



Public Housing Repositioning  
Wednesday Webinar Series:  
**Resident Considerations**

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August 12, 2020



# Presenters

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# Why are we here?

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The goal of this webinar series is to help explain and discuss common issues in the repositioning process.

Today's call will focus on:

## Resident Considerations

- ✓ RAD resident provisions
- ✓ Section 18 and Streamlined Voluntary Conversion resident provisions
- ✓ Resident Notification requirements
- ✓ Community supportive services



<b>Webinar Topics</b>	<b>Date</b>
Developing a Repositioning Strategy	May 13, 2020
Options for Scattered-Site Units	June 3, 2020
Options for 50-and-Under PHAs	June 24, 2020
RAD and Section 18 Blends	July 22, 2020
<b>Resident Considerations</b>	<b>August 12, 2020</b>
Streamlined Voluntary Conversion	September 2, 2020
Options for Obsolete Units	September 30, 2020
Common PHA Board Questions	October 28, 2020
Public Housing Program Closeout	November 18, 2020
Project-Based Voucher Overview	December 2, 2020



All webinars will be recorded and posted at [www.hudexchange.info](http://www.hudexchange.info)



# Need additional Repositioning resources?

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- There are additional repositioning handouts and training materials available on the HUD Repositioning Website: [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/repositioning](https://www.hud.gov/program_offices/public_indian_housing/repositioning)
- [Introduction to Repositioning Webinar series](#) is available on HUD Exchange

# RAD Background

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***RAD was created in 2011 to preserve and bring new resources to public housing stock by “converting” properties to subsidy under a long-term Project-Based Section 8 contract.***

To date, over 120,000 public housing units across 1,100 properties have completed conversion through RAD. Congress has authorized HUD to convert 455,000 in total.

## **RAD Principle**

- 1) RAD is designed to secure the long-term affordability of converting properties***
- 2) Properties converted under RAD must be owned or controlled by a public or non-profit owner***
- 3) Ensure current residents benefit from the conversion***
- 4) Retain and Strengthen Resident Rights***



# RAD Resident Provisions

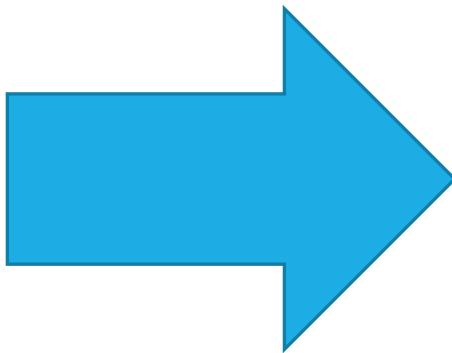
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- 1. Right to Remain and Right to Return**
- 2. No Rescreening**
- 3. Alternative Housing Options**
- 4. Right of Return and LIHTC**
- 5. Post-Conversion Resident Rents**
- 6. Resident Self-Sufficiency Programs**
- 7. Resident Procedural Rights**
- 8. Choice Mobility**



# RAD Resident Fact Sheets

Check out the RAD Resident Fact Sheets at:  
<https://www.hud.gov/RAD/impact>



The screenshot shows the HUD.GOV website header with the HUD logo and navigation links. The main content area displays the breadcrumb trail: Home / Rental Assistance Demonstration / How Does RAD Impact Me? The title is 'HOW DOES RAD IMPACT ME?'. The text explains the purpose of the fact sheets and provides a list of seven fact sheets for download.

Home / [Rental Assistance Demonstration](#) / How Does RAD Impact Me?

## HOW DOES RAD IMPACT ME?

This page is intended to provide residents who live in a building being converted under RAD with helpful information to supplement notifications communicated directly to residents by the PHA.

[RAD Residents Fact Sheets](#)

In July 2017, RAD Resident Fact Sheets were designed to inform both residents and PHAs about important aspects of the RAD conversion process. As we work to improve these documents, we welcome your feedback. Please send us a note at [rad@hud.gov](mailto:rad@hud.gov) to let us know what you think. The fact sheets can be downloaded as one **combined PDF** or as individual files below.

