

HUD Response to November 2000 Berger Report and Proposed Definition Modifications - Building Exterior

Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><b>Building Exteriors</b></p> <p><b>Walls</b></p> <p>Page Number 71</p>	<p><b>Deficiency:</b> The chimney, including the part that extends above the roofline, has separated from the wall or has cracks, spalling, missing pieces, or broken sections.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> The surface of the chimney shows surface damage on more than one piece of wall--a few bricks or a section of siding, for example. -OR- The surface of the chimney has holes that affect an area larger than 4 inches by 4 inches.</p> <p><b>Level 3:</b> Part or the entire chimney has visibly separated from the adjacent wall. -OR- There are cracked or fallen pieces or sections. -OR- There is a risk that falling pieces could create a safety hazard.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If the condition is a health and safety concern, you must record it manually as "Health and Safety:</p>	<p><b>Berger:</b> Definition should include verification that chimney caps are in place. A damaged or missing chimney cap would cause a loss of integrity to the building envelope.</p> <p><b>HUD Review Team:</b> <i>REAC agreed with the recommendation, however, visual verification from the ground is difficult, if not impossible at times. As a result, a change was made to level 1 to reference where visible damage was observable.</i></p> <p><b>Conclusion:</b> <i>8/8/01: Berger &amp; REAC agreed to the change.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>Deficiency:</b> The chimney, including the part that extends above the roofline, has separated from the wall or has cracks, spalling, missing pieces, or broken sections (<b>including chimney caps</b> ).</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1: The chimney cap is either visibly loose or damaged.</b></p> <p><b>Level 2:</b> The surface of the chimney shows surface damage on more than one piece of wall--a few bricks or a section of siding, for example. -OR- The surface of the chimney has holes that affect an area larger than 4 inches by 4 inches.</p> <p><b>Level 3:</b> Part or the entire chimney has visibly separated from the adjacent wall. -OR- There are cracked or fallen pieces or sections. -OR- There is a risk that falling pieces could create a safety hazard.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If the condition is a health and safety concern, you must record it manually as "Health and Safety: Hazards."</p>

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<p><b>Building Exteriors</b></p> <p><b>Windows</b></p> <p>Page Numbers 75 &amp; 294</p>	<p><b>Windows (Building Exterior)</b></p> <p>Window systems provide light, security, and exclusion of exterior noise, dust, heat, and cold. Frame materials include wood, aluminum, vinyl, etc.</p> <p><b>Note:</b> This does not include windows that have defects noted from inspection from inside the unit.</p> <p>This inspectable item can have the following deficiencies:</p> <p><a href="#"><u>Broken/Missing/Cracked Panes</u></a> <a href="#"><u>Damaged/Missing Screens</u></a></p> <p><a href="#"><u>Damaged Sills/Frames/Lintels/Trim</u></a></p> <p><a href="#"><u>Missing/Deteriorated Caulking/Seals/Glazing Compound</u></a></p> <p><a href="#"><u>Peeling/Needs Paint</u></a></p> <p><a href="#"><u>Security Bars Prevent Egress</u></a></p>	<p><b>Berger:</b></p> <p>Window deficiencies are scored on the exterior and in the units with basically the same parameters. Unit windows and interior windows should have a unique set of definitions for the deficiencies by which they are scored. For example, the exterior could be related to environmental concerns while the inside could be related to functional concerns. Any supplemental bulletins, which concern the evaluation of these items, should be included in the definitions and in the training.</p> <p><b>HUD Review Team:</b></p> <p><i>In general, REAC agrees with the comments. The real issue becomes one of double jeopardy, i.e. where window defects are recorded both in BE along with unit and/or common areas. As a result, a recommendation was made to leave the Building Exterior window definitions as-is. In this way defects to exterior windows will be recorded. However, the proposed recommendation also supports that building exterior window defects not be scored in reference to “double jeopardy”. As a result, the REAC and Berger team agreed to leave the exterior window definitions as-is but to not score the building exterior defects. This same approach applies to all the exterior window definitions addressed below. Note: It was agreed that the defect for inoperable security bars will be removed from BE.</i></p>	<p><b>Windows (Building Exterior)</b></p> <p>Window systems provide light, security, and exclusion of exterior noise, dust, heat, and cold. Frame materials include wood, aluminum, vinyl, etc.</p> <p>This inspectable item can have the following deficiencies:</p> <p><a href="#"><u>Broken/Missing/Cracked Panes</u></a> <a href="#"><u>Damaged/Missing Screens</u></a></p> <p><a href="#"><u>Damaged Sills/Frames/Lintels/Trim</u></a></p> <p><a href="#"><u>Missing/Deteriorated Caulking/Seals/Glazing Compound</u></a></p> <p><a href="#"><u>Peeling/Needs Paint</u></a></p> <p><a href="#"><u>Security Bars Prevent Egress</u></a></p> <p>The definitions would remain on the exterior, but no points deducted on the exterior.</p> <p>Right??</p>

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		<p><b>Conclusions:</b></p> <p><i>8/08/01: The agreement between Berger &amp; REAC is to leave the definitions as is but not score building exterior windows defects.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	

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<p><b>Building Exteriors</b></p> <p><b>Security Bars Prevent Egress</b></p> <p>Page Number 81</p>	<p><b>Deficiency:</b> Exiting (egress) is severely limited or impossible, because security bars are damaged or improperly constructed or installed.</p> <p><b>Note:</b> This does not include windows that are not intended for exiting.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The ability to exit through the window is limited by security bars that do not function properly and, therefore, pose safety risks.</p>	<p><b>Berger:</b> The definition does not state which windows or the number of windows required for exiting. Only one window in each room is required to be available for egress.</p> <p><b>HUD Review Team:</b> <i>Remove defect from Building Exterior. Only record under Units or Common Areas. A modified level 3 deficiency should be added to the Units/CA definitions.</i></p> <p>.</p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to remove from BE.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>Level 3: Exiting or egress is severely limited or impossible, because security bars are damaged or improperly constructed/installed</b></p> <p>I thought that you were going to add a clarification on non occupied spaces as to bars.</p> <p>My notes indicated that on unoccupied locked staff only spaces this would not be included, and someone was going to take a look see at the sections of the codes that were cited by the CHAFA folks.</p> <p>Recall we said local or model codes prevail, so where did we end up on this issue?</p>

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<p><b>Building Exteriors</b></p> <p><b>Windows — Peeling! Needs Paint</b></p> <p>Page Number 80:</p>	<p><b>Deficiency:</b></p> <ul style="list-style-type: none"> <li>▪ Paint covering the window assembly or trim is cracking, flaking, or otherwise failing.</li> <li>-OR-</li> <li>▪ The window assembly or trim is not painted or is exposed to the elements.</li> </ul> <p><b>Note:</b> This does not include windows that are not intended to be painted.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> You see peeling paint or a window that needs paint.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> N/A</p>	<p><b>Berger:</b></p> <p>It is too difficult to observe this condition without binoculars. This definition would provide more useful information with a proportionality factor.</p> <p><b>HUD Review Team:</b></p> <p><i>Leave as-is but do not score defect under BE as a result of double jeopardy.</i></p> <p>.</p> <p><b>Conclusion:</b></p> <p><i>8/08/01: Berger &amp; REAC agreed to remove from BE score.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><i>8/8/01: Berger &amp; REAC agreed to leave as is with no scoring at the Building Exterior level.</i></p>

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<p><b>Building Exteriors</b></p> <p><b>Windows — Missing! Deteriorated Caulking! Seals! Glazing Compound</b></p> <p>Page Number 79:</p>	<p><b>Deficiency:</b> The caulking or glazing compound that resists weather is missing or deteriorated.</p> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>This also includes Thermopane or insulated windows that have failed.</li> <li>Caulk and seals are considered to be deteriorated when two or more seals for any window have lost their elasticity. (If the seals crumble and flake when touched, they have lost their elasticity.)</li> </ol> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> Most of the window shows missing or deteriorated caulk or glazing compound, but there is no evidence of damage to the window or surrounding structure.</p> <p><b>Level 3:</b> There are missing or deteriorated caulk or seals-- with evidence of leaks or damage to the window or surrounding structure.</p>	<p><b>Berger:</b> The definition does not specify how much missing or damaged sealant would result in a Level 2 score. The definition could be expanded to make Level 1 an option. Note 2 under this definition, indicates that an inspector is able to determine the condition of the sealant by direct physical contact. This examination would only be possible at the ground floors.</p> <p><b>HUD Review Team:</b> <i>Leave as-is but do not score defect under BE.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to remove from BE score.</i></p> <p><b>MF Industry Input:</b> Consideration should be given to scoring broken/missing BE windows as the building envelope is compromised. Differentiation needs to be provided in comparing simple fogging from more extensive damage from moisture intrusion, etc.</p>	<p><i>8/08/01: Berger &amp; REAC agreed to leave as is with no scoring at the Building Exterior level.</i></p> <p>I thought we were going to take fogging out since calculating simple fogging is difficult.</p>

HUD Response to November 2000 Berger Report and Proposed Definition Modifications - Building Systems

