

NAHMA News

PROTECTING THE INTERESTS OF AFFORDABLE HOUSING PROPERTY MANAGERS AND OWNERS

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NAHMA Submits Members Comments on Housing Proposals

NAHMA has submitted comments on three housing proposals: the revised Rent Comparability Study Chapter (RCS) of the Section 8 Renewal Policy Guide, the Federal Housing Finance Agency (FHFA)'s Proposed Rule regarding the Housing and Economic Recovery Act of 2008 (HERA) Duty to Serve requirements for the Government-Sponsored Enterprises (GSEs), and the Family Self-Sufficiency (FSS) program in Multifamily Housing. To read the comments in their entirety, visit www.nahma.org, under the Agencies tab, filed by department and subject.

NEW CHAPTER 9 OF THE SECTION 8 RENEWAL POLICY GUIDE, RENT COMPARABILITY STUDIES

NAHMA provided feedback, in early April, to the Department of Housing and Urban Development (HUD)'s Office of Multifamily Housing. With this new draft, HUD outlined a revised process for creating and reviewing a rent comparability study (RCS).

The purpose of a RCS is to estimate "market" rents for each Section 8 unit type. Market rent is the rent that a knowledgeable resident would most probably pay for

NAHMA supported the proposed rule interpretation of "preservation" to allow Duty to Serve credit for GSE support for both "the purchase of permanent construction loans on rental properties with long-term affordability regulatory agreements and the purchase of refinanced mortgages on existing rental properties with long-term affordability regulatory agreements."

Section 8 units, as of the date of the appraiser's report, if the resident was not receiving rental subsidies and rents were not restricted by HUD or other government agencies.

As a requirement for renewal under Section 524(a) of Multifamily Assisted Housing Reform and Affordability Act of 1997 (MAHRA), most project owners with expiring Section 8 project-based contracts must submit an RCS at initial renewal to demonstrate that current rents are at or below comparable market rents.

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It's Never Too Late to Become COQ Certified

THE COMMUNITIES OF QUALITY (COQ) National Recognition Program is just one of the ways NAHMA and its members are changing the perception of affordable housing. By using a series of third-party inspections and reporting, communities certify that they meet stringent standards in physical maintenance, financial management, programs and services, employee credentials and other criteria. Even then, only the best of the best qualify to call themselves a COQ property.

Property managers or owners of affordable multifamily rental housing in the U.S. can apply for COQ National Recognition at any time during the year. Applicants' properties receive scores for physical inspections, employee credentials, financial management, programs and services, endorsements and photographs and reports. Applicants must score a minimum of 225 points to receive COQ certification or 200 points for properties with 49 units or less. Properties that score more than 325 points are automatically eligible to compete in NAHMA's Communities of Quality Awards competition.

The program, originally funded through a Fannie Mae grant, sets national standards that take an objective look at what makes an excellent multifamily affordable housing community using such independent, verifiable measuring sticks as Real Estate Assessment Center scores, Department of Housing and Urban Development reports, third-party inspections, employee development and resident enrichment services.

Earning COQ recognition has many benefits, not just to the management

company responsible for the property, but for the staff and residents as well. The program also helps dispel the myths surrounding affordable housing for elected officials and the public.

Program recognition is a good marketing tool for companies, allowing them to show clients how much a management company cares about maintaining high standards, and by extension, how they will maintain their clients' property. Additionally, it illustrates the hard work put in by the on-site personnel and volunteer boards while projecting professionalism.

The program helps residents feel more secure and even proud to be living in a community that has earned the COQ designation. Some properties hold resident celebrations, put up banners and affix the COQ logo to correspondences and other communications tools as a way to bolster that sense of pride-of-place year round. The COQ certification helps attract top-notch staff. Moreover, the recognition also creates some bragging rights.

Another benefit of the recognition program, and one of the impetuses for its creation, was to establish credibility, especially when lobbying elected officials on the importance of funding affordable housing programs. By assigning verifiable quantitative value to what makes up a quality community, NAHMA can provide affordable housing data by state, county, congressional district and ZIP code through its NAHMA Maps feature on its website. Additionally, NAHMA maintains a database of COQ properties on its site. **NN**

Kris Cook, CAE, is executive director of NAHMA.

Beginning with the date of the initial renewal of the expiring Section 8 project-based contract, the RCSs start a maximum five-year life cycle before a new RCS is required. In general, any contract that renews during the five-year life cycle can only be renewed for a term that does not exceed the remaining life of the RCS. An exception is when the owner submits a new RCS when requesting permission to mark rents up to market.

WHAT NAHMA SAID

In its comments, NAHMA asked for clarification of the phrase, “large discrepancy,”

used in chapter 9-14 C. The new guidebook now adds a provision that the owner may notify HUD if there are

factual discrepancies that contribute to a large discrepancy in concluded rents. The association said it is unclear as to what makes up a large discrepancy. In addition, NAHMA recommended HUD allow owners the ability to appeal the rents, not simply notify HUD when there are factual errors in HUD’s third-party RCS.

The association pointed out that in the Appendix 9-1-2 Guidance for RCS Appraisers, the 25-square-foot limitation, depending on the marketplace, may lead to skewing the rent conclusion upwards or downwards. The sample RCS has rents in the \$400 to \$500 level with size adjustment \$.35 per square foot. A square-foot adjustment of 25 square feet would equal \$8.75 or 1.8 percent of the final concluded rent of \$485.

However, rents for studio units are \$2,921-plus in San Francisco when size adjustments of \$1.60 per square foot indicate a 24-square-foot adjustment of \$38.40, almost twice the rent of \$20 that a reviewer is asked not to pursue. In Santa Monica, Calif., a 280-square-foot studio’s indicated rent is \$1,775 with a

\$1.40 per square foot value.

The argument that a size difference of less than 25 square feet is not realized is also erroneous, said NAHMA. For example, in the above Santa Monica studio unit size of 280 square feet, 24 square feet is 8.5 percent of the unit. The 24 square feet could be the difference in having an additional 2.5-foot by 9.6-foot closet or an additional 2-foot by 12-foot counter in the kitchen. It could add a 4-foot by 6-foot eating area or add a 4-foot by 6-foot alcove off the living room for a bed.

The new guidebook now adds a provision that the owner may notify HUD if there are factual discrepancies that contribute to a large discrepancy in concluded rents. The association said it is unclear as to what makes up a large discrepancy.

The above examples demonstrate that precluding adjustments for a size difference of less than 25 square feet should not be mandatory, according to the association’s comments.

In the same appendix, NAHMA questioned the wording of line 18 regarding washer/dryers, which is quoted on both pages 13 and 42. The association said it should be rewritten as, “The adjustment for a unit where the owner provides washer-dryer machines should not exceed the monthly cost of the machine rental.”

Similarly, NAHMA said line 21 about cable/satellite/Internet was also misrepresentative of its intent. NAHMA recommended rewriting the last sentence of this section as, “If the owner provides the monthly cost of said service, the amount of adjustment should not exceed the published monthly fees.”

Under the Mandatory Market Rent Threshold section, NAHMA requested the calculation in the appendix be explained. The association said, based on experience with this threshold, if the subject unit mix is two-, three- or

four-bedroom units, then the threshold is always exceeded. In certain high-rent areas, one bedrooms will exceed the 140 percent threshold as published for the fourth quarter 2015 Census average rent. The problem is not only size, but also the existence of rent-controlled low rents and existing restricted rent complexes similar to the subject in the ZIP code.

As for the sample rent comparability study section, NAHMA said the explanation of parking attempted to demonstrate adjustments for a fee lot that has insufficient parking. The association said members found that

when an apartment complex is under parked, that the adjustments are based on a percentage of the parking rent contribution. A real concern is that commercial parking lots with only workday occupancy are used as superior parking comparables rather than apartment parking lots that have 24-hours reserved occupancy within a short walking distance from the units and are discounted as not comparable. For this reason, the parking adjustments are misstated, according to NAHMA.

ENTERPRISE DUTY TO SERVE UNDERSERVED MARKETS

NAHMA sent its recommendations on the proposed rule regarding the GSE’s Duty to Serve requirements in mid-March. Overall, NAHMA supported the proposed rule’s goal to encourage the GSEs to increase their activities in support of preserving the affordability of rental housing and housing in rural markets.

WHAT NAHMA SAID

NAHMA supported the proposed rule

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interpretation of “preservation” to allow Duty to Serve credit for GSE support for both “the purchase of permanent construction loans on rental properties with long-term affordability regulatory agreements and the purchase of refinanced mortgages on existing rental properties with long-term affordability regulatory agreements.” The association strongly supported FHFA’s decision to include GSE support for current affordable housing programs, including Section 8, Rental Assistance Demonstration, USDA Section 515 Rural Housing Program and the Low-Income Housing Tax Credit (LIHTC) Program. It also supported the goal of increasing residential economic diversity.

NAHMA favored FHFA allowing the GSEs to resume LIHTC investments; however, it said, FHFA should “limit investments to support for difficult to develop projects in segments of the market with less investor demand, such as projects in markets outside of the assessment areas of large banks or in rural markets or for preservation of projects with expiring subsidies.”

The association recommended FHFA permit Duty to Serve credit for LIHTC equity investments in projects with expiring subsidies or projects in need of refinancing, and for LIHTC equity investments in new construction projects with regulatory agreements that assure long-term rental affordability.

