

# Opt Out Log Template

D2795

<b>County:</b>	Clay	WCMIF	4
<b>City:</b>	Moorhead		
<b>Development Name:</b>	Fieldcrest Townhomes		
<b>Address</b>	1828 34 <sup>th</sup> Ave So		
	Moorhead, MN 56560		
<b>Owner:</b>	Clay County HRA		
	P.O. Box 99		
	Dilworth, MN 56529		
<b>Remarks:</b>			
<b>Number of Federally Assisted Units:</b>	40		
<b>Number of Section 8 Units:</b>	40		
<b>Proposed Opt Out/Prepayment Date:</b>	12/31/2020		
<b>Type of Notice:</b>	<input checked="" type="checkbox"/> Opt Out Only <input type="checkbox"/> Prepayment Only	<input type="checkbox"/> Both Opt Out and Prepayment <input type="checkbox"/> Manufactured Home Park Conversion	
<b>MHFA First Mortgage:</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>Client Group:</b>	<input checked="" type="checkbox"/> Family <input type="checkbox"/> Elderly <input type="checkbox"/> Chronically Mentally Ill <input type="checkbox"/> Human Acq. Immunodef <input type="checkbox"/> Individual Families – not eld/handicapped <input type="checkbox"/> Partially Elderly Handicapped <input type="checkbox"/> Partially Physically Handicapped	<input type="checkbox"/> Wholly Developmentally Disabled <input type="checkbox"/> Wholly Elderly Congregate <input type="checkbox"/> Wholly Elderly Housekeeping <input type="checkbox"/> Wholly Physically Disabled <input type="checkbox"/> Wholly Physically Handicapped <input type="checkbox"/> Other	
<b>Programs:</b>	<input checked="" type="checkbox"/> Project Based Section 8 <input type="checkbox"/> Section 202 <input type="checkbox"/> Section 207 <input type="checkbox"/> Section 207/223(f) <input type="checkbox"/> Section 207/223(f)/244 <input type="checkbox"/> Section 221 (d)(3) BMIR <input type="checkbox"/> Section 221 (d)(3)MKT <input type="checkbox"/> Section 221(d)(4)/244 <input type="checkbox"/> Section 221(d)(4)MKT <input type="checkbox"/> Section 811	<input type="checkbox"/> Section 223 (a)(7)/236(j)(1) <input type="checkbox"/> Section 223(a)(7)/221(d)(3)MKT <input type="checkbox"/> Section 223(a)(7)/241(f)/236 <input type="checkbox"/> Section 223(a)(7)/241(f)/236 <input type="checkbox"/> Section 231 <input type="checkbox"/> Section 236(j)(1) <input type="checkbox"/> Section 236(j)(1)/202 <input type="checkbox"/> Section 515 Rural Rental Housing <input type="checkbox"/> Section 542 (c)	

Clay County HRA  
116 Center Avenue East  
P.O. Box 99  
Dilworth, Minnesota 56529



Phone: 218-233-8883  
Toll Free: 1-877-460-5280  
Fax: 218-233-9491  
Email: claycohra@claycohra.com

APPENDIX 11-1

**ONE-YEAR NOTIFICATION LETTER – OWNER DOES NOT INTEND TO RENEW**

Dear Tenant:

(Date): 12-11-2019

The Department of Housing and Urban Development subsidizes the rent of your apartment through the project-based Section 8 program. Federal law requires that owners provide tenants with a one-year notification before the expiration of a Section 8 contract. The Section 8 contract that pays the government's share of your apartment rent at (property) **FIELDCREST TOWNHOMES** expires on **11/30/2020**. However, it is Clay County HRA's intention to enter into a short-term contract in order to meet the one-year tenant notification requirements. The Opt Out date is **12/31/2020**.

Although there will be no immediate change in your rental assistance, we are required to inform you of our intended actions when the contract expires one year from now.

