Notes from HUD Multifamily Conference Call (March 18, 2020)

- Yesterday, HUD's Office of Multifamily Housing held a conference call with updates on their COVID-19 response and operations. NAHMA staff, Kris Cook and Larry Keys, were able to participate on the call. However, we were made aware that a significant amount of members did not make the call, due to capacity restrictions. HUD is also aware of this issue and plans to hold future conference all.

- To ensure that members are updated, below is a recap of yesterday’s call. For the most part, all the speakers content is covered in the order it was provided. Members should note HUD’s leadership continues to echo the message: Follow all CDC Guidelines for health-related matters. Refer to their MF Questions and Answers for program matters. Members should continue to submit questions to their inbox:
  MFCommunications@hud.gov. The Q&A will be updated frequently can also be found here on the HUD’s website: https://www.hud.gov/program_offices/housing/mfh

- HUD staff, who spoke on the conference call, included:
  - Lamar Seats, Deputy Assistant Secretary, Office of Multifamily Housing
  - Jeff Little, Assistant Deputy Assistant Secretary, Office of Multifamily Housing
  - Tom Bernaciak, Deputy Director, Office of Multifamily Housing Production
  - Toby Halliday, Director, Office of Asset Management and Portfolio Oversight
  - Bob Iber, Senior Advisory, Office of Multifamily Housing

Comments from Lamar Seats

- HUD’s Office of Multifamily Housing is fully operational. Lamar also mentioned that yesterday’s announcement by President Trump regarding the eviction and foreclosure suspension in FHA-backed properties ONLY applies to single family housing. HUD press
release for the announcement is available here:

Comments from Jeff Little

- Most of HUD staff is teleworking, however HUD’s core business functions proceeding.
- The Office of Multifamily Housing and the Office of Public and Indian Housing (PIH) are coordinating. They are also collaborating with Dept. of Health and Human Services (HHS) on resources that HUD can provide, related to tenant health in HUD-insured and HUD-assisted portfolio.
- Jeff strongly urged housing providers to look to local health authorities and the CDC for health-related guidance and assistance.

Comments from Tom Bernaciak

- Expect MF Production FAQs soon.
- With the help of HUD’s Office of General Counsel, closings will continue.
- Tom also mentioned that last week, HUD issued guidance to clear up some procedural issues, however they will be updating this guidance based on lender input.
- During this time, MF Production does not want to put extra burden on lenders or on HUD.

Comments from Toby Halliday

- **Oversight operations**: All asset management staff and PBCAs are operating under a business as usual posture. Safety and stability of residents is our top priority.
- OAMPO are addressing issues as they arise, but they are getting a lot of asset management and operational questions. Toby stated some questions are already answered in their FAQs. He later restated some these answers on physical inspections, MORs, financial submission deadlines, and tenant certifications.
- Toby said they have received a lot of questions on restricting visitors, which he could only address broadly. He said the CDC allows visitor restrictions for long term care facilities. In general, however, unless a visitor restriction is mandated by a state or local official, HUD
owners must be careful not to infringe on resident rights in their independent living environments.

➢ Toby mentioned they have also received a lot of questions about residents who have been exposed to COVID-19, who test positive for it, and whether staff can go into their units. Toby said in general, it is not a good idea for property staff to ask medical questions. He (HUD) suggested that if anyone wants to access a unit, they ask if it’s safe to come in, if the resident has been sick or has traveled recently. Then, let property staff individually decide for themselves whether to go into units.

➢ In regards to property tours, they encourage owners to only enter with the permission of the resident and to hopefully wait for a unit to be vacant before bringing anyone to see it.

➢ If there is a confirmed COVID-19 case in the housing community: HUD recommends the owner/agent follow CDC and local health guidelines if there’s a confirmed case. HUD is not giving medical-related advice.

➢ In regards to emergency funds, Multifamily owners can access property operating accounts for COVID-19 costs. No advance approval is needed for these.

➢ In regards to tenant income recertification: They are in the process of exploring guidance beyond what is already in the FAQs. In the meantime, you can consider extenuating circumstances for an up-to 90 day delay of an interim income recertification. If there is a decrease in tenant income, owners / agents can process tenant interim recertification following regular procedures.

➢ On REAC inspections, regular inspections have been suspended.

➢ MORs: these are more complicated than REAC inspections because of HUD’s relationship with Project-Based Contract Administrators. But, PBCA’s are not being required to do MORs and HUD is encouraging PBCAs not to do MORs until the PBCA says they can move forward with them safely. Look for future guidance on this in days ahead.

➢ Rent Comparability Studies (RCS) these are suspended nationally. HUD will provisionally accept an owner’s RCS for certain rent increase requests.
- **Financial statements**: HUD has extended deadlines for any March and April statements due by 30 days.

  **Comments from Jeff Little on behalf of Tom Davis from Office of Recapitalization**

  - **RAD transactions**: HUD is fully equipped to handle remotely and process these online.
  
  - Jeff also mentioned they are aware of the problem not everyone could join and participate on today’s conference call. HUD will look to host future calls.

  **Comments from Bob Iber**

  - Please send all questions and they will try to respond quickly by updating their FAQs, send questions to MFCommunications@hud.gov

  **Closing Remarks from Lamar Seats**

  - Lamar emphasized they are traveling down a new road, but the Office of Multifamily is here to support in any way they can. Please reach out to them and make recommendations to them. Lamar reiterated **we are a housing agency, not a health care agency. Please rely on your local health departments for health-related guidance and information**. Unlike during government shutdown, all of our staff is in place to help you.

  - In the capacity problems, they will look at the possibility of having another call, or the same call again.