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<p><b>Building Systems</b></p> <p><b>Exhaust System — Roof Fans Inoperable</b></p> <p>Page Number 103:</p>	<p><b>Deficiency:</b> The ventilation system to exhaust kitchen or bathroom air does not function.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The roof exhaust fan unit does not function.</p>	<p><b>Berger:</b> The definition for this deficiency gives the inspector no criteria upon which to base his evaluation. In order for this item to be inspected in a replicable manner more definitive guidelines should be provided that illustrate what is considered a non-functioning exhaust system. For example, “Motor runs, but gases are not exhausted”, or “Odors are detected due to lack of ventilation”, or “Roof exhaust fan is missing or damaged”.</p> <p><b>HUD Review Team:</b> <i>There may be numerous types of fans used to perform this exhaust function, some of which have no motor at all. REAC is trying to determine if the exhaust system functions, but recognizes that some systems may be “event activated” and may therefore be operable but not running at the exact time of the inspection. As a result, the definition was modified so that an inspector would keep these conditions in mind.</i></p> <p><b>Conclusion:</b></p> <p>8/08/01: Berger &amp; REAC agreed to the change.</p> <p><b>MF Industry Input:</b> An additional note should be added to clarify that “missing” does not refer to the condition where there were no fans in the first place. The same qualification note from</p>	<p>8/08/01</p> <p><b>Deficiency:</b> The ventilation system to exhaust air <b>from building areas (such as kitchen, bathroom, etc.)</b> does not function.</p> <p><b>Note: The inspector shall determine if the fan is event activated (example: fire, timer, etc.); if so, there is no deficiency.</b></p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The roof exhaust fan unit does not function, <b><u>is damaged to the point of being inoperable, or is missing.</u></b></p>

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		<p>units regarding fans should be applied to roof fans.</p> <p>Proportionality should be added since one non-working fan out of 30 is a lot different than 30 out of 30.</p>	
<p><b><u>Building Systems</u></b></p> <p><b>HVAC</b></p> <p>Page Number 107:</p>	<p><i>HVAC (Building Systems)</i></p> <p>Portion of the building system that provides ability to heat or cool the air within the building. Includes equipment such as boilers, burners, furnaces, fuel supply, hot water and steam distribution, and associated piping, filters, and equipment. Also includes air handling equipment and associated ventilation ducting.</p> <p>This inspectable item can have the following deficiencies:</p> <p><a href="#"><u>Boiler/Pump Leaks</u></a></p> <p><a href="#"><u>Fuel Supply Leaks</u></a></p> <p><a href="#"><u>Misaligned Chimney/Ventilation System</u></a></p> <p><a href="#"><u>General Rust/Corrosion</u></a></p>	<p><b>Berger:</b> Definition does not include cooling or required cooling equipment.</p> <p><b>HUD Review Team:</b> <i>Correct, REAC recommended adding cooling and related cooling equipment to the elements of this deficiency.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the change.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><i>8/08/01</i></p> <p><i>HVAC (Building Systems)</i></p> <p>Portion of the building system that provides ability to heat or cool the air within the building. Includes equipment such as boilers, burners, furnaces, fuel supply, hot water and steam distribution, <b>centralized air conditioning systems</b>, and associated piping, filters, and equipment. Also includes air handling equipment and associated ventilation ducting.</p> <p>This inspectable item can have the following deficiencies:</p> <p><a href="#"><u>Boiler/Pump/Cooling System/Leaks</u></a></p> <p><a href="#"><u>Fuel Supply Leaks</u></a></p> <p><a href="#"><u>Misaligned Chimney/Ventilation System</u></a></p> <p><a href="#"><u>General Rust/Corrosion</u></a></p>



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<p><b>Building Systems</b></p> <p><b>HVAC - Boiler/Pump leaks -</b></p> <p>Page Number 107</p>	<p><b>Deficiency:</b> Water or steam is escaping from unit casing or system piping</p> <p><b>Note:</b> This does not include fuel supply leaks. See Building Systems- HVAC fuel supply leaks. Also, do not include steam escaping from pressure relief valves.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> You see water or steam leaking in piping or pump packing</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> Water or steam is leaking in piping or pump packing to the point that the system or pumps should be shut down.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If the condition is a health and safety concern, you must record it manually as “Health and Safety:</p>	<p><b>HUD Review Team:</b> <i>Implications from above changes. Coolant was added to the review items.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the change.</i></p> <p><b>MF Industry Input:</b> A note should be added stating that “sweating” is not leaking. This also needs to be stressed in training.</p>	<p><i>8/08/01</i></p> <p><b>Deficiency:</b> <u>Coolant</u>, water, or steam is escaping from unit casing and/or pump packing/system piping</p> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>○ This does not include fuel supply leaks. See Building Systems- HVAC fuel supply leaks.</li> <li>○ Do not include steam escaping from pressure relief valves.</li> <li>○ <b>If water containment and curb is provided, do not record as deficiency.</b></li> </ul> <p><b>Level of Deficiency:</b></p> <p><b>Level 1: Coolant, water, or steam is escaping from unit casing and/or pump packing/system piping</b></p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3: Coolant, Water, or steam is leaking in unit casing, system piping and/or pump packing to the point that the system or pumps should be shut down.</b></p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If the condition is a health and safety concern, you must record it manually as “Health and Safety:</p>

HUD Response to November 2000 Berger Report and Proposed Definition Modifications - Common Areas

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<p><u>Common Areas</u></p>	<p>Items to inspect for “Common Areas” are as follows:</p> <p><u>Basement/Garage/Carport</u>    <u>Lobby</u></p> <p><u>Closet/Utility/Mechanical</u>    <u>Office</u></p> <p><u>Community Room</u>    <u>Other Community Spaces</u></p> <p><u>Day Care</u>    <u>Patio/Porch/Balcony</u></p> <p><u>FHEO</u>    <u>Pools and Related Structures</u></p> <p><u>Halls/Corridors/Stairs</u>    <u>Restrooms/Pool Structures</u></p> <p><u>Kitchen</u>    <u>Storage</u></p> <p><u>Laundry Room</u>    <u>Trash Collection Areas</u></p>	<p><b>Berger:</b>  <i>General:</i> The inspection process could be expedited if there were a key on the DCD to allow the inspector to check off all of the NA items with a single stroke. An example of where this might be acceptable would be section 8 housing where there are no common areas.</p> <p><b>HUD Review Team:</b>  <i>REAC agreed this could expedite the process; however, it may not be appropriate in all circumstances. For example, Section 8 properties may have some or all of the common area inspectable items. As a result, it was agreed to leave as-is.</i></p> <p><b>Conclusion:</b>  <i>8/08/01: Berger &amp; REAC agreed.</i></p> <p><b>MF Industry Input:</b> Concern was raised related to proportionality. The issue was that the scoring system did not recognize the number of common areas and the number of places where the defect existed.</p>	<p>[Definition Unchanged]</p>

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<p><u>Common Areas</u></p> <p><b>Ceilings – Bulging/Buckling</b></p> <p>Page Number 136:</p>	<p><b>Deficiency: A ceiling is bowed, deflected, sagging, or is no longer aligned horizontally.</b></p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> You see bulging, buckling, sagging, or a lack of horizontal alignment.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If you have any doubt about the severity of the condition, request an inspection by a structural engineer.</p>	<p><b>Berger:</b> The definition indicates that any deflection should be considered is a Level 3 deficiency. This could be handled in a more replicable manner with a linear grading system.</p> <p><b>HUD Review Team:</b> <i>REAC agreed that any deficiency recorded in this inspectable item should be recorded as a Level 3. The intent of this deficiency is to record instances where there is severe potential for ceiling failure to occur.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to leave as-is.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>[Definition Unchanged]</b></p>

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<p><u>Common Areas</u></p> <p><b>Ceilings</b> — <b>Holes! Missing Tiles! Panels! Cracks</b></p> <p>Page Number 136</p>	<p><b>Deficiency:</b></p> <ul style="list-style-type: none"> <li>▪ The ceiling surface has punctures that may or may not penetrate completely.</li> <li>-OR-</li> <li>▪ Panels or tiles are missing or damaged.</li> </ul> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> You see small holes that are no larger than a sheet of paper--8½inches by 11 inches. -OR- No hole penetrates the area above. -OR- You see that no more than 3 tiles or panels are missing.</p> <p><b>Level 2:</b> You see a hole that is larger than a sheet of paper--8½inches by 11 inches--but it does not penetrate the area above. (You cannot see through it.) -OR- You see that more than 3 tiles or panels are missing. -OR- You see a crack more than 1/8 inch wide and 11 inches long.</p> <p><b>Level 3:</b> You see a hole that penetrates the area above; you can see through it. Comments</p> <p><b>Level 3:</b> If a hole is a health and safety concern, you must record it manually in “Health and Safety: Hazards.”</p>	<p><b>Berger:</b> The severity level should be altered with respect to the damaged ceiling. For example, a fire separation assembly with a hole of any size should be considered a Level 3.</p> <p><b>HUD Review Team:</b> <i>REAC agreed that a hole of any size through a fire separation assembly should be considered a Level 3 deficiency, however REAC is also concerned with the application of the definition from a repeatability perspective. Without the construction documents, it may be difficult to determine which walls/ceilings comprise the fire separation assembly. As a result, it was agreed to leave as-is.</i></p> <p><b>Conclusion</b> <i>8/08/01: Berger &amp; REAC agreed to leave as-is.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p>[Definition Unchanged]</p>

