

January 2012

HAP HAPpenings

SECTION 8

NYC
Department of
Housing Preservation
& Development
nyc.gov/hpd

LANDLORD NEWSLETTER

Volume 3 Issue 1



HPD has a New Commissioner

MATHEW M. WAMBUA was appointed Commissioner of the New York City Department of Housing Preservation and Development (HPD) by New York City Mayor Michael R. Bloomberg in late March, 2011. Prior to assuming the helm of the nation's largest municipal housing agency, Mr. Wambua had served as Executive Vice President of Real Estate and External Affairs for the New York City Housing Development Corporation (HDC), a position he held for three years. As HPD Commissioner, he is now de facto Chair of the HDC Board of Directors; from May 2006 to early 2008, Mr. Wambua served as Vice Chair of the board, appointed by Mayor Bloomberg.

From November 2004 through February 2008, Mr. Wambua was Senior Policy Advisor for the New York City Deputy Mayor for Economic Development, where he coordinated and oversaw a citywide portfolio of economic development agencies, boards and commissions.

Previously, Mr. Wambua held positions as the Vice President for Special Projects at the New York City Economic Development Corporation (EDC), and as a senior investment officer for General Electric Capital Commercial Real Estate.

Mr. Wambua earned a B.A. from the University of California at Berkeley and a Masters in Public Policy from Harvard University's John F. Kennedy School of Government. He has taught real estate finance at NYU's Graduate School of Public Service and managerial economics at the New School's Graduate School of Public Policy. Mr. Wambua lives in The Bronx with his wife and two children.



Partner Portal Update

In spring of 2010 the Division of Tenant Resources (DTR) launched the Section 8 Partner Portal, an exciting new resource for landlords with active Section 8 participants. The objective of this free internet service is to provide landlords and/or managing agents easy access to Section 8 information 24 hours a day, 7 days a week. If you are not already enrolled, it's easy to sign up; simply send an email to: DTRPartnerPortal@hpd.nyc.gov.

This service provides landlords and/or managing agents access to information in HPD's information management system, including HQS inspection history, current HAP subsidy status, HAP check history, and household composition data. Landlords can also download Section 8 forms from the Partner Portal.

To date, 23 percent of HPD's Section 8 landlords have become Partner Portal users. If you are already enrolled in the Partner Portal, we hope that you have found it helpful. Owners who have enrolled in the Partner Portal program find that it is a quick, convenient and helpful means of remaining informed about the subsidy status of their tenants. An HPD conducted survey indicated that close to 60 percent of participants used it to access their payment registers and 88 percent of the participants indicated that they find this to be the most useful feature of the portal.

DTR sends IDs and passwords to enrolled owners by e-mail to their registered e-mail addresses. Once enrolled, you need to activate the account by logging in using this ID and password; if you fail to do this within six months, the account will be cancelled. If you believe that you enrolled in the program, but have not received your ID or password, please check your inbox or junk mail folder for the e-mail from DTR and contact the Partner Portal Administrator if you cannot find it at DTRPartnerPortal@hpd.nyc.gov.

To maintain a secure and well-functioning service, DTR deactivates accounts after one year of inactivity. Reactivating an account requires restarting the enrollment process by sending an e-mail to DTRPartnerPortal@hpd.nyc.gov. HPD will continue to improve the Portal's offering....Don't miss out, register now!

DID YOU KNOW?

The Division of Tenant Resources would like to keep you informed of new and relevant information published by other agencies that may impact your Housing Assistance Payments. Please use the below as reference; whenever possible, we have provided a website link for additional information.

Human Resources Administration issues Security Vouchers

The Human Resources Administration (HRA) began issuing Security Vouchers in lieu of checks for security deposits for Public Assistance recipients and individuals who request a one-shot deal for moving expenses. Security Vouchers allow landlords to receive payment should the tenant fail to pay rent or subsequently cause damage to the rented apartment. Landlords may request payment within three months after the tenant vacates the premises.

To request payment, owners must complete a Landlord's Claim for Security Voucher Payment form and submit proof of non-payment or damages and the total amount. Once the landlord claim is verified, payment will be issued by check for the rent owed/damages incurred. Payment cannot exceed the monthly contract rent.

For more information regarding Human Resources Administration Security Vouchers, contact 311 or HRA's Info line at 877-472-8411.

