



Designing and Implementing an Emergency HOME TBRA Program

Part 3: Office Hours

June 24, 2020



Welcome & Introductions

- Sponsored by HUD's Office of Affordable Housing Programs
- Presenters
 - Stephen Lathom, Sr. Consultant, TDA Consulting
 - Monte Franke, Franke Consulting Group
- HUD Emergency TBRA Webinar Series
 - Initial Program Planning – held June 10th
 - TBRA & IDIS Requirements- held June 16th
 - Developing Policies & Procedures – Held June 17th
 - **Today – Office Hours**

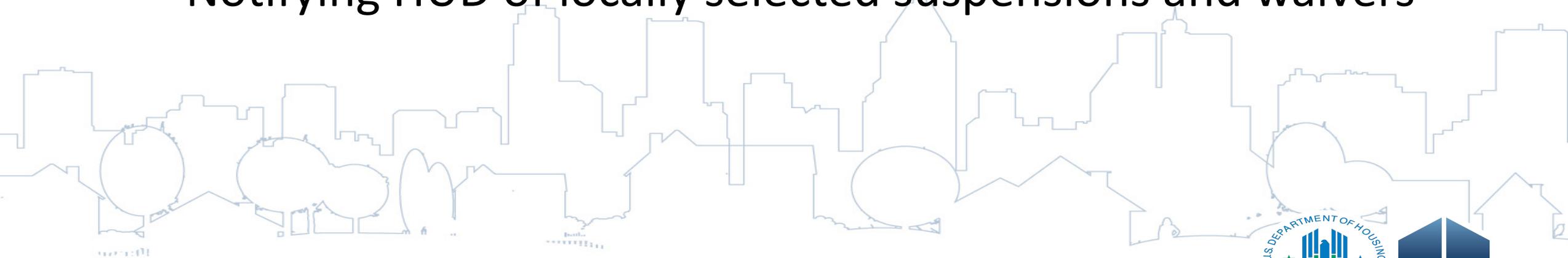
If you can't hear computer audio, use
conference line:

415-655-0002

Access Code: 145 144 5487

Part 3 Webinar Topics

- Emergency TBRA Greatest Hits
 - Key issues to review and reiterate
- Continued Q&A
- A word from HUD
 - Notifying HUD of locally selected suspensions and waivers



Existing Resources

- April 10th Memos on Suspensions and Waivers
 - April 20th HUD Webinar reviewing suspension/waiver memos
- Emergency HOME TBRA Program Design Crosswalk – Final Rule Requirements & Suspensions/Waivers
- Emergency HOME TBRA Program – Program Design Decisions
- Slides, transcripts, recordings from prior webinars
- Slides from today (recording and transcript to follow)

Additional Guidance/Tools Planned

- PJ-Subrecipient Agreement for Emergency TBRA
- Policy & Procedure Outline/Template
 - Considerations and sample language, esp. for policies
 - Placeholders for procedure, will require more customization
- Three-party Rental Assistance Contract
 - Between PJ/subrecipient, assisted tenant, and property owner
 - Integrates lease revision for VAWA provisions
- Tenant application
- File checklists – program and project level

Additional Guidance/Tools continued

- In all cases, forms/templates provided as optional samples
 - Require careful review and local updates by PJ staff and legal counsel
 - PJs are free to
 - Adapt and adopt
 - Develop their own forms
- Will be posted to the HUD Exchange on the following pages:
 - HOME COVID-19 Guidance Page and
 - Tenant Based Rental Assistance Page
- Watch for HOME listserv announcements as additional resources posted