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<p><b>Common Areas</b></p> <p><b>Ceilings – Mold</b></p> <p>Page Number 136</p>	<p><b>Deficiency:</b> You see evidence of water infiltration, mold, or mildew that may have been caused by saturation or surface failure.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> On one ceiling, you see evidence of a leak, mold, or mildew--such as a darkened area--over a small area (more than 1 square foot but less than 4 square feet). You estimate that less than 10% of the ceiling surface area is affected. You may or may not see water.</p> <p><b>Level 2:</b> On one ceiling, you see evidence of a leak mold or mildew-- such as a darkened area--over a large area (more than 4 square feet). You may or may not see water. -OR- You estimate that 10-50% of the ceiling area has Level 1 damage.</p> <p><b>Level 3:</b> On one ceiling, you estimate that a large portion-- 50% of its surface--has been substantially saturated or damaged by water, mold, or mildew. You see cracks, moist areas, mold, or mildew. The ceiling surface may have failed. -OR- You estimate that more than 50% of the ceiling area shows Level 1 damage from stains, mold, or mildew.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If the condition is a health and safety concern, you must record it manually in “Health and Safety: Air</p>	<p><b>Berger:</b> The presence of mold may be caused by factors other than water leakage, which should be stated as such in the definition. How much mold would need to be present in order to trigger a health and safety concern?</p> <p><b>HUD Review Team:</b> <i>REAC agreed that mold may be caused by a condition other than water leakage. Additionally, REAC modified the definition and established a threshold level at which the presence of mold would trigger a “Health and Safety: Air Quality” deficiency.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the modifications.</i></p> <p><b>MF Industry Input:</b> No specific input was received. REAC is placing this defect under review.</p>	<p><b>Deficiency:</b> You see evidence of water infiltration, <del>mold, or mildew</del> that may have been caused by saturation, surface failure, <u>or other moisture producing conditions</u> .</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> On one ceiling, you see evidence of leak <del>mold or mildew</del> -- such as a <del>darkened area</del> -- over a large area (1 to 4 square feet). You may or may not see water.</p> <p><b>Level 3:</b> On one ceiling, you estimate that a large portion of its surface--has been substantially saturated or damaged by water, <del>mold, or mildew</del>. You see cracks, moist areas, <del>mold, or mildew</del>. The ceiling surface may have failed. -OR- You estimate that more than 4 square feet of the ceiling area shows Level 1 damage from stains, <del>mold, or mildew</del>.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3: If more than 4 square feet of the ceiling shows mold or mildew, this a health and safety concern, you must record it manually in “Health and Safety:</b></p> <p>I've been through the EPA and CDC Materials, this standard is totally inappropriate. #1 at best you have a potential concern. #2 there is no way to visually evaluate anything. #3 this can be either owner or resident caused.</p>

HUD Response to November 2000 Berger Report and Proposed Definition Modifications - Common Areas

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<p><u>Common Areas</u></p> <p><b>Hard Floor Covering — Missing Flooring! Tiles</b></p> <p>Page 158</p>	<p><i>Deficiency:</i> You see that flooring--terrazzo, hardwood, ceramic tile, or other flooring material--is missing.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> For a single floor, you see small holes in areas of the floor surface. You estimate that 5-10% of the floors are affected, and there are no safety problems.</p> <p><b>Level 2:</b> You estimate that 10-50% of the floors have small holes in areas of the floor surface, but there are no safety problems.</p> <p><b>Level 3:</b> You estimate that more than 50% of the floors are affected by Level 1 holes/damage. -OR- The condition causes a safety problem.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If you have just one concern that safety is compromised; classify the floor system as a Level 3 deficiency.</p>	<p><b>Berger:</b> How does the inspector determine that missing tiles or other missing flooring items is a safety problem? When the definition says small holes, does that mean for example that a tile is missing? Or that a tile has a hole in it?</p> <p><b>HUD Review Team:</b> <i>In review of Berger’s comments, REAC suggested splitting the defects in two: one addressing hard flooring, e.g. hardwood floors, with the second addressing softer flooring, e.g. laminate. Furthermore, if the missing section of flooring/tile presents a tripping or cutting hazard, the inspector should record this as a Level 3 deficiency. The revised definitions are presented in the adjacent column.</i></p> <p><b>Conclusion</b></p> <p><i>8/08/01: Berger &amp; REAC agreed to the changes.</i></p> <p><b>MF Industry Input:</b> Industry believes that hard flooring should include all flooring except carpet floors. “Vinyl flooring” should be added to the hard flooring definition , while the soft flooring definition should focus on carpeting.</p>	<p><i>Deficiency:</i> You see that hard flooring--terrazzo, hardwood, ceramic tile, or other <u>similar</u> flooring material--is missing <b><u>section(s), or presents a tripping or cutting hazard, but not limited to holes or delamination.</u></b></p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1: For any single</b> floor, you see <b>deficiencies</b> in areas of the floor surface. You estimate that 5-10% of the floor is affected, and there are no safety problems.</p> <p><b>Level 2:</b> You estimate that 10-50% of <b>any single floor surface is affected, but there are no safety problems.</b></p> <p><b>Level 3:</b> You estimate that more than 50% of <b>any floor surface is affected by Level 1 deficiencies.</b> -OR- The condition causes a safety problem.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If you have <b>a</b> concern that safety is compromised; classify the floor system as a Level 3 deficiency.</p>

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<p><u>Common Areas</u></p> <p><b>Soft Floor Covering Damaged- Floors.</b></p> <p>Page 157</p>	<p><i>Deficiency:</i> You see damage to carpet tiles, wood, sheet vinyl, or other floor covering.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> You estimate that only 5-10% of the floor covering has stains, surface burns, shallow cuts, small holes, tears, loose areas, or exposed seams. The covering is fully functional, and there is no safety hazard.</p> <p><b>Level 2:</b> . You estimate that only 10-50% of the floor covering has stains, surface burns, shallow cuts, small holes, tears, loose areas, or exposed seams. The covering is fully functional, and there is no safety hazard.</p> <p><b>Level 3:</b> For a single floor, you estimate that <i>more than 50%</i> of the floor covering is damaged. -OR- Damage to the floor covering exposes the underlying material.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If this condition is a health and safety concern, you must record it manually in “Health and Safety: Hazards”</p>	<p><b>HUD Review Team:</b> Implications from changes made to above definition.</p> <p><b>Conclusion:</b></p> <p><i>8/08/01: Berger &amp; REAC agreed to the changes.</i></p> <p><b>MF Industry Input:</b> Industry believes that hard flooring should include all flooring except carpet floors. “Vinyl flooring” should be added to the hard flooring definition , while the soft flooring definition should focus on carpeting.</p>	<p><i>Deficiency:</i> You see damaged and missing soft floor carpet tiles, <del>wood</del>, sheet vinyl, or other <u>similar</u> floor covering.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> You estimate that only 5-10% of <b>any single floor covering</b> has stains, surface burns, shallow cuts, small holes, tears, loose areas, or exposed seams. The covering is fully functional, and there is no safety hazard.</p> <p><b>Level 2:</b> You estimate that only 10-50% of <b>any single floor covering</b> has stains, surface burns, shallow cuts, small holes, tears, loose areas, or exposed seams. The covering is fully functional, and there is no safety hazard.</p> <p><b>Level 3:</b> You estimate that <i>more than 50%</i> of <b>any single floor covering</b> is damaged. -OR- Damage to the floor covering exposes the underlying material.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If this condition is a health and safety concern, you must record it manually in “Health and Safety:</p>

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<p><u>Common Areas</u></p> <p><b>Routes Obstructed or Inaccessible to Wheelchair</b></p> <p>Page 154</p>	<p><i>Deficiency:</i> Verify that routes to all outside common areas are accessible to wheelchairs (i.e.; there are curb cuts, ramps, and sufficient (36”) width)</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The route is obstructed or not accessible route.</p>	<p><b>Berger:</b> The definition implies that all outdoor routes to common areas must be accessible. All routes are not required to be accessible to comply with Fair Housing Laws. Only one accessible route is required.</p> <p><b>HUD Review Team:</b> <i>REAC agreed. Each common area needs to have at least one accessible route to outside common areas (not all routes need to be accessible). The modified definition is shown in the column to the right.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the changes.</i></p> <p><b>MF Industry Input:</b> Change to a yes/no and recognize that there are infeasible/problematic sites that do not have to comply. The language should state that this is a “potential deficiency”.</p>	<p><i>Deficiency:</i> Verify that <b>at least one route</b> to all outside common areas are accessible to wheelchairs (i.e.; there are curb cuts, ramps, and sufficient (36”) width)</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> <u>The common areas are either obstructed or are not accessible by wheelchairs.</u></p> <p>Verify that this continues to be a 0 score item .</p>