NAHMA said, if FHFA allows the enterprises to resume LIHTC investments, it recommended FHFA prioritize, not limit, those investments that promote residential economic diversity.

The association recommended that GSE support for multifamily properties that include energy improvements resulting in a reduction in the resident’s

energy and water consumption and utility costs should be a regulatory activity, but it must be properly incentivized and not prescriptive.

The association backed FHFA’s definition of “rural areas” saying, regardless of the definition, the end goal of extending GSE support for affordable housing in rural markets should be the absolute priority. NAHMA strongly recommended GSEs’ support for housing for high-needs rural regions and high-

NAHMA supported HUD’s efforts to increase access to self-sufficiency programs for low-income families by expanding the FSS program to properties assisted through the Office of Multifamily Housing.

needs rural populations be a regulatory activity.

The association recommended GSEs partner with USDA Rural Development to provide liquidity to support their maturing mortgage crisis in the multifamily portfolio.

Finally, NAHMA believed FHFA’s proposed definition of “high opportunity area” is the most appropriate and supported the rule’s use of Designated Disaster Areas to define high opportunity areas outside of metropolitan areas.

FAMILY SELF-SUFFICIENCY PROGRAM IN MULTIFAMILY

NAHMA submitted its comments on HUD’s efforts to increase access to self-sufficiency programs for low-income families by expanding the Family Self-Sufficiency (FSS) program to properties assisted through the Office of Multifamily Housing at the end of March.

Multifamily Family Self-Sufficiency is a HUD program that seeks to enable families living in assisted housing to increase their earned income and reduce their dependence on public assistance programs. It promotes the development of local strategies to coordinate the use

of HUD rental assistance programs with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency.

Family Self-Sufficiency was previously restricted to public housing and Section 8 Housing Choice Voucher (HCV) participants. However, HUD’s Appropriations Act of 2015 allowed owners of privately owned multifamily property with a Section 8 contract to voluntarily make a FSS program

available to assisted residents in accordance with procedures established by the HUD secretary, including those procedures permitting residents to accrue escrow funds and will allow owners to use funding from residual receipt accounts to hire coordinators for their own FSS program.

WHAT NAHMA SAID

NAHMA supported HUD’s efforts to increase access to self-sufficiency programs for low-income families by expanding the FSS program to properties assisted through the Office of Multifamily Housing. NAHMA said it envisions this program as an opportunity for residents to improve their lives and commended HUD for allowing owners to voluntarily participate. The comments went on to say, with additional clarification on specific requirements, HUD can assist participating owners in understanding all aspects so that they can successfully implement an FSS program.

In reference to the use of residual receipts, the HUD proposal said to establish an FSS program at their property, owners may use residual receipts to fund coordinators. This

notice cross-references Policy Notice H-2012-14, which sets out policies and procedures for the use of residual receipts to offset housing assistance payments (HAP) at certain Project-Based Section 8 properties. Under Policy Notice H-2012-14, receipts greater than \$250 per unit may be used to fund a HUD-approved service coordinator program. However, the FSS Program in Multifamily notice stated, “there is no account minimum that must be maintained before owners can use available funds [from residual receipts].”

NAHMA said HUD should clarify if the FSS program in the Multifamily notice explicitly waives the \$250 per unit threshold for a service coordinator program as mandated in Policy Notice H-2012-14. While NAHMA appreciated HUD’s effort to give owners flexibility in beginning their own FSS program, a threshold for residual receipt usage to pay coordinator salaries should be considered. Without a target-funding threshold, owners and managers may not engage an FSS program because it could jeopardize their ability to pay for emergency expenses, argued NAHMA.

The notice outlined that owners may use available residual receipts to support the position of the program coordinator. It further stated that owners must maintain an acceptable coordinator-program participant ratio within nine months of the residual receipts approval date and on an ongoing basis thereafter. NAHMA recommended that HUD provide additional clarification on the acceptable coordinator-program participant ratio.

Section IV.B.3 of the proposal stated that the first full-time FSS program coordinator should be able to serve approximately 25 individual participants and each subsequent program coordinator should be able to serve approximately 50 individual participants. NAHMA said HUD should definitively clarify the ratio so that owners can properly plan for staffing needs. For the Office of Public

and Indian Housing, HUD provided detailed information on the minimum program size for Public Housing Authorities participating in a FSS program (see CFR 984.105).

In Section VI of the notice, HUD stated that it may terminate a property’s FSS program should the owner fail to timely submit its quarterly reports or fail to maintain proper documentation. The department noted it anticipates an infrequent amount of noncompliance and that the department will make every effort to work with the owner to correct the problems before an FSS program is terminated.

To ensure the utmost compliance with the FSS requirements, HUD should clarify thresholds for noncompliance, recommended NAHMA. For example, HUD should specify the maximum amount of time that owners will be given to correct FSS program issues and information on any rights to appeal HUD decisions. NAHMA agreed with HUD that owners who voluntarily create an FSS program at their property will more than likely satisfy all program requirements, but HUD should still provide a more detailed summary of the noncompliance thresholds that could lead to FSS termination.

NAHMA strongly supported HUD’s decision to allow owners of properties assisted through the Office of Multifamily Housing to voluntarily administer an FSS program. Participation in these programs could offer residents a clear path in becoming more self-sufficient, said NAHMA. In addition, FSS programs could help individual residents and families exit assisted housing programs so that others in need may find a home. With additional clarification on the funding mechanisms for coordinators, the amount of participants a coordinator should manage and what actions may lead to program termination, HUD can further increase participation and assist owners in designing their own FSS program, said NAHMA. **NN**



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Report Examines Renting in America

A RECENT REPORT, *RENTING IN America's Largest Metropolitan Areas*, by the Capital One Financial Corporation and the New York University (NYU) Furman Center, analyzed rental housing affordability trends in the nation's 11 largest metropolitan areas. The report delved more deeply into recent trends in rent levels, rent burdens, affordable units and the gap between the number of low-income households in need of affordable housing and the number of existing affordable units. The report identified the nation's largest metro areas as Atlanta, Boston, Chicago, Dallas, Houston, Los Angeles, Miami, New York City, Philadelphia, San Francisco and the District of Columbia. The areas represent a population of around 90 million, including 35 million renters.

The report found that "from 2006 to 2014, both the renter population and housing stock grew in all 11 metro areas, both within central cities and in the surrounding suburbs. In 2014, among the 11 largest metro areas, the majority of central-city residents were renters everywhere except the Houston and Philadelphia metro areas, and Philadelphia was the only metro area where less than a quarter of residents in the suburbs rented their homes. In all 11 metro areas and in metro areas nationwide, renters became a greater proportion of the population since 2006, both inside and outside the central cities."

More people are renting their homes in metro areas. In 2014, there were almost 22 million more people renting in metro areas in the U.S. than in 2006, however most of the growth occurred outside of those cities. "The renter population in the suburban areas grew by

more than 12 million people between 2006 and 2014," according to the report. This rise in renters led to significant rental affordability challenges.

In addition to growth in renters, the report found that the rental housing stock increased faster than the ownership stock in all 11 metro areas and in metro areas nationwide. "In all 11 metro areas the number of rental housing units rose by more than 10 percent between 2006 and 2014. In the Atlanta, Dallas, Houston, Miami and Washington, D.C., metro areas, the rental housing stock grew by more than 20 percent during this period. In comparison, only the Dallas and Houston metro areas experienced substantial growth in the ownership housing stock, with the remaining metros seeing little change in that stock or even substantial declines, as in Miami, where much of the increase in rental units appears to have come from the conversion of owner-occupied units to rental units," according to the report.

The report also found that the growth in the rental housing stock between 2006 and 2014 was attributable to single-family homes, saying, "In six of the 11 largest metro areas, more rental single-family homes were added to the housing stock during this period than rental units in multifamily buildings."

The report found that the renter population grew more quickly than the number of rental housing units between 2006 and 2014 nationwide and in the subject metro areas. As rising demand for rental housing outpaced increases in supply, the market adjusted somewhat differently in each metro area. For example, the rental vacancy rate went

down in all metro areas, except Miami. Thus, cost burden on renters increased, particularly for low-income renters. "In both 2006 and 2014, a majority of renters in all but three of the largest metro areas were rent burdened, meaning their rents were equal to at least 30 percent of their income In all 11 metro areas, and in metro areas nationwide, well over half of low-income renters, earning less than the 25th percentile renter income in their metro area, faced rents at or above half of their household income," according to the report. Families that are rent burdened face challenges beyond housing costs, as they have less money for life essentials, including food, transportation and health care.

The report highlighted renters across all incomes are struggling to find affordable housing, yet the amount of renters continues to grow. "Every metro area included in the report experienced a growth in the renter population between 2006 and 2014. For lower-income households, the affordability challenges were very concerning; renters at the 25th percentile of the renter income distribution in these metro areas could afford fewer than 7 percent of recently available units," according to the report.

The report re-enforced NAHMA's critical role in advocating to preserve the current affordable housing stock, increase the supply of affordable housing and increase the amount of rental assistance available to families in need. For more information on the study, visit <http://furmancenter.org/NationalRental-Landscape>. **NN**

Larry Keys Jr. is director of government affairs for NAHMA.



