

May 2022 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.

- **New HUD Notice H 2022-01**

On January 31, 2022, HUD issued [HUD Notice H 2022-01](#), announcing that HUD will enforce the requirements instituted by Congress requiring that all in HUD-assisted properties comply with the [International Fire Code \(IFC\) 2018](#) standards on the installation of CO alarms or detectors by December 27, 2022.

Additionally, this notice identifies resources for the types of devices to install, ideal placement, maintenance and monitoring and is applicable to housing with fuel-fired/burning appliance(s) or an attached garage.

- **Voting Rights for Residents at HUD-Assisted Properties**

HUD is asking owners and management agents to share voter and election resources with residents, including encouraging residents to visit [vote.gov](#). HUD also requests that owners and agents allow equal access to all parties and organizations with respect to candidate and election information in accordance with state specific laws. The Minnesota statute regarding political candidate access to multiple unit dwellings can be accessed at <https://www.revisor.mn.gov/statutes/cite/211b.20>. The entire HUD notice is available at <https://content.govdelivery.com/accounts/USHUDFHA/bulletins/308a7ef>.

- **REAC Inspections during COVID – Tenant’s Right to Decline Inspection**

Residents should communicate any health or related concerns with the property representative. Should the tenant opt to decline entry, the inspector will work with the property to select an alternate unit. If a tenant communicates their request to deny REAC inspection, please try to communicate this at the 28, 14, and 2-day notification intervals. Full details are available on the [Updated REAC during COVID flyer](#).

- **EIV**

EIV system users are experiencing issues when attempting to view EIV reports for some or all their properties. Owner/Agents that are experiencing issues with viewing EIV should refer to HUD Handbook 4350.3, Par. 9-13 to determine when third-party verification is required and Par. 5-13 for the order of acceptable forms of verification. Copies of the EIV reports containing missing, duplicate, or discrepant data should be retained in accordance with HUD Handbook 4350.3 Par. 9-14 along with a note to file documenting the issue. HUD will notify users when these issues with the EIV system have been resolved.

EIV TIPS: Many are pulling just the EIV Income report without the Income Discrepancy report at the same time. The easiest way to do this is to “print all” when opening the tenant

information in EIV. This will then print all pages without the worry of individually printing everything. We recommend pulling the EIV reports when meeting with households for recertification, that will ensure that it is pulled within 120 days of the recertification effective date. This practice will avoid situations where it was not run within 120.

- **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 went 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 has provisions where owners seeking to evict for nonpayment, must provide the tenants with information to access funds that are being made available related to the emergency. This 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 in the Spring of 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.

- **Tenant Selection Plan (TSP) Checklist and Help Text**

The [Tenant Selection Plan \(TSP\) Guidelines](#) were revised and approved by the Minnesota Housing board of directors in December 2020. The guidelines are a requirement for all projects that are selected for an applicable program and funding source as a result of a **funding application submitted to Minnesota Housing after March 31, 2021**.

All projects selected for applicable funding sources are required to submit a TSP for review as part of the due diligence for closing or housing tax credit carryover. The [TSP checklist](#) is a tool that Minnesota Housing staff and external partners will use to help determine whether a project's TSP complies with Agency guidelines as well as the requirements of Minnesota Housing managed federal funding streams. There is a [Help Text](#) that accompanies the checklist, providing more context and detail related to Agency guidelines and the requirements outlined in the checklist. There is also a [recorded training](#) on how to use the TSP Checklist and Help Text.

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 TenantSelectionPlanSupport@state.mn.us with any questions you might have about the use of this checklist tool.



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.



Cash apps require due diligence to determine how they work and are used. Previously, the most common types of cash apps were only linked to bank accounts or credit cards and used to securely transfer payments from one party to another. In those cases, you would not include it as an asset since any monies are transferred directly to the bank account which is already included on the 50059. Currently there are new versions and types of applications that

are becoming more popular, such as Chime or One Spend that are more like an online banking institution which allow its customers the option to have a type of checking account (aka spending account) or a type of savings account. Any of these types of accounts will require further verification and/or clarification. If the account acts like a checking account, you will be required to calculate an average 6 month balance and verify if the account collects any interest or other types of income. If the account acts like a savings account, you would be required to identify the current balance and and verify if the account collects any interest or other types of income. Supporting documentation will be required to be present in a tenant file to show the due diligence has been completed.



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.

Upcoming 2022 Events:

Other upcoming MHA conferences: <https://www.mmha.com/Events/Calendar-of-Events>

- Building Bridges Conference/Products Show – May 12, 2022 - Duluth, MN
- Shaping the Future Conference/Products Show – June 9, 2022 – The Park Event Center - Waite Park, MN
- Building Communities Conference/Products Show – September 22, 2022 – Wood Lake Meeting Center - Rochester, MN
- Shaping the Industry Conference/Products Show – October 13, 2022 – Courtyard by Marriott – Mankato, MN
- Changing the Game Conference/Products Show – November 16, 2022 – St. Paul River Centre – St. Paul, MN

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.