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| --- | --- |
| Date: |       |

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| --- | --- | --- | --- |
| Property Name: |       | Telephone: |       |
| Address: |       | Fax: |       |
| Address 2: |       | TTD/TTY: | 711 National Voice Relay |
| Property Web Site |       | Email |       |

|  |  |
| --- | --- |
| To: Name of HOH |       *and all other tenants in possession of the premises shown below* |
| Unit # |       |
| Address: |       |
| City, State, Zip: |       |

**Response required by:**

Dear ,

As of the date of this letter, you and/or other family members have not completed the tasks required to complete your annual certification. Paragraph [15,10, or 9—indicate the paragraph number that corresponds to the paragraph of the model lease being used for the tenant] of your lease states that the Department of Housing and Urban Development (HUD) requires that we review your income and family composition, at least every year, to determine rent and assistance levels.

In light of the nation’s response to the COVID-19 pandemic, we have modified our process to provide you with more flexibility when completing your annual recertification. However, you do have to participate in the AR process. The HUD COVID-19 Questions and Answers document published by HUD which provides the following guidance:

*HUD statute and regulations require family income to be reviewed at least annually to determine the amount paid by the family for the assisted unit. Owners must continue to perform annual and interim recertifications, as requested by tenants, within the required timeframes and using current/anticipated data. Annual recertifications must not use previous year’s income to determine rent and assistance, except in instances when using streamlined income determinations.*

To complete our review of your income and family composition, you contact       (Resident Manager, Occupancy Clerk, etc.) at       (contact methods) and provide the required information

This will allow us to submit your annual recertification. This certification may be corrected later and any rent or assistance changes will be retroactive to the Annual Recertification effective date. This includes rent increases or decreases.

These tasks must be completed before the response date or you will no longer be eligible to receive assistance.

If you contact       (Resident Manager, Occupancy Clerk, etc.) before the response date and if you provide all of the required information and signatures, we will not terminate your assistance unless:

* Your income shows you are no longer eligible for assistance; or
* Any adult family member fails to sign the certifications within 5 business days of notification

Because you have not provided required information within the timeframes set forth by HUD, you are no longer entitled to a thirty-day notice of any resulting rent increase.

If you do not respond before (insert certification anniversary date), HUD requires that we terminate your assistance in accordance with the HUD Model Lease, Paragraph [15 or 14].

**Your new rent will be       (insert type of rent, either market rent, contract rent or 110% of BMIR rent) of $       (insert the rent the tenant will be required to pay) starting       (insert the certification anniversary date).**

This increase in rent will be made without providing you additional notice. If you fail to pay the increased rent, we will terminate your tenancy and seek to enforce the termination in court.

If your assistance is terminated for this reason, HUD rules state that assistance should be reinstated if:

1. Assistance is available at the property;
2. You submit the required information; and
3. You still qualify for assistance.

If assistance is terminated, and subsequently, you submit required information, you qualify for assistance and subsidy is available, assistance can be reinstated the first day of the month following the date you and all adult household members reported for the AR interview. You must pay the market rent until this date.

If you fail to report for the recertification interview and fail to pay market rent, or make arrangements to pay, the owner is obligated to evict for nonpayment.

If there is something causing a delay in processing your certification, you MUST contact the management office within ten (10) days, no later than the response date indicated above. Some examples of situations that may cause a delay include:

* You believe there are extenuating circumstances that should be considered (e.g. you have been assigned to military duty overseas)
* You are a victim of abuse covered by the Violence Against Women Act and your status as a victim is causing the delay
* You are a person with a disability, and believe a reasonable accommodation would allow us to continue processing your annual certification

**Consideration of Extenuating Circumstances and/or the Need for Reasonable Accommodation**

If there are any extenuating circumstances preventing you from contacting us, please let us know or have someone who represents you let us know. The owner/agent will consider extenuating circumstances when the resident or a resident’s representative makes the owner/agent aware of such extenuating circumstances.

You have the right to request a reasonable accommodation to assist in completing this form or facilitating a meeting with the owner/agent. The owner/agent will consider all requests for reasonable accommodation when there is the presence of a disability.

**Protections Provided Through the Violence Against Women Act Reauthorization of 2013**

HUD provides protections for victims of domestic violence, dating violence, stalking and sexual assault. This is true for women and men and is true for persons affiliated with the victims who experience imminent threat. Victims are still required to comply with the requirements set forth in the lease (including lease attachments).

If you would like additional information about the property VAWA policy, please review the House Rules or the property VAWA Policy (available upon request). If you would like to exercise your VAWA protections, please contact the management office before the Response Required by date.

**Questions Concerning this Notice**

The owner/agent is dedicated to providing decent, safe, and affordable housing to our residents. If you have any questions about this notice, please contact the management office.

If you are disabled and wish to request a reasonable accommodation or if you have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs.

Si usted está incapacitado y desea solicitar un acomodo razonable o si tiene dificultad para entender Inglés, por favor solicite nuestra asistencia y nos aseguraremos de que se le proporciona un acceso significativo basado en sus necesidades individuales. *(Note from RBD – this Spanish translation was provided by a Microsoft translator tool. Be sure to verify with someone who speaks Spanish. If Spanish is not the alternative language described in your Language Assistance Plan, change this to comply with your LAP or add other languages.)*

Your response to this notice does not preclude you from exercising other avenues available if you believe that you are being discriminated against on the basis of race, color, religion, sex, national origin, familial status, or handicap.

As always, we look forward to working with you to complete your annual certification requirements. If you have any questions at all, please feel free to contact the management office. We look forward to hearing from you.

Thank you,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Property Manager

cc: Resident File

*Option 1: Attachment: HUD 5380 Notice of Protections Under VAWA & HUD 5382 VAWA Certification*

*Option 2: If you are a victim of domestic violence, dating violence, stalking or sexual assault and would like information about VAWA protections, please use this link xxxx.com. You may also contact the owner/agent for a paper copy of HUD 5380 Notice of Protections Under VAWA & HUD 5382 VAWA Certification (Note from RBD – this must be your customized version of these forms including your contact information, information about the HUD office assigned to your property and information about resources available to victims of VAWA crimes.)*

The owner/agent does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development’s regulations implementing

Section 504 (24 CFR, part 8 dated June 2, 1988).

Name

Address

City                                      State                            Zip

Telephone - Voice

Telephone – TTY

*See HUD Handbook 4350.3 Revision 1, Paragraph 2-29-c-3 & 4 for information about the requirements to include this information*