Project-Based Voucher Program

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April 11, 2019

Governance

- 24 CFR Part 983
- Housing and Economic Recovery Act (HERA)
- Housing Opportunity through Modernization Act (HOTMA)
- HUD PIH Notices
- FWHS Administrative Plan

Project-Based Vouchers

- Assistance is tied to unit rather than to the tenant.
- A good tool to increase the availability of affordable housing in a community.
- Housing agencies can allocate up to 20% of its Housing Choice Voucher Program vouchers to Project-Based Vouchers.
- FWHS will project-base up to an additional 10% of authorized units for certain populations.
- RAD PBV and HUD-VASH are not included in the 20% limit.
HCVP Rules That Are Different

- No portability.
- Prohibition against admission based on family size.
- Voucher issuance and request for tenancy approval.
- Good cause for eviction.
- Absence from the unit.
- HQS: Lead-based paint.

Rules That Are Different (Continued)

- Initial and annual/biennial inspections.
- HQS Enforcement.

- Payment standards are not used to determine tenant’s portion.
- 40% Rule.

Eligible Housing Units

- Newly Constructed Housing: Housing units do not exist on the proposal selection date.
- Rehabilitated Housing: Housing units exist on the proposal selection date, but do not substantially comply with HQS on that date.
- Existing Housing: Housing units that already exist on the proposal selection date and that substantially comply with HQS on that date.
Requirements

- Sites for rehabilitation and new construction must meet the site and neighborhood standards as defined in 24CFR 983.
- Activities under the PBV program are subject to HUD environmental regulations, including the performance of an environmental review by the responsible entity - the City of Fort Worth.

Ineligible Housing Types

- Shared housing.
- Units on grounds of penal, reformatory, medical, mental, or similar public or private institution.
- Nursing homes or facilities providing continuous psychiatric, medical, nursing service, board and care, or intermediate care.

Ineligible Housing

- Units that are owned or controlled by an educational institution and are designed for student housing.
- Manufactured homes.
- Cooperative housing.
- Transitional housing.
Cap on # of PBV Units

- Pre-April 18, 2017
  25% of total units in a project unless units are for the elderly or disabled families, or families receiving eligible supportive services.
- April 18, 2017 and later
  25% of total units in a project unless units are made exclusively for elderly, or for households eligible for supportive services, or units located in a census tract with a poverty rate of 20% or less.

Types of Eligible Supportive Services

- Family Self-Sufficiency supportive services.
- Mental health supportive services that allow families to live independently and successfully in an integrated community setting.
- Self-sufficiency programs administered by federal, state, or local governments; or a non-profit organization that combines college education, housing, counseling, employment, childcare, transportation and case manager services.

Owner Application Submission Requirements

- A description of the housing including # of units by size, bedroom count, bathroom count, sketches of the proposed new construction or rehabilitation, unit plans and estimated date of construction. Amenities and other services should be included.
- Evidence of site control, and for new construction, identification and description of the proposed site, site plan and neighborhood.
Owner Application Submission Requirements

- Evidence of current zoning or evidence to indicate that rezoning is likely and will not delay the project.
- The proposed contract rent for the project including which utilities are included. If utilities are not included, estimate the average monthly costs.
- Information on displacement of tenants, if appropriate.

Owner Application Submission Requirements

- Identification of the owner and other project principals, investors and other parties that have a substantial interest in the project and information on their qualifications and experience.
- A description of any supportive services provided to families.
- A management and maintenance plan for the project.

Owner Application Submission Requirements

- Evidence of financing to support the project.
- Evidence the proposal has been selected in a competition process such as Low Income Housing Tax Credits within 3 years of the PBV selection date, if appropriate.
- Other relevant information as determined by FWHS.
Selection Procedures

A PBV proposal will be selected based on one of the following methods:

- FWHS will issue a Request for PBV Proposals. Public notice must be made.
- FWHS will select a PBV proposal that has gone through a competitive process such as LIHTC within the 3 years of the PBV proposal selection date and such earlier competitive selection proposal did not involve any consideration of PBV assistance.
- FWHS-owned properties.

Selection Procedures

- Proposed project must not permanently displace any current tenants. Tenants may be temporarily relocated during rehabilitation of the unit at the expense of the owner.
- Rental levels must not exceed 110% of the FMR and must be reasonable.