**THIS LETTER IS TO NOTIFY YOU THAT WE DO NOT INTEND TO RENEW THE CURRENT SECTION 8 CONTRACT WHEN IT EXPIRES.**

Since we do not intend to renew this project-based contract upon its expiration, it is our understanding that, if Congress makes funds available (which it has in the past and is expected to in the future), the Department of Housing and Urban Development will provide all eligible tenants currently residing in a Section 8 project-based assisted unit with tenant-based assistance. Unlike the current project-based Section 8 contract, Section 8 vouchers are issued to the tenants and allow them to choose the place they wish to rent. The Section 8 voucher program is administered by the local Public Housing Authority. Federal law allows you to elect to continue living at this property provided that the unit, the rent, and we, the owners, meet the requirements of the Section 8 tenant-based assistance program. As an owner, we will honor your right as a tenant to remain at the property on this basis as long as it continues to be offered as rental housing, provided that there is no cause for eviction under Federal, State or local law.

You will also have the opportunity to choose another development or single family house in which to move provided that the new landlord will accept the voucher and the owner and the unit meet Section 8 tenant-based program requirements.

Please remember that project-based Section 8 rental assistance will continue to be provided on your behalf for one year. In addition, we may agree to a renewal of the project-based contract with HUD, thus avoiding contract termination altogether.

Approximately four months (120 days) before the expiration of the Section 8 contract, HUD requires that we confirm our final decision to not renew this contract. Following this confirmation, you will be contacted by the local Public Housing Authority (PHA) to determine your household's eligibility for tenant-based assistance. If you intend to apply for Section 8 tenant-based rental assistance you should not move from your current unit until you have consulted with the local PHA about your eligibility for tenant-based assistance.

If you have any questions or would like information on the Section 8 Program, the following sources may be of assistance:



The mission of the Clay County HRA is to strengthen and revitalize communities by providing development opportunities, quality housing and services.

**Contract Administrator (if  
applicable)**

Name: Jessica Kaufhold, Senior HAP Contract Officer, Minnesota Housing Finance Agency

Telephone Number: 651-284-3171

**HUD Regional Center**

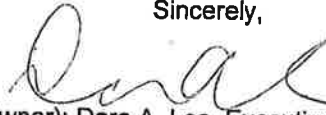
Name: Ben Osborne, Resolution Specialist, HUD- Minneapolis Satellite Office

Telephone Number: 612-370-3091

**HUD Web**

<http://www.hud.gov> - click on "I want to" and then on "Find Rental Assistance."

Sincerely,



(Owner): Dara A. Lee, Executive Director  
Housing & Redevelopment Authority of Clay County

(contact info) 218-233-8883

cc: (Local HUD Office/C A) HUD- Minneapolis Satellite Office; Minnesota Housing Finance Agency; City of Moorhead

Clay County HRA  
116 Center Avenue East  
P.O. Box 99  
Dilworth, Minnesota 56529



Phone: 218-233-8883  
Toll Free: 1-877-460-5280  
Fax: 218-233-9491  
Email: claycohra@claycohra.com

## RESIDENT IMPACT STATEMENT

Housing & Redevelopment Authority of Clay County (Owner name), the owner of Fieldcrest Townhomes (property), anticipates that on or after 12/31/2020 (date), it will terminate participation in the following federally assisted housing programs for the following number of units, which apply to the project:

HUD Project-Based Section 8 (Program) 40 number of units  
\_\_\_\_ (Program) \_\_\_\_\_ number of units

Minnesota law requires owner to submit to the residents of the project, the City of Moorhead and the Minnesota Housing Finance Agency, and (if the property is located in the metropolitan area as defined in section 473.121, subdivision 2), the Metropolitan Council, a statement of the impact of such termination on the residents of the project. (At least 12 months before termination of participation-MN Statutes 471.9997.) This document performs that purpose.