- #1: [RAD Overview \(English | Spanish\)](#)
- #2: [Steps in a RAD Conversion](#)
- #3: [Rent](#)
- #4: [Resident Involvement](#)
- #5: [Resident Procedural Rights](#)
- #6: [Resident Participation & Funding](#)
- #7: [Family Self-Sufficients \(FSS\) and Resident Opportunity and Self-Sufficiency \(ROSS\)](#)





# “Blend” (RAD and Section 18) projects maintain RAD Resident Provisions

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Any property that includes a blend of RAD and Section 18 (i.e., the 75/25 Blend or the Closeout Blend) maintains many of the RAD Resident Provisions.

To learn more about RAD/Section 18 Blends, check out the Repositioning Wednesday Webinar from July 22<sup>nd</sup>.

<https://www.hudexchange.info/news/2020-public-housing-repositioning-wednesday-webinar-series/>



# Other repositioning through Section 18 or Streamlined Voluntary Conversion (SVC)

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- Section 18 (See [Section 18 Application Checklist](#)) Property or PHA must meet certain specific criteria (obsolete, health/safety, scattered site, small PHA)
- SVC (See [SVC Checklist](#) and [SVC Order of Operations](#)) PHA must demonstrate the conversion principally benefits the residents
- Housing Choice Voucher (HCV) Program
  - Tenant Protection Voucher Requirements (See [Tenant Protection Voucher FAQs](#))
  - Project-Based Voucher Requirements (See [Project-Based Voucher FAQs](#))

Each of these repositioning tools has its own procedures and requirements that may impact residents.

# RAD vs Section 18/SVC

RAD	Sec 18/SVC **
Right to Return	Not a program requirement
Rent Phase-in	Not allowed under the HCV program
Protections for over-income families	PHA must offer “comparable housing”
Protections for over-housed families	PHA must offer “comparable housing”
Resident Procedural Rights	Not a program requirement
Resident Participation and Funding	Not a program requirement
Choice Mobility	Required under the HCV Program
Continuation of FSS, ROSS and Jobs Plus	HCV residents are not eligible for ROSS or Jobs Plus

\*\*This usually involves conversion of assistance to the Tenant-Protection Vouchers. (See the [Tenant-Protection FAQs for Public Housing Actions](#))



# Section 18 and SVC Provisions

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**All residents must be offered “comparable housing”, which may include:**

- Section 8 tenant-based HCV assistance (mobility option) (portability possible, pending moving costs)\*
- Project based assistance (Section 8-PBV/PBRA or Public Housing)\*\*
- Unit operated or assisted by the PHA at comparable rental rate

\*HUD provides Tenant Protection Vouchers (TPVs) (Section 8) as relocation resource. If PHA receives TPVs, PHA must offer them to eligible residents.

\*\*The same unit can be offered as HCV comparable housing, provided it meets HQS. If future rehab will result in temporary relocation, the PHA must plan for this. Families must be fully protected at same rent.



# Section 18 and SVC Provisions (cont'd)

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## Resident Relocation Protections

- PHA must pay for residents' actual and reasonable relocation expenses (e.g. moving costs in locality; possibly portability)
- PHA must provide residents with necessary counseling (including mobility)
- PHA cannot sell or demolish the building until families are relocated
- Residents with disabilities must be offered units with similar reasonable accommodations
- Residents provided with 90-day notice before they must move



# Additional SVC Provisions

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**With SVC, Residents Have a Right to Tenant-Based Assistance** - If the property remains as rental housing, existing families receive tenant-based HCV assistance, with which they have right to remain in their units or move (provided the property and tenants meet HCV program requirements). Residents must be offered the housing of their choice to the maximum extent possible.

To learn more about SVC, register for the Repositioning Wednesday Webinar September 2<sup>nd</sup>.