Site Selection

Must meet one of the following criteria:

- The census tract in which the PBV project is located is undergoing significant revitalization.
- Local, state, or federal dollars have been invested in the area resulting in the achievement of deconcentrating poverty and expansion of housing opportunities.
Site Selection

• New market-rate units are being developed in the same census tract where the proposed PBV development will be located and the likelihood that such market-rate units will positively impact the poverty rate in the area.
• There are meaningful opportunities for education and economic advancement in the census tract where the proposed PBV will be located.

Subsidy Layering Review

• Required to determine if excessive public assistance is being used for the housing.
• Detailed information about financing from all sources are reviewed.
• HUD must review and approve.
• Not required for existing housing.
• Cannot enter into an Agreement or HAP contract until SLR is conducted.

FWHS –Owned Properties

• HUD must approve the selection.
• Independent entity to determine rents.
• Independent entity to conduct inspections.
• Independent entity must approve the terms of the contract.
Environmental Reviews

- Required for all new construction and rehabilitation properties.
- Includes analysis of the positive and negative impacts a proposed project will have on people and the natural environment.
- Analysis includes environmental, social, and economic aspects.
- Hiring a consultant may be helpful.

AHAP

- Agreement to Enter Into a Housing Assistance Payment Contract.
- Used for new construction and rehabilitation housing.
- Specifies conditions and time frames.
- Construction or rehabilitation cannot begin before executed.
- Davis-Bacon wages apply.
- Certification of completion of work.

HAP Contract

- Contract period for 20 years, subject to funding availability.
- Maybe multi-staged.
- FWHS may extend for an additional 20 years at any time during contract.
- Provides for annual review of the rental amounts.
HAP Contracts Exhibits

- Exhibit A: # of PBV units, initial rent to owner, # number and description of contract units.
- Exhibit B: services, maintenance, and equipment the owner will provide without charges in addition to rent.
- Exhibit C: utilities and responsible party.
- Exhibit D: identifies features to comply with program accessibility features of Section 504 of the Rehabilitation Act of 1973.

Initial Rents

- Initial rent is established prior to execution of HAP contract.
- Rents must be reasonable.
- FWHS must use the published FMR and utility allowance in effect at time of HAP contract.
- Special considerations for low-income housing tax credits units.

Tenant Selection

- Each PBV site has its own Wait List.
- Ads must be run announcing the Wait List opening.
- FWHS may manage Wait List, or allow owner to manage.
- Owners are responsible for screening and selection of tenants in accordance with the written selection criteria approved as part of the original PBV proposal.
- Potential tenants are referred to FWHS for processing for eligibility.
- Owners must lease all assisted units to eligible families.
Tenant Selection (Continued)

- Owner must promptly notify FWHS in writing of the rejection of a family and the grounds for the decision.
- FWHS will determine family's eligibility, brief family and provide all required documentation.

Continued Assistance

A family occupying a wrong-sized unit or a unit with accessibility features that family does not require and the unit is needed by a family that requires the accessibility features, FWHS may offer the family another PBV unit, or tenant-based voucher, if available.

Ongoing Activities

- FWHS issues monthly payments to owner.
- FWHS conducts annual recertification of household composition and income of tenants.
- FWHS conducts regular inspection of units.
- Owner refers applicants to FWHS to fill vacant units.
PBV Post-Contracts

- Request for Unit Inspections
- Waitlist Procedures
- Tenant Selection
- Referring Applicants for FWHS Subsidy
- Lease Up
- Terminations
- Family Right to Move

PBV Inspections Procedures

Requirement 1: The property representative must provide a copy of the PBV Unit Checklist Form for each building that will contain PBV units to PBVteam@fwhs.org.

PBV Inspections Procedures (Continued)

Requirement 2: The property representative must also provide a copy of the PBV Work Completion Certification Form for an AHAP if one has been applied for prior to the beginning of a project's construction and if Certificate of Occupancy or Temporary Certificate of Occupancy for buildings containing PBV units and club house/leasing building. Certification should be emailed to PBVteam@fwhs.org.

Revised 4/9/2018
PBV Inspections Procedures

(Continued)

A. If FWHS has interest in the property and the two above requirements have been submitted, the FWHS Contractor will contact
the property to schedule a pre-contract inspection.

B. If the property is not affiliated with FWHS and has submitted the above two requirements, the FWHS Inspection Supervisor will
contact the property to schedule a time/date to perform PBV Pre Contract Initial Inspections.