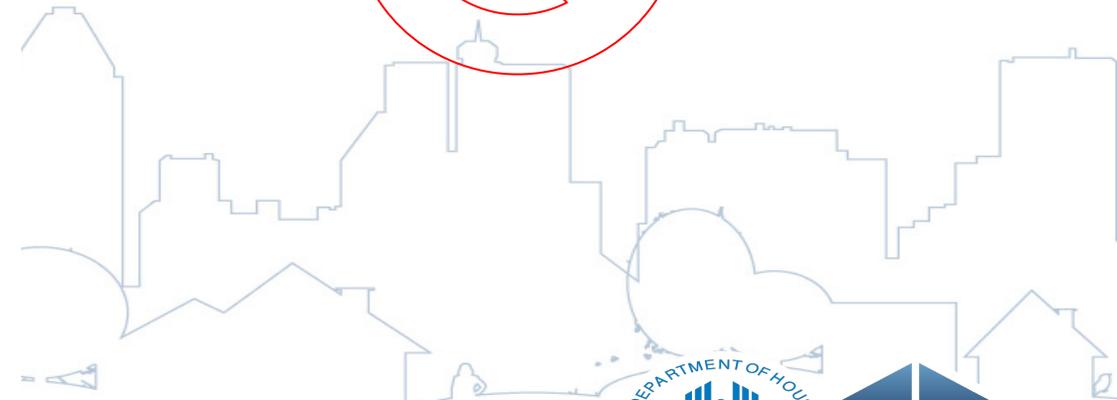
Submit Your Questions in the Q&A Box

it's
Q & A
TIME!



To submit a question:

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Review of Key Program Design Issues & Questions from Previous Webinars



Key Issues

- Program design
- Balancing policy and procedure
- Managing outreach, application, and intake
- Eligibility concerns
- Assistance types and levels
- Unit standards & inspections
- Administrative approaches

Program Design

- Formal processes (e.g. ConPlan certs, substantial amendment timing) have been accelerated
- Still must
 - Include consultation (maybe a broader set of entities)
 - Design programs that reflect assessment of local needs
- Key issues
 - Needs substantially exceed HOME resources
 - Consider if/how to target or prioritize TBRA to those most in need
 - Coordinate TBRA with other resources – not every source fits every scenario

Balancing Policy and Procedure

- PJs must develop and follow written policies and procedures)
 - Rules of the road & who does what when (with which documents)
- Timely implementation matters
 - Short term program, waivers expire December 31st
 - CARES Act interventions coming to an end
 - Eviction moratorium ends July 25th
 - Fed. Pandemic Unemployment Comp. (i.e. suppl \$600/week) ends July 31
- Acknowledge tradeoff between highly “refined” program design and ability to implement quickly

Outreach and Applicant Interaction

- Must balance
 - Pandemic-related social distancing with
 - Affirmative marketing and accessibility requirements
- All-digital approaches are not appropriate
 - Misses those without access, may favor those least in need
 - Not accessible to some disabled populations
- Tips
 - Include additional partners in outreach, e.g. schools, other providers, etc.
 - Consider window for applications with lottery selection
 - Provide appropriate application supports
 - Phone interviews, socially-distant in-person options, etc.

Eligibility Issues

- Waivers limited to those experiencing financial hardship
 - Income/job loss as a result of pandemic
 - Homeless
- If no hardship, cannot provide TBRA to in-place tenants
- Program Rule (90% of rental/TBRA at/below 60% AMI) applies)
- Income determination
 - Key difference is documentation approach, use of self-certification
 - Project 12 mos. based on current circumstances, not pre-COVID income

Eligibility Restrictions

- Limits on student households – HOME follows Section 8
 - Students under age 24 do not qualify as low-income household unless student is independently eligible or member of income eligible household or a veteran, married, or has dependent child
- Conflict of interest
 - PJ/subrecipient covered persons with program responsibility/inside knowledge (and those with family/business ties) may not be assisted (as owner or tenant) unless HUD grants exception

Assistance Types & Limits

Monthly Rent Assistance

- Rule: Limits assistance to rent standard less 30% of adjusted income for rent + utility allowance, minimum tenant contribution
- Waiver: Permits PJ to pay up to 100% of rent + utilities (water/sewer, gas, electric)

Security Deposit

- Rule: Permits up to 2 months of rent; can be standalone, rent assistance not required
- Waiver: Not impacted by waivers

Utility Deposit

- Rule: Permits PJs to provide utility deposits with rent and/or security deposit assistance
- Waiver: Not impacted by waivers