<https://www.hudexchange.info/news/2020-public-housing-repositioning-wednesday-webinar-series/>



# HCV Provisions (Section 18 and SVC)

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## Eligibility:

- If household income exceeds 80% of Area Median Income, they are not eligible for HCV assistance
- If the household Total Tenant Payments (TTP) exceeds the Payment Standard, they would not be eligible of HCV assistance

## Impact:

- Over-housed households may need to relocate or pay a higher cost (households may pay up to 40 percent of adjusted monthly income)
- An over-housed household may not occupy a PBV-assisted unit
- The HCV program does not allow for rent phase-in

For more information, please see the [Tenant Protection Voucher FAQs](#) and [Project-Based Voucher FAQs](#), and consider registering for the Dec 2<sup>nd</sup> [Wednesday Webinar](#).



# PBV Mobility

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**RAD Choice Mobility** – With RAD-PBV, the PHA must generally follow PBV Mobility requirements outlined below. However, PHAs may request an exception if the PHA has a small voucher program, or the Public Housing units are converted to RAD-PBRA.

**PBV Mobility** – PBV residents that provide proper notice and reside in the PBV unit for one year may move with continued tenant-based rental assistance. If assistance is not immediately available, the PHA must give priority to receive the next available tenant-based assistance.

To learn more about the PBV Program, register for the “PBV Overview” discussion planned for the Repositioning Wednesday Webinar December 2<sup>nd</sup>.

<https://www.hudexchange.info/news/2020-public-housing-repositioning-wednesday-webinar-series/>





# Resident Notification Requirements

## RAD

### Pre-Application:

- RAD Information Notice (RIN)
- Two resident meetings
- PHA submits resident comments and PHA responses with application

### At CHAP:

- PHA must update Annual PHA Plan or issue a Plan Amendment
- PHA conducts at least one more resident meeting

### Pre-Financing Plan:

- At least one meeting after concept call and before FP submission

## Section 18

### Pre-Application:

- PHA must update Annual PHA Plan or issue a Plan Amendment
- Resident consultation required before application

### After HUD Approval:

- 90 Day Notice before relocation

## SVC

### Pre-Application:

- PHA must update Annual PHA Plan or issue a Plan Amendment
- Significant Resident participation in the Planning process

### After HUD Approval:

- 90 Day Notice before relocation (or General Information Notice if Uniform Relocation Act applies)
- Tenant Briefing (if unit is PBV)



# Community & Supportive Services: Family Self-Sufficiency (FSS)

Question	RAD PBV	RAD PBRA	PBV	Tenant-based voucher
<p><b>Can residents continue to participate and benefit?</b></p>	<p><b>Yes.</b> A RAD conversion to PBV does not impact the PHA's ability to continue serving participating residents.</p>	<p><b>Yes</b>, with two options: (1) If PHA continues to serve other HCV and/or PH FSS participants, the new owner may execute a cooperative agreement with PHA to serve FSS participants affected by the RAD conversion to PBRA; or (2) The owner can establish an independent FSS program. [See notes at end.]</p>	<p><b>Yes.</b> PH and HCV FSS combined in 2014 with PHAs running a global FSS program for both PH and HCV. PBV is under the HCV program, so PBV residents have always been eligible for FSS.</p>	<p><b>Yes.</b> PH and HCV FSS combined in 2014 with PHAs running a global FSS program for their both PH and HCV.</p>
<p><b>Can the PHA retain grant funds to serve these residents?</b></p>	<p><b>Yes.</b> PHA retains current grant and can request renewal funding.</p>	<p><b>Depends.</b> Under the first option, <b>yes:</b> PHA retains current grant with PBRA FSS participants counted in future grant requests. Under second option, <b>no:</b> The owner uses its residual receipts to hire coordinators. Section 306 of Economic Growth Act changed Section 23 of 1937 Act. Once implemented, PBRA owners may access FSS funds, depending appropriations with earliest funding tentatively in FY21.</p>	<p><b>Yes.</b> PHA retains current grant and can request renewal funding.</p>	<p><b>Yes.</b> PHA retains current grant and can request renewal funding.</p>