- 1) (#) 40 units within the project will no longer be subject to rent restriction imposed by the federal program(s) which applies (apply) to the project effective as the date of termination of the program which will be no earlier than twelve months after the date of this Impact Statement.
- 2) Owner estimates that the rents to be charged after termination will be:  
(2) bedroom: \$945 including utilities as compared to current rents charged under the federal program of \$663; Handicap Accessible (2 ) bedroom: \$945 including utilities as compared to current rents charged under the federal program of \$680 and (3) bedroom: \$1365 including utilities as compared to current rents charged under the federal program of \$ 726.
- (2) Actions Owner will take to assist displaced tenants:  
All eligible tenants will be provided with HUD Tenant Protection Vouchers through the HUD Housing Choice Voucher Program assuming Congress appropriates sufficient resources. It has always done so in the past. No eligible tenants will be required to move from the property and will continue to pay no more than 30% of their adjusted income as rent.

Dated: 12-11-2019

(Owner): Housing & Redevelopment Authority of Clay County

By:

Its:

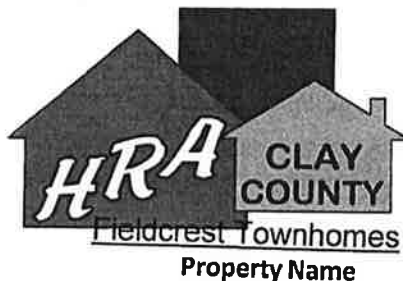
Dara A. Lee  
Executive Director

cc: Jessica Kaufhold, Senior HAP Contract Officer, Minnesota Housing Finance Agency  
Ben Osborne, HUD- Minneapolis Satellite Office  
Chris Volkers, City Manager, City of Moorhead



The mission of the Clay County HRA is to strengthen and revitalize communities by providing development opportunities, quality housing and services.

Clay County HRA  
116 Center Avenue East  
P.O. Box 99  
Dilworth, Minnesota 56529



Phone: 218-233-8883  
Toll Free: 1-877-460-5280  
Fax: 218-233-9491  
Email: claycohra@claycohra.com

MN46H162321  
MN Number

### Opt Out Certifications

- ☐ 1. I certify that the subject property has no use restriction(s).
- ☒ 2. I certify that the subject property has the following use restriction(s). I have listed them, below.
- PARIF Declaration of Covenants, Conditions and Restrictions requires HAP Contract remain in full force & effect until 12/1/2020.
  - Declaration of Land Use Restrictive Covenants for Housing Tax Credits dated 11/01/2000 & filed 6/29/01 as Doc #54771, which requires 40% of the units (16 units) be rent-restricted and occupied by households whose income is 60% or less of AMI during a 30- year period (through 10/31/2030).

**Limited English Proficiency Assistance** - Owners must make reasonable efforts to provide language assistance to ensure meaningful access for Limited English Proficiency (LEP) individuals. The housing provider is expected to comply with Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*. In providing owners with guidance on reasonable steps for providing language assistance to tenants, HUD issued on January 22, 2007, *Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (See 72 CFR Part 2732)*  
<http://www.hud.gov/offices/fheo/promotingfh/FederalRegistepublishedguidance.pdf>

If the population of the project speaks a language other than English, owners must provide the notification letters in the appropriate language(s). The cost of the translation of the letter is an eligible project expense.

**Effective Communications** - When owners provide written or verbal information to applicants or tenants, they must take steps to ensure effective communication with applicants, residents, and members of the public. HUD's regulation on effective communication with persons with disabilities is found at 24CFR Part 8.6. Effective communications may include, but are not limited to, conducting outreach in a manner that will reach persons with disabilities, such as by working with State and local organizations that serve or represent persons with disabilities, and ensuring that information about their programs is disseminated in a manner that is accessible to persons with disabilities. For example, special communication systems (e.g. TTY for persons who are hearing or speech impaired, materials on tape or in Braille) can greatly increase the effectiveness of outreach and ongoing communication.

- ☒ 3. I certify that I have complied with Limited English Proficiency Assistance and Effective Communications as described above, if applicable.

By (Print Name)

Dara A. Lee

By (Signature)

[Signature]

Title

Executive Director

Date

12-11-2019



The mission of the Clay County HRA is to strengthen and revitalize communities by providing development opportunities, quality housing and services.