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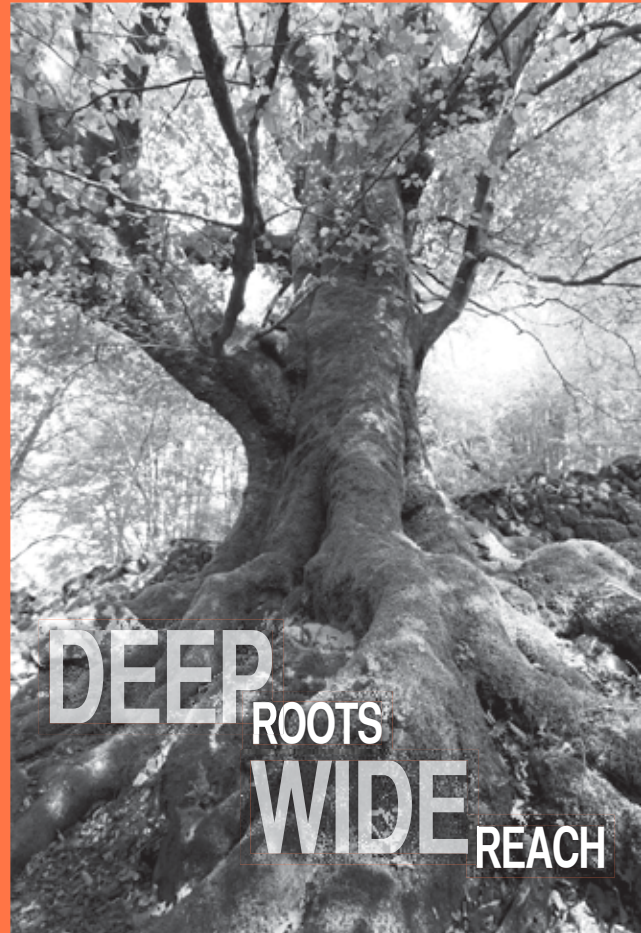


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Making a Dent in Affordable Needs

JOSEPH HAGAN'S ASSOCIATION WITH THE LOW-INCOME HOUSING Tax Credit (LIHTC) niche, a critical source of financing for affordable housing multifamily developers, goes back a long way. The president and CEO of the Chicago-based National Equity Fund, a syndicator that has raised more than \$12 billion in equity for LIHTC projects, has been in the business since its early stages in 1986. Among other roles, he has served as director of multifamily housing at the Ohio Housing Finance Agency, which allocates credits for multifamily development. He was also president of the Affordable Housing Tax Credit Coalition and was named 2004 Syndicator CEO of the Year by Fannie Mae. From his vantage point, Hagan discussed the LIHTC market with *Multi-Housing News*.

What's the current state of the LIHTC market and the market rate for LIHTC?

It's flush with capital. There are more investors in this market than there are deals. The best way to describe it is that there is no feasible tax credit deal in the United States that doesn't have more than one investor bidding on it. I would say that the average price per credit across the United States is north of a dollar, probably \$1.01. In some cases, you see prices as high as \$1.25 for the credits.

Is the demand consistent nationwide?

You will always have a lot more demand on the coasts. You have a lot more demand in places like New York City or San Francisco in large part because of the huge amount of deposit base of the CRA [Community Reinvestment Act] investors. For the most part, we are not finding many holes in the market as far as investor demand.

How do the recent changes introduced by the PATH Act benefit the LIHTC market and developers?

The recent change under the Tax Act is that the 9 percent credit is now flat, meaning it will always be 9 percent and it will not fluctuate based upon interest rates. So, if you have a deal that costs \$1 million, [and] you take 9 percent, you end up with \$90,000 of credits to sell in

the marketplace. Before, under the old rule, the 9 percent credit would float based upon long- and short-term interest rates, among other variations. So the 9 percent credit for a while was somewhere around 8.2 percent. The developers now know exactly how many credits they have to sell, whereas before, based upon the floating rate, they would get less credits or maybe more credits.

What about the 4 percent credit? Were there changes there? The problem is it's all a matter of how much the federal government and its legislators decide would be the cost to the budget if they made the change. For the 9 percent credit change, it was a nominal cost to the federal government. The 4 percent credit had a higher cost to it, and in the midst of all the negotiations for all the extenders that came before Congress for that huge tax bill, they just did not want to fuss with it. So, we are hoping that the next time they do a tax bill, they will re-examine the flat 4 percent credit. We are pushing to have them do that.

Is the LIHTC program adequately addressing affordable housing needs?

Absolutely not. We haven't been able to keep up with the demand. If you think about it, every year there are thousands of

units that come offline because they either get demolished or they get converted to market rate or whatever. We just haven't been able to keep up with the need for affordable housing. We have a need for a substantial increase from Congress to the annual allocation of credits. Obviously, it is very expensive, and we have not had much traction with Congress to increase the allocation. There is a bipartisan commission on housing that recommended that they increase the annual allocation by 50 percent.

Are there any threats to the LIHTC market? The threat to the market is that Congress has been looking at changing the Tax Code, especially reducing the corporate tax rate down to about 16 percent. Every time the corporate tax rate comes down, the LIHTC will not be as palatable to our investors. Right now, they are paying a 35 percent tax rate. Buying tax credits makes it much more palatable. If the tax rate is only 16 percent, it does two things: They might not be as interested in the credits, or more important, they don't need as many credits. So, we are constantly watching what's going on with Congress in that regard as it deals with tax reform.

The depreciation period [for real estate] is another issue, and depreciation is a large part of our calculation. Whether or not it would have a huge impact, I just don't see that at this point. It depends on how much they change depreciation, but it doesn't seem to have a lot of traction at this point. *Poonkulali Thangavelu is contributing editor of Multi-Housing News. This article first appeared in the May 2016 issue of Multi-Housing News. ©Yardi Systems Inc. 2016. All rights reserved. Used with permission from Multi-Housing News, New York, NY, 212-977-0041, www.multihousingnews.com.*

Congress Slow to Move Affordable Housing Legislation

APPROPRIATIONS

Congress continued to move at a snail's pace on funding for fiscal year 2017 and key housing reform legislation for the Department of Housing and Urban Development (HUD) and U.S. Department of Agriculture (USDA) rental assistance programs.

In late May, the Senate passed the Transportation, Housing and Urban Development (T-HUD) Appropriations bill for fiscal year 2017. Overall, the funding levels as included in the T-HUD Appropriations bill provided a strong foundation and fully funded the renewals of all rental assistance. The bill also included some key updates to the Rental Assistance Demonstration.

A T-HUD appropriations bill had been introduced in the House of Representatives as of this publication. NAHMA expected the House to complete work on the bill later this summer.

As for Rural Development (RD), in early April, the House Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Subcommittee passed the agriculture funding bill for fiscal year 2017. For rural affordable housing programs, the bill contained several positive increases for RD and renewed all rental assistance for rural properties. The bill was awaiting a full Appropriations Committee vote followed by a final vote by all members of the House.

The Senate had introduced its cor-

responding RD appropriations bill by the time of publication, but had not scheduled a vote.

RURAL HOUSING PRESERVATION ACT

In early April, legislation to preserve Section 521 Rental Assistance (RA) for rural affordable properties with expiring mortgages was introduced in the House and Senate. Rep. Ann McLane Kuster (D-NH) and Sen.

In early April, legislation to preserve Section 521 Rental Assistance (RA) for rural affordable properties with expiring mortgages was introduced in the House and Senate. ... The bill would require that any owner of a property financed with a loan made or insured under Section 515, whether the loan is outstanding or fully paid, must lease an available unit to a family or individual with a Rural Housing Voucher.

Jeanne Shaheen (D-NH) introduced the legislation titled, the Rural Housing Preservation Act of 2016. The bill would require that any owner of a property financed with a loan made or insured under Section 515, whether the loan is outstanding or fully paid, must lease an available unit to a family or individual with a Rural Housing Voucher.

Additionally, the bill seeks to decouple the rental assistance from maturing mortgages. Under this provision, the secretary of the USDA may contract to make and renew annual assistance payments to properties with maturing mortgages. The secretary must also establish uniform requirements and conditions for any sale or transfer of a property financed with a loan under Section 515 to any entity, including a nonprofit organization, that seeks to acquire a property with Low-

Income Housing Tax Credits.

The bill also permanently authorized the Multifamily Housing Revitalization Program for the preservation and revitalization of projects funded with a 515 mortgage to ensure that projects have sufficient resources to provide safe and affordable housing for low-income residents.

Kuster said that she was inspired to craft this legislation after the RA shortfall that occurred at the end

of FY 2015 and the beginning of FY 2016. At the time of publication, the legislation was awaiting review by each chamber's authorizing committee.

HOUSING OPPORTUNITIES THROUGH MODERNIZATION ACT

The Housing Opportunities through Modernization Act (H.R.3700) is legislation that would reform rental assistance programs in an effort to reduce the burden on owners and managers. Specifically, streamlined income examinations and physical inspections protocols are notable changes included in this bill. The U.S. House of Representatives passed H.R.3700 unanimously on Feb. 2. However, the Senate has not moved the bill, at the time of publication. NAHMA continues to advocate passage of this legislation and its key reforms. **NN**

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RD Releases Information on New Obligation Tool

The U.S. Department of Agriculture's Rural Development (RD) issued an unnumbered letter and a slideshow that provided an example of the obligation calculator in regards to its newly implemented Rental Assistance Obligation Tool. Information about the tool, including the letter and slideshow, is available on the NAHMA website under the Agencies tab.