# Community & Supportive Services: Resident Opportunities and Self-Sufficiency (ROSS)

Question	RAD PBV	RAD PBRA	PBV	Tenant-based voucher
<b>Can residents continue to participate and benefit?</b>	<b>Yes.</b> PHA may continue serving those living at the target development (to the extent those services predominantly benefit the former PH residents) and/or participants who relocate to other PH or with a voucher through the end of the grant.	<b>Yes.</b> Same as RAD PBV.	<b>No.</b>	<b>No.</b>
<b>Can the PHA retain grant funds to serve these residents?</b>	<b>Yes.</b> PHA retains current grant but may not request renewal funding for properties that have been converted.	<b>Yes.</b> Same as RAD PBV.	<b>No.</b>	<b>No.</b>

# Community & Supportive Services: Jobs Plus

Question	RAD PBV	RAD PBRA	PBV	Tenant-based voucher
<p><b>Can residents continue to participate and benefit?</b></p>	<p><b>Yes.</b> Enrolled residents in the rent incentive prior to conversion may continue JPEID. Jobs Plus services can benefit former PH residents and those who lease at the JP site post-conversion, during the grant period, as long as the services predominantly benefit the former PH residents who resided at the target project at the time of RAD conversion. Benefits do not include Earned Income Disregard to tenants not participating in Jobs Plus at the time of conversion.</p>	<p><b>Yes.</b> Same as RAD PBV.</p>	<p><b>No.</b></p>	<p><b>No.</b></p>
<p><b>Can the PHA retain grant to serve these residents?</b></p>	<p><b>Yes.</b> PHA retains current grant and must review future NOFAs for eligibility requirements. There is a NOFA provision that the grantee can finish the JP grant “unless significant relocation and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary’s discretion, choose to end the Jobs Plus program at that project.” If a repositioning is being considered for a JP site, please consult with JP Grant Manager.</p>	<p><b>Yes.</b> Same as RAD PBV.</p>	<p><b>No.</b></p>	<p><b>No.</b></p>



# Community & Supportive Services: EDSC & NN

Th	RAD PBV	RAD PBRA	PBV	Tenant-based voucher
Can residents continue to participate and benefit?	No.	No.	No.	No.
Can PHA continue Operating Funds?	Yes. Provided the PHA continues to receive Operating Funds through the normal annual formula grant and uses these funds exclusively for PH residents.	Yes. Same as RAD PBV.	No. Operating Funds for EDSC can only be used for PH residents.	No. Operating Funds for EDSC can only be used for PH residents.

**Neighborhood Networks (NN):** HUD is not funding new Neighborhood Network grants. If a PHA is repositioning a project that includes a computer center where the physical real property (e.g., build-out of computer room) and/or personal property (e.g., computers) were funded by a NN grant, the PHA can include the computer center in the repositioning (provided the computer center predominantly supports the RAD or other residents the project will serve). For instance, if a project is being converted under RAD or disposed under Section 18, PHA transfers the computer center to the new entity as part of real property transaction. The computer center is encumbered by a RAD or Section 18 use agreement, along with the other real property. Once the property is removed from public housing (DOT released), PH Funds cannot be used to modernize or operate (pay utilities) the computer center. However, if the center continues to serve PH residents, it may be possible to pay staffing costs proportional to the PH resident use.

For more information, please see the [Community Supportive Services and Repositioning](#) handout



# Still want more?

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- **Check out the Public Housing Repositioning Website.**  
[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/repositioning](https://www.hud.gov/program_offices/public_indian_housing/repositioning)
- **Contact your Local Public Housing Field Office.**  
PIH Field Offices can help you complete your RAD application, and provide additional assistance explaining the conversion options.
- **Email [Repositioning@hud.gov](mailto:Repositioning@hud.gov)**



# Questions?

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