

# NAHP Update

## Avoiding Accidental Discrimination Violations

BY JENNIFER JONES

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There are plenty of opportunities for owners and agents to accidentally put themselves at risk for discrimination. There are a number of simple things people can do to avoid unintentional discrimination violations, according to the panel presentation, "Opportunities for Discrimination and How Owners and Agents Accidentally Put Themselves at Risk," from the NAHMA October meeting.

The panel, consisting of Greg Proctor, vice president of compliance Services, RealPage Inc.; Jeffrey Promnitz, chief executive officer, Zeffert & Associates Inc.; and Iyen A. Acosta, associate, Reno and Cavanaugh PLLC, provided examples of the how owners and agents inadvertently run afoul of fair housing regulations and some ways to ensure that doesn't happen.

Promnitz told the story of a young property manager who was also a college student. She was really good at her job, was enthusiastic and was equally smart. One day, a resident inquired about moving to a



PHOTO BY ABSOLUVISION/UNSPLASH

vacant unit that was behind her current unit. The vacant unit provided accommodations better suited to the resident, and she had a doctor's note attesting to the need for the accommodations. The young manager told the resident they could talk about it later because she was running late for her class. In her rush, the manager forgot about the request and never continued the conversation with the resident at a later date.

The next time the resident saw her doctor, he inquired

about the new unit. The resident said she had talked to the property manager, but nothing came of it. Eventually it became a fair housing lawsuit.

"A simple note to yourself about any actions or conversations would have avoided the suit," said Acosta.

Promnitz said he knows of one property that not only makes sure staff are aware of the fair housing regulations, but also posts a Fair Housing Bill of Rights in staff and common

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**NATIONAL AFFORDABLE HOUSING MANAGEMENT ASSOCIATION (NAHMA)**—Protecting the Interests of Affordable Housing Property Managers and Owners

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## AVOIDING ACCIDENTAL VIOLATIONS, continued from page 1

areas, so that residents also know the rules. He said one of the items on the poster is to document everything.

Another example the panel presented involved the flooding of the first-floor units at a property next to a creek. The makeup of the first-floor residents was predominantly non-minority, with one minority family. The management company documented everything related to the flooding and the restoration of the units. Even so, a complaint was filed by the minority family regarding the order in which



Moderator Janel Ganim and speakers Greg Proctor, Iyen A. Acosta and Jeffrey Promnitz present the Affiliate Committee's breakfast panel during the October meeting.

with Disabilities Act (ADA) compliant or even replacing a faucet with one that has a

to reinforce the rules with the existing staff. And by training all the on-site staff, it provides another set of eyes to look for potential violations. For example, if a resident approaches a maintenance employee on the property about a problem, that employee knows the proper procedure for documenting the issue and making sure it is received by the proper staff to address the problem.

Also posting the policies publicly means everyone knows the expectations upfront and there is more ownership for

## OTHER THINGS OWNERS AND AGENTS need to look for are related to

**accessibility—for example, having the proper width for handicapped van parking, whether thermostats are out of reach for people with disabilities,**

**having mailboxes that are not Americans with Disabilities Act (ADA) compliant**

**or even replacing a faucet with one that has a lever instead of a knob.**

the units were being restored. Since the property had properly documented everything, no violation was found and work was able to proceed as planned.

"Sometimes residents don't understand why things take so long," Acosta said. "Education is important."

Other things owners and agents need to look for are related to accessibility—for example, having the proper width for handicapped van parking, whether thermostats are out of reach for people with disabilities, having mailboxes that are not Americans

lever instead of a knob.

Proctor said just because your property has recently been inspected, that does not mean it is in compliance, especially if it is a new property.

"When a new property is inspected, they often don't have time to inspect for accessibility," Proctor said. "The owner is responsible for this, not state agencies."

The panelists said to avoid potential issues, hold regular training sessions with all staff, not just the managers. This ensures any newly hired staff receive the proper training and it serves

adhering to those policies.

When undertaking a major renovation, it is also important that management and owners are a part of the plans early in the discussions. Architects and builders do not necessarily know all the requirements concerning fair housing mandated by the federal agencies involved in affordable housing, which could create a liability issue.

"Be proactive," Promnitz said. "There are a number of resources available to you." **NU**  
*Jennifer Jones is manager of communications and public relations for NAHMA.*



# Data and Research that Support Affordable Housing

HUD User is the source for affordable housing research, reports, and data from the U.S. Department of Housing and Urban Development's Office of Policy Development and Research (PD&R). Visit [huduser.gov](http://huduser.gov) to explore the various resources available on HUD User, including Income Limits and Fair Market Rents for assisted housing units.

To find out about the latest affordable housing data and research releases from PD&R, subscribe to receive email updates and check out *The Edge*, PD&R's online magazine.