The unnumbered letter described the procedural changes for obligating and estimating the Rental Assistance (RA) funding needed for properties. RD started utilizing the new RA Obligation Tool to commit funds and estimate RA funding at the beginning of fiscal year 2016. RD has stated that the Obligation Tool was developed to address the following needs:

1. Create an efficient and automated time-saving obligation process to speed funds to the borrower and reduce field work time;
2. To obligate renewal funds at a project level instead of statewide per unit values; and
3. Provide for out-year projections for the RA budget request.

According to RD, the Obligation Tool streamlines and automates the obligation process, which substantially reduces the administrative burden on staff working in the MFH program. The USDA held a webinar in October with MFH state offices to train staff on the new process of obligating funds in the Automated Multi-housing Accounting System (AMAS). The webinar described the allocation and obligation process. The training materials from that webinar are on the RA SharePoint site.

The Obligation Tool was implemented in October 2015 with fund-

ing from the fiscal year 2016 RA appropriation.

The Obligation Tool uses tenant/project data available in the Multi-Family Information System (MFIS) database that is provided by the borrower on the amount of RA that was requested from RD over the prior 12 months. The Obligation Tool then weights each of the preceding 12 months to ensure that the most recent data is given greater consideration, as it is more likely that future RA need is more similar to the past month's need than last year's need. The factors used in the calculation are the amount of RA requested by the borrower and the number of active RA units. The Obligation Tool then identifies any rent increases that were implemented during the prior 12 months and those that were approved by RD in the upcoming 12 months.

Annual RA usage estimates are recalculated on a daily basis for every project to provide the most accurate information possible for RA allocation and obligation activities. The amount of RA used monthly by a property is affected by many factors including resident income changes, changes in resident contribution to rent, unit turnover, unit vacancies and unplanned increases in property assessment or insurance expenses. Changes in ownership structure and additional project debt are other factors that impact the amount of income needed to offset expenses. The Obligation Tool has several built-in functions that provide flexibility to forecasting, including selection of an inflation factor and determining if renewals should occur prior to, or in the month of, funds depletion. **NN**

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NAHMA

2016 NAHMA AFFORDABLE 100

How many housing units receive at least one form of federal subsidy in the United States today? The annual NAHMA Affordable 100 list provides this important data!

THE NAHMA AFFORDABLE 100

comprises the largest affordable multifamily property management companies, ranked by subsidized unit counts. The NAHMA Affordable 100 list contributes vital data to the ongoing national dialogue on the future of federal funding for affordable housing. In an effort to accurately determine the portfolio of units receiving federal subsidy in the United States, NAHMA publishes this annual listing of affordable units containing at least one of the following federal subsidies:

- HUD Project-based Assistance
- Section 42 LIHTC
- HOME funds
- USDA Section 515
- Bonds

The National Affordable Housing Management Association (NAHMA) is the leading voice for affordable housing management, advocating on behalf of multifamily rental property managers and owners whose mission is to provide quality affordable housing.

NAHMA supports legislative and regulatory policy that promotes the development and preservation of decent and safe multifamily affordable housing. NAHMA serves as a vital resource for technical education and information, fosters strategic relations between government and industry, and recognizes those who exemplify the best in affordable housing.

RANK / MANAGEMENT COMPANY (2015 rank shown in parentheses)	HEADQUARTERS	TOTAL NUMBER OF UNITS	
		SUBSIDIZED ¹	RESIDENTIAL ²
1 WinnResidential (1)*	Boston, MA	51,346	98,817
2 FPI Management, Inc. (3)	Folsom, CA	42,400	98,401
3 LEDIC Realty Company (4)*	Memphis, TN	35,291	42,384
4 Related Management (23)	New York, NY	32,270	51,700
5 The Michaels Organization (2)*	Marlton, NJ	30,702	52,556
6 The John Stewart Company (5)	San Francisco, CA	28,200	32,243
7 Edgewood Management Corporation (6)*	Germantown, MD	25,485	30,468
8 American Management Services (Pinnacle) (7)	Dallas, TX	25,000	134,725
9 McCormack Baron Management, Inc. (16)	St. Louis, MO	24,614	29,406
10 Capstone Real Estate Services, Inc. (9)	Austin, TX	22,817	34,790
11 National Church Residences (8)*	Columbus, OH	21,782	22,853
12 KMG Prestige, Inc. (13)	Mt. Pleasant, MI	20,496	23,108
13 Dominion (15)*	Plymouth, MN	20,081	23,775
14 Volunteers of America (12)*	Alexandria, VA	18,623	19,012
15 Royal American Management, Inc. (17)*	Panama City, FL	17,495	18,951
16 U.S. Residential Group, LLC (44)	Irvine, CA	15,452	40,775
17 Grenadier Realty Corp. (19)	Brooklyn, NY	15,257	19,447
18 Alpha-Barnes Real Estate Services, LLC (35)	Dallas, TX	14,745	16,073
19 Millennia Housing Management, Ltd. (37)	Cleveland, OH	14,420	16,391
20 The Cornerstone Group (20)	Hollywood, FL	13,590	13,693
21 Conifer Realty, LLC (24)	Rochester, NY	13,474	14,602
22 Retirement Housing Foundation (22)	Long Beach, CA	13,425	17,339
23 Multifamily Management Services, LLC (28) (dba Arco Management, TUC Management, Multifamily Management of Philadelphia, GoldOller Management)	Suffern, NY	13,339	27,588
24 Pedcor Management Corporation (49)	Carmel, IN	13,275	16,745
25 Allied Orion Group (10)	Houston, TX	12,943	21,000
26 Reliant Realty Services, LLC (63)*	New York, NY	12,237	12,237
27 Boyd Management (27)	Columbia, SC	12,076	12,740
28 Lincoln Property Company (33)	Dallas, TX	11,500	165,251
29 Gene B. Glick Company (36)*	Indianapolis, IN	11,329	19,972
30 USA Properties Fund, Inc. (39)	Roseville, CA	11,026	11,026
31 SPM, LLC (38)*	Birmingham, AL	10,852	14,651
32 Professional Property Management, LLC (45)	Rockford, IL	10,615	10,615
33 Ambling Management Company (31)*	Valdosta, GA	10,242	11,960
34 The NRP Group, LLC (43)	Cleveland, OH	10,221	14,356
35 Partnership Property Management (47)*	Greensboro, NC	10,046	10,111
36 TM Associates Management, Inc. (40)*	Rockville, MD	10,008	10,008
37 Wallick Communities (25)*	Reynoldsburg, OH	9,920	10,713
38 Cambridge Management, Inc. (59)	Tacoma, WA	9,643	9,915
39 The Hallmark Companies, Inc. (42)	Atlanta, GA	9,578	11,368
40 The Community Builders, Inc. (52)*	Boston, MA	9,555	10,453
41 LHP Management (formerly Lawler Wood Housing) (50)*	Knoxville, TN	9,342	9,342
42 Yarco Company, Inc. (46)	Kansas City, MO	9,327	9,708
43 Preservation Management, Inc. (30)*	South Portland, ME	9,278	9,656
44 American Apartment Management Company, Inc. (58)*	Knoxville, TN	9,102	9,797
45 Forest City Residential Management (41)	Cleveland, OH	8,850	39,178
46 Preservation of Affordable Housing (POAH) (67)	Boston, MA	8,813	8,919
47 Community Management Corporation (53)*	Winston-Salem, NC	8,736	8,816

FOR AFFORDABLE 100 COMPANY LINKS AND THE "NEXT 20" COMPANIES ON THE LIST VISIT:

Website Lists Additional 20, Plus Top LIHTC and Rural Companies

NAHMA'S WEBSITE VERSION of the Affordable 100 includes the next 20 largest multifamily property management companies, for a total list presenting the top 120.

Two specialty lists are also highlighted: the 25 largest housing credit (LIHTC) and the 25 largest Rural Development (RD) program property management companies. Plus, there are hyperlinks to many of the companies so visitors can quickly and easily find out more information on a particular business.

The Affordable 100 was created to accurately determine the size of the portfolio of affordable multifamily units receiving federal subsidy in the U.S. It lists affordable units containing at least one of the following federal subsidies: HUD Project-based Section 8, Section 42 LIHTC, HOME funds, bonds and USDA Section 515.

NAHMA would like to extend its sincere thanks to the NAHMA Survey Task Force, without whose hard work and support this survey would not be possible. In particular, sincere appreciation goes to Task Force Chair John Yang, RentalHousingDeals; Evelyn Arias, RealPage; Boone Atkins, Yardi; Mike Coco, Choice Property Resources; Mark Fell, Yardi; Rue Fox, IPM Software; Janel Ganim, Property Solutions; Jed Graef, Housing and Development Software; Scott Holcomb, RealPage; Dave Layfield, ApartmentSmart.com; Mark Livanec, Click Notices; Kris Panks, Yardi; Lori Russell, RealPage; Gustavo Sapiurka, RealPage; Shari Smith, Choice Property Resources; Jason Spencer, Yardi; and Bill Sullivan, IPM Software.

