MESSAGE FROM THE EXECUTIVE VICE PRESIDENT

It is hard to believe that summer is already here! I want to thank all of you for your patience and open communications as we were faced with a government shutdown early this year. The continuation of services to our owners and voucher holders is paramount to sustaining affordable housing in New York City. As we continue forward, let’s be sure to keep the lines of communication open on how we can be better partners in providing affordable housing and rental assistance to low income New Yorkers through the Section 8 program.

In this summer 2019 issue, we touch upon recent releases for ABLE accounts and lease renewals as well as program reminders and enhancements. There is a lot to unpack as we continue to convert units through our Permanent Affordability Commitment Together (PACT) initiative and The Housing Stability and Tenant Protection Act of 2019 so stay tuned!

Happy reading.

Enjoy!

Lakesha Miller
IF YOUR TENANT DOES NOT ALLOW ACCESS FOR HQS REPAIRS

Any Section 8 property owner who is unable to gain access to a tenant’s unit to make repairs must:
1. Notify the tenant of attempts to gain access via certified mail and
2. Send a copy of the certified letter to NYCHA within 30 calendar days of the failed Housing Quality Standards (HQS) inspection. This serves as proof that the owner made an attempt to access the unit to complete repairs and to justify NYCHA’s commencement of termination action against the tenant.

- Section 8 subsidy will remain suspended until repairs are made and confirmed by NYCHA.
- If NYCHA receives a copy of the certified letter sent to the tenant within the required 30 days of the failed HQS inspection, the Authority will make full retro payment from the suspension effective date.
- Any Section 8 tenant who does not allow access for repairs will receive a termination notice in the mail and is at risk of losing their Section 8 subsidy.

REMINDER: POLICY ON LEAD-BASED PAINT

HUD revised its Lead Safe Housing Rule to adopt the Centers for Disease Control and Prevention’s reference ranges of elevated blood lead levels. In response, NYCHA’s new policy on lead-based paint went into effect on July 13, 2017. Please refer to the Owner Extranet for more details.

- Any current Housing Preservation and Development (HPD) code C violation for lead-based paint in a unit under review shall prevent approval of a new Section 8 rental or transfer in that specific unit until the violation is cleared.
- If an inspector identifies deteriorated paint in a building constructed prior to 1978 where a child under the age of 6 resides, the inspector must cite the appropriate HQS failure violation.
- The owner will have 30 days to make the required repairs on behalf of existing residents to avoid suspension of subsidy and submit an Environmental Protection Agency certified contractor’s work order (clearance report) as proof of repairs.
- NYCHA will work with the owners by notifying the local HUD field office of confirmed lead-based paint cases via email at NYPIHLeadBasedPaint@hud.gov and LeadRegulations@HUD.gov.
REMINDER: NYCHA POLICY REGARDING NON-LIFE THREATENING HQS INSPECTION VIOLATIONS

Effective last September, NYCHA adopted the non-life threatening (NLT) Provision from HUD’S PIH Notice 2017-20 (HA) for the Section 8 Housing Choice Voucher Program. With this provision, NYCHA is able to provide more flexibility and relief to Section 8 program participants and owners for the initial HQS inspection process as specified below.

Faster completion of new Section 8 rentals

New rental and conversion inspections with only NLT violations can proceed to HAP contract execution if the tenant agrees to accept the apartment in writing. Following notice to the owner of the NLT violations, the subsidy will begin with a 30-calendar day window by which the owner will have to correct the NLT violations to avoid subsequent suspension of subsidy.

Opportunity to collect suspended subsidy

If the subsidy is suspended after 30 calendar days for failure to correct the NLT violations, the owner will have the opportunity to receive the suspended subsidy (not to retroactively exceed a period of two months), if the repairs are confirmed by NYCHA.

Late repairs will result in the subsidy being abated (i.e., no repayment of the suspended subsidy). Any reinstated payments will only be prospective.

The tenant will receive a transfer voucher and be afforded the opportunity to move if the subsidy is suspended for outstanding repairs.
REMINDER: NYCHA HAS EXPANDED ITS LIST OF 24-HOUR LIFE-THREATENING VIOLATIONS

Twenty-four-hour Housing Quality Standards (HQS) violations are considered life-threatening and require immediate attention by Section 8 owners. We require our inspectors to take pictures (see examples below) of all 24-hour violations, which are stored on the Owner Extranet.

- Gas (natural or liquid petroleum) leak or fumes;
- Electrical hazards that could result in shock or fire;
- Inoperable or missing smoke detector;
- Interior air quality (missing or non-functioning carbon monoxide detector);
- Gas/oil fired water heater or heating, ventilation or cooling system with missing, damaged, improper or misaligned chimney or venting;
- Lack of alternative means of exit in case of fire or blocked egress;
- Other interior hazards;
- Deteriorated paint surfaces as defined by 24 CFR 35.110 in a unit built before 1978 that is to be occupied by a family with a child under 6 years of age;
- Any other condition subsequently identified by HUD as LT in a notice published in the Federal Register.
- Any other condition identified by the administering PHA as life-threatening in the PHA’s administrative plan prior to April 18, 2017. These conditions include:
  - Building in imminent danger of collapse.
  - Illegal window gates on fire escapes.

