

NAHMA News

PROTECTING THE INTERESTS OF AFFORDABLE HOUSING PROPERTY MANAGERS AND OWNERS

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NSPIRE Administrative Guidance & Scoring Notice Available

The Department of Housing and Urban Development (HUD) released two awaited notices related to the National Standards for the Physical Inspection of Real Estate (NSPIRE): the Implementation of NSPIRE Administrative Procedures, and the NSPIRE and Associated Protocols Final Scoring Notice.

According to HUD, NSPIRE improves the agency's oversight by aligning and consolidating inspection regulations to evaluate HUD housing across multiple programs. NSPIRE strengthens HUD's physical condition standards, formerly known as Uniform Physical Condition Standards (UPCS) and the Housing Quality Standards (HQS). HUD's Real Estate Assessment Center (REAC) inspects HUD-assisted properties in the Public and Multifamily Housing programs.

ADMINISTRATIVE NOTICE

According to HUD, the administrative notice implements portions of the final rule, Economic Growth Regulatory Relief and Consumer Protection Act: Implementation of National Standards for the Physical Inspection of Real Estate

According to HUD, NSPIRE improves the agency's oversight by aligning and consolidating inspection regulations to evaluate HUD housing across multiple programs.

(NSPIRE) or the NSPIRE final rule, which establishes a new approach to defining and assessing housing quality.

"The purpose of NSPIRE is to strengthen HUD's physical condition standards and improve HUD oversight through the alignment and consolidation of the inspection regulations used to evaluate HUD housing, as defined in 24 CFR 5.701(c), across multiple programs. Implementation of the NSPIRE final rule ensures that residents of HUD housing live in safe, habitable dwellings, and the



To read the Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE) Administrative Procedures, visit <https://www.nahma.org/wp-content/uploads/2023/07/NSPIRE-Administrative-Procedures-Notice.pdf>.

To read the National Standards for the Physical Inspection of Real Estate and Associated Protocols, Scoring Notice, visit <https://www.nahma.org/wp-content/uploads/2023/07/NSPIRE-Scoring-Notice.pdf>.

To view the latest NSPIRE updates, visit https://www.hud.gov/program_offices/public_indian_housing/reac/nspire.



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QUERIES: Letters to the Editor and other queries should be sent to Jennifer Jones at the address above.

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Scheduling Out the Rest of the Year

AS I WRITE THIS, IT IS THE LAST day of July. The summer has flown by.

Since we cannot slow down time, I figured it would be an excellent occasion to provide some important upcoming dates to get on your calendar.

DRUG-FREE KIDS CALENDAR

The winners have been chosen (see Page 25), and the NAHMA Drug-Free Kids Calendar is in production now. The calendars will go on sale about mid-September. This year's subtheme is People Helping People: Promote Acts of Kindness. I'm sure you will

and other experts. We will also honor the winners of the Vanguard Awards. Expect an announcement of the prizewinning properties soon.

Additionally, the NAHMA Educational Foundation will be holding its annual fundraising gala in conjunction with NAHMA's meeting. The gala, Wednesday, Oct. 25, at The Hamilton, will feature entertainment and a live and silent auction. The gala requires a separate ticket and is not included as part of the NAHMA October meeting registration. The foundation will be

"I figured it would be an excellent occasion to provide some important upcoming dates to get on your calendar."

be as impressed with the artwork as I am. Each calendar will cost \$5.50, which is a Department of Housing and Urban Development (HUD) and U.S. Department of Agriculture (USDA) expense. Now would be a good time to assemble your order list because you want to be ready when the sales begin. The calendar has a history of selling out. They make great gifts for residents and hard-working staff.

OCTOBER MEETING & FOUNDATION GALA

The fall conference is shifting days this year. It will take place Tuesday, Oct. 24-Thursday, Oct. 26, and will once again be held at the Fairmont in Washington, D.C. Registration opens mid-August. We are still working out the details, but rest assured we will provide the most up-to-date and informative content you expect from NAHMA. The October meeting will feature HUD and USDA representatives,

releasing more information on sponsorship opportunities shortly.

COQ AWARDS

The 2023 Communities of Quality (COQ) Awards contest is underway (see May/June NAHMA News). The entry deadline is Nov. 2. The competition is open to any property that scored 325 or better on its COQ National Recognition application. If a property initially received less than 325 points when its COQ National Recognition application was first submitted, it may elect to update the original application to earn more points if improvements have since been made. For more details on either becoming a Nationally Recognized COQ property or entering the COQ Awards, visit the NAHMA website and click on the Awards & Contest dropdown tab. **NN**

Kris Cook, CAE, is chief executive officer of NAHMA.

items and components located inside, outside, and within the units of HUD housing are functionally adequate, operable, and free of health and safety hazards,” HUD said.

The notice covers the process and operational requirements for Public Housing programs—programs for housing assisted under the U.S. Housing Act of 1937 other than Section 8 of the act, and Multifamily Housing assistance programs covered by the final rule, including Section 202 Supportive Housing for the Elderly, Section 811 Supportive Housing for Persons with Disabilities, Section 202 Direct Loan program, and housing with mortgages insured or held by HUD as listed in 24 CFR 5.701.

It includes policies and procedures for properties participating in inspections, submitting evidence of deficiency correction, sub-

mitting technical reviews, administrative reviews, and other administrative requirements changing with the final NSPIRE rule. In addition, it outlines roles and responsibilities for HUD’s REAC, HUD field office staff, and property representatives from Public Housing Authorities (PHAs) and Property Owners and/or Agents (POAs). The notice also references existing requirements for inspectors performing inspections for REAC under contract.

The NSPIRE final rule is being implemented in phases.

For Public Housing properties, HUD will commence regular inspections after July 1 and will prioritize properties that have not been inspected since normal operations resumed in June 2021 after the pandemic, PHAs with a fiscal year end of March 30, and Troubled PHAs due to receive their next inspections under the updated regulations. For Public Housing properties that participated in the NSPIRE Demonstration, REAC

will consider the prior UPCS score and the inspection date under the demonstration for future inspection scheduling as described in 24 CFR 5.705(c).

For the Multifamily Housing programs, HUD—or the Servicing Mortgagee, as applicable—will commence inspections for participants in the NSPIRE Demonstration beginning July 1 and for all other properties starting Oct. 1. As announced through the notice in the *Federal Register* on Jan. 25, NSPIRE Demonstration Multifamily Housing participants will receive an inspection of record through the NSPIRE Demonstration unless they opted out by March 1, in which case they will receive an inspection of record under UPCS. UPCS

inspections for these participants commenced in March 2023.

For Multifamily Housing properties that participated in the NSPIRE Demonstration, REAC will consider the prior UPCS score and the inspection date under the demonstration for future inspection scheduling as described in 24 CFR 5.705(c). However, HUD intends to conduct subsequent inspections on each of these properties by the end of 2025 and may adjust scheduling accordingly to fulfill that objective. Scheduling will align with the timeframes established in 24 CFR 5.705(c).

For the Housing Choice Voucher (HCV), Project Based Voucher (PBV) programs, and the programs managed by HUD’s Office of Community Planning and Development (CPD), the NSPIRE final rule will be effective Oct. 1. Inspections of housing under those programs before this effective date will be conducted following the Housing Quality Standards in effect at 24 CFR 982.401.

The notice provides guidance on the

Public Housing and Multifamily Housing programs covered in the final rule. HUD will issue additional notices to implement the NSPIRE rule for the HCV, PBV, and CPD programs included in the NSPIRE final rule.

SCORING NOTICE

NAHMA submitted comments regarding NSPIRE-associated protocols and the proposed scoring notice to HUD in April (See May/June 2023 NAHMA News). With the recent release of the final scoring notice, HUD responded to some of the concerns raised by NAHMA members.

With the notice, HUD establishes the NSPIRE physical inspection scoring and ranking methodology to implement

It sets a threshold for HUD to perform additional administrative oversight by establishing a level for when a property fails an inspection (less than 60 points) and when an enforcement referral is automatic or required (less than or equal to 30 points).

HUD’s NSPIRE rule for Public Housing and Multifamily Housing programs, including Section 8 Project-Based Rental Assistance (PBRA) and other Multifamily assisted housing, Section 202/811 programs, and HUD-insured Multifamily as described in the NSPIRE rule. The scoring methodology converts observed defects into a numerical score. It sets a threshold for HUD to perform additional administrative oversight by establishing a level for when a property fails an inspection (less than 60 points) and when an enforcement referral is automatic or required (less than or equal to 30 points).

HUD’s responses to some of the NAHMA member comments:

Unit Score Failing Entire Property

NAHMA Comment: NAHMA members believe it is arbitrary to automatically fail an entire property based on point deductions from units. We specifically do not think a property should fail solely based on

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a unit scoring a 30-point deduction.

HUD Response: In the NSPIRE final rule and proposed scoring notice, HUD identified three inspectable areas: Unit, Inside, and Outside. For scoring, HUD proposed that properties be rated against two performance thresholds: (1) Properties need to score 60 or above in all inspectable areas (“Property Threshold of Performance”), and (2) a “Unit Threshold of Performance”; where a loss of 30 points or more in the Unit portion of the inspection will result in a score adjustment to 59 or failing, even if the Inside and Outside portions of the inspection allowed it to score over 60. Establishing the Unit Threshold of Performance reflects HUD’s concern with resident health and safety in its inspection protocols. Several public comments misinterpreted the Unit Threshold of Performance to suggest that the deduction of 30

points or more in a single inspected unit could fail an entire property.