Companies in bold provided data for NAHMA's survey. All others are based on industry estimates.

* A NAHMA Communities of Quality National Recognition Program Participant

¹ and ² All unit data represent only units directly managed (not owned) that were rented or available to rent on Dec. 1, 2015. Down units, abated units, units under construction or rehabbing units not available for rent are not included.

¹ Total affordable units managed. Federal programs only, including HUD, LIHTC, USDA, HOME, and Bond programs. Data do not include state or local subsidy, public housing, tenant-based vouchers (Section 8 or RD tenant-protection vouchers), or federal mortgage insurance or loan guarantee programs. If a unit has more than one subsidy, it is counted only once.

² Total residential units managed (including market or affordable).

If you believe your company should be included in next year's survey, please contact Jennifer Jones, jjones@nahma.org

RANK / MANAGEMENT COMPANY (2015 rank shown in parentheses)	HEADQUARTERS	TOTAL NUMBER OF UNITS	
		SUBSIDIZED ¹	RESIDENTIAL ²
48 Greystar (29)	Charleston, SC	8,709	413,679
49 Barker Management, Inc. (61)	Anaheim, CA	8,691	9,270
50 Peabody Properties, Inc. (51)*	Braintree, MA	8,498	10,760
51 Seldin Company (69)*	Omaha, NE	8,348	17,093
52 Mercy Housing (14)*	Denver, CO	8,250	22,800
53 NDC Real Estate Management, Inc. (56)	Pittsburgh, PA	8,213	10,894
54 EAH Housing (60)	San Rafael, CA	8,159	8,961
55 WRH Realty Services, Inc. (65)*	St. Petersburg, FL	8,131	16,770
56 Pennrose Management Company (55)	Philadelphia, PA	7,935	8,357
57 RLJ Management Company, Inc. (88)	Columbus, OH	7,930	7,930
58 SHP Management Corp. (82)*	Cumberland Foreside, ME	7,926	7,926
59 Beacon Communities (34)*	Boston, MA	7,900	11,000
60 Aimco (57)*	Denver, CO	7,758	53,660
61 Woda Management & Real Estate, LLC (74)	Westerville, OH	7,594	7,857
62 Sun Belt Management Company (71)	Albertville, AL	7,500	10,000
63 BSR Trust, LLC (21)*	Little Rock, AR	7,400	19,500
64 Maloney Properties (70)*	Wellesley, MA	7,350	8,250
65 Community Realty Management (66)*	Pleasantville, NJ	7,189	8,156
66 Solari Enterprises, Inc. (83)*	Orange, CA	7,022	7,022
67 Coast Real Estate Services (77)	Everett, WA	7,000	15,000
68 Housing Management Resources, Inc. (90)*	North Quincy, MA	6,911	7,198
69 National Community Renaissance (64)*	Rancho Cucamonga, CA	6,861	7,458
70 Winterwood, Inc. (118)*	Lexington, KY	6,845	7,686
71 FOURMIDABLE Real Estate Management (100)	Bingham Farms, MI	6,778	8,242
72 RY Management Co., Inc. (78)	New York, NY	6,750	8,000
73 MidPen Property Management Corporation (87)	Foster City, CA	6,705	6,705
74 HallKeen Management*	Norwood, MA	6,689	9,327
75 Residential One, LLC (62)	Columbia, MD	6,491	7,031
76 G & K Management Co., Inc. (85)	Culver City, CA	6,407	14,921
77 Steadfast Management Company (73)	Irvine, CA	6,300	34,806
78 ConAm Management Corporation (11)*	San Diego, CA	6,100	52,000
79 The Integral Group LLC (89)	Atlanta, GA	6,100	6,800
80 CSI Support & Development (91)*	Warren, MI	6,058	6,058
81 AWI Management Corporation (95)	Auburn, CA	6,049	6,100
82 Alco Management, Inc. (112)*	Memphis, TN	6,013	7,117
83 Vesta Corporation (109)	Weatogue, CT	5,997	6,430
84 Corcoran Management Company (120)*	Braintree, MA	5,701	9,335
85 Trinity Management LLC (96)*	Boston, MA	5,649	6,219
86 Corcoran Jennison Companies (116)*	Boston, MA	5,600	13,000
87 Flaherty & Collins Properties (93)	Indianapolis, IN	5,600	9,200
88 TESCO Properties, Inc. (108)*	Germantown, TN	5,284	6,467
89 Gateway Management Company, LLC (103)	Birmingham, AL	5,220	5,696
90 Key Management Company (98)	Wichita, KS	5,212	5,976
91 Cohen-Esrey Real Estate Services, LLC (81)	Overland Park, KS	5,022	7,592
92 Standard Enterprises, Inc. (105)	Monroe, LA	4,824	5,096
93 Westminster Company (106)*	Greensboro, NC	4,675	4,755
94 Fore Property Company	Las Vegas, NV	4,649	8,464
95 Alpha Property Management (110)	Los Angeles, CA	4,500	4,700
96 Village Green (94)	Farmington Hills, MI	4,500	42,805
97 The Schochet Companies (113)*	Braintree, MA	4,464	4,813
98 Tryko Partners, LLC*	Brick, NJ	4,425	7,200
99 Oakbrook Corporation (76)	Madison, WI	4,265	8,600
100 Landura Management Associates (115)*	Winston-Salem, NC	4,200	4,200

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HUD Publishes Final Streamlining Rule

In early March, the Department of Housing and Urban Development (HUD) issued the final rule, Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher, Multifamily Housing, and Community Planning and Development Programs.

HUD initially began this regulation streamlining rule process in January 2015. The department stated the goal of this proposed regulation streamlining was to reduce the administrative burden on state and local governments, public housing authorities (PHAs) and private owners of HUD-assisted multifamily properties. In addition, the rule seeks to relax regulations on state and local governments adminis-

tering tenant-based rental assistance programs through HUD's HOME Investment Partnerships Program and Housing Opportunities for Person with AIDS (HOPWA) Program. The rule was intended to streamline requirements and provide greater flexibility for agencies responsible for administering HUD's rental assistance programs in an effort to eliminate the unnecessary requirements and improve overall efficiency within the programs.

Among its provisions, the rule allows biennial physical inspections and permits alternative inspection methods. It allows for the recertification of fixed sources of income every three years even if a person or household also has other, nonfixed income

sources. It codifies in HUD regulations the definition of "extremely low income" and caps utility allowances at the lesser of the voucher unit size or the size of the unit leased by a family. The regulation also codifies changes to the calculation of flat rents in public housing.

Some of the new flexibilities require changes to the admissions and continued occupancy policy, administrative plan, or PHA plan in order to adopt the new authorities.

NAHMA compared the final rule with its previous comments to see if the department has addressed its requests. A May *NAHMA Analysis* provided further detail and background on the final rule. **NN**

Report Analyzes Tax Credit Tenant Data

A report, *Understanding Whom the LIHTC Program Serves: Tenants in LIHTC Units as of December 31, 2012*, issued by the Department of Housing and Urban Development (HUD) in March, used demographic and economic data on residents living in Low-Income Housing Tax Credit (LIHTC) units from state agencies administering the LIHTC. Congress mandated the collection and publication of this data when it passed the Housing and Economic Recovery Act (HERA) of 2008.

The report provided information and summary tables about the income, race, ethnicity, family composition, age, rental assistance usage, disability status and rent burden of residents living in LIHTC properties. While the report presented valuable information, it did note that the findings are not exhaustive.

HERA requires the collection and submission of new data, requiring new collection efforts and creating additional burden on states. Many states were unable to submit complete information for all active properties due to the inability to

convert or manually enter information originally collected in hard copy into reporting systems in the time required. Other data challenges include lack of annual income recertifications of residents in 100 percent low-income properties, and limited information on the residents in some properties in their extended use periods. Still, each table in the report was structured to provide the information needed to make informed decisions about where the coverage and data are best, in terms of both which states and which variables.

According to the report, 34,807 properties were reported as active in the LIHTC program. Through the resident data collection, state housing finance agencies submitted information for 24,008 properties. Approximately 48 percent of resident households were extremely low-income, earning 30 percent or less of area median income (AMI) and 34 percent of households were very low-income, earning between 30 and 50 percent of AMI. More than half of residents—55.6 percent—paid 30 percent or less of their income toward rent. **NN**

Highlighting Talented Member Residents

Judging will soon be completed for the 30th annual AHMA Drug-Free Kids poster and art contest, which is tackling an important issue in many people's lives with the theme, Words That Heal: Stop Bullying, Spread Kindness. Entries were due to NAHMA May 27, after first being submitted to a local AHMA for consideration. The winning artwork will appear in NAHMA's 2017 Drug-Free Kids calendar.

The popular poster and art contest invites children, seniors and adults with special needs living in affordable multifamily housing to create artwork and compete for prizes.

Typically, the contest draws more

than 5,000 participants nationwide. Through the annual fall auction of the winning poster entries, the contest generates significant contributions to the NAHMA Educational Foundation's scholarship program and is a key source of support for NAHMA

“We always look forward to seeing the artwork submitted by the residents of our AHMA member communities. The quality of the work is truly amazing and really helps bring to life such an important message.”

foundation scholars.

“We always look forward to seeing the artwork submitted by the residents of our AHMA member communities,” Kris Cook, NAHMA executive director, said. “The quality of the work

is truly amazing and really helps bring to life such an important message.”

