

Fall 2017

HAP HAPpenings

NYC
Department of
Housing Preservation
& Development
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SECTION 8

LANDLORD NEWSLETTER

Volume 4 Issue 3

WHAT'S NEW IN SECTION 8 HOUSING?

Maria Torres-Springer, Commissioner of HPD



(Above: The Commissioner joined Mayor de Blasio to announce the City's affordable housing numbers for Fiscal Year 2017: 24,293 affordable apartments and homes financed, the highest overall production since 1989.)

In January, Mayor Bill de Blasio appointed Maria Torres-Springer the next Commissioner of the Department of Housing Preservation and Development. As president and CEO of the NYC Economic Development Corporation (NYCEDC), and before that as the Mayor's Commissioner of Small Business Services (SBS), Commissioner Torres-Springer has a demonstrated record of expanding economic opportunity and building relationships between community, government, and private businesses to support neighborhood revitalization projects throughout New York City.

At NYCEDC, she created and advanced transformational projects, including the re-imagining of Spofford, a former juvenile detention center in the Bronx as a hub for the arts and affordable housing. She has been the administration's leader in developing the Downtown Far Rockaway Neighborhood Plan, which included more than \$90 million in neighborhood investments and affordable housing to serve both the lowest-income New Yorkers and those in the middle class. She also has overseen the implementation of City-wide Ferry, the launch of LifeSci NYC, and the expansion of EDC's Minority- and Women-Owned Business

Enterprises programs. At SBS, Maria spearheaded the administration's efforts to raise wages and expand skill-building in workforce placement programs, streamline the regulatory environment for small businesses, and launch path-breaking initiatives like the Tech Talent Pipeline to grow the tech sector and prepare New Yorkers for 21st century jobs.

"Having grown up in Section 8 housing, I know first-hand that the work we do is a lifeline to hundreds of thousands of families. Housing is the top expense for New Yorkers, and for far too many rising rents threaten their ability to stay in the city they love. I've spent my career helping people secure better jobs with better wages, and developing neighborhood projects that provide affordable homes and economic opportunity. Commissioner Vicki Been leaves big shoes to fill, but I'm honored to have a chance to keep up the record-breaking progress she's achieved," said Maria Torres-Springer.



“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.

IMPORTANT INFORMATION REGARDING COMPLIANCE IN SECTION 8

Violence Against Women Act (VAWA)

On October 27, 2016, the United States Department of Housing & Urban Development (HUD) issued its final rule on the Violence Against Women Act (VAWA). The rule can be found at Congress.gov (<https://www.congress.gov/bill/113th-congress/senate-bill/47>). The Violence Against Women Act extends protections to Section 8 household members that are victims of domestic violence, dating violence, sexual assault, or stalking. HPD will mail correspondence, explaining the rule and the rights that come with it, to each household in the Section 8 program, as well as to property owners. In the initial mailing, new applicants will receive a notice of their rights through VAWA at the initial stage of the Section 8 process.

If a Section 8 recipient is in immediate danger, he or she should seek safety and then call Client Services at 917-286-4300 with any changes to contact information or issues regarding the subsidy.

Before December 16th of this year, all residents in the Section 8 program (including all Project-Based and Mod Rehab participants) will receive a Notice of Occupancy Rights under VAWA. This notice will outline the rights and protections afforded VAWA affected families under the law. It outlines HPD’s commitment to confidentiality, as well as the required documentation in the event that there is a VAWA claim. The notice will also explain when a property owner can, and cannot, evict a tenant when there is an active VAWA claim.

To view the HUD PIH notice, outlining these changes, use the following link:

<https://portal.hud.gov/hudportal/documents/huddoc?id=PIH-2017-08VAWRA2013.pdf>

This entire rule can be found at Congress.gov (<https://www.congress.gov/bill/113th-congress/senate-bill/47>).

What Property Owners Need to Know About VAWA

VAWA outlines some owner responsibilities. The rule does not prohibit owners from terminating assistance or evicting a tenant if an owner can demonstrate an actual or imminent threat to other tenants or those employed at or providing services to the property (See 24 CFR 5.2005(d)(3)). Eviction or termination of assistance should only be used by an owner when there are no other actions or remedies to reduce or eliminate the threat.

The following actions may be considered to reduce or eliminate an “actual and imminent” threat:

- Barring the perpetrator from the property
- Changing the victim’s locks
- Installing basic security features (better lighting or alarms)
- Encouraging the victim to seek an emergency move
- Allowing an early lease termination
- Allowing the victim temporary absence from the assisted unit
- Helping the victim access available services and support and/or directing him or her to HPD for assistance

In screening potential tenants, owners cannot discriminate based on any past or current VAWA claim that a victim may have filed. For participants in the tenant based voucher program, it may allow HPD to offer assistance or otherwise provide service referrals to the victim.

Visit us online at:
<http://www1.nyc.gov/site/hpd>

Here you will find helpful links to our Section 8 programs, important applications and forms, and an electronic version of HAP Happenings

DID YOU KNOW?