This interpretation does not reflect the intended goal or application of this policy. This final scoring notice clarifies that the Unit Threshold of Performance collectively applies to all the inspected units in a property (e.g., Unit Defection Deduction Value divided by the number of inspected units). Additionally, HUD will only lower the score to 59 if it was previously 60 or above. HUD will not further adjust scores that were already below 60.

Letter Grades

Comment: NAHMA members oppose the letter grades described in Table 8. These proposed grades do not accurately reflect HUD’s policy and could too easily be misconstrued by outside parties (media, insurance, financial institutions, and community groups). As an alternative, members recommend keeping the existing numerical score, but if some other type of additional “description” is desired, HUD should follow the typical Manage-

ment and Occupancy Review (MOR) rating system that provides consistency between both MOR and physical inspections (i.e., Superior, Above Average, etc.). As an example: 90-100 Superior; 89-80 Above Average; 60-79 Satisfactory; 30-59 Below Average (Fail); and 0-29 Unsatisfactory (Fail).

NAHMA believes there is no need for a letter grade, but rather, just a description after the score.

Response: HUD proposed using letter grades in conjunction with inspection scores in the NSPIRE proposed scoring notice. The rationale for using letter grades was rooted in making property inspection scores easy to interpret for HUD-assisted housing residents. Several public comments underscored how such letter grading might lead to misinterpreting the inspection outcomes or possi-

bly “stigmatize” affordable housing. In line with these potential concerns, letter grading has been removed from the final scoring notice. HUD may decide to use letter grades in the future, and if so, will announce that decision via notice before implementing. Until such time, HUD will continue to only issue scores on the 0-100 point scale. An alternative suggestion was to adopt MOR terminology to eliminate the risk of misinterpretations in the public eye: superior, above average, satisfactory, below average, and unsatisfactory. REAC will share comments on the MOR process with the Office of Housing; that is not in the NSPIRE rulemaking.

Point Caps

Comments: NAHMA Members are very concerned that there will no longer be point caps and that this will negatively impact scoring. UPCS inspections had unintended point deductions that would skew the overall score for any one property.

For example, a trip hazard could result in a deduction of over 10 points. The proposed NSPIRE scoring model does not address how to avoid the same type of unfair point deduction. There are no caps for point deductions and no recognition of proportionality for findings. This issue is discussed in Section VI. C. of the Proposed Rule. The rule proposes that any limitation on point deduction is something to avoid. However, safeguards should be in place to ensure that relatively few deficiencies do not have a very large point deduction for the overall score. There should also be some ability for a human to review the score and recognize when the score is unreasonable. There should be a vehicle to address scoring issues in the future once NSPIRE is fully implemented and inspections are “live.”

Response: In the proposed NSPIRE

Scoring notice, HUD scored all deficiencies, even repeated instances of the same deficiency. Public comments raised important considerations about certain types of deficiencies; for example, some deficiencies can be observed in multiple rooms or inspectable items even if they are the same deficiency. Examples include pest infestation, blocked egress, sharp edges, and damaged walls. To estimate the scoring impact of scoring every deficiency cited versus the overall condition, HUD conducted a statistical analysis of how scoring the same deficiency multiple times affects overall property scores, using data gathered from the NSPIRE Demonstration. The analysis showed that the difference between point deductions for each instance of deficiencies and point deductions in only the first observation of the deficiency is small and might lead to a negligible increase in the inspection failure rate. In other cases—such as pest

NAHMA members believe it is arbitrary to automatically fail an entire property based on point deductions from units. We specifically do not think a property should fail solely based on a unit scoring a 30-point deduction.

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infestation—the final NSPIRE Standard will not require that the inspector count each piece of evidence of a pest as an individual deficiency and will, instead, characterize the infestation severity at the overall unit level. Given the public comments and pilot testing results—and the minimal impact on overall inspection score—HUD will continue citing a deficiency multiple times in all inspectable areas (i.e., Unit, Inside, Outside) but will deduct points once per inspected unit, inspected building, or Outside area, for the Unit, Inside, and Outside areas, respectively. Examples of deficiencies that will be cited for each instance but scored only once in the same inspectable area include blocked egress, damaged doors, damaged walls, sharp edges, and infestation. This revision considers concerns expressed in public comments while upholding HUD's focus on resident health and safety as standards for acceptable living conditions.

Impact on Small Properties

Comments: NAHMA members are also concerned that smaller properties will be negatively impacted by the proposed methodology, especially related to the items listed above.

Response: HUD's focus on units as the most important element of resident health and safety drives the NSPIRE scoring methodology. As part of this emphasis, the NSPIRE scoring methodology no longer requires every property building to be inspected; instead, only those buildings that contain a unit in the inspection sample are to be inspected. The inspection will also include at least two non-dwelling area spaces, prioritizing spaces that residents can access or will spend time in and those common areas within a building that includes sampled units. For example, residents are more likely to spend time in a community room as compared to a basement storage

area or the management office. Public comments expressed concerns about how this new approach might simultaneously disadvantage properties of certain sizes or configurations. However, the comments appear to be based on an incorrect reading of the scoring formula. The NSPIRE scoring methodology controls for property size by dividing the Defect Deduction Value for all three areas: Unit, Inside, and Outside portions of the inspection by the number of units inspected. HUD asserts that the number of units inspected is a simple and easy-to-measure proxy value for the number of items inspected at a property. For large properties, there is a chance that the numerator, or number of total defects in each area, will be larger because they will have more and larger common areas. For smaller properties, the concern is that the denominator will be smaller due to the smaller number of units in the property, so every defect counts "more." By using the total number of units inspected as the denominator in the scoring formula, HUD controls for the effect of the property size on the overall score for both small and large properties. Dividing the Defect Deduction Value by the total number of units inspected normalizes the impact of deficiencies on the property score, thereby eliminating a potential source of bias in the scoring due to property size. Alternative measures to control for property size yielded inconclusive results.

Further, HUD's systems of record do not include building square footage by inspectable area, so the number of units inspected acts as a simple and easy-to-measure proxy value for a number of items inspected at a property. HUD will use its inspector protocols and the individual NSPIRE Standard to define what is inspected by inspectable items. Further, not all non-dwelling or other inside areas will be inspected. By limiting the score deductions for repeated life-threatening conditions, the size of the inspectable area or building will have less of an impact on the overall score. **NN**



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HUD Represents the U.S. at the G7 Sustainable Urban Ministers' Meeting

IN EARLY JULY, THE DEPARTMENT of Housing and Urban Development (HUD) Secretary Marcia Fudge traveled to Takamatsu, Japan, for the G7 Sustainable Urban Ministers' Meeting. Per HUD's press release, during the meeting, Fudge signed a memorandum of cooperation (MOC) with Japanese leaders in housing and urban development "designed to strengthen the relationship between the United States and Japan in this field. The MOC establishes a plan for collaborative research and the exchange of ideas regarding issues like innovative housing policy, inclusive urban planning strategies, and best practices for the implementation of carbon neutrality and climate resilience in cities."

The release said the MOC is part of HUD's larger, ongoing effort to prioritize sustainability and climate resiliency in housing.

In published remarks, Fudge said, "President Joe Biden and the entire Biden-Harris administration have taken an ambitious stance towards decarbonization. Our goal is to achieve net-zero emissions and a full clean energy economy by 2050. Getting there will take significant investments, and incentives, to research and deploy clean energy innovations in every aspect of the United States economy."

During the meeting, HUD leaders also participated in discussions. HUD shared the following session readouts and remarks:

■ During the Carbon Neutral and Resilient Cities session, HUD shared information about the **Green and Resilient Retrofit Program**, the Biden administration's commitment toward decarbonization, and HUD's commitment to ensuring that housing is incorporated into infrastructure policies and priorities as a

step towards a low-carbon future.

Notable Remarks: "It is estimated that one in three households in the United States experience energy insecurity. That means millions of people in the United States either cannot afford or do not have access to a reliable source of energy. ...

"The United States does not believe people should feel forced to live this way.

"This year, the Inflation Reduction Act of 2022, for the first time ever, invests in energy efficiency, emission reductions, energy generation, healthy housing, and climate resilience strategies that will directly benefit low-and-moderate income people.

"The Green and Resilient Retrofit Program, as it is called, provides financial assistance to owners and developers of low-and-moderate income multifamily housing that can be used to halve greenhouse gas emissions at their properties and reduce consumption by at least 25%.

"Through inclusive and groundbreaking initiatives like the Green and Resilient Retrofit Program, we can face these challenges while directly impacting the quality of life for millions of Americans."

■ During the Inclusive Cities session, HUD shared details on the **Thriving Communities Technical Assistance Program** and how HUD works at both the state and local levels to provide equal opportunity to Americans to afford and access homes.

Notable Remarks: "HUD's Thriving Communities Technical Assistance Program, for example, is part of an inter-agency initiative among the Departments of Transportation, HUD, Energy, Commerce, and Agriculture, as well as the General Services Administration and the Environmental Protection Agency.

"This program reaches every com-

munity across the country by allowing jurisdictions to appropriate funding in robust and cohesive ways by specifically prioritizing the development of accessible housing near accessible transportation.

"When we approach urban development with intersectionality in mind, we provide our cities and communities the opportunity to do the same."