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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><u>Common Areas</u></p> <p>Floors — Rot/Deteriorated Subfloor</p> <p>Page 160</p>	<p><i>Deficiency:</i> The subfloor has decayed or is decaying.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> You see small areas of rot--1-4 square feet.</p> <p><b>Level 3:</b> You see large areas of rot--more than 4 square feet--and applying weight causes noticeable deflection.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If you have any doubt about the severity of this condition, request an inspection by a structural engineer.</p>	<p><b>Berger:</b> If the subfloor is covered with carpet, tile or other flooring material, it will be difficult for the inspector to determine how much of the subfloor is damaged.</p> <p><b>HUD Review Team:</b> <i>REAC agreed that the inspector may not be able to see the extent of damage or decay to the subfloor. However, by applying a moderate amount of weight to the floor, a noticeable deflection will be noted if there is rot, decay, deterioration, and/or damage.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the changes.</i></p> <p><b>MF Industry Input:</b> Training should clarify the “deflection” issue.</p>	<p><i>Deficiency:</i> The sub floor has decayed or is decaying.</p> <p><b>Note: If there is any doubt, apply weight to detect noticeable deflection.</b></p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> Evidence of small areas of rot--1-4 square feet</p> <p><b>Level 3:</b> Evidence of large areas of rot--more than 4 square feet</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If you have any concerns about Health &amp; Safety , request an inspection by a structural engineer.</p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><u>Common Areas</u></p> <p><b>HVAC — Inoperable</b></p> <p>Page 165</p>	<p><b>Deficiency:</b> The heating, cooling, or ventilation system does not function.</p> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>If the HVAC system is not functioning because it is not the right season, do not record this as a deficiency.</li> <li>Statement may be validated by resident survey process.</li> </ol> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The HVAC does not function; it does not provide the heating or cooling it should. The system does not respond when the controls are engaged.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If this condition is a health and safety concern, you must record it manually in “Health and Safety: Hazards”</p>	<p><b>Berger:</b></p> <p>Is the inspector expected to determine if the air is hot or cold enough? Or does not operational mean that the system does not run? Recommend adding - The system cannot maintain a minimum temperature of 68 degrees or a maximum temperature of 78 degrees or 20 degrees below the exterior temperature.</p> <p><b>HUD Review Team:</b></p> <p><i>No, the inspector is not expected to determine if the air is hot or cold enough. The intent of this requirement is to determine if the heating and/or cooling systems function (i.e. Does it have the capacity to cool or heat?) Additionally, he is not required to determine if the system operates within a given temperature range. REAC did, however, propose a change to the deficiency to help clarify seasonal impacts.</i></p> <p><b>Conclusion:</b></p> <p><i>8/08/01: Berger &amp; REAC agreed to the changes.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>Deficiency:</b> The heating, cooling, or ventilation system does not function.</p> <p><b>Note:</b> If the HVAC system <b><u>does not operate because of seasonal conditions</u></b>, do not record this as a deficiency.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If this condition is a health and safety concern, you must record it manually in “Health and Safety: Hazards”</p>

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<p><u>Common Areas</u></p> <p><b>HVAC- Noisy, Vibrating, Leaking</b></p> <p>Page 167</p>	<p><i>Deficiency:</i> The HVAC distribution components, including fans, are the source of abnormal noise, unusual vibrations, or leaks.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> The HVAC system shows signs of abnormal vibrations, other noise, or leaks when engaged. The system still provides enough heating or cooling to maintain a minimum temperature range in the major living areas.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> N/A</p>	<p><b>Berger:</b> The inspector does not know what is normal operational noise, or unusual vibrations. Recommend adding - The unit has a constant screeching, squealing, or other abnormal noise.</p> <p><b>HUD Review Team:</b> <i>REAC disagrees and believes that an inspector should be able to identify abnormal sounds. However, REAC has modified the definition as shown in the adjacent column to add some clarification.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the changes</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><i>Deficiency:</i> The HVAC distribution components, including fans, are the source of unusual vibrations, leaks, or abnormal noise. <b><u>Examples may include , but are not limited to screeching, squealing, banging, shaking, etc.</u></b></p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> The HVAC system shows signs of abnormal vibrations, other noise, or leaks when engaged. The system still provides enough heating or cooling to maintain a minimum temperature range in the major living areas.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> N/A</p>
<p><u>Common Areas</u></p> <p><b>Dishwasher! Garbage Disposal — Inoperable</b></p> <p>Page 192</p>	<p><i>Deficiency:</i> A dishwasher or garbage disposal, if provided, does not function, as it should.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> The dishwasher or garbage disposal does not function, as it should.</p> <p><b>Level 3:</b> N/A</p>	<p><b>Berger:</b> The wording in the definition “as it should” is open to interpretation and will lead to non-replicable results.</p> <p><b>HUD Review Team:</b> <i>REAC agreed and modified the definition as shown in the adjacent column.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the changes.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><i>Deficiency:</i> A dishwasher or garbage disposal, if provided, does not function, <del>as it should.</del></p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> The dishwasher or garbage disposal does not function, <del>as it should.</del></p> <p><b>Level 3:</b> N/A</p>

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<p><u>Common Areas</u></p> <p><b>Walls — Damaged</b></p> <p>Page 175</p>	<p><i>Deficiency:</i> You see punctures in the wall surface that may or may not penetrate completely. Panels or tiles may be missing or damaged.</p> <p><b>Note:</b> This does not include small holes from hanging pictures, etc.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> In a wall, you find a hole, missing tile or panel, or other damage that is between 1 inch and 8 ½ inches by 11 inches. The hole does not penetrate the adjoining room; you cannot see through it.</p> <p><b>Level 2:</b> In a wall, you find a hole, missing tile or panel, or other damage that is larger than a sheet of paper—8 1/2 inches by 11 inches.</p> <p>-OR- You find a crack greater than 1/8 inch wide and at least 11 inches long.</p> <p><b>Level 3:</b> You find a hole of any size that penetrates an adjoining room; you can see through the hole.</p> <p>-OR- Two or more walls have Level 2 holes.</p>	<p><b>Berger:</b> The width of the crack should be added to this definition. I don't understand this comment.</p> <p><b>HUD Review Team:</b> <i>Comment was unclear from the report. However, a slight modification to the definition was proposed and shown in the adjacent column.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the change</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><i>Deficiency:</i> You see <b>cracks and/or punctures</b> in the wall surface that may or may not penetrate completely. Panels or tiles may be missing or damaged.</p> <p><b>Note:</b> This does not include small holes from hanging pictures, etc.</p> <p><b><u>Control joints/construction joints should not be recorded as a deficiency.</u></b></p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> In a wall, you find a hole, missing tile or panel, or other damage that <b>is between</b> 1 square inch and 8 ½ inches by 11 inches <b>and</b> does not penetrate the adjoining room; you cannot see through it.</p> <p><b>Level 2:</b> In a wall, you find a hole, missing tile or panel, or other damage that is larger than a sheet of paper—8 1/2 inches by 11 inches, <b><u>and does not penetrate the adjoining room; you cannot see through it.</u></b></p> <p>-OR- You find a crack greater than 1/8 inch wide and at least 11 inches long.</p> <p><b>Level 3:</b> You find a hole of any size that penetrates an adjoining room; you can see through the hole.</p> <p>-OR- Two or more walls have Level 2 holes.</p>

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<p><u>Common Areas</u></p> <p><b>Range Hood! Exhaust Fans — Excessive Grease! Inoperable</b></p> <p>Page 193</p>	<p><i>Deficiency:</i> The apparatus that draws out cooking exhaust does not function, as it should.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> An accumulation of dirt threatens the free passage of air.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The exhaust fan does not function. -OR- You estimate that the flue may be completely blocked.</p>	<p><b>Berger:</b> For health and safety reasons, the accumulation of grease should be added to the Level 3 category.</p> <p><b>HUD Review Team:</b> <i>A previous version of this definition did include “accumulation of grease”. In order to remove the subjectivity of the inspector, REAC’s proposed revision also defines excessive grease. These revisions are noted in the definition in the adjacent column.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the changes.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><i>Deficiency:</i> The apparatus that draws out cooking exhaust does not function</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1: Free passage of air noticeably reduced.</b></p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The exhaust fan does not function. -OR- You estimate that the flue may be completely blocked -OR- <b>You think the condition is a Health &amp; Safety issue. (Example: grease fire is possible)</b></p> <p>Many localities allow filtered recirculating range hoods, the definition revision here should note that because a lot of properties have recirculating fans that do not have a flue at all.</p>

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<p><u>Common Areas</u></p> <p><b>Graffiti</b></p> <p>Page 189</p>	<p><b>Deficiency:</b> You see crude inscriptions or drawings scratched, painted, or sprayed on a building surface, retaining wall.</p> <p><b>Note:</b> There is a difference between art forms and graffiti. Do not consider full wall murals and other art forms as graffiti.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> You see graffiti in one place.</p> <p><b>Level 2:</b> You see graffiti in 2-5 places.</p> <p><b>Level 3:</b> You see graffiti in 6 or more places.</p>	<p><b>Berger:</b> The inspector should not be in a position to decide what is art and what is graffiti. What is described as “one place” is not clear, change to one wall. Level 3 should include any obscene words or gang signs.</p> <p><b>HUD Review Team:</b> <i>The inspector should be able to determine what constitutes graffiti if he/she follows the wording of the deficiency as listed in the DCD. REAC does agree that “one place” may be confusing and proposed changing the wording to read “one interior surface” which is reflected in the modified definition.</i></p> <p><b>Conclusion:</b></p> <p><i>8/08/01: Berger &amp; REAC agreed to the changes.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>Deficiency:</b> You see crude inscriptions or drawings scratched, painted, or sprayed on an interior building surface. <b><u>An interior surface includes but not limited to walls, doors, ceiling, and floors.</u></b></p> <p><b>Note:</b> There is a difference between art forms and graffiti. Do not consider full wall murals and other art forms as graffiti.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> You see graffiti on one <b><u>interior surface</u></b> .</p> <p><b>Level 2:</b> You see graffiti on 2-5 <b><u>interior surfaces</u></b>.</p> <p><b>Level 3:</b> You see graffiti on 6 or more <b><u>interior surfaces</u></b>.</p>

