

2023 Fall MN NAHRO Conference

MINNEAPOLIS HUD
OFFICE OF PUBLIC HOUSING

Public Housing (PH) Topics

- Field Office Updates
- HUD Priorities
- Recent PIH Notices (Public Housing)
- Information from Public Housing Notices
- Compliance Monitoring Reviews
- New Minnesota Tenant-Landlord Eviction Laws

Field Office Updates

- We have a new Division Director, Morgan Pontiff
 - Phone: 612-370-3050
 - Email: morgan.d.pontiff@hud.gov
- There will be some shuffling of staff portfolio assignments because of recent turnover

HUD Priorities

- Public Housing Program:
 - Increase occupancy rate to 95.5%
 - Improve the performance of troubled and substandard PHAs
 - Decrease the number of troubled and substandard PHAs
 - Improve the performance of developments with a REAC inspection score of less than 60
 - Increase the number of solvent public housing and entity programs

Recent PIH Notices (PH)

PIH Notice 2023-05	Guidance on Reporting PHA Executive Compensation Information for CY 2022
PIH Notice 2023-08	Process and Requirements for Agency Regionalization under the Moving to Work Demonstration Program
PIH notice 2023-13	Guidance on housing individuals and families experiencing homelessness through the Public Housing and Housing Choice Voucher Programs
PIH Notice 2023-14	Emergency Housing Voucher (EHV): Guidance on Termination of Vouchers Upon Turnover After September 30, 2023, and EHV Shortfalls Due to Per-Unit Cost Increases or Over Leasing
PIH Notice 2023-16	Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE) Administrative Procedures
PIH Notice 2023-17	Guidance on the Rate Reduction Incentive in Public Housing
PIH Notice 2023-18	Implementation of Public Housing Operating Fund Shortfall Funding from Federal Fiscal Year (FFY) 2023 Appropriations
PIH Notice 2023-19	Rental Assistance Demonstration – Supplemental Notice 4B
PIH Notice 2023-20	Request for Applications under the Moving to Work Demonstration Program: Overall Impact of Moving to Work Flexibility and Administrative Efficiencies (Deadline is December 8, 2023, 11:59 pm EST)
PIH Notice 2023-23	Public Housing Operating Subsidy Grant Eligibility Calculations and Processing for Calendar Year (CY) 2024

You can find all PIH Notices here: https://www.hud.gov/program_offices/public_indian_housing/publications/notices

Information from PH Notices

- **Notice 2023-13:** Guidance on housing individuals and families experiencing homelessness through the Public Housing (PH) and Housing Choice Voucher (HCV) Programs
 - Identifies strategies PHAs can pursue to expand housing opportunities for individuals and families experiencing homelessness
 - Revises the definition of homelessness for the purpose of reporting in the Inventory Management System/Public Housing Information Center (IMS/PIC) or its successor system
 - Provides guidance updates on waiting list management, screening policies regarding criminal activity, substance use, rental history, program termination and eviction policies, information regarding pairing Project Based Vouchers (PBV) with Continuum of Care (COC) supportive services to create Permanent Supportive housing

Information from PH Notices

- **Notice 2023-16:** Implementation of National Standards for Physical Inspection NSPIRE Administrative Procedures
 - Regular inspections have resumed
 - Timeframe for correcting deficiencies depending on level of severity
 - Submitting evidence of correcting life-threatening and severe conditions
- **Notice 2023-17:** Rate Reduction Incentive
 - Updates notice 2022-34 to revise the submission date for RRI (Rate Reduction Incentive) request
 - Eligibility submission deadline for the 2024 funding calculation has already passed

Information from PH Notices

- **Notice 2023-18:** Implementation of Public Housing Operating Fund Shortfall Funding from Federal Fiscal Year (FFY) 2023 Appropriations
 - Changes to Moving to Work (MTW) funding flexibility
 - Shortfall Eligibility
- **Notice 2023-19:** Rental Assistance Demonstration (RAD) supplemental Notice 4B
 - Major Revisions in supplemental notice 4B.

