

November 2021 General Management Review Discussion Points:

- **For COVID-19 related information**, please refer to the [HUD Multifamily Housing Q and A](#) document and the [Minnesota Housing Guidance](#) document.
- **COVID-19 Emergency Rental Assistance** is now open for applications. This program was created to help Minnesotans who have fallen behind on their rent or fear that it could happen. Eligible renters can receive help with rent, utility bills and other additional housing related costs dated on or after March 13, 2020. Please refer to [RentHelpMN](#) for more information.
- **Social Security Increase for 2022**
The Social Security Administration announced that Social Security and Supplemental Security Income (SSI) benefits will increase 5.9 percent in 2022. Information about Medicare changes for 2022, when announced, will be available at www.medicare.gov.

For Guidance on applying the COLA to 2022 annual recertifications, please refer to HUD Handbook 4350.3 Par. 9-6.

- **HUD Interim Final Rule**
On October 7, 2021, the U.S. Housing and Urban Development (HUD) published an interim final rule titled "[Extension of Time and Required Disclosures for Notification of Nonpayment of Rent](#)." This interim final rule will go into effect on November 8, 2021. This interim final rule applies when, during national emergencies such as the COVID-19 pandemic, federal funding is available.

The rule provides that the HUD Secretary may determine that tenants facing eviction for nonpayment of rent must be provided with adequate time and notice to secure funding to help avoid eviction. Upon that determination, the owner seeking to evict for nonpayment, must provide the tenant with information required by HUD's Secretary to access funds that are being made available related to the emergency. HUD will publish a Notice outlining specific information to be included in the lease termination notification to help eligible tenants access funding during this emergency.

To help ensure tenants facing eviction for nonpayment of rent are provided an adequate opportunity to access emergency funding, HUD's interim final rule also extends to the lease termination time period at least 30 days following the notification. The interim final rule does not require amending model leases to reflect these provisions; however, it is recommended that housing providers update policies and procedures to reflect HUD's rule.

- **Special Claim Submissions – Coming Soon!**

Special claim submissions will soon go through Minnesota Housing's Property Online Reporting Tool (PORT). Look for additional information and training in the coming months with an expected release date of January 1, 2022.

- **MSA Special Diet**

On November 30, 2020, [HUD released a Memorandum](#) regarding the treatment of benefits received through the Minnesota Supplementary Assistance Program (MSA) that are provided for "medically prescribed diets if the cost of such dietary needs cannot be met through some other maintenance benefit". **This exclusion applies to allotments specific for the cost of medical expenses, which is often referred to as a special diet allowance.**

Owners should pay close attention in identifying the purpose of the MSA payments.

Because Minnesota makes MSA special diet allowance available specifically for the cost of state determined medical expenses, HUD has determined that the MSA special diet allowance meets the income exclusion found in HUD Handbook 4350.3 Exhibit 5-1, Income Exclusions (4):

- Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.

HUD instructs owners to exclude this MSA special diet benefit from income calculations. Corrections to certifications performed on or after July 24, 2019, the date the original MSA guidance was issued, should be made for all existing residents impacted by the Memorandum. Owners may make corrections during the tenant's next certification or at the tenant's request, whichever comes first, however the income calculations must include a lookback to July 24, 2019. Any underpaid subsidy will be credited to the tenant.

- **Physical Inspections – REAC Follow-up, Common Areas, Units, and Vacant Units**

Due to COVID-19, Minnesota Housing PBCA staff will not be entering occupied tenant units to physically verify that deficiencies noted from HUD REAC inspections have been corrected. At this time, tenant unit deficiencies will be confirmed by PBCA staff attempting to contact the resident directly via phone call/email to verify deficiencies have been corrected (this is done at the time of MOR). For common areas of the building, Minnesota Housing PBCA staff will perform a physical follow-up to the REAC in common areas as well as a physical inspection of at least 2 vacant units (if applicable) to ensure that the unit is ready for occupancy.

NOTE: This guidance relates to PBCA physical inspections only.