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<p><u>Common Areas</u></p> <p><b>Countertops – Missing/damaged</b></p> <p>Page 190</p>	<p><i>Deficiency:</i> A flat work surface in a kitchen often integral to lower cabinet space is missing or deteriorated.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> 20% or more of the countertop-working surface is missing, deteriorated, or damaged below the laminate--not a sanitary surface to prepare food.</p> <p><b>Level 3:</b> N/A</p>	<p><b>Berger:</b> When there is damage to the counter under 20%, the inspector is expected to have no observable deficiency.</p> <p><b>HUD Review Team:</b> <i>Correct. We recommend no change to this definition due to the fact that inspectors were previously recording deficiencies for minor surface defects and the 20% trigger minimizes this issue.</i></p> <p><b>Conclusion:</b> 8/08/01: Berger &amp; REAC agreed to leave as-is.</p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p>[Definition Unchanged]</p>
<p><u>Common Areas</u></p> <p><b>Cabinets — Missing! Damaged</b></p> <p>Page 191</p>	<p><i>Deficiency:</i> Cabinets are missing or the laminate is separating. This includes cases, boxes, or pieces of furniture with drawers, shelves, or doors--primarily used for storage--mounted on walls or floors.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> You see that 10-50% of the cabinets, doors, or shelves are missing or the laminate is separating.</p> <p><b>Level 3:</b> You see that <i>more than 50%</i> of the cabinets, doors, or shelves are missing or the laminate is separating.</p>	<p><b>Berger:</b> A level 1 definition is needed, since the inspector may be reluctant to record no deficiency when he sees some evidence of damage.</p> <p><b>HUD Review Team:</b> <i>REAC disagrees. REAC recommended no change to this definition due to the fact that inspectors were previously recording deficiencies for minor surface defects</i></p>	<p>[Definition Unchanged]</p>

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<b>Definition In Question</b>	<b>Current Version 2.3 Definition</b>	<b>Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.</b>	<b>Proposed Definition</b>
		<p><b>Conclusion:</b></p> <p>8/08/01: Berger &amp; REAC agreed <i>to leave as-is.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	



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<p><u>Units</u></p> <p><b>HVAC - Convection/Radiant Heat System Covers Missing/Damaged</b></p> <p>Page 255</p>	<p><i>Deficiency:</i> A cover on the convection/radiant heat system is missing or damaged, which could cause a burn or related injury.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> At least one cover is missing or substantially damaged, allowing contact with heating/surface elements or associated fans.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> When the system is operational during an inspection and you see a Level 3 deficiency—a real-time hazard exists-- you must record it manually in “Health and Safety:</p>	<p><b>Berger:</b>                      Recommend adding — At Level 1, add fan runs but no heating or cooling                      At Level 2, add fan runs but does not provide sufficient heating or cooling to maintain room temperature.                      At Level 3, modify to say the HVAC does not function at all (no heating or cooling and fan does not work</p> <p><b>HUD Review Team:</b>  <i>REAC requested clarification as the issue raised by Berger pertains to a different definition. Berger agreed to leave the definition as is.</i></p> <p><b>Conclusion:</b>                      8/08/01: Berger &amp; REAC agreed to leave as-is.</p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p>[Definition Unchanged]</p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><u>Units</u></p> <p>HVAC System - General Rust/Corrosion</p> <p>Page 256</p>	<p><i>Deficiency:</i> You see a component of the system with deterioration from oxidation or corrosion of system parts.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> You see deterioration from rust and corrosion on the HVAC units in the dwelling unit. The system still provides enough heating or cooling.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> N/A</p>	<p><b>Berger:</b> Level of deterioration is not defined.</p> <p><b>HUD Review Team:</b> <i>REAC agreed. REAC recommended adding language to the definition that defines deterioration. The proposed definition is shown in the adjacent column.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed</i></p> <p><b>MF Industry Input:</b> Superficial rust should be deleted. A note should be added that addresses how rust/corrosion impacts functionality.</p>	<p><i>Deficiency:</i> You see a component of the system with deterioration from oxidation or corrosion of system parts. <b><u>Deterioration is defined as superficial rust, and or significant formations of metal oxides, flaking, or discoloration, or a pit or crevice.</u></b></p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> You see deterioration from rust and corrosion on the HVAC units in the dwelling unit. The system still provides enough heating or cooling.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> N/A</p> <p>This reads wrong. See changes and addition below.</p> <p>Superficial rust, loss of galvanizing, or rust caused by heat, such as around burner assemblies is not a deficiency.</p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><u>Units</u></p> <p><b>HVAC System - Inoperable</b></p> <p>Page 257</p>	<p><b>Deficiency:</b> The heating, cooling, or ventilation system does not function.</p> <p><b>Note:</b> If the HVAC system does not operate because of seasonal conditions, do not record this as a deficiency.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The HVAC does not function; it does not provide the heating or cooling it should. The system does not respond when the controls are engaged.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If this condition is a health and safety concern, you must record it manually in "Health and Safety:</p>	<p><b>Berger:</b> The wording "it should" is not objectively verifiable.</p> <p><b>HUD Review Team:</b> <i>As addressed before in the review of Common Areas, REAC disagrees with this comment. The definition remains as is.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to leave as-is.</i></p> <p><b>MF Industry Input:</b> The words "it should" should be removed.</p>	<p>[Definition Unchanged]</p>
<p><u>Units</u></p> <p><b>HVAC - Misaligned Chimney/Ventilation</b></p> <p>Page 258</p>	<p><b>Misaligned Chimney/Ventilation System (HVAC)</b></p> <p><b>Deficiency:</b> The exhaust system on a gas-fired unit is misaligned.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> You see any misalignment that may cause improper or dangerous venting of gases.</p>	<p><b>Berger:</b> Add "or oil-fired unit" to the definition.</p> <p><b>HUD Review Team:</b> <i>REAC agreed and modified the definition to include "oil fired" as shown in the adjacent column.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the change.</i></p> <p><b>MF Industry Input:</b> No specific input received.</p>	<p><b>Misaligned Chimney/Ventilation System (HVAC)</b></p> <p><b>Deficiency:</b> The exhaust system on either a gas <b>or oil fired</b> unit is misaligned.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> You see any misalignment that may cause improper or dangerous venting of gases.</p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><u>Units</u></p> <p><b>Range Hood/Exhaust Fans - Excessive grease/inoperable (Kitchen)</b></p> <p>Page 266</p>	<p><b>Range Hood/Exhaust Fans - Excessive Grease/Inoperable (Kitchen)</b></p> <p><i>Deficiency:</i> The apparatus that draws out cooking exhaust does not function, as it should.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> An accumulation of dirt threatens the free passage of air.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The exhaust fan does not function. -OR- You estimate that the flue may be completely blocked</p>	<p><b>Berger:</b> Also, “accumulation of grease” should be added to Level 3.</p> <p><b>HUD Review Team:</b> <i>A previous version of this definition included “accumulation of grease”. In order to remove the subjectivity of the inspector, REAC’s proposed revision defines “excessive” grease. These revisions are noted in the definition in the adjacent column.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed to the change.</i></p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><i>Deficiency:</i> The apparatus that draws out cooking exhaust does not function</p> <p><i>Level of Deficiency:</i> See earlier note</p> <p><b>Level 1: Free passage of air noticeably reduced.</b></p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The exhaust fan does not function. -OR- You estimate that the flue may be completely blocked -OR- <b>You think the condition is a Health &amp; Safety issue. (Example: grease fire is possible)</b></p>
<p><u>Units</u></p> <p><b>Call-for Aid — Inoperable</b></p> <p>Page 220</p>	<p><i>Deficiency:</i> The system does not function, as it should.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The system does not function, as it should.</p>	<p><b>Berger:</b> How does the inspector verify if this device is working? Recommend adding - Local and remote alarms/lights do not function. Electric door latch, if installed, doesn’t unlock door during alarm condition</p> <p><b>HUD Review Team:</b> <i>REAC agreed and modified the definition as shown in the adjacent column.</i></p> <p><b>Conclusion:</b> <i>8/08/01: Berger &amp; REAC agreed</i></p>	<p><i>Deficiency:</i> The system does not function.</p> <p><b>Note: Inspector should verify that the Call-for-Aid only alerts local entities prior to alarming.</b></p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> The system does not function, as it should.</p>

**HUD Response to November 2000 Berger Report and Proposed Definition Modifications - Units**

<b>Definition In Question</b>	<b>Current Version 2.3 Definition</b>	<b>Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.</b>	<b>Proposed Definition</b>
		<b>MF Industry Input:</b> Remove the words “as it should”. Industry will provide additional clarifying language.	

Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><b>Site</b></p> <p><b>Fencing and Gates — Holes! Missing Sections! Damaged! Falling! Leaning</b></p> <p>Pages 10, 11&amp; 12</p> <p><b>Delineated into Two Separate Criteria:</b></p> <p><b>1. Interior Fencing</b></p> <p><b>2. Exterior Fencing</b></p>	<p><b>Deficiency:</b> A fence or gate is rusted, deteriorated, or uprooted which may threaten security, health, or safety.</p> <p><b>Note:</b> Gates for swimming pool fences are covered in another section, “Common Areas - Pools and Related Structures”.</p> <p><b>Level of Deficiency:</b> Deficiencies in exterior fences, security fences, and gates are a higher level than interior fences and gates.</p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> An <i>interior</i> fence or gate is so damaged that it does not function, as it should.</p> <p>-OR-</p> <p>An <i>exterior fence, security fence, or gate</i> shows signs of deterioration, but still functions as it should, and it presents no risk to security or safety.</p> <p><b>Level 3:</b> An <i>exterior fence, security fence, or gate</i> is no longer there.</p> <p>-OR-</p> <p>An <i>exterior fence, security fence, or gate</i> is damaged and does not function as it should or could threaten safety or security.</p>	<p><b>Berger:</b> The amount of damage to the fences and gates is not considered. Consolidation of these damages and applying a proportionality factor would be a better method to assess the condition of the fences and gates. The inspector needs to be informed as to the design intent of the fence. In some cases it may not be clear if the purpose is to keep children in or predators out.</p> <p><b>HUD Review Team:</b></p> <p>The REAC committee largely agreed with Berger comments and modified the definition. As a result, two key changes were proposed:</p> <ol style="list-style-type: none"> <li>1.) fences were split into two items: interior fences and exterior fences. The reason for the change is that exterior fences generally serve as more of a security/safety barrier than do interior fences and as a result should be addressed independently.</li> <li>2.) the specific defect definitions were combined and proportionality was applied, where feasible.</li> </ol> <p><b>Conclusion:</b></p> <p>8/8/01</p> <p>REAC &amp; Berger agreed to the “proposed definition” changes.</p>	<p>8/1/01: <i>The committee agreed with the change</i></p> <p><b>Site - Fencing and Gates - Missing/Damaged/Falling/Leaning</b></p> <p><b>Interior –</b> <b>Deficiency: An interior (example: Privacy/Decorative) fence or gate is rusted, deteriorated, uprooted, missing or contains holes.</b></p> <p><b>Level of Deficiency:</b></p> <p><b>Level 2:</b> An interior fence or gate contains holes or deterioration in greater than <b>25% of the fence.</b></p> <p><b>Level 3: If the interior fence poses any danger, note this as a Health &amp; Safety issue .</b></p> <p><b>Exterior –</b> <b>Deficiency: An exterior (i.e.: Perimeter/Security) fence or gate is rusted, deteriorated, uprooted or missing such that it may threaten security, health or safety.</b></p> <p><b>Note:</b> If the fence or gate is not designed to keep intruders out or children in- such as a rail fence- do not evaluate it for holes.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1: An exterior fence or gate contains small holes (smaller than 12 inches by 12 inches) in less than 25% of the fence.</b></p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
		<p><b>MF Industry Input:</b> Rusted should be removed from the definition. The Note re: swimming pools, etc. should be added back in.</p>	<p><b>Level 2: An exterior fence or gate contains small holes (smaller than 12 inches by 12 inches) in more than 25% of the fence.</b></p> <p><b>Level 3: An exterior fence or fence section contains large holes (greater than 12 inches by 12 inches) or is missing a section. .</b></p> <p><b>Note: If the fence can cause injury or allow bodily harm, record it as a Health &amp; Safety issue.</b></p>
<p><b>Site</b></p> <p><b>Fencing and Gates – Holes</b></p>	<p><b>Deficiency:</b> There is an opening or penetration in any fence or gate <i>designed to keep intruders out or children in</i>. Look for holes that could allow animals to enter or could threaten the safety of children.</p> <p><b>Note:</b> If the fence or gate is not designed to keep intruders out or children in- such as a rail fence- do not evaluate it for holes.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> The hole is smaller than 6 inches by 6 inches</p> <p><b>Level 2: N/A</b></p> <p><b>Level 3:</b> The hole is larger than 6 inches by 6 inches.</p>	<p><b>Conclusion:</b></p> <p>8/8/01</p> <p>REAC &amp; Berger agreed to the changes defined in the prior definition.</p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>[Definition Deleted. Holes added to Damaged/Falling/Leaning]</b></p> <p><i>Refer to prior definition</i></p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><b>Site</b></p> <p><b>Grounds — Ponding! Site Drainage</b></p>	<p><i>Deficiency:</i> Water or ice has collected in a depression or on ground where ponding was not intended.</p> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>This does not include detention/retention basins or ponding on paved areas, such as parking lots: <ul style="list-style-type: none"> <li>Detention/retention basins are covered in “Site - Storm Drainage”.</li> <li>Ponding on paved areas is covered in “Parking Lots/Driveways/Roads”.</li> </ul> </li> <li>If there has been measurable precipitation (1/10 inch or more) during the previous 48 hours, consider the impact on the extent of the ponding. Determine that ponding has occurred only when there is clear evidence of a persistent or long-standing problem.</li> </ol> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> An accumulation of water (3-5 inches deep) affects the use of a section of the grounds, but the grounds are generally usable.</p> <p><b>Level 3:</b> There is an accumulation of more than 5 inches deep. -OR- Accumulation has made a large section of the grounds—more than 20% --unusable for its intended purpose. (For example, ponding has made a recreational field unusable.)</p>	<p><b>Berger:</b> The definition is objective, however the application is likely to be subjective, since the inspector has been instructed not to enter such areas and will thus be required to guess the depth by visual observation.</p> <p><b>HUD Review Team:</b> <i>The application is not subjective. The inspector is required to enter such areas and measure the depth of the ponding water. Therefore, REAC recommended maintaining the current definition.</i></p> <p><b>Conclusion:</b> 8/8/01 REAC &amp; Berger agreed to leave as-is.</p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>[Definition Unchanged]</b></p> <p>8/1/01: <i>The committee agreed with no change.</i></p>



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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p>Site</p> <p><u>Parking Lots!</u> <u>Driveways! Roads</u> <u>-Damaged Paving</u></p>	<p><b>Cracks (Parking Lots/Driveways/Roads)</b></p> <p><i>Deficiency:</i> There are visible faults in the pavement: longitudinal, lateral, alligator, etc.</p> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>Do not include cracks on walkways/steps. For this to be a level 2 deficiencies, 5% of the parking lots must be impacted-- 50 out of 1,000 square feet, for example.</li> <li>Relief joints are there by design; do not consider them cracks.</li> <li>When observing traffic ability, consider the capacity to support people on foot, in wheelchairs, and using walkers—and the potential for problems and hazards.</li> <li>For <i>parking lots only</i>, note a deficiency if you see cracks on more than 5% of the parking spaces.</li> <li>For <i>driveways/roads</i>, note a deficiency if you see cracks on more than 5% of the driveways/roads.</li> </ol> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> Cracks greater than 3/4inch, hinging/tilting, or missing section(s) that affect traffic ability over more than 5% of the property’s parking lots/driveways/roads.</p> <p><b>Level 3:</b> N/A</p> <p style="text-align: center;">Comments</p>	<p><b>Berger:</b> These deficiencies could all be addressed in one deficiency or simply in a group listed as damaged pavement, similar to the way the sidewalk deficiencies have been defined.</p> <p><b>HUD Review Team:</b> <i>In general, REAC agreed with the comment and recommend combining “Cracks”, “Settlement/Heaving”, and “Potholes/Loose Materials” since what is really being addressed in this defect is damaged pavement. As a result, the defects were combined.</i></p> <p><b>Conclusion:</b></p> <p>8/8/01</p> <p>REAC &amp; Berger agreed with the “proposed definition” changes</p> <p><b>MF Industry Input:</b> In note 3 clarify that only one accessible path is needed. Training should be provided regarding the one accessible path issue. Training should also address “winter” impacts.</p>	<p><b>Cracks/Settlement/Heaving/Loose Materials/Potholes (Parking Lots/Driveways/Roads)</b></p> <p><i>Deficiency:</i> There are visible faults in the pavement: longitudinal, lateral, alligator, etc. <b><u>The pavement sinks or rises because of the failure of sub base materials.</u></b></p> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>Do not include cracks on walkways/steps. For this to be a level 2 deficiency, <b>more than 10%</b> of the parking lots must be impacted--<b>100</b> out of 1,000 square feet, for example. <b>The 10% level does not apply to Level 3 conditions.</b></li> <li>Relief joints are there by design; do not consider them cracks.</li> <li>When observing traffic ability, consider the capacity to support people on foot, in wheelchairs, and using walkers—and the potential for problems and hazards.</li> <li>For <i>parking lots only</i>, note a <b>Level 2</b> deficiency if you see cracks on more than 10% of the parking spaces.</li> <li>For <i>driveways/roads</i>, note a <b>Level 2</b> deficiency if you see cracks on more than 10% of the driveways/roads.</li> </ol> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> <b><u>Cracks and deteriorated surface material display evidence of settlement/heaving.</u></b></p> <p><b>Level 2:</b> Cracks greater than 3/4inch, hinging/tilting, <b>loose materials due to pot holes</b>, or missing section(s) that affect traffic ability over more than <b>10%</b> of the property’s parking lots/driveways/roads.</p> <p><b>Level 3:</b> <b><u>Potholes/Settlement/heaving has made a parking lot/driveway unusable/impassable or creates unsafe conditions for pedestrians and vehicles.</u></b></p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
	<p><b>Level 2:</b> If the height differential is greater than <math>\frac{3}{4}</math>inch, consider this a safety hazard. If the condition of the surface could cause tripping or falling, you must manually record this deficiency as “Health and Safety: Hazards.”</p>		<p style="text-align: center;">Comments</p> <p><b>Note:</b> If the height differential is greater than <math>\frac{3}{4}</math>inch, consider this a safety hazard. If the condition of the surface could cause tripping or falling, you must manually record this deficiency as “Health and Safety: Hazards</p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><b>Site</b></p> <p><b><u>Ponding</u></b></p>	<p><b>Ponding (Parking Lots/Driveways/Roads)</b></p> <p><i>Deficiency:</i> Water or ice has accumulated in a depression on an otherwise flat plane.</p> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>1. Consider the impact of <i>any measurable precipitation</i>—1/10 inch or more—during the last 48 hours. Note the deficiency only if there is clear evidence that the ponding is a persistent or long-standing problem.</li> <li>2. <i>For parking lots only</i>, note a deficiency if you see ponding on more than 5% of the parking spaces.</li> <li>3. <i>For driveways/roads</i>, note a deficiency if you see ponding on more than 5% of the driveways/roads.</li> </ol> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> Less than 3 inches of water has accumulated, affecting the use of 5% or more of a parking lot/driveway; the parking lot/driveway is passable.</p> <p><b>Level 3:</b> 3 inches of water—or more--has accumulated making 5% or more of a parking lot/driveway unusable or unsafe.</p>	<p><b>HUD Review Team:</b> <i>Level 2 definition was modified to include a minimum of 1 inch.</i></p> <p><b>Conclusion:</b></p> <p>8/8/01</p> <p>REAC &amp; Berger agreed with the “proposed definition” changes</p> <p><b>MF Industry Input:</b> No specific input received.</p>	<p><b>Ponding (Parking Lots/Driveways/Roads)</b></p> <p><i>Deficiency:</i> Water or ice has accumulated in a depression on an otherwise flat plane.</p> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>1. Consider the impact of <i>any measurable precipitation</i>—1/10 inch or more—during the last 48 hours. Note the deficiency only if there is clear evidence that the ponding is a persistent or long-standing problem.</li> <li>2. <i>For parking lots only</i>, note a deficiency if you see ponding on more than 5% of the parking spaces.</li> <li>3. <i>For driveways/roads</i>, note a deficiency if you see ponding on more than 5% of the driveways/roads.</li> </ol> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> <b>Between 1 and 3</b> inches of water has accumulated, affecting the use of 5% or more of a parking lot/driveway; the parking lot/driveway is passable.</p> <p><b>Level 3:</b> <b>More than 3</b> inches of water has accumulated making 5% or more of a parking lot/driveway unusable or unsafe.</p> <p>What about this condition when there is snow on the ground and it is below 32?</p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p>Site</p> <p><u>Parking Lots!</u> <u>Driveways! Roads</u> <u>-Potholes/Loose Material</u></p>	<p><b>Potholes/Loose Material (Parking Lots/Driveways/Roads)</b></p> <p><i>Deficiency:</i></p> <ul style="list-style-type: none"> <li>▪ a hole caused by road surface failure -OR-</li> <li>▪ loose, freestanding aggregate material caused by deterioration</li> </ul> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> Potholes or loose material have caused the pavement to fail, exposing the subsurface.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> Potholes or loose material have made a parking lot/driveway unusable/impassable for vehicles and/or pedestrians.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If the excessively irregular surface could cause tripping or falling, you must manually record this deficiency as "Health and Safety: Hazards."</p>	<p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>[Definition Consolidated Into a new Definition Entitled "Damage d Paving"]</b></p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p>Site</p> <p><b><u>Parking Lots!</u></b> <b><u>Driveways! Roads</u></b> <b>Settlement</b> <b>Heaving</b></p>	<p><b>Settlement/Heaving (Parking Lots/Driveways/Roads)</b></p> <p><i>Deficiency:</i> The pavement sinks or rises because of the failure of subbase materials.</p> <p><b>Note:</b> If you see that water or ice has collected in the depression, record this under Ponding.</p> <p><i>Level of Deficiency:</i></p> <p><b>Level 1:</b> Cracks and deteriorated surface material give evidence of settlement/heaving.</p> <p><b>Level 2:</b> N/A</p> <p><b>Level 3:</b> Settlement/heaving has made a parking lot/driveway unusable/impassable or creates unsafe conditions for pedestrians and vehicles.</p> <p style="text-align: center;">Comments</p> <p><b>Level 3:</b> If the excessively irregular surface could cause tripping or falling, you must manually record this deficiency as "Health and Safety: Hazards."</p>	<p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>[Definition Consolidated Into a new Definition Entitled "Damaged Paving"]</b></p>