■ During the Digitization session, HUD shared how they have made programs and funding more accessible to Americans through digitization, in addition to the **Affordable Connectivity Program** and **HUD's ConnectHomeUSA program**.

Notable Remarks: "... A person's socioeconomic status can determine their ability to access digital tools.

"To address this, the federal government is taking concrete steps to increase connectivity, especially for people with low incomes, those who live in assisted housing and residents of rural communities.

"One of our biggest efforts in combating digital disparity is the Affordable Connectivity Program led by the Federal Communications Commission. This program is a direct result of the Biden-Harris administration's Bipartisan Infrastructure Law which invests \$65 billion to help ensure that every American has access to affordable, reliable high-speed internet.

"Under the guidelines of this program, all households who receive HUD assistance qualify, and with intentional efforts agencywide to streamline the application process, we have been able to help ensure that everyone can afford the broadband they need for work, school, healthcare and more." **NN**

Larry Keys Jr. is vice president of government affairs for NAHMA.



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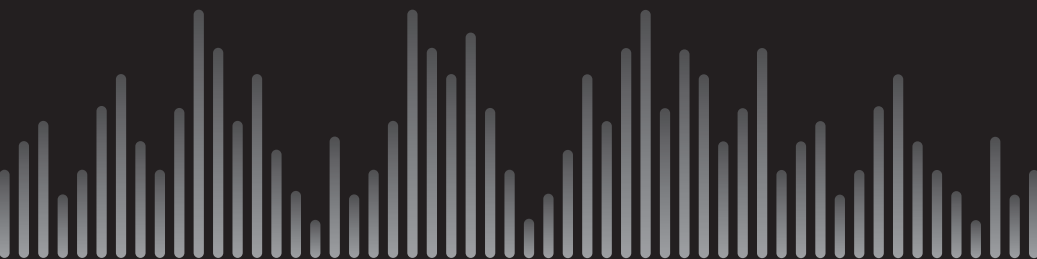
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HUD Lifts New LIHTC Pilot Program Cap

THE U.S. DEPARTMENT OF HOUSING and Urban Development (HUD) issued a memorandum June 8 lifting the \$25 million cap on loans in the new Low-Income Housing Tax Credit (LIHTC) pilot program.

The increased cap will allow larger developments and developments that needed more rehabilitation than allowed under the \$25 million cap to access this pilot program, thereby increasing the number of developments that can use the pilot program. The higher leverage available to a LIHTC development under this program can help fill gaps created by increased construction costs, higher interest rates and lower equity pricing.

ABOUT THE PROGRAM

HUD launched the LIHTC pilot program in 2012 to streamline processing of Section 223(f) LIHTC transactions with repairs up to \$40,000 per unit. Then, in 2019, HUD expanded the program to include new construction and substantial rehabilitation projects under the Section 221(d)(4) and Section 220 loan programs. The expansion to include Section 221(d)(4) and Section 220 transactions makes the majority of LIHTC transactions eligible for the pilot program.

Not all LIHTC transactions are eligible for the pilot program. These ineligible properties will be processed under current LIHTC underwriting guidelines and include 4% LIHTC new construction transactions, Rental Assistance Demonstration properties, historic tax credit and new markets tax credit transactions, adaptive reuse of nonresidential structures, developments involving significant demolition or gut rehabilitation, and those involv-

ing inexperienced development team members, including property managers.

WHY REMOVE THE CAP

The goal of the new LIHTC pilot program is to ensure faster and more efficient processing for low-risk LIHTC transactions by eliminating redundant reviews. HUD's average processing time for its LIHTC construction loans is 90 days. The pilot program cuts down that processing time dramatically, with a 30-day processing time for loans processed under the expedited approval process and 60 days under the standard approval process. All other eligibility and processing requirements for the new LIHTC pilot program remain the same.

If a development qualifies for the expedited approval process, HUD's review is limited because HUD will rely on the underwriting and due diligence performed by the lender during both the underwriting and construction phase. Generally speaking, the main drawback of using the expedited approval process is that a development will have a lower loan to cost ratio than a development using the standard approval process.

Eliminating the \$25 million cap was done in alignment with HUD's fiscal year 2022-2026 Strategic Plan to increase the supply of affordable rental housing. The HUD memorandum stated that after considering the current LIHTC affordable rental housing market conditions, it determined that removing the cap will better align and further incentivize borrowers and lenders to use the new LIHTC pilot program.

The new LIHTC pilot program

expands HUD's support for the LIHTC incentive, which is the primary resource used to create and preserve multifamily affordable housing, and is the primary tool for encouraging the investment of private capital in affordable rental housing, according to HUD.

The removal of the cap is particularly important as inflation continues to increase the cost of developing LIHTC housing. In addition, the rising interest rates, lowered corporate tax rates and other factors have resulted in the amount of equity invested in many affordable housing developments being reduced. The somewhat higher leverage available to a LIHTC development with a Federal Housing Administration-insured mortgage can help fill the gap in the development's sources of funds and make a development financially feasible to fund.

The streamlined process in the new LIHTC pilot program is intended to align HUD's Section 221(d)(4) and Section 220 platform with the requirements of the LIHTC incentive and improve HUD's responsiveness and application processing times.

CONCLUSION

Contact a Novogradac professional to better understand the nuances of the new LIHTC pilot program. **NN**

Thomas Stagg is a partner in the metro Seattle office of Novogradac who specializes in audit and tax services for real estate transactions.

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FRA Increases Debt Limit; Budget Fight Still Looms

The Fiscal Responsibility Act of 2023 (FRA), a bill that increased the country's borrowing limit through 2025 and averted a national default, was signed into law by President Joe Biden on June 3. A *NAHMA* Analysis examines key provisions of the legislation, including the bill's increase to the federal debt limit, new spending limits and work requirements for federal programs. The bill gained bipartisan support in both chambers of Congress

(HUD) and the Department of Agriculture (USDA). Funding levels for these programs would be frozen. The law also includes a provision requiring Congress to pass all 12 federal appropriations bills to fund the federal government for FY 2024. If Congress fails to pass these bills, the law will automatically apply a 1% cut below this year's funding levels to all programs across the federal government. Because the costs of housing and community development resources rise every year,

sequester next year that would dramatically impact our military readiness and lock in Democrats' policies, Republicans on the committee intend to act quickly to get all appropriations bills signed into law. We'll use the appropriations process in the House to stake out our priorities and reverse the reckless spending of the last two years." Granger said.

In previous spending deals, caps have been treated as a target to be met, though not exceeded. The Senate Appropriations Committee's ranking member, Susan Collins (R-ME), said she was surprised Speaker McCarthy was considering writing under the pro-

"The Fiscal Responsibility Act set a top-line spending cap—a ceiling, not a floor—for fiscal year 2024 bills. That is why I will use this opportunity to markup appropriations bills that limit new spending to the fiscal year 2022 top-line level."

and passed in the House of Representatives by a margin of 314-117 and in the Senate by a final vote of 63-36.

KEY PROVISIONS

Debt Limit Increase: The bill suspends the federal debt limit through Jan. 1, 2025, after which a new Congress would need to extend the debt limit again following the 2024 election.

Impact of Caps on New Funding: The FRA establishes new spending limits for fiscal year (FY) 2024 and FY 2025 that are enforced with automatic spending cuts. The law "caps," or puts a limit on, the total amount of money the federal government can spend for fiscal years 2024 and 2025 for defense programs and non-defense programs, including for affordable housing programs at the Department of Housing and Urban Development

even flat funding acts as a cut.

Most recently, despite the agreements reached, and the terms spelled out in the Fiscal Recovery Act, House Speaker Kevin McCarthy (R-CA) indicated House appropriators would introduce spending bills below spending caps set by the deal.

House Appropriations Chairwoman Rep. Kay Granger (R-TX) confirmed that she will push to slash overall spending to FY 2022 levels. This would represent a 22% HUD funding cut in FY 2024. Granger said the approach allows for spending reductions "without short-changing" national security.

"The Fiscal Responsibility Act set a top-line spending cap—a ceiling, not a floor—for fiscal year 2024 bills. That is why I will use this opportunity to markup appropriations bills that limit new spending to the fiscal year 2022 top-line level. In addition, by clawing back \$115 billion in unnecessary, partisan programs, we will refocus government spending consistent with Republican priorities, keeping total spending 1% lower than if we were operating under a continuing resolution. To avoid a

posed spending caps.

In a March letter to Ranking Member Rosa DeLauro (D-CT), HUD Secretary Marcia Fudge outlined the impact of slashing HUD funding by 22%. Such a cut would eliminate rental assistance for an estimated 2 million people who rely on either Project-Based Rental Assistance (PBRA) or Tenant-Based Rental Assistance to stay in their homes. HUD estimates 640,000 families would lose access to Housing Choice Vouchers, and more than 430,000 families would be evicted from Section 8 housing. Any cuts to the FY 2023 levels for HUD's PBRA program would eliminate funding for approximately 286,000 families, leading to an unprecedented loss of existing affordable housing and mass evictions. The cuts would disproportionately impact households of color, people with disabilities, caregivers, and older adults. The average Community Development Block Grant annual grant would be reduced by approximately \$440,000. The average HOME Investment Partnerships grant would be reduced by \$330,000, resulting in 6,700 fewer units of affordable housing produced. **NN**



To read the Fiscal Responsibility Act in its entirety, visit <https://www.congress.gov/bill/118th-congress/house-bill/3746>.