COMMON EXAMPLES OF 24-HOUR LIFE-THREATENING VIOLATIONS

NYCHA must conduct a re-inspection to confirm that all 24-hour HQS violations have been corrected. NYCHA will not accept any Owner self-certification of completed repairs for any 24-hour violations nor will the Owner be permitted to upload any documents on the Owner Extranet. Please call NYCHA’s Customer Contact Center at 718-707-7771 to schedule a re-inspection.
UPDATED DETAILED INFORMATION REGARDING HQS INSPECTIONS CAN BE FOUND IN THE LATEST VERSION OF THE NYCHA HOUSING QUALITY STANDARD (HQS) BOOKLET

NYCHA recently posted an update to its HQS Booklet highlighting important details regarding NYCHA standards in relation to the HQS inspection process. You can access the updated booklet here.

HQS INSPECTION POLICY CONCERNING SMOKE AND CARBON MONOXIDE DETECTORS

When conducting Housing Quality Standards (HQS) inspections, inspectors will check ALL smoke detectors, carbon monoxide detectors, and combination smoke/carbon monoxide detectors present for proper installation and operation.

One smoke detector is required to be properly installed using the parameters detailed below. However, if an inspector sees evidence of a missing smoke detector (i.e., a bracket on the wall or ceiling with no detector), it will be cited as a missing detector even if there is another properly working and installed detector in the same area.

To avoid citations, when you install a new smoke detector, remove the bracket of the old smoke detector that you are removing.
INSTALLING SMOKE DETECTORS

All units must have at least one smoke detector that is battery-operated, hardwired, or hardwired with a back-up battery. There must be a smoke detector on each level of the unit. This includes a detector for hearing or visually impaired individuals.

The smoke detector must be installed on a ceiling or on a wall 4 to 12 inches from the ceiling (see illustration above).
INSTALLING CARBON MONOXIDE DETECTORS

There must be a carbon monoxide detector installed within 15 feet of any sleeping area. This includes a carbon monoxide detector for hearing or visually impaired tenants. The carbon monoxide detector cannot be installed in a bathroom, kitchen, or within five feet of gas cooking appliances.

Combination smoke and carbon monoxide detectors must be installed on a ceiling or on a wall 4 to 12 inches from the ceiling.
Local law requires owners of multiple dwellings (3 units or more) to install window guards for units occupied by children 10 years old and younger (including the first floor). All window guards must be approved by the Department of Health and Mental Hygiene and must be properly installed using one-way or tamper-proof screws. Owners must install and repair all window guards.
OWNER EXTRANET ENHANCEMENTS

NYCHA SECTION 8 OWNER WEBINARS ARE COMING THIS SUMMER!

NYCHA continues to make enhancements to improve the Owner Extranet. Owners can now use the Household Members section of the extranet to confirm the first name, last name, and the relationship to the head of household for each of their Section 8 tenants.

In addition, owners can now use the extranet to access information and view photos of violations from recent apartment inspections.
REMINDER: CONTRACT RENT CHANGES AUTOMATION ENHANCEMENTS

We are happy to inform you that the submission of Contract Rent Changes (CRC) was launched last year and is currently available via the Owners Extranet. This enhancement improves the submission process for CRC (i.e. Commissioner Orders, Major Capital Improvement Orders, Individual Apartment Improvements) by making the process more efficient.

Features of the CRC Submission Process allow you to:
- Upload the CRC documents in accordance to the specific type of CRC
- Create a Service Request for granted individual units, as per the respective rent increase/decrease on the order
- Upload the additional information to complete the review process
- See the stages of the review of your request

New process eliminates:
- Submission of CRC requests via the “Lease Renewal” link on the Owners Extranet
- Mailing CRC requests to LHD
- Submission of additional information to the lринfo@nycha.nycha.nyc.gov mailbox

To assist us with processing your request on time, please ensure you:
- Submit the CRC Order via the Owners Extranet within 30 days from the date of issuance as per the order
- Upload all the accurate supporting documents for the relevant CRC request
- Select the correct CRC type on the Owner Extranet that corresponds to your CRC documents.
  (for example; select MCI building if the order is granted for more than ONE unit)
- Include required information when uploading your documents, i.e. your vendor number, complete address of the subject building/unit eligible per the Order

Thank you for partnering with us to provide valuable service to low-income families and for your input on the process. If you have any ideas or suggestions regarding this enhancement, please email Harriett.Coldwell@nycha.nyc.gov.
NEW NYCHA HOUSING OPPORTUNITIES MAP

The NYCHA Housing Opportunities Map is a new resource that Section 8 voucher holders can use to find rental listings, job opportunities, schools, transportation, and other services in low-poverty neighborhoods. In addition, owners with vacancies in low-poverty neighborhoods should register with GoSection8.com and list their apartments so they’ll appear on the new map. The map can be accessed on the NYCHA Self-Service Portal.