C. Once the PBV Pre Contract Initial Inspections have passed, the above form in Requirement 1 will be returned to you via email.

D. If the inspection pass date has exceeded its allocated time as defined in section C. The unit must be inspected again before
occupancy, by submitting a request via the PBV Unit Checklist Form (in Slide#1). Once the unit(s) have passes again, an
email with a copy of the PBV Unit Checklist will be forwarded with a signature from an FWHS Inspection staff or Contractor
and specified time unit is good to be occupied before expiring again.

E. An official move in approval will be sent via email from the FWHS’ Inspection Department for the approved applicant once a
referral has been forwarded to the inspection department from the PBV coordinator Kimberlee Davis.

PBV Inspections Procedures

(Pre-Existing Units)

The property representative must inform FWHS when a PBV unit is ready to
be inspected by sending an email request with the attached
PBV Unit Checklist Form (in slide#1) to FWHS PBV Team Email
PBVTeam@fwhs.org for that unit(s) that are vacant and assigned PBV units
on the HAP Contract.

All PBV unit(s) inspection pass date must not exceed 60 days before a client
is moved into a unit. You will receive a copy of the signed PBV Unit Checklist
Form by an FWHS PBV Team member via email indicating the pass
date.

PBV Waitlist

Applicants will apply for the PBV waitlist on-line or on-site depending on the
waitlist needs of the property.

An add will be placed in local news outlets in order to properly announce the
opening of a waitlist. The add will include the name of PBV property, the
website where the application can be completed, the date and time in which
the application period is open, and any special instructions for the elderly
and/or disabled applicants.

For properties that currently manage an on-site waitlist, it should be
maintained using a spreadsheet, or other appropriate mechanism to track
applications received, approved and referred to FWHS for PBV rental
assistance.

Waitlist should include the PBV property, name of applicant, date and time
of application, contact information, date selected from waitlist, and if denied
the denial reason.
PBV Vacancies

The owner must PROMPTLY notify FWHS of any vacancy or expected vacancy of a unit in writing. After receiving the owner notice, FWHS must make every reasonable effort to refer promptly a sufficient number of families for the owner to fill such vacancies.

The owner is responsible for screening and selection of the family to occupy the owner’s unit. Manager must promptly notify in writing any rejected applicant of the grounds for any rejection. Owner must provide FWHS with a copy of rejection letter.

Applicants should be processed for unit sizes as determined by FWHS voucher subsidy standards of 2 people per bedroom except in a household with a parent and child over the age of 10. This standard must be followed for all PBV unit assignments.

Example: Parent and 16 year old child or 2 adults not held out as a couple = 2 bedroom
  Parent and 6 year old child- 1 bedroom (gender is not a factor)
  Household of 4 people = 2 bedroom (age and gender is not a factor)

PBV Tenant Selection cont.

Once an applicant is approved, the property will send the completed PBV Referral form and Application (if not taken online) by email to Kimberlee Davis, Project Based Voucher Coordinator at PBVTeam@fwhs.org. Shannon Kimble, Admissions Coordinator should be copied at skimble@fwhs.org.

Once the PBV Referral have been received, FWHS staff will promptly make an eligibility appointment by telephone, email, or letter. The applicant will be provided with a list of items needed to complete the application process.

Eligible applicants will be briefed during the initial intake appointment. At the briefing the applicant will receive a Statement of Family Responsibility, Briefing packet, and the tenants rental portion (TTP) for the unit before the utility allowance is included.

FWHS will notify property and applicant of anyone who is deemed ineligible.

*RFTA's will no longer be issued. The new referral form will include the unit information and the TTP will be provided to the property manager by the Counselor.
A change in the tenant’s portion of the rent will occur when the tenant initially comes under contract or has a change in income, expenses, or family composition.

Annual Re-certifications and Interims are the usual methods in which a change in tenants portion of rent is generated.

The PBV counselor will send a Rent Change Notice to the Landlord and Tenant reflecting the new tenant portion rent amount and the effective date.