To read the *NAHMA* Analysis in its entirety, visit the Members Only section of nahma.org.

NAHMA Raises Concerns About HOTMA and MORs

NAHMA submitted a letter to the Department of Housing and Urban Development (HUD) on two policy matters that its members have expressed significant concerns about: Housing Opportunity Through Modernization Act of 2016 (HOTMA) Implementation, and Management and Occupancy Reviews (MORs) after a change in Ownership and Management Agent.

HOTMA IMPLEMENTATION

“First, we know your staff continues to work on the implementation of HOTMA, including guidance, technical assistance, technology/software updates, and training. The industry is awaiting policy updates Our members continue to express concerns on the implementation timeline ahead of the January 2024 implementation date. Our members need time for staff training or to ensure the software they utilize is updated to comply with current regulations,” the NAHMA letter said.

The letter said HOTMA is not the only significant policy change NAHMA members currently face. The industry is frustrated because HOTMA’s implementation coincides with other significant policy changes, including the National Standards for the Physical Inspection of Real Estate, the Green and Resilient Retrofit Program, and the White House Blueprint for a Tenant Bill of Rights.

“Across the industry, there is a growing demand for NAHMA to pursue ‘legislative relief’ from HOTMA and its 2024 implementation date. We would greatly appreciate transparency on implementation delays, specifically guidance and TRACs [Tenant Rental Assistance Certification System] updates,” the comments said.

MORs

“Next, we are bringing to your attention an unintended consequence of the recent Streamlining Management and Occupancy Reviews (MOR) Final Rule. The MOR Final Rule is creating a substantial disincentive for our members to take on troubled properties,” the NAHMA letter said.

The letter highlights a few sections from the regulation text and a public comments section where it states, “Where a change in ownership or management occurs, a management and occupancy review must be conducted within six months.”

According to the letter, due to facing a MOR within one to six months, many NAHMA members are stating they will no longer take on troubled properties, given they are getting a negative MOR before they can complete any rehab work on the property. Members are penalized for the negative actions of prior ownership or management. In many cases, this follows a HUD-initiated and approved change. As reputable companies, NAHMA members pride themselves on having and showing exemplary MOR results when seeking new business opportunities. In addition to receiving failing and substandard MORs, this impacts other areas, including delayed closings because of 2530 flags. In the letter, NAHMA requests a change to the policy for troubled assets to ensure an incoming owner and management agent can make improvements before receiving a MOR, asking HUD to use its authority to amend the MOR schedule as provided in the final rule’s comment: “Having the ability to amend the MOR schedule in this way enables HUD to address relatively quickly any issues related to the frequency with which MORs are conducted.”

1. Applicable Regulation Section
(CFR § 880.612, § 886.130, § 886.335, § 884.224, § 891.582)

Management and occupancy reviews.

a. The contract administrator will conduct management and occupancy reviews to determine whether the owner complies with the Housing Assistance Payments (HAP) contract. Such reviews will be conducted in accordance with a schedule set out by the secretary and published in the *Federal Register*, following notice and the opportunity to comment. Where a change in ownership or management occurs, a management and occupancy review must be conducted within six months.

b. HUD or the contract administrator may inspect project operations and units anytime.

c. HUD may conduct Equal Opportunity reviews at any time.

2. Final Rule Summary

HUD’s proposed rule provided that HUD could inspect a project at any time. At the final rule stage, HUD requires that a MOR be performed within six months following a change in ownership or management, irrespective of a project’s performance-based MOR schedule. HUD believes adding an inspection at a change in ownership or management is appropriate to ensure that the MOR is based on the current management at the time;

3. Notable Final Rule Comments and HUD Responses.

Initial and Ongoing Implementation

Comment: Clarify how HUD will approach the initial implementation of the new MOR schedule. One commenter supported the change to a three-, two-, one-year schedule and suggested that HUD require a baseline inspection to establish each project’s risk rating. Another commenter recom-

mended that upon implementing the new performance-based schedule, any property that has gone three or more years without an MOR should receive an MOR within the first year, suggesting that many properties have not received a MOR in more than three years. Another commenter recommended that HUD adopt additional parameters, such as requiring a review within 12 months for a change of ownership, management agent, or on-site personnel. Generally, commenters sought clarification regarding how HUD will implement the new MOR schedule.

HUD Response: In implementing the performance-based MOR schedule, HUD will establish a time frame for each project's next MOR at the first MOR following the effective date of this final rule. Based upon a project's MOR score following that first MOR and the project's risk rating at the time, HUD will determine the date of each project's next MOR according to the performance-based MOR schedule.

If a project's condition or risk rating worsens following a MOR, either HUD or the contract administrator may move up the date of the project's next scheduled MOR, irrespective of the performance-based MOR schedule for the project. If a project's condition or risk rating improves between MORs, the project will remain subject to its schedule as determined pursuant to the performance-based MOR schedule. In other words, HUD will not entertain requests to reduce the frequency of MORs based upon an improvement in a project's condition or risk rating between scheduled MORs but instead encourages owners to maintain their projects at a level that will merit a decrease in MOR frequency based on the project's risk rating and MOR score

at the next scheduled MOR.

HUD agrees with the comment to require an MOR following a change in ownership or management and will require that an MOR be conducted within six months of such a change.

Comment: Reducing MORs could result in the loss of federal funds. A commenter stated that MORs often result in the recovery of assistance payments due to either the tenant or property owner and management agent making an error. Another commenter stated that errors in day-to-day certifications and re-certifications have an immediate effect, resulting in HAP over- or underpayment. One commenter noted that property owners and management agents

would lose additional funds because they would err on the side of reducing the overpayment of subsidy so as not to outweigh the cost of continued compliance.

HUD Response: HUD believes that the final schedule strikes an appropriate cost-benefit balance and that commenters' concerns will resolve once property owners and management agents adapt to the new schedule. This rule allows HUD to amend the MOR schedule, if needed, via *Federal Register* notice, following public comment. The ability to amend the MOR schedule in this way enables HUD to quickly address any issues related to the frequency with which MORs are conducted. **NN**

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NAHMA Joins Coalition Urging Action to Increase Housing Supply

NAHMA was one of 19 national real estate associations, under the banner of the Housing Affordability Coalition, to send a joint letter to urge Congress to pass legislation to increase the housing supply.

“We write today to urge Congress to work with the Biden administration, housing providers, lenders, and other stakeholders to pursue bipartisan solutions to increase the supply of housing in all markets and at all price points. ...

“Today, in more and more communities, hard-working Americans are unable to rent or buy homes due to increased housing costs. These rising costs are driven by a lack of supply created by barriers to development that increasingly make it extremely challenging, if not impossible, to build housing at almost any price point—particularly a price affordable to low- and middle-class families. The total share of cost-burdened households (those paying more than 30% of their income on housing) increased steadily from 28% in 1985 to 36.9% in 2021, while other households have been priced out of communities altogether in their search for affordable housing. This is not sustainable, particularly in a period of high inflation. It is critical that we start now to enact policies that will incentivize new housing production,” the letter said.

The coalition goes on to recommend that policymakers take action on the following measures:



To read the letter in its entirety, visit <https://www.nmhc.org/advocacy/comment-letters/2023/housing-affordability-coalition-letter-calling-for-bipartisan-solutions/>.

Yes In My Back Yard (YIMBY) Act: Bipartisan legislation that would help eliminate discriminatory land-use policies and remove barriers that depress the production of housing in the U.S. By requiring Community Development Block Grant recipients to report periodically on the extent to which they are eliminating discriminatory land-use policies, and promoting inclusive and affordable housing, the

“Today, in more and more communities, hard-working Americans are unable to rent or buy homes due to increased housing costs. These rising costs are driven by a lack of supply created by barriers to development that increasingly make it extremely challenging, if not impossible, to build housing at almost any price point—particularly a price affordable to low- and middle-class families.

YIMBY Act will increase transparency and encourage more thoughtful and inclusive development practices, the letter said.

Eliminate Exclusionary Zoning and Harmful Land-Use Policies: Exclusionary zoning laws—like minimum lot sizes, mandatory parking requirements, and prohibitions on multifamily and manufactured housing—have inflated housing and construction costs and locked families out of areas with more opportunities. A new competitive grant program, the Unlocking Possibilities Program, included in President Joe Biden’s Housing Supply Action plan, would award flexible and attractive funding to jurisdictions that take concrete steps to eliminate such needless barriers to producing affordable housing.

Promote Affordable Housing Near Transit Act: The bill would permit transit agencies to convey land at zero

cost to nonprofit affordable housing developers or other eligible third-party entities, such as multifamily developers, to produce affordable and mixed-income housing. The bill has yet to be reintroduced in the 118th Congress.

Build More Housing Near Transit Act: Bipartisan legislation that would better leverage federal transportation dollars to support housing development. The bill has not been reintro-

duced in the 118th Congress.

The Choice in Affordable Housing Act: Bipartisan and bicameral legislation that has the backing of housing advocates and housing providers and would address many overlapping and redundant programmatic procedures that have deterred professional owners and operators from participating in the Section 8 Housing Choice Voucher Program.

Housing Supply and Affordability Act: Legislation that would create a new Local Housing Policy Grant program at the Department of Housing and Urban Development to provide grants to local governments to support efforts to expand housing supply. The bill has not been reintroduced in the 118th Congress.