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# Impact of Housing Assistance

**T**he Public and Affordable Housing Research Corporation (PAHRC) released its *Housing Impact Report* on trends and impacts of federal housing assistance programs. The annual report describes the latest research on the impact housing assistance has on seniors, children, adults and families, including housing stability, health and education outcomes, financial security, and economic mobility.

In 2018, PAHRC reported that publicly supported housing programs assisted an estimated 13.71 million people, including 4.98 million children, 2.78 million seniors and 2.50 million individuals living with a disability. Overall, 45% of households stayed in publicly supported rental housing for five years or less and earned an average income of \$14,347 per year.

Additionally, PAHRC found that “most families receiving rental assistance that can work are working.” In 2018, only 45% of households had at least one able-bodied working-age family member and 1.75 million families earned a majority of their income from wages, both a slight decrease from 2017.

Finally, the report found that “according to Census Bureau estimates that isolate

the specific effect of rental assistance, housing subsidies lifted 2.9 million people out of poverty in 2017.”

Other individual financial and economic impact data are also highlighted in the report: PAHRC noted, “If all the cost-burdened, low-income renter households received rental assistance in 2015, disposable income available for necessities like food and health care would increase \$321 per month on average, representing a \$48.8 billion investment in the sustainability of low-income families .... Affordable housing investments are estimated to support 537,297 jobs nationally, and allow many low-income residents to live where they work, building a more vibrant workforce.”

The report concludes:

## **1. Housing Assistance Improves Health Outcomes:**

In terms of the intersection of housing stability and improved health outcomes for the nation’s vulnerable families, the report stated, “By one estimate, housing instability is expected to result in \$111 billion in avoidable health care costs over the next 10 years.”

**2. Children’s Educational Outcomes Improved from Housing Stability:** The report found that “children living in publicly supported homes report lower rates of living in overcrowded homes, lead poisoning and moving relative to their unassisted peers. Living in a home with fewer health deficiencies, stressors and less

crowding can poise children to succeed in school and help them earn more as adults.”

## **3. Housing Assistance, an Unmet Need:**

As a result of lack of funding and supply, housing assistance remains “out of reach” for too many households. The report stated, “Families spent an average of 26 months on waiting lists before receiving assistance in 2018 .... This has contributed to a rising number of very low-income families experiencing worst-case housing needs, meaning they spend over 50% of their income on housing costs or live in severely inadequate housing.”

The report provides a conservative estimate on eligible population, specifically if rental assistance programs are expanded to families who earn less than 80% of the state median income—the Department of Housing and Urban Development (HUD)’s definition of low-income—and who pay more than 30% of their annual income toward housing—HUD’s definition of housing cost burdens. The demographics of this population would include an additional 9.54 million children, 3.49 million elderly, 961,000 veterans and 4.68 million persons with disabilities. According to the report, “Overall, 11.89 million low-income households and 29.73 million low-income persons would benefit from an affordable home if rental assistance were expanded to qualifying households.” **NU**

## Welcome New Certificants!

### **NAHP-e**

- >> Marc Greenhalgh  
Beacon Communities LLC  
Boston, MA
- >> Tikia Nicole Johnson  
Wesley Property  
Management Co./WPMC  
Alexandria, VA
- >> Anthony Verrochi  
Beacon Communities LLC  
Boston, MA
- >> Eileen Wirth  
The Octavia Hill  
Association Inc.  
Philadelphia, PA

### **NAHP**

- >> Jeffrey Huang  
WinnResidential  
Newton, MA
- >> Margaret Rankin  
Diocese Housing Services  
Corp.  
Camden, NJ
- >> Susanne Pitts  
WinnCompanies  
Glassboro, NJ

Earn one of NAHMA’s prestigious professional credentials, which are dedicated solely to recognizing and promoting achievement of the highest possible professional standards in affordable housing management. Programs include:

- National Affordable Housing Professional (NAHP™)
- National Affordable Housing Professional-Executive (NAHP-e™)
- Specialist in Housing Credit Management™ (SHCM™)
- Certified Professional of Occupancy™ (CPO™)
- Blended Compliance Designation (BCD)
- Fair Housing Compliance™ (FHC™)
- National Affordable Housing Maintenance Technician (NAHMT™)
- National Affordable Housing Maintenance Supervisor (NAHMS™)
- Credential for Green Property Management

**For more information, go to [www.nahma.org](http://www.nahma.org) and click on Education.**



The annual report for 2019 is available online, <https://www.housingcenter.com/research/research-reports>.

# Earn the Communities Of Quality Seal

**A**nyone who has worked in the property management industry knows the look. The slight eye roll at the mention of affordable housing. The description conjures up negative images for some people. Notwithstanding that a majority of the residents living in affordable housing are elderly, people with disabilities or the working poor.

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.