CONTEST BASICS

The poster contest is open to children and elderly residents 55 years or older who live in a community of

a NAHMA or a local AHMA member company, as well as residents with special needs who live in a permanent supportive housing community or Section 811 community of a NAHMA or a local AHMA member company.

NAHMA Looks for Communities of Quality

NOW IS THE TIME TO START PREPARING SUBMISSIONS TO the Communities of Quality (COQ) Awards Program, which honors outstanding affordable housing communities. The submission deadline to NAHMA is Nov. 4.

To enter the 2016 COQ Awards competition, a property must first apply for and achieve National Recognition as a NAHMA Community of Quality with a minimum score of 325 points on its National Recognition Application. The deadline for submitting an application to a local AHMA for consideration in the national program is Sept. 9.

“NAHMA believes it is essential that outstanding affordable properties—and the individuals who establish them—be publicly recognized for providing quality housing that offers a safe, healthy environment,” said Ken Pagano, CPM, SHCM, NAHP-e, president of NAHMA. “All of our properties are more than bricks and mortar. They are communities supplying essential programs and services for

their residents. These awards bring valuable well-deserved attention to the important work we are all doing.”

This year's COQ Awards program will once again be jointly sponsored by HD Supply Multifamily Solutions, a leading supplier of maintenance and renovation products to the multihousing industry, and Navigate Affordable Housing Partners, a leading provider of consulting and development services to public housing authorities and the HUD Section 8 project-based contract administrator (PBCA) for Alabama, Mississippi, Virginia and Connecticut.

An overview of the COQ program, the National Recognition program and the awards' detailed application information and submission materials are available at the NAHMA website at <http://www.nahma.org/awards-contests/communities-of-quality/>.

The awards competition has five categories:

■ Exemplary Family Development

For each children's grade category and up to three entries in the elderly and special needs levels, local AHMAs select three winning posters, photographs, websites, computer art or other media, such as tile, macramé, needlework, etc., which must be submitted as a photograph.

The five grade categories for children are based on the grade the contestants have completed by June 2016: kindergarten-first grade, second-third grade, fourth-sixth grade, seventh-ninth grade and 10th-12th grade.

All AHMA winning submissions are then forwarded to NAHMA, where a distinguished panel of judges selects the 13 winning entries that will appear inside the pages of the 2017 calendar. One special entry will be selected as the grand prizewinner, which will

appear on the cover. Only children are eligible for the top prize.

HONORING THE WINNERS

The winners of each local contest receive various prizes from their AHMA.

The national contest's grand prizewinner, whose art will appear on the cover of the 2017 calendar, receives a \$2,500 educational scholarship and a trip to Washington, D.C., where the artist will be honored at the NAHMA fall meeting Oct. 23-25.

Each child winner of the NAHMA contest receives a \$1,000 educational scholarship from the foundation. A \$1,000 cash award is made in the name of the adult winners to their community for use in purchasing or funding a project from which all of the community's residents will benefit. All

winners are also featured in the 2017 calendar.

Furthermore, participants in the annual art contests held by the local AHMAs are eligible to be selected as Regional AHMA Art Contest Honorable Mentions. Those selected for this distinction are featured in a special section of the NAHMA 2017 Drug-Free Kids calendar and receive a \$100 scholarship check.

All art submitted to NAHMA becomes the property of the association and NAHMA has the right to use the art for publicity, publications and advertisements.

As always, NAHMA looks forward to judging the artwork and presenting the prizes to the winners.

For complete rules or to see a list of past winners, visit <http://www.nahma.org/awards-contests/calendar-contest/>. **NN**

- **Exemplary Development for the Elderly**
- **Exemplary Development for Residents with Special Needs**
- **Exemplary Development for Single Room Occupancy Housing**
- **Outstanding Turnaround of a Troubled Property**

Award winners will be notified in early January 2017 and will receive their awards in a special ceremony at the NAHMA 2017 winter meeting in Washington, D.C.

The AHMAs will also be honoring their local NAHMA Communities of Quality program participants. Please check your local AHMA's program details; a directory of the AHMAs is available on the NAHMA website, at <http://www.nahma.org/membership/ahma-directory/>.

For more information, contact Paulette Washington at 703-683-8630, ext. 110 or pwashington@nahma.org.

NAHMA looks forward to judging numerous applications in every category from every AHMA. The time to start preparing applications is now. **NN**

ABOUT OUR COQ AWARDS SPONSORS

HD SUPPLY MULTIFAMILY SOLUTIONS: With 50,000-plus items and free, next-day delivery on most items to most areas, HD Supply Multifamily Solutions is your source for maintenance supplies, fabrication, installation and renovation services. Our 700-plus account representatives serve more than 130 markets, providing personalized service backed by the strength of a national company. For more information, visit hdsupplysolutions.com.

NAVIGATE AFFORDABLE HOUSING PARTNERS: Based in Birmingham, Ala., Navigate Affordable Housing Partners is HUD's Section 8 PBCA for Alabama, Mississippi, Virginia and Connecticut. With a strong reputation for customer service and training, Navigate oversees a portfolio of more than 70,000 units. Navigate has a history of developing, owning and managing HUD assisted properties in Alabama and has recently begun providing consulting and development services to public housing authorities. For further information, visit navigatehousing.com.

Scholarship Applicants Represent a Broad Cross Section

The applicant pool evaluated in June to be selected as 2016 NAHMA scholars was a very diverse group of students.

This year's class was composed of more than 175 student residents living in more than 24 states, the U. S. Virgin Islands and the District of Columbia,

and represented 15 different AHMAs from across the country. Demographically, the group was made up of applicants from various ethnic and religious backgrounds, and ranged in age from 17 years to senior citizens. The applicants' selected courses of study included nursing, accounting, engineering, teaching, business administration, computer science, liberal arts, actuarial studies, criminal justice and

biology—hopefully leading to medical or veterinary school—among many others. The schools they are attending spanned the full range of community colleges,

four-year universities and professional training programs.

Melissa Fish-Crane, the NAHMA Educational Foundation's chairperson, recently stated, "Again this year, the foundation is delighted to be receiving applications from a diverse pool of student residents to be considered for scholarships. The applicants are a truly cosmopolitan group of high functioning

and ambitious students. Our \$2,500 scholarships are financially important to our recipients as they pursue their educational goals in a world of ever

The applicants' selected courses of study included nursing, accounting, engineering, teaching, business administration, computer science, liberal arts, actuarial studies, criminal justice and biology—hopefully leading to medical or veterinary school—among many others.

escalating school costs, and attempt to avoid the burden of overwhelming student loans."

The NAHMA Educational Foundation will announce the 2016 class of NAHMA scholars in June at the annual NAHMA summer meeting in San Francisco. A complete list of 2016 NAHMA scholars will be presented in the next edition of *NAHMA News*. Watch this space! **NN**



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REGULATORY WRAP-UP

U.S. SEN. MARIA CANTWELL (D-WA), the 2015 NAHMA Industry Partner Award winner, is requesting, through “A Call to Invest in Our Neighborhoods (ACTION) Campaign,” personal stories from people who have struggled to afford housing and/or have experienced homelessness. Cantwell is a strong advocate for the Low-Income Housing Tax Credit and in late April indicated her intention to release legislation to expand the credit. Her office is looking for a large volume of stories from across the country to help demonstrate the widespread and urgent need to invest more federal resources in affordable housing. Submit your story on her website, <https://www.cantwell.senate.gov/affordablehousing>.

U.S. REP. MAXINE WATERS (D-CA), ranking member of the Committee on Financial Services, introduced landmark legislation that would provide significant resources to end homelessness in America. The legislation would provide \$13.27 billion in new funding over five years to several programs and initiatives that would help the nearly 600,000 Americans who are currently homeless. These new resources would provide access to both housing and supportive services to help the homeless achieve safe, decent and affordable housing as well as long-term, positive life outcomes. The measure, The Ending Homelessness Act of 2016, is designed as an emergency relief bill that would provide immediate funding to address homelessness in America, targeting those areas where homelessness has reached crisis proportions.

HUD NEWS

ON APRIL 4, THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)'S OFFICE OF GENERAL COUNSEL (OGC) RELEASED guidance on how the Fair Housing Act applies to the use of criminal history by providers or operators of housing and real estate related transactions. The Fair Housing Act prohibits both “intentional housing discrimination” and housing practices that have an unjustified discriminatory effect (i.e., disparate impact) based on protected characteristics. HUD’s OGC is providing guidance that addresses how the discriminatory effects and disparate treatment methods of proof apply in Fair Housing Act cases in which a housing provider justifies an adverse housing action—such as a refusal to rent or renew a lease—based on an individual’s criminal history. The guidance describes the three steps used to analyze claims that a housing provider’s use of criminal history to deny housing opportunities results in a discriminatory effect in violation of the Fair Housing Act. These steps include: Evaluating Whether the Criminal History Policy or Practice Has a Discriminatory Effect; Evaluating Whether the Challenged Policy or Practice is Necessary to Achieve a Substantial, Legitimate, Nondiscriminatory Interest; and Evaluating Whether There Is a Less Discriminatory Alternative. The guidance also explains the analytical framework to evaluate intentional discrimination claims, which is different from the discriminatory effects analysis. The complete HUD guidance can be found under HUD Issues on the NAHMA website.