- **Management and Occupancy Review Options for Owners and Management Agents of PBCA Properties**

PBCA property owners and management staff will now have the option to choose to either have a traditional on-site Management and Occupancy Review (MOR) or a remote MOR. Properties that choose a remote MOR will utilize Minnesota Housing's Multifamily Secure

Upload Tool to submit documents for the MOR. This tool can also be used to submit documents when responding to MOR findings. The [Multifamily Secure Upload Tool](#) is a simple interface that allows users to send and track submitted items securely and confidentially. [Read this eNews to learn more.](#)

For Remote MORs: Please note that when submitting files electronically, you must submit the most current 50059 certifications and any corrected 50059 certifications including MI, AR, IR and IC. If the most recent certifications are GR, UT, or IR, these must include the most recent AR, MI, or IC HUD 50059 certifications as well. It is important we are looking at the most current certifications and that they are entered into TRACS. If you are unsure or have questions, please contact your HMO.

- **Tenant Selection Plan Checklist and Help Text**

To increase transparency of TSP review and help make sure TSP guidelines are being followed, Minnesota Housing has developed a review checklist for TSPs that will be submitted as part of due diligence. This checklist will serve as a guide for projects to verify the TSP includes the necessary components based on state and federal guidelines. It will also serve as a guide for projects whose funding sources require TSPs and for which Minnesota Housing is responsible for monitoring. Help text accompanies the TSP checklist to provide additional context for the requirements and expectations outlined in Agency guidelines, as well as other federal funding streams that Minnesota Housing monitors.

Beginning with projects selected from the 2020 Consolidated RFP, external partners will upload the completed TSP checklist along with the draft TSP to the Multifamily Customer Portal in the pre-construction due diligence item “Tenant Selection Plan and Screening Criteria.” Minnesota Housing staff reviewing draft TSPs will then use the completed checklist to inform their review of the TSP.

The [TSP checklist](#), [help text](#), and a [recorded training](#) outline this new due diligence component and include details related to implementation. Minnesota Housing staff will be available to help external partners transition to this new process, but all materials, including the TSP Guidelines and up-to-date information about this tool, are available on our [Tenant Selection Plan webpage](#).

Questions? Please reach out to [Sara Gomoll](#) or [Annie Johnson](#) with any questions you might have about the use of this checklist tool. We will also be hosting office hours to provide a brief overview of the tool/help text and to answer your questions. We expect attendees to review the training materials prior to attending. This will allow you to ask specific questions related to functionality and content.

Office hours will happen when projects are closer to submitting due diligence items. Once scheduled, office hours will be posted on our website and sent via an eNews and will include instructions on how to register.

Did you know?

When auditing tenant files, HUD and Contract Administrators are monitoring and watching for unauthorized bypassing of tenant waiting lists. Auditors are watching for situations where tenants were moved into units and become head of household without previously being placed on established waiting lists. Owner/Agents will want to make sure households are not inappropriately expanded and that leases are only transferred to remaining household members under appropriate circumstances. Please refer to HUD Handbook 4350.3 Par. 3-9D.4 for information about circumstances when tenants must provide Social Security Numbers when adding new household members to an existing household. Chapter 3, Section 3 provides information on verification of eligibility factors and Par. 7-11 and Par. 7-12 provide instructions regarding processing interim recertifications and the required verification for new family members income and related expenses.

Did you know?

Cash apps require due diligence to determine how they work and are used. Generally, if the app is associated with a bank account you would not include it as an asset since any monies are transferred directly to the bank account. Some cash app's have the option of holding cash and it does NOT have to be associated with a bank account. In those cases, the cash app would be treated as an asset and verification of the current balance would be needed.

Did you know?

For the purposes of reasonable accommodations, the definition of a person with disabilities is the definition defined for civil rights protections. However, to receive the program benefits of a person with disabilities, a tenant would have to meet the definition of disability for that specific property. For this reason, when someone is deemed disabled for purposes of a reasonable accommodation that does not automatically make them eligible for the program's definition of disabled, therefore there is a chance that they would not qualify for the \$400 allowance and medical expense deduction. When a reasonable accommodation is approved, it should be a trigger to seek verification on whether the tenant also meets the program definition of disabled.

Online Training Opportunities:

Ross Business Development (RBD)

Various trainings available.

<https://www.rbdnow.com/online-training>

National Center for Housing Management (NCHM)

Various trainings available.

<https://www.nchm.org/online-training/>

Quadel

Various trainings available.

<https://quadel.com/training-and-certification/online-training-calendar/>

Minnesota Multi Housing Association (MHA)

Various training and certification programs available.

<https://www.mmha.com/Certifications>

<https://www.mmha.com/Online>

To view past issues of MOR Hot Topics, visit www.mnhousing.gov/multifamily/section8.