Low-Income Housing Tax Credit (LIHTC): Expanding and enhancing the LIHTC will enable greater affordable housing production.

Enact the Middle-Income Hous-

ing Tax Credit (MIHTC) to Support Workforce Housing: Housing affordability impacts the financial well-being of middle-income households and low-income families. Modeled on LIHTC, MIHTC takes over where LIHTC leaves off and is designed to benefit populations earning below 100% of the area median income.

Incentivize Adaptive Reuse of Underutilized Commercial Properties:

Given the nation's shortage of affordable rental housing, many are considering turning unused and underutilized commercial real estate structures, including offices, hotels, and retail spaces, into housing. The coalition said not only would such repurposing help address the nation's housing supply

challenge but also create jobs and boost local property tax revenues.

Enhance Opportunity Zones to Incentivize Rehabilitation of Housing Units: The coalition said it expects the Opportunity Zones program to be beneficial in spurring the production of new multifamily housing. Opportunity Zones could be improved to also incentivize the rehabilitation of existing multifamily units. Statutory modifications could be made to reduce the basis increase necessary to qualify a multifamily rehabilitation project for Opportunity Zone purposes.

Revitalizing Economies, Housing, and Businesses (REHAB) Act: This proposal would create incentives to encourage community develop-

ment and neighborhood revitalization and promote greater affordability in high-demand markets through new private investment in multifamily buildings located near transit. The bill has not been reintroduced in the 118th Congress.

Energy Efficient Qualified Improvement Property (E-QUIP) Act: This act would spur the replacement of aging building components that most impact building energy consumption, including heating and cooling systems; lighting; and building envelope components like roofs and windows by permitting accelerated depreciation of certain qualifying assets. The bill has not been reintroduced in the 118th Congress. **NN**



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NAHMA

HUD Publishes New Green and Resilient Retrofit Program Funding Opportunities

The Department of Housing and Urban Development (HUD) recently announced funding availability to support green and resilient retrofits of properties participating in Multifamily Assisted Housing programs. HUD published three Notices of Funding Opportunity (NOFOs) for the Green and Resilient Retrofit Program (GRRP) and implementation guidance in Housing Notice H 2023-

you are an owner who receives HUD assistance through Sections 202, 811, Section 8 Project-Based Rental Assistance, or certain other small programs, you may be eligible for a grant or loan award under one of three cohorts:

- Elements Awards targets properties already advanced in a rehabilitation transaction and need gap financing to fund specific utility-efficient or resilient elements.
- Leading Edge Awards target proper-

The Inflation Reduction Act of 2022 provided HUD \$837.5 million in grant funding and \$4 billion in loan authority for this new program. The bill also included \$42.5 million for a new HUD initiative, which will launch later this summer to collect and assess energy and water usage data from assisted multifamily housing properties.

05. The Inflation Reduction Act of 2022 provided HUD \$837.5 million in grant funding and \$4 billion in loan authority for this new program. The bill also included \$42.5 million for a new HUD initiative, which will launch later this summer to collect and assess energy and water usage data from assisted multifamily housing properties.

According to HUD, building owners will be able to invest in technologies such as solar panels, heat pumps, wind-resistant roofing, and other measures that will reduce greenhouse gas emissions and make properties healthier and safer for residents in the face of more severe weather and a changing climate. HUD said if

ties in early recapitalization planning stages. These awards fund projects that will achieve a high-level third-party green certification.

■ Comprehensive Awards will target properties with high needs where HUD-procured Multifamily Assessment Contractors will support owners by commissioning third-party reports and assessments to develop a scope of work. The resulting plan will include whole-building retrofits incorporating green retrofits and resilient design elements.

For more information and resources, including recorded training, fact sheets, application forms, and upcoming events, visit <https://www.hud.gov/grrp>. **NN**

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HUD Provides Program Requirements Regarding Denial of Admission

In January, the White House released a Blueprint for a Renter Bill of Rights, which articulated principles to increase fairness in the rental market, strengthen tenant protections, and encourage rental affordability. One of the principles focused on ensuring renters and rental applicants know their existing legal rights and protections afforded to them under various federal laws and regulations.

As a result, the Department of Housing and Urban Development (HUD) has released guidance outlining the requirements related to denying admission to applicants.

“Across the housing market, landlords increasingly rely on tenant screening reports as part of their selection criteria, but research shows these reports often include inaccurate information, including inaccuracies in criminal and eviction records and credit history. If prospective renters are not given the opportunity to review and correct the information in these reports, then these renters may be repeatedly denied housing as a result of inaccurate information in their tenant screening reports. In addition, housing providers may miss opportunities to consider qualified applicants who would have made for quality tenants,” HUD said.

NOTICE OBLIGATIONS UNDER HUD RULES

Under HUD rules, multifamily owners must promptly notify applicants in writing of the denial of admission from Multifamily Housing rental assistance programs. Owners’ written rejection notices must include the following information:

- The specific reason(s) for the rejection;
- The applicant’s right to respond to

the owner in writing or request a meeting within 14 days to dispute the rejection; and

■ That persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

In addition, any meeting with the applicant to discuss the rejection must be conducted by a member of the owner’s staff who was not involved in the initial decision to deny admission to the program.

The owner must advise the applicant

explains, the adverse action notice must communicate the following information: the name, address, and phone number of the tenant screening company; that a consumer can receive a free copy of the report from the tenant screening company within 60 days; that a consumer has the right to dispute any incorrect information; and that the tenant screening company did not make the decision to take the unfavorable action and cannot give specific reasons for it.

The Consumer Protection Financial Bureau and the Federal Trade Com-

“Across the housing market, landlords increasingly rely on tenant screening reports as part of their selection criteria, but research shows these reports often include inaccurate information, including inaccuracies in criminal and eviction records and credit history.”

in writing of the final eligibility decision within five business days of the owner’s response or meeting.

Multifamily-assisted property owners have additional regulations regarding the denial of admission based on criminal conviction records; status as a victim of domestic violence, dating violence, sexual assault, or stalking; civil rights and antidiscrimination laws; and citizenship status.

NOTICE OBLIGATIONS UNDER FCRA

Under the Fair Credit Reporting Act (FCRA), landlords or property managers must inform rental applicants what led to rejecting a rental applicant or taking another action unfavorable to the applicant. This requirement is known as the adverse action notice. Failure to provide the notice correctly may subject multifamily-assisted property owners to legal liability under state and federal law. As Federal Trade Commission guidance

mission, two federal agencies, interpret and enforce this requirement of the Fair Credit Reporting Act.

RECOMMENDED BEST PRACTICE

When a multifamily assisted property owner denies an applicant for its assisted program, HUD strongly encourages housing providers to:

- Provide written adverse action notices as part of the denial letter.
- Provide a copy of any tenant screening report relied on when making an adverse action determination to an applicant. A written notice paired with a report copy allows multifamily assisted property owners to demonstrate they have fulfilled their legal obligations under the Fair Credit Reporting Act and also permits applicants to understand the basis for any denial, fully assert their rights with tenant screening companies, and more effectively correct their records. **NN**

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	2	1

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NLIHC Report Shows Housing Unattainable for Workers

The National Low Income Housing Coalition (NLIHC) released its annual report, *Out of Reach 2023: The High Cost of Housing*, highlighting the mismatch between the wages people earn and the price of modest rental housing in every state, county, metropolitan area, and combined non-metropolitan area in the U.S. This year's report shows how high rents have combined with the expiration of many pandemic-era benefit programs to exacerbate the financial insecurity of low-income renters, leading to higher eviction filing rates and increased homelessness, according to the press release.

The central statistic of the report is its “housing wage”—an annual estimate of the hourly wage full-time workers must earn to afford a rental home at fair market rent without spending more than 30% of their incomes. According to NLIHC, nationally, the 2023 housing wage is \$28.58 per hour for a modest two-bedroom rental home and \$23.67 per hour for a modest one-bedroom rental home. In addition to the national housing wage, the report provides housing wages for each state, metropolitan area, county, and combined non-metropolitan areas within a state.

The 2023 report shows that housing is unattainable for workers across various occupations and wage levels.

Sixty percent of all workers earn an hourly wage less than the two-bedroom housing wage, and nearly 50% of workers earn an hourly wage less than the one-bedroom housing wage. According to the press release, 13 of the 20 most common occupations in the U.S. pay median wages that are lower than the two-bedroom housing wage, and 10 of these occupations, which account for more than one-third of the workforce, pay median wages that are lower than the national one-bedroom housing wage.

The 2023 report shows that housing is unattainable for workers across various occupations and wage levels. Sixty percent of all workers earn an hourly wage less than the two-bedroom housing wage, and nearly 50% of workers earn an hourly wage less than the one-bedroom housing wage. According to the press release, 13 of the 20 most common occupations in the U.S. pay median wages that are lower than the two-bedroom housing wage....

The problem is acute and widespread for the lowest-wage workers. In no state, metropolitan area, or county can a full-time minimum-wage worker afford a modest two-bedroom rental home. A full-time minimum-wage worker cannot afford a modest one-bedroom rental home in more than 92% of U.S. counties, according to NLIHC.

According to the report, the gap between wages and housing costs is largest for people of color, particularly women of color. The disparities result from decades of racist housing policies that have led to people of color facing disproportionate challenges in accessing decent and affordable homes, the report said. Nationally, the median wage of a full-time

white worker is \$2.23 higher than the one-bedroom housing wage, but the median wage of a full-time Black and Latino worker is approximately \$.73 and \$1.84 less than the one-bedroom housing wage, respectively. The disparities grow even starker for women of color. According to the press release, Black and Latina female workers earn median wages that are \$3.96 and \$5.47 less, respectively, than the one-bedroom housing wage.