ON MAY 4, HUD AWARDED \$174 MILLION THROUGH THE HOUSING TRUST FUND (HTF). In a press release, HUD stated that “the HTF is a new affordable housing production program that will comple-

continued on page 26

GROWING DEMAND FOR RENTAL HOUSING

An April NAHMA *Analysis* reviewed a recent Harvard Joint Center for Housing Studies (JCHS) report on the growing demand for rental housing across the United States.

The report, *America’s Rental Housing: Expanding Options for Diverse and Growing Demand*, examines numerous considerations in the U.S. rental market including demographic changes, the supply and demand for new rental units, federal and state policy changes, and affordability within the current market. Harvard’s report demonstrates that the rental housing market has seen a sharp increase in demand over the past decade, but this increase coupled with dramatic rent increases and the unavailability

of affordable housing has caused a ripple effect in other facets of life.

This NAHMA *Analysis* highlighted major findings of the report, including updated renter demographics, state of rental stock, and policy challenges to current housing programs.

The housing report paints a bleak picture of rental housing affordability in the United States; however, much of the information in the report could be used to strengthen advocacy activities for affordable housing programs. According to the report, unless action is taken now to address the shortfalls in the affordable housing stock, the issues related to housing costs will continue to grow.

Read the full analysis in the Members Only section at www.nahma.org.

ment existing federal, state and local efforts to increase and preserve the supply of decent, safe, and sanitary affordable housing for extremely low- and very low-income households, including families experiencing homelessness.” For additional information on the HTF, a fact sheet is available on the NAHMA HUD Issues webpage and HUD’s HTF website, <https://www.hud-exchange.info/programs/htf/>.

AS OF MARCH 30, ALPINE COMPANIES INC., THE PRIVATE CONTRACTOR that was servicing approximately 650 HUD insured and/or subsidized properties in Washington state and Oregon, has resumed servicing properties. HUD has also reassigned a number of properties in Washington and Oregon to accommodate staffing changes in the region. To streamline its processing, HUD encourages properties to continue to use HUD’s central email system by submitting all Asset Management servicing requests to the state mailbox where your property is located; for Oregon: OR-MF@hud.gov, or for Washington: WA-MF@hud.gov. In the subject line, please include type of request, project name and FHA number or Contract number.

HUD ISSUED THREE DOCUMENTS RELATING TO THE HOUSING CHOICE VOUCHER PROGRAM and Project-Based Rental Assistance on May 4. The documents: Notice of Demonstration to Test Proposed USPC-V Method of Assessing the Physical Conditions of Voucher-Assisted Housing; Proposed Information Collection: Screening and Eviction for Drug Abuse and Other Criminal Activity; and Annual Adjustment Factors for FY 2016, are available on the NAHMA website. For the first document, HUD is soliciting comments on a demonstration program to test the new Uniform Physical Condition Standards for Vouchers approach for inspecting voucher-assisted housing. Comments are due July 5, 2016.

The second document explains that HUD is seeking approval from the Office of Management and Budget for information collection on the screening and eviction for drug abuse and other criminal activity. The final document provides the fiscal year 2016 Annual Adjustment Factors for the Section 8 Housing Assistance Payments Program.

HUD ISSUED A NOTICE ON MAY 2 CONTAINING GUIDANCE FOR HOUSING TRUST FUND (HTF) grantees on the submission requirements for fiscal year 2016 HTF Allocation Plans. The notice is available on the NAHMA website. The notice includes information on the HTF allocation plan process, such as how HUD will notify states of their allocation, required elements of the allocation plan, and guidance on revising state strategic plans and describes changes HUD has made to the consolidated plan regulations to account for the HTF allocation plan process. The notice also details the process by which HUD will review and approve or disapprove of HTF allocation plans. This is the first allocation of HTF funds; HTF funding comes from the Federal Home Loan Mortgage Corporation (Freddie Mac) and the Federal National Mortgage Association (Fannie Mae), rather than from appropriations.

HUD UPDATED RESPONSES TO A NUMBER OF QUESTIONS REGARDING THE TRANSFER OF BUDGET AUTHORITY under Section 8(bb) on April 27. The Frequently Asked Questions are available on the NAHMA website, in the HUD Issues section. These FAQs supersede those issued in March. The Office of Multifamily Housing will issue updates to this document as new questions are received. HUD recommends that owners and managers contact the account executive in their regional office for more information on how the policies impact a particular project; general policy questions may be sent to 8bbor-214questions@hud.gov.

ON APRIL 19, HUD ISSUED THE INFLATION FACTOR TO ADJUST FISCAL YEAR 2016 RENEWAL FUNDING for the Housing Choice Voucher (HCV) Program of each public housing authority. These inflation factors incorporate economic indices to measure the expected change in per unit costs (PUC) for the HCV program. The methodology for FY 2016 is modified from what was used by HUD in FY 2015. The department has focused on measuring the change in average PUC as captured in HUD’s administrative data. In order to predict the likely path of PUC over time, HUD has implemented a model that uses three economic indices that capture key components of the economic climate: 1) the seasonally-adjusted unemployment rate, lagged 12 months; 2) the Consumer Price Index from the Bureau of Labor Statistics; and 3) the “wages and salaries” component of personal income from the National Income and Product Accounts from the Bureau of Economic Analysis. More information on geographic areas and the use of inflation factors can be found in the notice, which is available on the NAHMA website.

HUD, ON APRIL 13, ISSUED THE DETAILS FOR THE DEPARTMENT’S DESIGN OF BUDGET-NEUTRAL, PERFORMANCE-BASED AGREEMENTS in fiscal years 2016 through 2019 that will result in a reduction in energy or water costs at multifamily properties. The program will operate under a Pay for Success financing framework, a strategy wherein the payment by the government will occur after agreed-upon savings have been achieved and verified by an independent third party. The implementation plan is available at NAHMA.org.

IN EARLY APRIL HUD ISSUED A REPORT, PRESERVATION OPTIONS FOR SECTION 236 PROPERTIES, a step-by-step guide on how to preserve Section 236 properties as affordable housing. The guide covers key financing issues, such as raising capital, loan prepayment, IRP

decoupling and Flexible Subsidy Loan deferral. There is also rental assistance guidance such as Section 8 contract renewal options, Tenant Protection Vouchers, Enhanced Vouchers, Project-based Vouchers and RAD 2 conversions. A useful webinar and other materials can also be found on the HUD Exchange Section 236 page. HUD is encouraging all owners and managers of Section 236 projects to take action in 2016 to preserve their properties as affordable housing. All Section 236 loans will mature in the next three years, so now is the time to take advantage of HUD's guidance on regulatory requirements, incentives, and other affordability options. To request assistance with the preservation of a Section 236 project, HUD offers assistance through email, 236Preservation@hud.gov.

NOTICE H 2016-05, ISSUED BY HUD ON APRIL 6, RESTATES REQUIREMENTS AND REVISES PENALTIES FOR NONCOMPLIANCE of the tenant participation requirements. Specifically, the revisions expand the property types that may be assessed civil money penalties to include noninsured projects that have a Project-based Section 8 contract that has been renewed under the Multifamily Assisted Housing Reform and Affordability Act of 1997 (MAHRA). Additionally, the notice expands on the discussion of accessible meeting spaces and clarifies the role of HUD-initiated reconciliation in resolving tenant complaints. Information on possible sanctions and the use of civil money penalties as tools to enforce the department's commitment to tenant participation is included in the notice. To read the notice in its entirety visit the HUD Issues webpage at www.naham.org.

ON MARCH 30, HUD ISSUED A NOTICE ANNOUNCING THE TENANT PROTECTION VOUCHER (TPV) funding awards for fiscal year 2015 to public housing agencies (PHAs) under the Housing Choice Voucher Program (HCV).

Included in the notice are the names and addresses of awardees, and the amounts of their noncompetitive funding awards for assisting households affected by housing conversion actions, public housing relocations and replacements, moderate rehabilitation replacements, and HOPE VI relocations. TPV awards made to PHAs for program actions that displace families living in public housing were made on a first-come, first-served basis. The department has awarded a total new budget authority of \$96,743,318 to recipients for a total of 16,515 vouchers. The notice is available on the NAHMA website, under HUD Issues.

THE FISCAL YEAR 2016 MEDIAN FAMILY INCOME ESTIMATES AND FY 2016 INCOME LIMITS released by HUD became effective March 28. HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the Public Housing program,

the Section 8 Housing Choice Voucher program, Section 202 Housing for the Elderly and Section 811 Housing for Persons with Disabilities. HUD uses the Section 8 program's Fair Market Rent (FMR) area definitions in developing median family income estimates. Income limits are calculated for every FMR area with adjustments for family size and for areas with unusually high or low family income or housing-cost-to-income relationships. Income estimates are developed for each metropolitan area, parts of some metropolitan areas, and each nonmetropolitan county. The final FY 2016 FMR areas incorporate the Feb. 28, 2013, Office of Management and Budget (OMB) metropolitan area definitions that are largely included in the 2013 American Community Survey (ACS) that serves as the basis for these medians. To view the FY 2016 median family income estimates and income limits visit HUD's Office of Policy Development and Research website.

