions for filing an appeal will be sent to you with your denial or termination notice.

### **Housing Discrimination**

HPD will not deny any individual the opportunity to apply for or receive assistance under the program on the basis of age, race, color, sex, religion, creed, national or ethnic origin, lawful occupation or source of income, family or marital status, handicap or disability, sexual orientation or gender identity, prior arrest or conviction record, status as a veteran, or status as a victim of domestic violence.

If you have been a victim of housing discrimination, you may make a complaint to the NYC Human Rights Commission by calling 311. More information about filing a complaint is available at: <http://www1.nyc.gov/site/cchr/enforcement/complaint-process.page>.

### **Violence Against Women Act (VAWA):**

The federal Violence Against Women Act (VAWA) protects all survivors (of all genders and gender identities) of domestic violence or dating violence (intimate partner violence); sexual assault; or stalking. These protections apply to all federal (HUD) programs, including CoC Mod SRO.

A Notice of Occupancy Rights is enclosed with this package and provides more detailed information about your rights under VAWA. If you would like to request an accommodation under VAWA for your CoC Mod SRO rental assistance, you may complete and submit forms that are available on HPD's website: <http://www1.nyc.gov/site/hpd/section-8/forms-and-resources.page>, or in Client Services at 100 Gold Street. These forms explain some of the types of accommodations that HPD may be able to provide to survivors with their rental assistance.

## **HPD's Continuum of Care Moderate Rehabilitation Single-Room Occupancy (Mod SRO)**

Survivors of domestic violence can also call the New York City Domestic Violence Hotline at 1-800-621-HOPE (1-800-621-4673), or visit a Family Justice Center in any of the five boroughs for support outside of your CoC Mod SRO assistance. The contact information for the Family Justice Center is located in the attached Notice of Occupancy Rights, or you may call 311 for more information.

New York City law also protects survivors from discrimination based on their status as a survivor of domestic violence. You may call 311 to make a complaint to the NYC Human Rights Commission if you have been a victim of discrimination.

### **Important things to Remember:**

- Keep this package as a reference so that you know your rights and responsibilities as a program participant.
- Be sure to read all letters, notices, or forms that you receive from HPD. Pay special attention if there is an appointment date or a deadline to return materials to HPD. If you do not completely understand something, contact HPD for assistance at 917-286-4300.
- Be sure to sign and date all HPD forms that you submit to HPD
- Supply all information requested by HPD and respond to all HPD requests for information on a timely basis. All of the information you provide to HPD must be true and complete.
- Keep copies of all documents that you submit to HPD

## Language Access

If you would like assistance in a different language, please check the box indicating your preference. For assistance in completing this package, please call 917-286-4300

**Spanish / Español**

Si usted desea ayuda en algún idioma para completar este paquete, por favor llame al 917-286-4300. Un representante HPD podrá ayudarlo a obtener ayuda. Por favor marque el casillero al final de esta declaración si es que a usted le gustaría que registremos la preferencia de idioma marcada para referencia futura.

**French / Français**

Si vous désirez obtenir de l'aide dans votre langue pour remplir ce document, veuillez appeler le 917-286-4300. Un représentant du service des logements pourra vous aider à obtenir de l'aide. Veuillez cocher la case à la fin de cet énoncé si vous désirez que nous notions votre préférence de langue indiquée pour référence future.

**Haitian Creole / Kreyòl ayisyen**

Si w ta renmen jwenn asistans pou ranpli pake sa a, tanpri rele 917-286-4300. Yon anplwaye HPD ap kapab ba ou bon jan asistans. Tanpri tcheke kaz ki nan fen fraz sa a si w ta renmen nou endike lang ou pi pito pou referans alavni.

**Russian / Русский**

Если вам нужна помощь переводчика при заполнении этих анкет, звоните по телефону 917-286-4300. Представитель отдела HPD поможет вам вызвать переводчика. Пометьте соответствующий язык ниже, если вы хотите пользоваться этой услугой и в будущем.

**Cantonese / 廣東話**

如果您在填寫這套表格時需要以廣東話提供協助，請致電917-286-4300。一位HPD代表將可協助您獲得幫助。如果您希望我們記錄指明的語言選擇供未來參考之用，請在本聲明結尾處剔選相關的方格。

**Chinese Mandarin / 普通话**

如果您在填寫這套表格時需要以普通話提供協助，請撥打917-286-4300。一位HPD代表將可協助您獲得幫助。如果您希望我們記錄指明的語言選擇供未來參考之用，請在本聲明結尾處剔選相關的方格。

**Arabic / العربية**

سيكون حياث 4300-286-917 ب الرقم الاتصال فيرجى الرزمة، هذه ملء في لغوية مساعدة تلقى تؤد كنت إذا المجال هذا في لك المساعدة تقديم HPD وتطویرها الإسكان منشآت على الحد فاطمديرية ممثلي أحد بمقدور كل لغة إليها المشار اللغة لك نسجل نأ تؤد كنت إذا البيان هذا نهاية في الواقع المربع في إشارة وضع يرجى المسد تقبل في مرجعالات خادها مفضلة.

Other \_\_\_\_\_