HUD Response to November 2000 Berger Report and Proposed Definition Modifications - Site

Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><b>Site</b></p> <p><b>Play Areas and Equipment — Damaged! Broken Equipment</b></p> <p>Page 29</p>	<p><b>Deficiency:</b> Equipment is broken into pieces, shattered, incomplete, or inoperable.</p> <p><b>Note:</b> Do not evaluate equipment that the authority state has been withdrawn from service, except when safety is still a concern--sharp edges, dangerous leaning, etc. For example, if the authority removed the net and hoop from a basketball backboard and the backboard poses no safety hazards, it is not a deficiency.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> You see that <i>some of the equipment</i>--20-50% --does not operate as it should, but poses no safety risk.</p> <p><b>Level 2:</b> You see that <i>most of the equipment</i>--more than 50% - -does not operate as it should, but poses no safety risk.</p> <p><b>Level 3:</b> You see equipment that poses a <i>threat to safety</i> and could cause injury.</p>	<p><b>Berger:</b> This definition encourages the housing authority to remove or take the equipment out of service rather than repair it.</p> <p><b>HUD Review Team:</b> <i>The intent is not to encourage removal of equipment but rather to provide functionality and safety to the users.</i></p> <p><b>Conclusion:</b> REAC &amp; Berger agreed to leave as-is.</p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>Deficiency:</b> Equipment is broken into pieces, shattered, incomplete, or inoperable.</p> <p><b>Note:</b> Do not evaluate equipment that the authority state has been withdrawn from service, except when safety is still a concern--sharp edges, dangerous leaning, _etc. For example, if the authority removed the net and hoop from a basketball backboard and the backboard poses no safety hazards, it is not a deficiency.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> You see that <i>some of the equipment</i>--20-50% --does not operate as it should, but poses no safety risk.</p> <p><b>Level 2:</b> You see that <i>most of the equipment</i>--more than 50% - -does not operate as it should, but poses no safety risk.</p> <p><b>Level 3:</b> You see equipment that poses a <i>threat to safety</i> and could cause injury.</p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p>Site</p> <p><b>Retaining Walls — Damaged! Falling! Leaning</b></p> <p>Page 34</p>	<p><b>Deficiency:</b> A retaining wall structure is deteriorated, damaged, falling, or leaning.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> A retaining wall shows some signs of deterioration, but it still functions as it should, and it <i>is not a safety risk</i>.</p> <p><b>Level 3:</b> A retaining wall is damaged and does not function as it should or <i>is a safety risk</i>.</p>	<p><b>Berger:</b> The retaining wall definition is not objectively stated and as such is open to interpretation. For the inspector to make an objective assessment of the retaining wall damage he must have guidelines upon which to base his evaluation. For example, what measurable signs constitute deterioration, and what measurable flaws constitute damage. This criterion is necessary in order for the inspector to make replicable level assignments.</p> <p><b>HUD Review Team:</b> <i>The purpose of the deficiency is to assess the actual conditions of the walls as well as to determine whether a Health and Safety problem exists. The Level 2 deficiency states that the wall serves its purpose (without posing a falling threat) but shows signs of deterioration. The Level 3 deficiency states that the wall does not serve its purpose (no longer an integral unit) or poses a safety risk. Also the term “significant”</i></p> <p><b>Conclusion:</b></p> <p>8/8/01</p> <p>REAC &amp; Berger agreed to the Level 2 change.</p> <p><b>MF Industry Input:</b> The term “as-it should” should be removed.</p>	<p><b>Deficiency:</b> A retaining wall structure is deteriorated, damaged, falling, or leaning.</p> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> A retaining wall shows <b>significant</b> signs of deterioration, but it still functions as it should, and it <i>is not a safety risk</i>.</p> <p><b>Level 3:</b> A retaining wall is damaged and does not function as it should or <i>is a safety risk</i>.</p>

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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><b>Site</b></p> <p><b>Walkways! Steps — Cracks! Settlement! Heaving</b></p> <p>Page 39</p>	<p><b>Deficiency:</b></p> <ul style="list-style-type: none"> <li>▪ visible faults in the pavement: longitudinal, lateral, alligator, etc.</li> <li style="text-align: center;">-OR-</li> <li>▪ pavement that sinks or rises because of the failure of subbase materials</li> </ul> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>1. Do not include cracks on parking lots/driveways or roads.</li> <li>2. For this to be a level 2 deficiency, 5% of the walkways must be impacted--50 out of 1,000 square feet, for example.</li> <li>3. Relief joints are there by design; do not consider them cracks.</li> <li>4. When observing traffic ability, consider the capacity to support pedestrians, wheelchairs, and people using walkers.</li> </ol> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> Cracks greater than 3/4", hinging/tilting, or missing section(s) that affect traffic ability over more than 5% of the property's walkways/steps.</p> <p><b>Level 3:</b> N/A</p> <p style="text-align: center;"><b>Comments</b></p> <p><b>Level 2:</b> If the walkways or steps could cause tripping or falling, you must manually record this deficiency as "Health and Safety: Hazards."</p>	<p><b>Berger:</b></p> <p>This definition requires that all sidewalks support wheelchairs and walkers. All sidewalks should not be required to provide access for wheelchairs and walkers. Only one accessible route is required to the building, therefore note 4 would not always apply.</p> <p><b>HUD Review Team:</b></p> <p><i>The intent is not to require that all sidewalks provide access for wheelchairs and walkers. Note 4 has been modified to clearly state this fact.</i></p> <p><b>Conclusion:</b></p> <p>REAC &amp; Berger agreed to the modification.</p> <p><b>MF Industry Input:</b> No specific input was received.</p>	<p><b>Deficiency:</b></p> <ul style="list-style-type: none"> <li>▪ Visible faults in the pavement: longitudinal, lateral, alligator, etc.</li> <li style="text-align: center;">-OR-</li> <li>▪ pavement that sinks or rises because of the failure of subbase materials</li> </ul> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>1. Do not include cracks on parking lots/driveways or roads.</li> <li>2. For this to be a level 2 deficiency, 5% of the walkways must be impacted--50 out of 1,000 square feet, for example.</li> <li>3. Relief joints are there by design; do not consider them cracks.</li> <li>4. When observing traffic-ability, consider the <b><u>design intent of the walkway</u></b> to support pedestrians, wheelchairs, and people using walkers. <b><u>Not all walkways are designed to support wheelchairs and or walkers.</u></b></li> </ol> <p><b>Level of Deficiency:</b></p> <p><b>Level 1:</b> N/A</p> <p><b>Level 2:</b> Cracks greater than 3/4", hinging/tilting, or missing section(s) that affect traffic-ability over more than 5% of the property's walkways/steps.</p> <p><b>Level 3:</b> N/A</p> <p style="text-align: center;"><b>Comments</b></p> <p><b>Level 2:</b> If the walkways or steps could cause tripping or falling, you must manually record this deficiency as "Health and Safety: Hazards."</p>