Information from PH Notices

- **Notice 2023-20:** Request for Applications under the Moving to Work (MTW) Demonstration Program: Overall Impact of Moving to Work Flexibility and Administrative Efficiencies
 - Overview of evaluation and selection of PHAs in MTW Flexibility II Cohort
 - MTW Cohort II structure and evaluation details
 - Restrictions for PHAs participating in MTW Flexibility II cohort
 - Selection process for the MTW Flexibility II cohort
 - Guidelines and submission requirements; how and when to submit (deadline of **December 8, 2023**)

Information from PH Notices

- **Notice 2021-35:** Guidance on Inventory Management System/PIH Information Center (IMS-PIC) Sub-Module Reporting and Validation
 - Updates to PIH 2011-07 and several provisions
 - Guidance for Occupied Status Categories:
 - Assisted Tenant, Employee, Non-Assisted Tenant Over-Income, Police Officer, MTW Neighborhood Services, Occupied-Unauthorized
 - Guidance for Vacant Status Categories and Sub-Categories:
 - Vacant-Vacant
 - Vacant HUD Approved: Undergoing Modernization (Not Under Construction), Undergoing Modernization (Contract Awarded), Court Litigation, Natural Disaster, Casualty Loss, Market Conditions
 - Guidance for Non-Dwelling Categories:
 - Special Use: Anti-Drug/Crime, Special Use: Self-Sufficiency Activities, Special Use: Other Resident Activities, MTW Neighborhood Services, Administrative Uses, Resident Amenities
 - Importance of timely and accurate submission:
 - **Requires PHAs to submit requests for HUD approval of unit status changes within 30 days of requested effective date AND make the submission in IMS/PIC within 60 days**

Compliance Monitoring Reviews

- The Minneapolis FO conducted these reviews over the summer months
- Common Issues Found:
 - Procurement Policy should reference 2 CFR Part 200 and applicable state rules. Previous procurement standards at 24 CFR 85 expired 2014
 - Section 3 policies should reference 24 CFR Part 75
- Section 3 Notices:
 - **PIH Notice 2022-10:** Implementation of the Final Rule on Section 3 Regulations - 24 CFR Part 75
 - <https://www.hud.gov/sites/dfiles/OCHCO/documents/2022-10pihn.pdf>
 - **PIH Notice 2022-38:** Reporting Supplement to the Implementation of the Final Rule on Section 3 Regulations - 24 CFR Part 75
 - <https://www.hud.gov/sites/dfiles/OCHCO/documents/2022-38pihn.pdf>
- Section 3 Resources:
 - HUD Exchange: <https://www.hudexchange.info/programs/section-3/>
 - HUD Section 3 Website: <https://www.hud.gov/section3>

Compliance Monitoring Reviews

- **VAWA (Violence Against Women Act)**
- Recent updates to VAWA that should be included in your policies
 - Ensure appropriate forms are provided at the time of application
 - Ensure rights under VAWA are added as a lease addendum
- Verify the PHA Admission and Continued Occupancy Policy (ACOP) is up to date
 - An updated ACOP should be in full compliance with VAWA
- If a PHA has an Emergency Transfer Plan – VAWA clients need to be in the highest tier
- HUD VAWA resources can be found here: <https://www.hud.gov/vawa#close>

New Minnesota Landlord-Tenant Eviction Laws

- Resource: <https://homelinemn.org/wp-content/uploads/2023/06/HOME-Line-2023-Legislative-Summary-v2.pdf>
- Notice before nonpayment evictions (14 day written notice).
- Eviction Expungement Reform
- Fees Disclosure Requirement
- Heat Requirement (68 degrees between October 1 and April 30).
- Emergency Repair List Expanded
- Court Fees Reduced for Emergency Cases
- Ability to End Lease for Medical Issues
- Revamp to Eviction Procedural Rules
- Right to Counsel in Public Housing Breach-of-Lease Evictions
- Right to Move-in and Move out Inspections
- No forced Early lease Renewals
- Limitations on Crime Free Ordinance Lease Provisions
- Privacy Rights Expanded
- Cannabis
- Renters Credit Redesign