If the change is completed after the effective date, an adjustment will be completed and any monies owed to the property will be received the next month following the completion of the adjustment.
**PBV RENT INCREASES**

- The request for a rent increase is based on the anniversary date of the PBV contract.
- Rent increase requests must be received by FWHS 60 days prior to the anniversary date of the contract by submitting a Rent Increase form to the Inspections Supervisor, Ruben Renteria at rrenteria@fwhs.org.
- FWHS will conduct the rent reasonableness survey for the property and include that with the contract each year an increase is requested.
- If the rent amount is not rent reasonable a denial notice will be sent to the landlord.
- If the rent is reasonable the Inspections Department will notify the PBV Counselor of the new rent amount. The PBV counselor will make the change for all PBV residents of the property for which the increase was approved effective for the next month after the PBV contract anniversary date.
- The PBV counselor will provide both the property and the tenant a Rent Change Notice reflecting the new rent amount and effective date.

Due to PBV regulations of only paying 30% of their income, the tenants rent should not change as a result of the rent increase.

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**PBV RENT INCREASE REQUEST**

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**PBV Relocations**

Project Based Vouchers are not a mobile vouchers but a family could relocate for the following instances.

1. Mutual Dissolution of lease for the current unit is agreed upon between landlord and tenant.
2. A Reasonable Accommodation for an accessible unit requiring a change of unit in order to meet the Reasonable Accommodation. A PBV unit in the same property must be available per the contract for the Resident if they will continue to receive subsidy from the PBV program.
3. The current unit of the family is determined to be the “wrong size” due to overcrowding or being under-occupied. In this case FWHS must offer the family continued housing assistance in another unit. This also may result in the family being offered assistance through another FWHS program.

If a new unit is not a designated PBV unit the HAP contract must be amended by FWHS Executive staff after approval to include the new unit prior to the relocation of the PBV tenant. The unit must be the same size in the same building.
PBV TERMINATIONS

The PBV lease automatically terminates and the tenant must move out of the unit if any of the following occurs:

1. The owner terminates the lease for good cause (lease violations, eviction through the courts)
2. The tenant terminates the lease (resident moves with or without notice, tenant is deceased, or changes programs). The property must notify the PBV counselor immediately after discovery that a tenant is no longer occupying the unit.
3. The owner and the tenant agree to terminate the lease (Mutual Dissolution)
4. FWHS terminates assistance to the family (program violations, over income). If a family becomes over-income for the PBV program they will be removed from the PBV program 180 days after the last housing assistance payment is paid to the owner on behalf of the family. The family can remain in the unit if the owner is willing to substitute another comparable unit with to be occupied by another eligible family.
5. FWHS terminates the PBV HAP contract.

The Tenants Right to Move

The tenant may at any time after the first year of occupancy request tenant-based rental assistance through the Housing Choice Voucher program(HCV) if vouchers are available.

The family must give the PBV property owner advance written notice of intent to vacate.

An Affidavit of Damages will be sent to the landlord in order to ensure the tenant is in good standing before being issued a tenant-based voucher.

If the tenant is unable to lease up under HCV and has not moved out of their PBV unit, the tenant may remain on the PBV program.

Contracts Team Contacts

RaVonda Thompson, Contracts Supervisor/Landlord Liaison
rthompson@fwhs.org office: 817-333-3667

Tangela Caldwell, Contracts Counselor
tcaldwell@fwhs.org office: 817-333-3616

Koshianna Miller, Contracts Clerk
kmiller@fwhs.org office: 817-333-3663
Once the applicant has moved into the unit the following notification will be sent to the owner by our contracts department.

Attached is the Tenancy Addendum, which needs your signature and the client signature. Print, Sign and date page 3 of the Tenancy Addendum and return pages 2-3 to our contracts clerk. The remaining pages (Body of Addendum) are yours to keep. The Tenancy Addendum must be signed, dated and returned to FWHS within TEN (10) DAYS of the date of this notice. Any delay in returning this Tenancy Addendum may affect when the first Housing Assistance Payment is received by you.

You must also provide FWHS with a copy of your signed lease with this applicant. The start date, end date and rent amount on the lease must be the same as those on the Tenancy Addendum.

The end date of the lease will always be the last day of the previous month of the next year from the lease start date. Examples: 04/25/2017 to 03/31/2018 or 02/01/2017 to 01/31/2018.

The phrase, “HUD Tenancy Addendum Attached” must be written/typed on the lease. NO EXCEPTIONS!
DO NOT WRITE ON THIS ADDENDUM, EXCEPT TO PRINT, SIGN AND DATE ON PAGE 3, even if something is incorrect please contact Contract Clerk right away. DO NOT add any “T” or “O” to the Utility Chart.

Signed Tenancy Addendum and lease must be faxed or emailed together by the 21st of the month in order to receive payment on the first of the following month.