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Definition In Question	Current Version 2.3 Definition	Berger Issues w/ Current Definition, HUD Review Team Response, and Conclusion.	Proposed Definition
<p><b>Health and Safety</b></p> <p><b>Air Quality - Mold and/or Mildew Observed</b></p> <p>Page 299</p>	<p><i>Deficiency:</i> You see evidence of mold or mildew, especially in bathrooms and air outlets.</p>	<p><b>Berger:</b> The definition is stated, such that any amount of mold or mildew present is a health and safety issue.</p> <p><b>HUD Review Team:</b> <i>A note is added to give a square footage benchmark.</i></p> <p><b>Conclusion:</b>  8/08/01: Berger &amp; REAC agreed</p> <p><b>MF Industry Input:</b> No specific input was received. REAC is placing this defect under review.</p>	<p><i>Deficiency:</i> You see evidence of water infiltration, mold, or mildew that may have been caused by saturation, surface failure, <b>or other moisture producing conditions</b> .</p> <p><b>Note: If the area has at least 4 square feet of mold or mildew, record it as a deficiency.</b> .</p> <p>I'm not sure we want to go here. There are liability issues that come into play here, and they are more subtle than inspectors can determine.</p>
<p><b>Health and Safety</b></p> <p><b>Air Quality — Sewer Odor Detected.</b></p>	<p><i>Deficiency:</i> You detect sewer odors that could pose a health risk if inhaled for prolonged periods.</p>	<p><b>Berger:</b> Inspector cannot verify if inhalation of sewer odors is a health risk.</p> <p><b>HUD Review Team:</b> <i>REAC agreed and modified the definition as shown in the adjacent column.</i></p> <p><b>Conclusion:</b>  8/08/01: Berger &amp; REAC agreed to the modification.</p> <p><b>MF Industry Input:</b> No specific input received.</p>	<p>Deficiency: <b><u>You detect sewer odors.</u></b></p>

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<p><b>Health and Safety</b></p> <p><b>Electrical Hazards</b> — <b>Exposed Wires!</b> <b>Open panels</b></p> <p>Page 303</p>	<p><b>Deficiency:</b> You see exposed bare wires or openings in electrical panels.</p> <p><b>Note:</b> If the accompanying authority has identified abandoned wiring, capped wires do not pose a risk and should not be recorded as a deficiency.</p>	<p><b>Berger:</b> Capped wires exposed anywhere that is accessible to the public could be a health and safety hazard.</p> <p><b>HUD Review Team:</b> <i>Generally, capped wires do not pose a health risk unless the cap is not properly attached. The definition does not require revision; however, a change was made to state that the capped wires should be enclosed in a junction box.</i></p> <p><b>Conclusion:</b></p> <p>8/08/01: Berger &amp; REAC agreed to clarify this definition by adding a note.</p> <p><b>MF Industry Input:</b> Language should be added to clarify that “clipped or tagged” wiring is not a problem provided it is located in an inaccessible area. Low-voltage wiring may be exposed in inaccessible areas as well. Training should address low-voltage wiring and clipped wiring.</p>	<p><b>Deficiency:</b> You see exposed bare wires or openings in electrical panels.</p> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>○ If the accompanying authority has identified abandoned wiring, capped wires do not pose a risk and should not be recorded as a deficiency.</li> <li>○ <b>If the capped wires are not properly enclosed in a junction box, record as a deficiency</b></li> </ul> <p>Still doesn't speak to the issues we raised.</p>
<p><b>Health and Safety</b></p> <p><b>Emergency! Fire Exits</b> — Missing Exit Signs</p> <p>Page 309</p>	<p><b>Deficiency:</b></p> <ul style="list-style-type: none"> <li>▪ Exit signs that clearly identify all emergency exits are missing.</li> <li>▪ -OR-</li> <li>▪ There is no illumination in the area of the sign.</li> </ul>	<p><b>Berger:</b> This definition should be reworded. For example, “Required exit signage is missing or damaged” might be a better solution.</p> <p><b>HUD Review Team:</b> <i>In general, adjacent illumination is acceptable if it is in operation near the sign. This was determined to be a sufficient resolution for this item.</i></p>	<p><b>Deficiency:</b></p> <ul style="list-style-type: none"> <li>▪ Exit signs that clearly identify all emergency exits are missing.</li> <li>▪ -OR-</li> <li>▪ <b>There is no adjacent illumination in operation near the sign.</b></li> </ul>

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		<p><b>Conclusion:</b></p> <p>8/08/01: Berger &amp; REAC agreed</p> <p><b>MF Industry Input:</b> Clarifications should be added to address internal illumination as well as the reference to adjacent lighting.</p>	
<p><b>Health and Safety</b></p> <p><b>Flammable Materials — Improperly Stored</b></p> <p>Page 311</p>	<p><i>Deficiency:</i> Flammable materials are improperly stored, causing the potential risk of fire or explosion.</p>	<p><b>Berger:</b> The inspector is required to determine what materials are flammable and to determine what constitutes improper storage.</p> <p><b>HUD Review Team:</b> <i>In general, REAC agreed and modified the definition as shown in the adjacent column. This revised definition provides improved guidance with respect to what items may be flammable.</i></p> <p><b>Conclusion</b></p> <p>8/08/01: Berger &amp; REAC agreed to the “proposed definition”.</p> <p><b>MF Industry Input:</b> Storage in explosion proof cans/containers should be allowed. Training should address explosion proof containers.</p>	<p><i>Deficiency:</i> Flammable materials are improperly stored, causing the potential risk of fire or explosion.</p> <p><b>Note: Flammable materials may include but are not limited to Gasoline, Paint Thinners, Lighter Fluids, Kerosene, Propane, etc.. .</b></p>

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<p><b>Health and Safety</b></p> <p><b>Garbage and Debris — Indoors! Outdoors</b></p> <p>Pages 313 &amp; 314</p>	<p><b>Indoors (Garbage and Debris)</b></p> <p><i>Deficiency:</i></p> <ul style="list-style-type: none"> <li>▪ Too much garbage has gathered, more than the planned storage capacity.</li> <li>▪ -OR-</li> <li>▪ Garbage has gathered in an area that is not sanctioned for staging or storing garbage or debris.</li> </ul> <p><b>Note:</b> This does not include garbage and debris improperly stored outside. For this deficiency, see <a href="#">Garbage and Debris – Outdoors</a></p> <p><b>Outdoors (Garbage and Debris)</b></p> <p><i>Deficiency:</i></p> <ul style="list-style-type: none"> <li>▪ Too much garbage has gathered—more than the planned storage capacity.</li> <li>▪ -OR-</li> <li>▪ Garbage has gathered in an area not sanctioned for staging or storing garbage or debris.</li> </ul> <p><b>Note:</b> This does not include garbage improperly stored indoors. For this deficiency, see <a href="#">Garbage and Debris – Indoors</a></p>	<p><b>Berger:</b> Inspector is required to determine what is too much garbage or what is above the planned capacity. For example, is garbage stowed neatly in a hefty bag adjacent to the intended containers too much garbage?</p> <p><b>HUD Review Team:</b> <i>While REAC acknowledged Berger’s comments, some level of professional common sense / judgment is required on the part of the inspector. Therefore, the definition should remain unchanged.</i></p> <p><b>Conclusion:</b> 8/08/01: Berger &amp; REAC agreed to leave the definition “as-is”.</p> <p><b>MF Industry Input:</b> Training should address spillage vs. improper storage, etc.</p>	<p>[Definition Unchanged]</p>
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**HUD Response to November 2000 Berger Report and Proposed Definition Modifications - Health and Safety**

<p><b>Health and Safety</b></p> <p><b>Hazards — Tripping</b></p> <p>Page 318</p>	<p><i>Deficiency:</i> You see any physical defect that poses a tripping risk, generally in walkways or other traveled areas.</p> <p><b>Note:</b> This does not include tripping hazards from elevators that do not level properly. For this deficiency, see <a href="#">Elevator - Tripping</a> under Health and Safety.</p>	<p><b>Berger:</b> The definition does not describe what constitutes a tripping hazard. The definition also states to look for the tripping hazard generally in walkways or other traveled areas. What it should possibly say is exclusively at walkways. A height should also be specified for the tripping hazard.</p> <p><b>HUD Review Team:</b> <i>While REAC acknowledged Berger's comments, some level of professional common sense / judgment is required on the part of the inspector. Therefore, the definition should remain unchanged.</i></p> <p><b>Conclusion:</b> 8/08/01: Berger &amp; REAC agreed to leave the definition as-is.</p> <p><b>MF Industry Input:</b> A height dimension should be added, e.g. ¾ inch. Etc.</p>	<p><b>[Definition Unchanged]</b></p>
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