Change to heat regulations

Starting on October 1, 2017, regulations regarding minimum heat during nighttime hours (10 PM to 6AM) will change. Between October 1st and May 31st, owners must maintain an indoor temperature of at least 62 degrees throughout the night, regardless of the outside temperature. Hot water must continue to be maintained at a minimum of 120 degrees at all times and heat must be provided during the day at the current requirement (when it is below 55 degrees outside, the inside temperature must be 68 degrees).

For more information on this amended law, please see the official language on the HPD website at:

<http://www1.nyc.gov/site/hpd/owners/compliance-maintenance-requirements.page>.

Property Registration

This is a reminder that the Property Registration year begins on September 1, 2017 and runs through September 1, 2018.

Buildings without valid property registration:

- Are subject to an Order and civil penalties of \$250-\$500
- Are ineligible to certify HPD violations
- Are ineligible to file a Dismissal Request or Reissuance request
- Cannot initiate a court action to recover possession of the premises for nonpayment of rent

For more information about who is required to register and how to register, go to <http://www1.nyc.gov/site/hpd/owners/compliance-register-your-property.page>.

Changes to reporting on bed bugs

Beginning on October 1 2017, multiple dwelling property owners must attempt to obtain the bedbug infestation history from the tenant or unit owner, including whether eradication measures were employed for a bedbug infestation. Owners will be required to report such information to HPD in December 2018.

For additional information, please go to:

<http://www1.nyc.gov/site/hpd/owners/Pests-owners.page>.

New York City Domestic Violence Hotline

The City's Domestic Violence Hotline provides safety planning, referrals, and connections to emergency housing for victims of domestic violence. This assistance is available to all who need assistance. The hotline provides assistance in over 150 languages. Call 1-800-621-HOPE for the New York City Domestic Violence Hotline, or call 311 and ask for the Domestic Violence Hotline.

Should owners or tenants have any questions or need to initiate VAWA protections, emergency moves, or subsidy transfers please call Client and Owner Services at **917-286-4300**. Those in immediate danger should call 911.

The Hearing Impaired 24-Hour Hotline is TDD: **1-800-810-7444**

Report Fraud

If you know of anyone who has 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 the Inspector General Hotline. You can call the Hotline toll-free Monday through Friday from 10:00am to 4:40pm, Eastern Standard 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.

Changes to lead-based paint regulation

Effective July 13, 2017, regulations regarding lead-based paint and children's elevated blood lead level (EBLL) have been revised in accordance with the Center for Disease Control and Prevention (CDC) guidance. This revised regulation indicates that if a child living in a federally funded subsidy is reported to have an EBLL of 5 micrograms per deciliter or higher; it requires immediate intervention by the owner in collaboration with HPD and DOHMH. Owners are to follow a step-by-step process to ensure compliance to the regulation.

In the next issue of our Winter 2018 HAP Happenings we will provide detailed information on this change in the lead-based paint regulation and how it affects you as owners. At this time, if you would like additional information please visit:

https://portal.hud.gov/hudportal/documents/huddoc?id=17-13pihn_ohlhlc.pdf

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Payment Standards for 2017

The United States Department of Housing and Urban Development (HUD) annually publishes Fair Market Rents (FMRs) for various areas of the country. PHAs establish Payment Standards based on the FMRs, using a range between 90% to 110% of those rates. HPD has maintained its 2016 Payment Standards for 2017. The Payment Standard is the maximum amount that the agency can pay for an apartment, based on the number of bedrooms on a households voucher.

2017 Payment Standards

Studio	1 BR	2BR	3BR	4BR	5BR	6BR	7BR	8BR
\$1,396	\$1,466	\$1,697	\$2,183	\$2,402	\$2,762	\$3,122	\$3,483	\$3,843

Utility Allowances

Bedrooms	Gas	Electric	Gas Heat & Hot Water	Oil Heat & Hot Water	Electric Heat & Hot Water
SRO/Studio	\$17	\$55	\$40	\$56	\$167
1	\$17	\$57	\$52	\$80	\$256
2	\$17	\$59	\$59	\$96	\$316
3	\$18	\$75	\$67	\$112	\$375
4	\$19	\$78	\$74	\$128	\$435
5	\$20	\$90	\$82	\$144	\$494

HPD Partner Portal & Direct Deposit

The Partner Portal continues to be available for you to get updated information on everything you need to know about your properties, including housing composition, HAP payment history, HQS status, and history. If you're not already enrolled, be sure to sign up by sending an email to DTRPartnerPortal@hpd.nyc.gov. Landlords are encouraged to receive their Housing Assistance Payments (HAP) by Direct Deposit. You can sign up for this option online at:

<http://www1.nyc.gov/site/finance/about/doing-business-with-nyc-direct-deposit-program-page>

GOT EMAIL?

If you have an email address, make sure you register it with Owners Services. You can receive important updates from HPD immediately by email. To register your email, please email s8landlords@hpd.nyc.gov.