![Housing Opportunities Map](image-url)
Administering while converting with Permanent Affordability Commitment Together (PACT)

In January 2017, NYCHA converted its first Public Housing development to the Section 8 program through the Permanent Affordability Commitment Together (PACT) initiative. Since that time, the pipeline of properties has grown; with an additional 1700 units converting in late 2018. The NYCHA 2.0 plans for up to 62,000 units over the next 10 years! The Section 8 program will be pretty busy but our commitment to you – our owners, landlords and vouchers holders – remains the same. Rest assured that we will continue to aim at providing excellent customer service. Be sure to attend an Owner Forum if you need to brush up on any topics or have feedback to share for improvements. Your partnership in providing affordable housing is appreciated.

The Housing Stability and Tenant Protection Act of 2019

On June 25, 2019 Governor Cuomo signed The Housing Stability and Tenant Protection Act of 2019. The Act, effective June 14, 2019, will have a major impact on affordable housing providers and tenants. For tenants, there are several protections and for the owners/landlords there will be a reduction in their rent increase options. Tenants paying a preferential rent will not see their rent raised to the full legal rent at the time of lease renewal. While owners/landlords will no longer be able to collect a vacancy allowance or longevity bonus at the time of a new rental. Individual Apartment Improvements (IAIs) will no longer be a permanent increase with a reduction in rates to 1/168 and 1/180. While tenants will not be time barred on a filing an overcharge claim against their landlord. There are so many more changes to unpack with this Act. NYCHA will begin modifying its policies and procedures to align with these new requirements. Again, the Act is effective June 14, 2019. When submitting your lease renewals and contract rent change requests, these new requirements must be incorporated. For additional information on The Housing Stability and Tenant Protection Act of 2019, visit The New York State Senate website at https://www.nysenate.gov/legislation/bills/2019/s6458.

NYCHA Awards 900 Project-Based Section 8 Vouchers

As new construction units are developed throughout the city, NYCHA partners with interested owners to support the affordability of the project. This past May, NYCHA furthered its support of upcoming new construction units by awarding 900 project-based Section 8 vouchers. These vouchers will provide long-term affordability to very low-income seniors over a 20-year contract. Let’s keep working to provide much needed housing for seniors and keeping New York City affordable!

NYC Rent Guidelines Board Adjustments Effective 10/1/2019 – 9/30/2020

On June 25, 2019 the NYC Rent Guidelines Board approved Order #51 outlining the apartment and loft lease renewal rates for 2019 – 2020. The lease renewal rates will remain steady from Order #50: 1.5% for a one-year lease renewal and 2.5% for a two-year lease renewal. When executing your lease renewals, be sure to factor in any related changes from The Housing Stability and Tenant Protection Act of 2019. For additional information on Order #51, visit the NYC Rent Guidelines Board website at https://www1.nyc.gov/site/rentguidelinesboard/index.page.
FINANCING OPTIONS FOR OWNERS SEEKING TO COMPLY WITH THE NEW CLIMATE MOBILIZATION ACT THROUGH THE PACE PROGRAM

In April, City Council passed LL96, which enables a Property Assessed Clean Energy (PACE) lending program for private buildings. PACE will allow building owners to take out private debt for energy efficiency and renewable energy projects and repay it through an assessment on their DOF property tax bill.

On July 17 at 8:30am, the Building Energy Exchange is hosting a briefing on NYC PACE financing, to provide an overview of how PACE works, the opportunity for NYC buildings, and how PACE has been used in different market segments around the country. Please use the link below to register and invite anyone who you think would benefit from an introduction to the program. The Building Energy Exchange is located at 31 Chambers Street.

https://be-exchange.org/climate-mobilization-act-series-pace-financing/

NEW HUD NOTICE REGARDING ABLE ACCOUNTS

On April 26th, HUD published a notice titled Treatment of ABLE Accounts in HUD-Assisted Programs (PIH 2019-09) updating their policy with regards to Achieving Better Life Experience (ABLE) accounts. HUD’s new policy instructs PHAs to exclude ABLE accounts when determining eligibility and continuing occupancy during annual recertifications.