Proper installation of window guards

The New York City Health Code requires owners of multiple dwellings (three apartments or more) in New York City to provide, install and maintain window guards when a child (or children) ten years or younger lives there. Tenants with no children, or none living at home, may also request and receive window guards if they want them for any reason. Below is some guidance on proper installation to minimize HQS failure. A window guard is installed properly when:

- It is installed in the lower half of the outside track of a double-hung window, 4.5 inches or less above the window sill.
- The lower window is stopped from being raised more than 4.5 inches above the top bar of the guard, so a child cannot fall out.
- It is installed with four one-way screws and two "L" brackets (stops).
- Stops are screwed into each side of the upper window track (with one-way screws).

When air conditioners are installed in place of window guards, they must be permanently installed with one-way screws or bolts. For more information, please go to: <http://www.nyc.gov/html/doh/html/win/winbas1.shtml>.

Property Registration

The City of New York Housing Maintenance Code requires that all residential buildings with three or more dwelling units register annually with HPD. One- and two-family dwellings where neither the owner nor any family member occupies the dwelling are also required to register with HPD. Buildings with six or more dwelling units must register by April 1st and those with five or fewer by October 1st each year. Ensuring that your building is registered will allow HPD to properly reach you when the agency receives complaints, issues violations or attempts to complete emergency repairs. As the owner of the property, you will be responsible for all violations issued; being properly registered helps to ensure that you have an opportunity to correct a reported condition before a violation is issued by a Housing Inspector and that you properly receive the notice about the actions HPD may be taking to address emergency conditions. HPD's online property registration form is available to assist you through the process; although owners are still required to print the form, sign and mail it to HPD, the online form allows for online payment and will minimize errors and missed information. To access the form please go to HPD's website (<http://www.nyc.gov/html/hpd/html/owners/property-reg-unit.shtml>) and enter your building address into the Complaints, Violation and Registration Information section of the home page, then select the Property Registration Assistance link on the left hand toolbar. We strongly encourage you to register your property with current contact information. For additional information about Property Registration, you can go to HPD's website or call HPD's Registration Assistance Unit at 212 863-7000.

Report Fraud

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

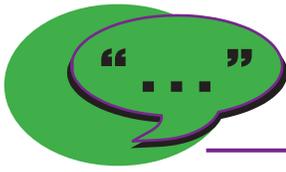
- HUD Office of Inspector General Hotline. You can call the Hotline toll-free Monday through Friday, from 10:00 a.m. to 4:30 p.m., Eastern Time, at 1-800-347-3735 or e-mail it to Hotline@hudoig.gov.
- HPD's Inspector General's office at the New York City Department of Investigation at 212-825-3502.
- HPD's Program Integrity and Compliance Unit at 917-286-4300 ext. 8032.

CHECK US OUT ONLINE!

www.nyc.gov/hpd

Links to:

HPD Section 8 Administrative Plan, Rent Increase Applications, other Section 8 Landlord Forms, and 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.

2012 HUD Fair Market Rents

On September 30, 2011 the US Department of Housing and Urban Development (HUD) published new Fair Market Rents (FMR) that went into effect on October 1, 2011. HPD uses a Payment Standard that is equal to 110% of the FMR. The Payment Standards represent the maximum subsidy amount for Housing Choice Voucher (HCV) assisted units. The rents for all HCV assisted units must be determined to be Rent Reasonable by HPD whether or not that rent is at, below or above the Payment Standard. If assisted households are responsible for paying for their utilities, as designated on the HAP contract and lease, they receive the corresponding Utility Allowance. The applicable Utility Allowance is deducted from the Tenant’s share of the rent to the owner. Allowances are assessed annually and assume conservative energy usage.

The following are Payment Standards effective October 1, 2011.

SRO	0BR	1BR	2BR	3BR	4BR	5BR	6BR	7BR	8BR
\$976	\$1,301	\$1,408	\$1,566	\$1,927	\$2,167	\$2,493	\$2,817	\$3,143	\$3,467

The following are Utility Allowances effective October 1, 2011.