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ON MARCH 18, HUD ANNOUNCED THE AVAILABILITY OF MORE THAN \$100 MILLION IN GRANT FUNDS to address lead-based paint hazards in the homes of lower income families. The department's goal is to educate the public about the dangers of lead hazards in the home and stimulate private sector investment in lead hazard control through these grant funds. The grants to states and local governments are being offered through HUD's Lead-Based Paint Hazard Control Program (totaling \$43 million) and its Lead Hazard Reduction Demonstration Program (totaling \$45 million). In these grant programs, HUD is providing nearly \$13 million in healthy homes supplemental funds to promote identify and remediate additional housing related health hazards in homes with lead based paint hazards.

HUD ISSUED TWO NOTICES FOR THE HOUSING CHOICE VOUCHER (HCV) PROGRAM on March 16. Both of the notices are

available on the NAHMA website. The first notice implements the HCV program funding provisions of the most recent appropriations act, which includes the allocation methodology for calculating housing assistance payments (HAP) renewal funds, new incremental vouchers and administrative fees. The second notice outlines the enhanced voucher policies applicable to over-housed families, or families residing in units where the actual number of bedrooms exceeds the family unit size for which the family qualifies under the PHA subsidy standards.

ON MARCH 8, HUD ISSUED A PROPOSED RULE AMENDING EXISTING REGULATIONS FOR THE SECTION 542(C) Housing Finance Agency (HFA) Risk-Sharing Program. The proposed rule is available on the NAHMA website, under HUD Issues. Through the Section 542(c) HFA Risk-Sharing program, HUD enters into risk-sharing agreements with state and local hous-

ing finance agencies (HFAs) so that HFAs can provide more insurance and credit for multifamily loans. HUD issued this proposed rule in an effort to amend existing regulations for the program so that it better aligns with policies for other HUD programs and conforms to statutory amendments. The regulation proposes that certain loans made by Level 1 HFAs, those that assume 50 percent or more of the risk of the loans, do not need to be regularly amortizing, provided that the loans have a minimum term of 17 years and HUD approves the HFA's underwriting standards, loan terms and conditions, and asset management and servicing procedures. Additionally, HUD includes a proposal that will require the underwriting standards, loan terms and conditions, and asset management and servicing procedures for Level 2 HFAs, those that assume less than 50 percent of the risk of loss on mortgages insured under this program, to be recertified with HUD every five years **NN**

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Understanding Insurance and Risk Management

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EDUCATION CALENDAR

For information on specific classes being offered, contact the AHMA or organization directly. All dates and locations are subject to change. For the most up-to-date listings, visit the NAHMA website at <http://www.nahma.org/education/education-event-calendar/>.

JUNE

14

ABCs of Tax Credits

Oakland, CA
AHMA-NCH
510-452-2462
<http://ahma-nch.org>

15

Resolving Income Discrepancies

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SAHMA
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15-16

LIHTC Training with SHCM Exam

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Rocky AHMA
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www.rockyahma.org

16

Connecticut Quarterly Meeting

Connecticut
NEAHMA
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www.neahma.org

21

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21-23

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22

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22

EIV 201 Advanced

Worcester, MA
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Webinar
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Webinar
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Rural Development Workshop

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30

HOME Workshop

Greenbelt, MD
Mid-Atlantic AHMA
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JULY

6

Basic LIHTC Compliance

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13

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14-15

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19-20

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20

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20

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AUGUST

4

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EDUCATION CALENDAR

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AUGUST

11
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NEAHMA
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Kids Day Event
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17-18
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19
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SEPTEMBER

12-13
AHMA-NCH Annual Conference
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AHMA-NCH
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13
Practical Fair Housing in the 21st Century, Version 2.0
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Income Assets Verification & Calculation
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20
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23
Basic Occupancy
Rhode Island
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27
Marketing of Affordable Properties
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OCTOBER

20-21
Fall Educational Conference and Marketplace
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25
Two-Seminar Tuesday: Basic Occupancy for Farm Managers & Practical Fair Housing in the 21st Century
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27-28
Managing RD Complaints
Salem, OR
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NOVEMBER

9
Resident Green Education
Webinar
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15-17
Fall Regional Conference
Richmond, VA
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16
Maintenance Workshop
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Mid-Atlantic AHMA
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DECEMBER

13-15
SHCM Exam
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Right Place, Right Time

DeAnn Hartman devoted long hours to practicing and playing the viola—a larger, lower-register cousin of the violin—beginning in elementary school. Hartman was so accomplished by the time she reached high school that she was playing at a professional level and turned down several musical scholarships. She said of her decision, “I didn’t want to spend at least three hours a day practicing. I wanted to have fun.”

The music world’s loss was ultimately AHMA of Washington’s gain.

“Despite all the hoops the owners and managers have to go through with all the regulations, they are the most tenacious group of people who make it work for the benefit of their residents.”

Association work has been her passion for nearly 25 years now. Since February 2014, Hartman has been the executive director of the AHMA. Prior to that, Hartman spent 20 years at the Association of Washington Cities where the certified meeting professional was the manager of the Meetings and Events Department.

“I love association work,” Hartman said. “When this position came open, it seemed like a perfect fit.”

Hartman had plenty of experience in the association arena, as for the affordable housing industry—not so much.

“Even in the interview, they kept saying AHMA and I had no idea what they were talking about,” she said, laughing. “I knew the job was for the Affordable Housing Management Association. I kept thinking, what is AHMA?”

She said she has been using her board and the AHMA’s members to let her

know what they need in terms of professional programs and speakers then she makes it happen. Even if she is still learning some of the industry terminology. “It’s like you’re in a secret club,” she said. “On the association side, I’ve been working on implementing a structure for a successful association. On the affordable housing side, my board members are the experts. I’m not the expert.”

Hartman said the fact that she does



the association out and have since joined.

Since coming on board, Hartman has worked to create a strategic planning approach to the association and to create policies that support that plan. For example, the AHMA has created 10 committees, some,

such as the awards committee, meet once a year while others—namely the legislative, convention and technology committees—meet more regularly. Addition-

ally, each board member is assigned to a committee.

“I’m so incredibly lucky,” she said. “Some of the most rewarding things I’ve done, I just fell into. I didn’t seek

out the affordable housing industry, but I’m here now and don’t see myself anywhere else.” **NN**

not come from an affordable housing industry background has helped the AHMA’s members, especially since the membership is made up of people in various stages and expertise levels of their careers. Because things need to be explained to her in terms a nonprofessional can understand, it has helped her educate others that are not industry veterans about the association, what it does and the importance of its mission.

“I really like the mission of affordable housing. It’s the passion people have for it,” she said. “Despite all the hoops the owners and managers have to go through with all the regulations, they are the most tenacious group of people who make it work for the benefit of their residents.”

She said the association is growing which is creating a new sense of enthusiasm and energy within and around the organization. In fact, Hartman said, since January, six management companies sought

Welcome New Members

NAHMA welcomes the following new members as of May 9, 2016.

EXECUTIVE

Theresa Morris, The Schochet Companies

AFFILIATE

Dan Gaddis, MultiFamily Energy Savings

Dan Lyons, Rockport Mortgage

PROTECTING THE INTERESTS OF AFFORDABLE HOUSING PROPERTY MANAGERS AND OWNERS

the last word

Time to Do Election Day Homework



NOV. 8 IS ELECTION DAY. IN ADDITION to the election of the president of the United States, 34 seats in the U.S. Senate and all 435 seats in the U.S. House of Representatives are up for election. As is our standard policy, NAHMA will not be endorsing anyone seeking public office, but we strongly encourage you to learn about the candi-

those running for office to your development to demonstrate what you offer to the residents and how important the affordable housing industry is to the community and to their constituents. You may use this opportunity to start a relationship with the individuals running for office, but most importantly arrange for future visits after the election so

affordable housing is housing of the last resort which is clearly not true. We do more than provide decent, safe and affordable housing, we provide homes while fostering a feeling of community. Affordable housing has served as an anchor in urban areas for revitalization and transformation for decades but seems to be constantly struggling to survive the never-ending government changes.

You may use this opportunity to start a relationship with the individuals running for office, but most importantly arrange for future visits after the election so that you can demonstrate the impact affordable housing changes are having on your development and on their constituents.

dates running for office and their position on affordable housing. It is an important time to inform yourself on which candidate you feel will be able to get things done and best serve as your voice in local, state and federal legislatures. Local elections are important since these officials are the front line of dealing with concerns and seeing that these concerns and issues are addressed by our representatives at not only the local level but also the state and federal levels.

This may be an opportunity to invite

that you can demonstrate the impact affordable housing changes are having on your development and on their constituents. Our residents have benefited from a variety of programs that owners and managers have put in place to address tenant needs.

Our elected officials need to be educated about our Communities of Quality. The housing programs offered in our portfolios make a difference in the lives of the people residing in them. There is a misconception among court officials and legislators that all

Check with your jurisdictions' election office or visit www.usa.gov/voting for more information including voter eligibility requirements and voter registration deadlines for each state.

This edition of *NAHMA News* includes an article on the fiscal year 2017 appropriations saga, a report on the dwindling housing stock and analysis of the LIHTC tenant data showing the staggering numbers of people that are listed as extremely low income or very low income. **NN**

Ken Pagano, CPM, SHCM, NAHP-e, is president of Essex Plaza Management and president of NAHMA.