Access the link below for more information:

RESIDENT ECONOMIC EMPOWERMENT AND SUSTAINABILITY (REES) CALENDAR

REES helps residents increase their income and assets through various programs. Residents can sign up for the REES e-newsletter or visit REES’ website and the Opportunity NYCHA Calendar for information on how to take advantage of:

- Employment and career advancement
- Adult education and vocational training
- Financial empowerment
- Resident business development

To learn more, attend a REES Information Session:

Tuesdays and Thursdays at 8:30 a.m.
REES Central Office, 787 Atlantic Ave., 2nd Floor
Brooklyn, NY 11238

Come to a REES Information Session to hear a short presentation on REES partnerships which include referrals for:

- Job Training Programs
- Employment Assistance
- Adult Education Services (including HSE classes)
- Financial Literacy/ Asset Building
- Resident Business Development

You will also have the opportunity to register your interest in temporary employment with Section 3.

To receive services, you must be a NYCHA or Section 8 resident.

Photo ID is needed for your appointment. If you have a resume’, please bring it with you.

Register online at https://selfserve.nycha.info/ or call the REES hotline at 718.289.8100 to attend an Information Session.
**DOCUMENTS REQUIRED FROM SECTION 8 PROPERTY OWNERS/MANAGING AGENTS**

When a tenant finds a unit, the tenant and the property owner must complete the briefing packet. The tenant must return the completed briefing packet to the nearest Customer Contact Center (Monday – Friday, 8 am – 12 pm). The tenant cannot move into the new unit until NYCHA approves the rental request and issues an **Authorized for Move-In letter** to the tenant. **The following forms are required from Section 8 property owners/managing agents:**

<table>
<thead>
<tr>
<th>Form Name</th>
<th>Description</th>
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<tbody>
<tr>
<td>● Request for Tenancy Approval Form</td>
<td>This form must be completed and signed by the tenant and owner.</td>
</tr>
<tr>
<td>● Section 8 Property Owner Registration Form</td>
<td>This form must be completed and signed by the owner or owner’s authorized agent. If there is more than one owner on the deed, the individual designated as the payee must be indicated on this form. If the owner is new to the Section 8 program, a full mailing address must be provided (P.O. boxes will not be accepted).</td>
</tr>
<tr>
<td>● Request for Taxpayer ID Number and Certification - W-9 Tax Form</td>
<td>This form must be completed and signed by the owner or authorized payee. The tax ID or Social Security number and the mailing address of the owner or authorized payee, must match the number and address on the owner registration form.</td>
</tr>
<tr>
<td>● Copy of the Previous Lease Agreement or the Homes &amp; Community Renewal (HCR) Rent Registration Form (Only Required for Rent Stabilized Units)</td>
<td>A copy of the previous lease agreement is required for all rent stabilized units. If the unit was never rented, a copy of the HCR Initial Apartment Registration form must be provided.</td>
</tr>
<tr>
<td>● Disclosure of Information on Lead-Based Paint Form</td>
<td>This form must be completed and signed by the tenant and the owner.</td>
</tr>
<tr>
<td>● NEW BUILDINGS: Copy of the Recorded Deed for Property Owners Who Are NOT Already on the Program</td>
<td>If the deed is not recorded, a copy of the unrecorded deed and a letter from the closing attorney must be provided to confirm ownership of the property.</td>
</tr>
<tr>
<td>● NEW BUILDINGS: Certificate of Occupancy (CO)</td>
<td>A Certificate of Occupancy (CO) states a building’s legal use and/or type of permitted occupancy. New buildings must have a CO and existing buildings must have a current or amended CO. If NYCHA is unable to obtain a CO from the Department of Buildings’ website, the owner must provide the CO or a “Letter of No Objection” for buildings built or altered in 1938 or later.</td>
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</tbody>
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**Additional Documents Required for Certain Unit Types**

**Condominiums/Cooperatives:** If the residence is in a condominium or a cooperative building, the submission must be written on official letterhead and signed by an officer (board member) authorizing the rental of the unit.

| **● Condominiums**                        | If the residence is part of a condominium, owners of the condominium are required to submit unit deeds.                                                                                       |
| **● Cooperatives**                       | If the residence is part of a cooperative, owners of the cooperative are required to submit proprietary leases and shareholder certificates.                                                   |
| **● Low Income Housing Tax Credit (LIHTC)** | To establish rent reasonableness for buildings that are in receipt of low-income housing tax credits, owners must submit a complete rent roll for the entire building, which includes bedroom size(s), at the time of the initial lease-up, lease renewal or contract rent change. |
| **● Property Owned by a Trust**           | If a property is owned by a trust, documents submitted must be signed by a trustee. If the property is part of an estate, letters of testamentary (legal documents) must be included in the submission. |
| **● Receiverships**                      | For buildings under receivership, including 7A administrators, a document from the court appointing the receiver or 7A administrator must be provided.                                      |
| **● Partnerships**                       | If there is a partnership agreement, the NYCHA Section 8 Property Owner Registration Form is required as proof to authorize a payee and it must be signed by each member of the partnership. |