# of Bedrooms	Gas	Electric	Total Gas & Electric	Gas Heat & Hot Water	Oil Heat & Hot Water	Electric Heat & Hot Water
SRO	\$16	\$57	\$73	\$50	\$78	\$172
Studio	\$16	\$57	\$73	\$50	\$78	\$172
1	\$17	\$58	\$75	\$67	\$111	\$238
2	\$17	\$61	\$78	\$78	\$133	\$282
3	\$18	\$77	\$95	\$89	\$155	\$326
4	\$20	\$79	\$99	\$100	\$178	\$370
5	\$21	\$92	\$113	\$111	\$200	\$413

WHAT’S NEW?

HQS Emergency Failure Items

The list of HPD Housing Quality Standards (HQS) emergency failure items has been updated. Beginning with inspections conducted on September 1, 2011, the following list will be considered HQS emergency failure items and require correction within 24 hours:

- No hot water anytime and no heat during the “Heat Season,” (October 1-May 31) under the following conditions:
 1. Between the hours of 6:00 AM and 10:00 PM, if the outside temperature falls below 55 degrees, the inside temperature is required to be at least 68 degrees Fahrenheit; and,
 2. Between the hours 10:00 PM and 6:00 AM if the temperature outside falls below 40 degrees, the inside temperature is required to be at least 55 degrees Fahrenheit.
- Gas Leaks
- Smoking/Sparking electrical outlets or wiring; or
- Building in imminent danger of collapse

All HQS emergency failure items are referred to the appropriate city agencies for further action.

In addition, in all assisted units in a multiple dwelling (three or more units) with children 10 years old or younger included in the household composition, improperly installed or missing window guards will still be considered a HQS failure item. Although the correction period for this HQS failure item is no longer 24 hours, any unit that fails for this reason will be referred to HPD Code Enforcement.

FOR YOUR INFORMATION

Is Your Contact Information Current?

Missing payments? It may be because HPD doesn't have your correct contact information. Keeping your contact information current with HPD will ensure that you receive important notices regarding changes to Section 8 policies, Housing Quality Standards (HQS) inspection results and important tenant activity. For example, you may not know that your unit has an HQS violation until payments have been abated due to a period of non-correction. In the event of an emergency HQS failure (which has a 24-hour correction period) HPD will attempt to contact you by phone, e-mail, or fax. If we are unable to reach you by any of those means, you will not have a chance to make the repairs in time to avoid a lapse in subsidy payments. Subsidy payments lost for failure to correct HQS violations within the correction period cannot be recovered even after corrections have been made.

To update your current contact information, call the Owner Services Unit directly at 917 286-4300 and follow the prompts for Owner Services. You may also submit a request to change contact information by emailing us at S8landlords@hpd.nyc.gov.

Guidance on Electrical Outlets

The U.S. Department of Housing and Urban Development (HUD) Office of Public and Indian Housing recently published Notice PIH 2011-29 on June 2, 2011 providing guidance on the requirement for proper operating conditions of electrical outlets for Housing Quality Standards in the Housing Choice Voucher (HCV) Program. The notice can be found at <http://portal.hud.gov/hudportal/documents/huddoc?id=pih2011-29.pdf>

SIGNED LEASE + SIGNED HAP = KEYS!

HPD would like to remind owners that once you execute a lease with a tenant, you have entered into a legal contract and are obligated to allow the tenant to move into the rented apartment on the lease start date. Once you sign a Housing Assistance Payment (HAP) contract and return it to HPD with a copy of the executed lease, HPD will begin processing subsidy payments. Although it may take up to two months for subsidy payments



to begin, HAP payments will be retroactive to the effective date of the approved HAP contract and executed lease as long as they were completed and submitted to HPD on time. Both the tenant and landlord are legally responsible for fulfilling the terms of the lease and HAP agreement, which includes allowing the tenant to take occupancy of the apartment on the start date of the HAP and lease.

Federal regulations do not allow payment of subsidy on a vacant unit; therefore, failure to grant the tenant possession of the unit on the effective date of the HAP/lease will result in loss of payment to you as the landlord and possible denial of subsidy to the tenant. If HPD processes a returned HAP contract for a unit and later discovers that the tenant was not granted access to move in, HPD will void the HAP contract and recoup any payments made to you. HPD recommends that you do not sign a lease with a tenant unless you are prepared to hand the tenant the keys to the apartment on the start date of the lease.

GOT EMAIL?

If you have an email address, make sure you register it with Owners Services. You can receive important correspondence from HPD immediately by email. To register your email, please call 917-286-4300 or email s8landlords@hpd.nyc.gov.