According to NLIHC, safe, stable, and affordable housing remains out of

reach as low-income renters face high rents and increasing housing instability without the support of pandemic-era benefit programs. Congress must address the extraordinary challenges that low-income renters face in finding and maintaining decent, accessible, and affordable housing. The press release said addressing the roots of the housing affordability problem requires: a sustained commitment to investing in new affordable housing; preserving affordable rental homes that already exist; bridging the gap between incomes and rent through universal rental assistance; providing emergency assistance to stabilize renters when they experience financial shocks; and establishing strong renter protections. **NN**



To review the report, visit <https://nlihc.org/resource/nlihc-releases-out-reach-2023-high-cost-housing>

Residents Highlight Acts of Kindness

Haneen Ames, 16, an 11th grader from Toms River, N.J., has been named the grand prizewinner in NAHMA's 2023 AHMA poster and art contest. The talented artist's creation will appear on the cover of the 2024 NAHMA Drug-Free Kids calendar. Haneen also receives an all-expenses-paid trip to Washington, D.C., for a future NAHMA conference and a scholarship of \$2,500 from the NAHMA Educational Foundation.

The poster contest is open to children and senior 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.

The underlying message for the annual contest is always a drug-free

theme. Still, NAHMA wanted to open the door for more avenues of expression, so a subtheme was incorporated into the poster contest. The subtheme for the 2023 art contest is People Helping People: Promote Acts of Kindness.

Typically, the contest draws hundreds of participants nationwide.

Regardless of entry category, each national winner of the NAHMA contest receives a \$1,000 educational scholarship from the NAHMA Educational Foundation. All winners are also featured as their own month in the 2024 calendar.

Additionally, participants in the annual art contests held by the local AHMAs are eligible to be selected as Regional AHMA Art Contest Honorable Mentions. Those chosen for this distinction will have their artwork featured in a special section of the NAHMA 2024 Drug-Free Kids Calendar

and receive a \$100 scholarship. These participants are in addition to those selected as national winners.

The original winning grand-prize artwork will be auctioned at the Educational Foundation virtual gala in October, with the proceeds supporting the foundation's scholarship program.

For the contest, the artwork is divided into categories with winners selected from each of the following: kindergarten-first grade, second-third grades, fourth-sixth grades, seventh-ninth grades, 10th-12th grades, and seniors and residents with special needs. Only students are eligible for the grand prize.

Calendars go on sale in September and are available by visiting NAHMA's Online Store at www.nahma.org. The calendar costs \$5.50, which is a Department of Housing and Urban Development and U.S. Department of Agriculture allowable project expense. **NN**

The following lists this year's national program winners, with their ages at the time of submission, grade completed in June 2023/contest category, the community where they live, the management company and name of the AHMA that submitted their artwork:

GRAND PRIZEWINNER

Haneen Ames, 16; 11th Grade; Winteringham Village Apartments, Toms River, N.J.; The Michaels Organization; JAHMA

NATIONAL WINNERS

Graling Arnold, 55; Seniors & Residents with Special Needs; Bedford Hill Apartments, Pittsburgh, Pa.; McCormack Baron Management, Inc.; PAHMA

Uriel Fordjour, 17; 11th Grade; Stratton Hill Park, Worcester, Mass.; Beacon Communities LLC; NEAHMA

Tiffany Gunawan, 11, Fifth Grade; Market Mill Apartments, Lowell, Mass.; Peabody Properties, Inc.; NEAHMA

Ravnoor K. Heyer, 9; Third Grade; Los Robles Apartments, Union City, Calif.; EAH Housing; AHMA-NCH

Mark Holup, 52; Seniors & Residents with Special Needs; Emanuel Village, Worcester, Mass.; Beacon Communities LLC; NEAHMA

Kaya Lopez, 13; Seventh Grade; Council Groves Apartments, Missoula, Mont.; Tamarack Property Management Co.; Rocky Mountain Heartland AHMA

Celena Mendoza, 18; 12th Grade; Village at McArdle Apartments, Corpus Christi, Texas; Prospera Housing Community Services; SWAHMA

Lily Morway, 15, Ninth Grade; Stratton Hill Park Apartments, Worcester, Mass.; Beacon Communities LLC; NEAHMA

Jamison Nwaise, 6, Kindergarten; Lowell Belvidere Housing, Lowell, Mass.; Peabody Properties, Inc.; NEAHMA

Skylar Nwaise, 11; Fifth Grade; Lowell Belvidere Housing, Lowell, Mass.; Peabody Properties, Inc.; NEAHMA

Mia Valentine, 8; Second Grade; Westview Valley Apartments, Greensboro, N.C.; Westminster Company; SAHMA

Ashton Malik Williams, 7; First Grade; North Hill Manor Apartments, Meridian, Miss.; The Michaels Organization; SAHMA

Robert Allan Williams, 86; Seniors & Residents with Special Needs; Bedford Green Apartments, Bedford, Mass.; Peabody Properties, Inc.; NEAHMA

HONORABLE MENTIONS

Lorri Becar, 55; Seniors & Residents with Special Needs; Winteringham Village Apartments, Toms River, N.J.; The Michaels Organization; JAHMA

Anthony Keshishyan, 18; 12th Grade; The Gardens on Garfield, Glendale, Calif.; Thomas Safran & Associates; AHMA-PSW

Nare Keshishyan, 12; Seventh Grade; The Gardens on Garfield, Glendale, Calif.; Thomas Safran & Associates; AHMA-PSW

Lucy Lopez, 14; Eighth Grade; Council Groves Apartments, Missoula, Mont.; Tamarack Property Management Co.; Rocky Mountain Heartland AHMA

Foundation Chooses Scholars for 2023

The NAHMA Educational Foundation recently announced the selection of 111 scholarship recipients for the 2023/2024 school year. Each recipient receives a \$3,500 scholar-

awarded in 2023 by over \$50,000. We congratulate these fine students for their academic performance, community service and desire to earn an undergraduate degree," said NAHMA Educational Foundation Chairperson

management companies and AHMAAs nationwide with 2023 NAHMA scholars in residence. The entire list of 2023 recipients will be published in an upcoming edition of the *NAHMA News*. Again, many thanks to every-

"The continuing support from our donors and sponsors have once again made it possible for the NAHMA Educational Foundation to award \$3,500 individual scholarships to 111 resident students from across the United States. This is 15 more scholarships than we were able to award in 2022 ..."

ship. Additionally, the foundation will be making its annual \$2,000 scholarship donation to Virginia Tech to be awarded to a student studying property management. Thus, the total amount of scholarship funds awarded this year is \$390,500. The selected students come from 18 different states and 11 different AHMAAs. The chosen individuals represent diverse ethnic backgrounds, races and religions. They are involved in various school and community-based activities reflecting their interests and desire to enhance the communities in which they live and bring about positive change. The common denominator is that they all work diligently to complete their studies and earn an undergraduate degree.

"The continuing support from our donors and sponsors have once again made it possible for the NAHMA Educational Foundation to award \$3,500 individual scholarships to 111 resident students from across the United States. This is 15 more scholarships than we were able to award in 2022, and the foundation is very proud that we were able to increase the amount of scholarship money

Alicia Stoermer Clark when announcing the selections.

The foundation wishes to congratulate all apartment communities,

one for promoting the scholarship program to your residents this year. Applicants benefited greatly from the help and assistance you provided. Anyone with questions or seeking additional

information should contact Dr. Bruce W. Johnson, NAHMA scholarship program administrator, at bjohnson@tmo.com. **NN**

Access NAHMA Information While On The Go

The NAHMA app allows users to access NAHMA website content, including the latest legislative and regulatory news, register for events, or make purchases in the NAHMA Online Store on any smart device.

Download the NAHMA app today, available in the Apple AppStore and Google Play, or on the NAHMA website.



CONGRESSIONAL NEWS

SEN. BOB CASEY (D-PA), CHAIRMAN OF THE U.S. SENATE SPECIAL COMMITTEE ON AGING, INTRODUCED THE VISITABLE INCLUSIVE TAX CREDITS FOR ACCESSIBLE LIVING (VITAL) ACT (S.1377). The VITAL Act would increase investment in the Low-Income Housing Tax Credit (LIHTC) Program and ensure that developers build more accessible housing units designed for older adults and people with disabilities and located within communities where residents can walk or move around easily in wheelchairs. Casey cited a 2011 HUD study showing that fewer than 6% of housing units are designed to be accessible—or homes that offer specific features and technologies, such as lowered kitchen counters and sinks, widened doorways, grab bars, and no step showers. The VITAL Act would seek to address the housing needs of older adults and people with disabilities by increasing funding for LIHTC, among other provisions. To view the press statement, visit <https://www.casey.senate.gov/news/>

releases/casey-introduces-bill-to-produce-more-accessible-affordable-housing.