Utility Costs

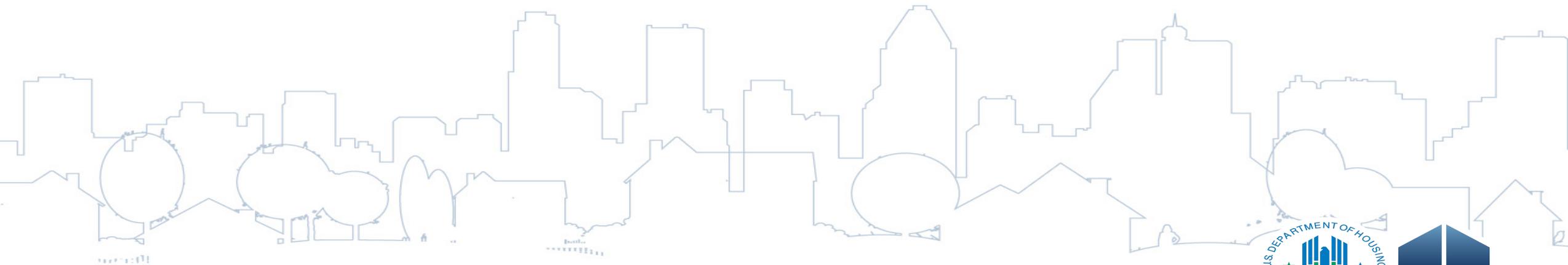
- Rule: Must determine tenant paid utility allowance
- Waiver: Can pay up to 100% of utility cost for water/sewer, electric, and gas

Forms of Assistance Questions

- Can we pay back rent (& utilities)? – Yes, if due on or after 3/13/20
- Can we focus program on single-type of assistance? – Yes, for example
 - Back rent only
 - Utilities only
 - Only assistance moving forward
- Can we pay utilities directly? – Yes, but can also pay tenant
 - Documentation requirements; must have actual bills and proof of payment
 - Consider paying direct to utility company to simplify recordkeeping
 - Implications of PJ as utility provider, e.g. City water/sewer

Amount of Assistance Questions

- Can we still require a tenant contribution? Yes.
- If so, PJ defines policy approach...
 - Not required to use 30% of adjusted income – could use different %, could still define a minimum, could cover a given % of rent, etc.
 - Consider calculations using gross income to simplify administration



Unit Standards

- HQS inspection waived, BUT
 - Pre-1978 units with child under 6 require visual paint inspection under LBP rules
 - Likely requires socially distanced inspections with PPE, e.g. tenant(s) leave unit during inspection, gloves and masks
 - Must take steps to ensure unit is free of hazards
 - Consider owner/tenant certifications, reviews of other public inspections, exterior drive-by, social distancing inspection protocols

Use of Subrecipients or Contractors

- PJ ultimately responsible for compliance and management, including oversight of subrecipient/contractor (if applicable)
 - Evaluate staffing capacity, needs, and opportunity costs

Subrecipient	Contractor
Nonprofit or public entity	Nonprofit or for-profit
Administers a program	Provides a specific service
Subject to all federal requirements	Subject to contract provisions
May be designated by PJ without procurement	Must be selected following procurement rules
Written agreement §92.504(c)(2)	Contract §92.504(c)(4)

Additional Q&A

I NOW HAVE
ADDITIONAL QUESTIONS



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Next Steps

- Review prior sessions as needed and watch for additional tools
- Additional questions
 - PJs – ask your Field Office
 - Subrecipients/contractors – ask your PJ
 - Field Offices – ask your OAHP desk officer
- Go forth and do good, remember
 - Plan for impact and compliance
 - Tradeoff between finesse and speed
 - Environment is fluid
 - “The virus decides...”
 - May be additional federal, state, or local responses

Notifying HUD of Suspensions/Waivers



HUD Observations on Suspensions & Waivers

- Send requests to your local CPD Field Office and the HOME COVID19 mailbox: HOMECOVID19@hud.gov
 - Some requests require manual changes in IDIS
- Many PJs have not submitted a single waiver request
 - It's not too late
- Some waivers should be “no brainers”
 - e.g., 100 percent match reduction waiver
- Requests for some of the flexibilities in the TBRA waiver
 - Okay to send in a second request

HUD Observations on Suspensions & Waivers

- Examples of other considerations:
 - Administrative allowance to up to 25 percent
 - Elimination of the 15 percent CHDO set-aside requirement
 - 4-year completion deadlines before December 31, 2020
- Waivers for specific agencies in the PJ's jurisdiction
- Questions? Reach out to your Field Office CPD Rep.
- Check the HOME COVID page on HUD Exchange
- Sign up for the HOME listserv

Wrap Up



Additional Guidance/Tools Planned

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