The program, developed by NAHMA based on data it developed through a Fannie Mae Foundation research grant, sets national standards that take an objective look at what makes an excellent multifamily affordable housing



For more information on the Communities of Quality National Recognition Program, visit <https://www.nahma.org/awards-contests/communities-of-quality/national-recognition-program/>. The page includes such useful information as a process overview, frequently asked questions, application and how to apply video, among other important information.

community using such independent, verifiable measuring sticks as Real Estate Assessment Center (REAC) scores, Department of Housing and Urban Development (HUD) reports, third-party inspections, employee training and development, and resident enrichment services.

Earning the COQ recognition has many benefits, not just to the management company responsible for the property, but for the staff and residents as well, including a subscription to *NAHMA News*, COQ logo for promotional purposes, a digital smart badge for the property website, and inclusion on the NAHMA COQ online directory. Properties that score more than 325 points become eligible for the COQ Awards competition. The program also helps dispel the myths surrounding affordable housing for elected officials and the general public.

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 NAH-



2018 winner—Mandela Homes, Boston, Massachusetts. PHOTO BY ANDY RYAN

MA's Communities of Quality Awards competition.

And while not the primary purpose of the program, the COQ designation can be a great marketing tool. It allows the management company to show how much they care about maintaining high standards, and by extension, how they will care for a client's property. It highlights the hard work put in by the on-site personnel and volunteer boards while projecting professionalism. The COQ certification also helps attract top-notch staff and creates bragging rights.

Through the digital smart badge program, participants in NAHMA's COQ National Recognition Program may highlight their accomplishments through the use of digital smart badges on their properties' websites, enabling web visitors to see, and validate, their COQ national recognition status through a sim-

ple "click and verify" process. This allows visitors to trust that they are actually viewing the website of a NAHMA recognized COQ participant.

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 the NAHMA Maps feature on its website. Additionally, NAHMA maintains a database of COQ properties on its website.

Furthermore, through the COQ Corporate Partners designation, NAHMA recognizes the management companies that are committed to upholding the

*continues on page 6*



# Summer Job Turns Into Career

**NAME:** Debra Kennedy, FHC, CPO, NAHP-e

**MANAGEMENT COMPANY:** Kennedy Management Co., LLC

**POSITION:** Owner and President

As a teacher, Debra Kennedy decided to take a summer job not knowing it would become her future career.

Kennedy had graduated college with a computer science degree and had been working as a teacher for four years. To supplement her income and fill her time during the summer months, she took a job as a part-time assistant manager. She never left the field, and in fact, since 2008, has been the owner and president of Kennedy Management Company in Breaux Bridge, La.

"It was supposed to be temporary, but then it turned into full time and then I got promoted," Kennedy said. "I loved it. I got my real estate license and broker's license. I still do teaching when it

comes to staff, it is just a different subject."

Kennedy said she fell in love with the affordable housing industry, especially with helping residents. Her company manages about 391 units—all affordable. She visits each property as much as she can and says she knows a lot of the residents.

"I really like the residents.

Kennedy said she knows a little bit of what it is like to be in her residents' shoes, saying she didn't grow up with a lot of money. She hopes to one day own an affordable property or even multiple properties.

"I like it when people say they really enjoy living at one of the properties I manage," Kennedy said. "They all call me Miss Debra or Miss D."

passed away and Kennedy took her friend's daughter, and the daughter's son, under her wing. She also enjoys golfing, and playing and listening to music. In fact after college, Kennedy spent almost 20 years as a professional guitarist, first with an all-female top-40 band named the Herricanes, then touring with Zydeco Joe. She was working as an area super-

**"I REALLY LIKE THE RESIDENTS. I like helping them, like the seniors who have absentee family. We'll help them get furniture or clothes. Or the single mothers working to try to make ends meet and need a place to stay. People tear them down instead of help them up. We bring people in to teach budgeting and housekeeping skills."**

I like helping them, like the seniors who have absentee family. We'll help them get furniture or clothes," Kennedy said. "Or the single mothers working to try to make ends meet and need a place to stay. People tear them down instead of help them up. We bring people in to teach budgeting and housekeeping skills."

In July, Kennedy began the first of her two-year term as the president of LAHMA where she hopes to expand the membership.

As excited as she is about her job, she is equally passionate about her down time. Kennedy, who is single, enjoys her time with her "adopted" grandson—her best friend

visor full time and touring at night and on weekends until it became too much to keep up that pace.

Kennedy also feeds her artist side by drawing. "I'm an artist," Kennedy said. "When I was younger, I competed in art contests and had a best in show at the Lafayette art show." **NU—JJ**

## EARN THE COMMUNITIES OF QUALITY SEAL, continued from page 5

COQ standards by having at least 50% of their property portfolios accepted into the national recognition program.

To date, there are 231 com-

panies that qualify as COQ Corporate Partners including three—Housing Management Resources, Inc., PRD Management and Wesley Living—that

have achieved COQ recognition status for 100% of their portfolios

Properties who receive the COQ certification must renew

the designation every two years to ensure they continue to uphold the benchmarks that earned them the accomplishment in the first place. **NU—JJ**