HUD NEWS

AS PART OF THE INFLATION REDUCTION ACT, THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)'S Office of Multifamily Housing Programs announced it will soon be offering free contractor support to assist with energy and water benchmarking services to HUD multifamily assisted housing properties through the upcoming HUD Energy and Water Benchmarking Initiative. Property owners who opt into this program when it becomes operational later this year will receive free, personalized support in assessing the efficiency of their buildings. An energy consultant will be assigned to each property to support the benchmarking process at every stage – from contacting utilities about accessing relevant data to providing portfolio-wide cost and energy savings recommendations based on energy and water usage. To sign up

for the opportunity to receive priority access, visit <https://public.gov-delivery.com/accounts/USHUDFHA/subscriber/new>, enter your email and select “Benchmarking Program” check box under “Multifamily Headquarters News”. For further questions about the GRRP Benchmarking Initiative, contact MFBenchmarking@HUD.gov.

HUD ANNOUNCED THE THIRD TRANCHE OF COMMUNITIES TO RECEIVE HOUSING VOUCHERS TO ADDRESS HOMELESSNESS among people in unsheltered settings and rural communities. HUD is awarding \$45 million for 3,379 Stability Vouchers to 135 public housing authorities (PHAs) and partnering Continuum of Care (CoC) communities across the U.S. On April 17, HUD announced that 62 CoC communities are receiving \$486 million in grants to address unsheltered and/or rural homelessness and invited the PHAs who partnered with these CoCs to receive Stability Vouchers. Together, these grants and vouchers comprise

continued on page 28

AFFORDABLE HOUSING CREDIT IMPROVEMENT ACT

CONGRESSIONAL NEWS: U.S. Reps. Darin LaHood (R-IL) and Suzan DelBene (D-WA), and Sens. Maria Cantwell (D-WA) and Todd Young (R-IN) introduced H.R.3238 and S.1557, the Affordable Housing Credit Improvement Act (AHCIA) to modernize the Low-Income Housing Tax Credit (LIHTC) and help expand the housing supply. If passed into law, the bill would support the financing of nearly 2 million new additional affordable homes over the next 10 years and provide nearly 3 million jobs, \$115 billion in additional tax revenue, and \$333 billion in wages and business income. Specifically, the bill would: increase the number of credits allocated to each state, increase the number of affordable housing projects that can be built using private activity bonds, and improve the Housing Credit program to better serve at-risk and underserved communities.

To view the full bill text, visit https://lahood.house.gov/_cache/files/9/e/9eb3cfb2-350e-4308-b626-2b60f0759eb5/CB79314B9E183B8F397A078BB5CEB389.ahcia-final-bill-text-5.11.2023-.pdf. To view a fact sheet provided by the ACTOIN Campaign, visit <https://rentalhousingaction.org/wp-content/uploads/2023/05/AHCIA-One-Page-Bill-Summary-May-11-2023.pdf>.



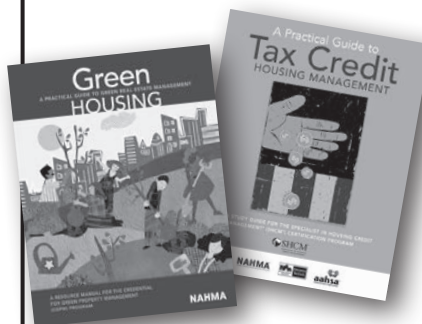
Two Great Books!

Green Housing: A Practical Guide to Green Real Estate Management

A great primer—it covers all the basic concepts for creating a green operation and maintenance plan. Perfect for owners, developers or managers who want to go green. **\$35 per copy plus \$5 shipping and handling.**

A Practical Guide to Tax Credit Housing Management

This study guide for the Specialist in Housing Credit Management (SHCM) certification program covers key concepts in the Low Income Housing Tax Credit program and is a must for every tax credit property manager! **\$25 for members; \$30 for nonmembers.** (Add \$5 shipping per copy.)



Order at www.nahma.org/store or call Rajni Agarwal at 703.683.8630, ext.115.

Quantity discounts available.

NAHMA

REGULATORY WRAP-UP, *continued from page 27*

a first-of-its-kind package of federal resources to help communities make continued progress in reducing homelessness. The Stability Voucher Program makes Housing Choice Voucher assistance available through a competitive process to PHAs who are partnering with local CoCs and/or Victim Service Providers to assist households experiencing or at risk of homelessness, those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking, and veterans and families that include a veteran family member that meets one of the proceeding criteria. HUD prioritized PHAs that formally partnered with CoCs in responding to HUD's Special Notice of Funding Opportunity to Address Unsheltered and Rural Homelessness.

USDA NEWS

THE U.S. DEPARTMENT OF AGRICULTURE (USDA)'S RURAL HOUSING SERVICE (RHS) PUBLISHED A NOTICE IN THE FEDERAL REGISTER, <https://www.govinfo.gov/content/pkg/FR-2023-04-28/pdf/2023-08952.pdf>, announcing updates in the application submissions process for the Section 538 Guaranteed Rural Rental Housing Program (GRRHP). The notice replaces the previous Notice of Solicitation of Applications (NOSA) published in the Federal Register on Dec. 21, 2017 (Vol. 82, No. 244). Many of the changes incorporate processes to reflect the realignment of the Office of Multifamily Housing. Updates and additions include, but are not limited to, the process of submitting complete applications, updated contact persons, and changes in priority point scoring. The agency also updated and renamed the NOSA Response Form. The form will now be referred to as the Section 538 GRRHP Response Form and reflects the changes to the priority point scoring.

The updated fillable form is available on the Rural Development Multifamily Housing Loan Guarantees website, <https://www.rd.usda.gov/programs-services/multifamily-housing-programs/multifamily-housing-loan-guarantees#to-apply>. Click on the "To Apply" tab to access the updated form. For questions, contact Tammy Daniels, Program Support Branch-Production and Preservation Division, at tammy.daniels@usda.gov.

USDA'S RURAL DEVELOPMENT ANNOUNCED IT IS ACCEPTING APPLICATIONS FOR TECHNICAL ASSISTANCE GRANTS TO PRESERVE RENTAL HOUSING AND EXPAND ACCESS TO SAFE, AFFORDABLE AND EQUITABLE HOUSING for people in rural America. USDA is making available \$7.9 million in funding through its RHS and through two Multifamily Housing (MFH) Technical Assistance grant programs: the Nonprofit Transfer Technical Assistance (NP TA) Grant Program and the Off-Farm Labor Housing Technical Assistance (Off-FLH TA) Grant Program. The funding is available for eligible technical assistance providers seeking grants to provide technical assistance services to qualified applicants. There are \$6.9 million in grants available through the NP TA Grant Program. The program awards grants to eligible nonprofit organizations and PHAs to provide technical assistance and other services to enable affordable housing preservation by transferring MFH Direct Loan properties from current owners to nonprofits or PHAs. Eligible grantees include public and private nonprofit organizations, PHAs, Tribal housing nonprofits and Tribally designated housing entities. To learn more, visit <https://www.rd.usda.gov/media/file/download/usda-rd-sa-consolidated-technical-assistance-grant-program-05042023.pdf>. **NN**

A Love of Making the Complicated Easier

SONJA HORN “ACCIDENTALLY” became involved in the affordable housing industry when she was hired as a temporary receptionist for Boyd Management.

“Babbie Jaco told me to read everything she had me copy for her. So, I did,” Horn said. “And I have read everything ever since.”

That job led to various positions in property management for Boyd, followed by SPM LLC, and finally, Marcrum Management Company, where she was the director of compliance for 13 years

to help people figure it out. I like making things easier for people to provide the best possible housing for those who need it.”

She said one of the best parts of the job is the variety, saying, “Every day is different. I don’t get bored, and I’m never watching the clock.”

One of her goals for DASH is to add at least two new clients a year. So far, she has been successful enough to hire two part-time contractors and plans to add a third soon.



bundles, which Horn said will allow companies to have new hires watch the webinars as part of their training.

When Horn isn’t working, she enjoys playing with her two grandchildren—she also has two children—or spending time with her fiancée. They are

planning an October wedding. Horn also enjoys remodeling her house with a little help from family and friends. She is currently working on her laundry room.

And at times, Horn is called upon to fill in for her pastor.

“I’m a substitute preacher at my church. It started with the youth ministry about 10 to 15 years ago,” Then, one Sunday, the preacher couldn’t be there

and asked me to fill in. They kept asking me back. I love it.” **NN**

Jennifer Jones is senior director of communications and public relations for NAHMA.

“I happen to love compliance. People think it’s weird, but I love to read the regulations,” Horn said. “It’s fun for me to help people figure it out.”

before going out on her own full time with DASH (Detailed Accurate Simple Honest) Compliance.

Horn founded DASH Compliance in 2010, but it was only a part-time job until January of this year when she decided it was time to concentrate on DASH full time.

Through her company, Horn conducts compliance training or provides some or all of the compliance for clients. She is based in Clanton, Ala., and has clients primarily throughout the southeast, but she also has customers in California, Oklahoma, Texas and South Dakota. The diversity of clients allows Horn to travel to different parts of the country and meet a range of people from residents to corporate personnel and on-site managers.

“I happen to love compliance. People think it’s weird, but I love to read the regulations,” Horn said. “It’s fun for me

Besides devoting her attention to her business, Horn is also wrapping up her two-year term as SAHMA president this August. During her tenure, the association returned to in-person trainings and meetings after the pandemic, developed new educational initiatives, including free quarterly peer-to-peer training and the creation of webinar bundles, and fashioned DEI [Diversity, Equity, and Inclusion] goals. SAHMA will also release its new logo in August.

“That’s probably all anyone will remember,” she said, laughing. “Oh, Sonja, she’s the one that got SAHMA’s new logo.”

Horn said her two years coincided with Betsy Eddy’s first two years as the association’s executive director. “It was a learning experience for both of us,” Horn said.

SAHMA is still working on the webinar

Welcome New Members

NAHMA welcomes the following new members as of July 27, 2023.

EXECUTIVES

Michelle Nathaniels, Seldin Company, Omaha, Neb.

Jennifer Walters, Fairfield Homes Inc., Lancaster, Ohio

AFFILIATES

Joseph Anderson, Risk Strategies, Meridian, Idaho

Max Hunt, Max Hunt, CPA, Woodinville, Wash.

SEPTEMBER

6 SHCM Exam Prep: Recertification, Documentation & Record Keeping

Webinar
SAHMA
800-745-4088
www.sahma.org

12 Managing a Wait List

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

Half-Day Fair Housing

Webinar
NEAHMA
781-380-4344
www.neahma.org

12-13 SWAHMA Fall Conference

Little Rock, AR
SWAHMA
210-822-5852
<https://swahma.org>

12-14 Certified Professional of Occupancy and Exam (Joint AHMA Training)

Trevose, PA
JAHMA
856-786-9590
www.jahma.org
PennDel AHMA
856-786-2183
www.penndelahma.org

13 Tax Credit Training and Online SHCM Exam

Virtual Training
SAHMA
800-745-4088
www.sahma.org

14 Building the Four Ts of Resident Engagement: Trust, Time, Transparency and Technology

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

HOTMA Training (Joint AHMA Training)

Trevose, PA
JAHMA
856-786-9590
www.jahma.org
PennDel AHMA
856-786-2183
www.penndelahma.org

19 Making It Through: Disaster Preparedness for Seniors by Seniors

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

Verification in the EIV Era

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

Reasonable Accommodations

Webinar
NEAHMA
781-380-4344
www.neahma.org

SHCM Exam Prep: Monitoring & Reporting Compliance

Webinar
SAHMA
800-745-4088
www.sahma.org

19-20 SWAHMA Fall Conference

San Antonio, TX
SWAHMA
210-822-5852
<https://swahma.org>

20 HOTMA Overview

Webinar
MAHMA
614-481-6949
<https://mahma.com/>

NSPIRE Inspection Preparation

Webinar
SAHMA
800-745-4088
www.sahma.org

21 Basic EIV

Webinar
SAHMA
800-745-4088
www.sahma.org

26 Reasonable Accommodations

Webinar
MAHMA
614-481-6949
<https://mahma.com>

The Five HUD Deductions

Webinar
NEAHMA
781-380-4344
www.neahma.org

Maintaining Professional Boundaries: What All Staff Need to Know

Webinar
SAHMA
800-745-4088
www.sahma.org

27 Basic LIHTC Management

Webinar
Mid-Atlantic AHMA
804-564-7898
www.mid-atlantichama.org

Implementing VAWA On-Site

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

27-28 LIHTC Fundamentals & Advanced/SHCM Exam

Cincinnati, OH
MAHMA
614-481-6949
<https://mahma.com/>

28 Income & Assets Verification & Calculation

Webinar
Mid-Atlantic AHMA
804-564-7898
www.mid-atlantichama.org

Executive Series 2: Developing an Effective Onboarding Program

In Person
AHMA-PSW
866-698-AHMA (2462)
www.ahma-psw.org

Preparing for RD Inspections

Webinar
SAHMA
800-745-4088
www.sahma.org

31 Recycling and Waste Reduction

Webinar
NEAHMA
781-380-4344
www.neahma.org

OCTOBER

4 Hot Topics Updates in Affordable Housing-Ohio Conference

Columbus, OH
MAHMA
614-481-6949
<https://mahma.com/>

10 HUD Medical Expenses

Webinar
AHMA-PSW
866-698-AHMA (2462)
www.ahma-psw.org

For information on specific classes, contact the AHMA or organization directly. All dates and locations are subject to change. For the most up-to-date listings, visit the NAHMA Education & Event Calendar at www.nahma.org/education/education-event-calendar..

11–12

LIHTC Fundamentals & Advanced/SHCM Exam

Milwaukee, WI
MAHMA
614-481-6949
<https://mahma.com/>

12

2023 Fall Management Conference & Expo

Bethlehem, PA
PennDel AHMA
856-786-2183
www.penndelahma.org

12–13

PAHMA Fall Conference

Seven Springs, PA
PAHMA
412-445-835
www.pahma.org

13

Mental Health Crisis Planning

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

13–15

CPO Certification Training

Virtual
Mid-Atlantic AHMA
804-564-7898
www.mid-atlantichma.org

CPO Certification Training

Virtual
SAHMA
800-745-4088
www.sahma.org

16–17

NAHMA's Fair Housing Compliance (FHC) Course

Virtual
Mid-Atlantic AHMA
804-564-7898
www.mid-atlantichma.org

18

504 Coordination

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

18

Intermediate LIHTC Compliance

Webinar
Mid-Atlantic AHMA
804-564-7898
<https://mid-atlantichma.org>

19

Reasonable Accommodations

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

Basic Occupancy

Webinar
NEAHMA
781-380-4344
www.neahma.org

Hot Topic Updates in Affordable Housing-Michigan Conference

Michigan
MAHMA
614-481-6949
<https://mahma.com/>

24–26

NAHMA Biannual Top Issues in Affordable Housing Conference-Fall 2023

NAHMA
Washington, DC
703-683-8634
www.nahma.org

28

Executive Series: Employee Retention Strategies for 2023

In Person
AHMA-PSW
866-698-AHMA (2462)
www.ahma-psw.org

31

Green Cleaning Practices

Webinar
NEAHMA
781-380-4344
www.neahma.org

NOVEMBER

7

Basic Tax Credit Webinar

NEAHMA
781-380-4344
www.neahma.org

8

Are You Ready for RAD?

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

Executive Series 2: Providing Effective Feedback: Guide for Managers & Supervisors

In Person
AHMA-PSW
866-698-AHMA (2462)
www.ahma-psw.org

8–9

2023 NEAHMA Annual Conference

Norwood MA
NEAHMA
781-380-4344
www.neahma.org

9

EIV: Investigating & Resolving Income Discrepancies

Rocky Mountain Heartland AHMA
303-840-9803
www.rockyahma.com

14

The Medical Deduction

Webinar
NEAHMA
781-380-4344
www.neahma.org

14–15

Certified SHCM Course

In Person
AHMA-PSW
866-698-AHMA (2462)
www.ahma-psw.org

14–17

Mid-Atlantic AHMA Fall Conference

Richmond, VA
Mid-Atlantic AHMA
804-564-7898
www.mid-atlantichma.org

15–16

Mastering the HUD Rent Increase

Webinar
AHMA-NCH
833-AHMA-NCH (246-2624)
<https://ahma-nch.org>

28

Energy Star and Water Sense

Webinar
NEAHMA
781-380-4344
www.neahma.org

DECEMBER

5

Understanding Utility Allowance

Webinar
NEAHMA
781-380-4344
www.neahma.org

6–7

FHC Course

Webinar
MAHMA
614-481-6949
<https://mahma.com/>

12

Intermediate LIHTC

Richmond, VA
Mid-Atlantic AHMA
804-564-7898
<https://mid-atlantichma.org>

Terminations in Subsidized Housing

Webinar
NEAHMA
781-380-4344
www.neahma.org

12–14

Tax Credit Compliance Course / Review & Exam Administration

Richmond, VA
Mid-Atlantic AHMA
804-564-7898
www.mid-atlantichma.org

3-Day CPO

Webinar
NEAHMA
781-380-4344
www.neahma.org

13

Advanced LIHTC Compliance

Richmond, VA
Mid-Atlantic AHMA
804-564-7898
<https://mid-atlantichma.org>

thelastword

Take the First Step To COQ Recognition



IF YOU ARE LIKE ME, YOU HAVE received at least one press release informing you that applications for the Communities of Quality (COQ) Awards are due Nov. 2. The awards are open to all COQ properties—regardless of size—that scored at least a 325 on their COQ national recognition program application.

That is a high threshold, to be sure, but it is achievable, as evidenced by the many award winners NAHMA has honored over the years. However, the first step is earning the COQ designation for your multifamily community, which can be done any time throughout the year.

The 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.

I strongly urge all of our property management companies to pursue the COQ national recognition. At the very least, take a look at the COQ national recognition application available on NAHMA's website—you may be in a better position to earn the designation than you thought. And if the designation is still a little out of reach, the application lets you know where your strengths and weaknesses lie.

Earning COQ recognition has many benefits, not just to the management company responsible for the property but also to the staff and residents. The program also helps dispel negative perceptions of affordable housing that may be held by elected officials and the general public.

Additionally, the program is a good marketing tool for companies, allowing them to show clients how much they care about maintaining high standards and, by extension, how they will maintain their clients' property. It also illus-

trates the hard work the on-site personnel and volunteer boards put in while projecting professionalism.

It helps residents feel more secure and even proud to live 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 to bolster that sense of pride year-round. The COQ certification helps attract top-notch staff. Moreover, the recognition also highlights outstanding accomplishments that will inspire others to reach for the same goal.

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. **NN**

Larry Sisson, FHC, SHCM, NAHP-e, CGPM, is president of TESCO Properties Inc. and serves as chair of the NAHMA Board of Directors.