



Questions and Answers from the RBD Online Training Workshop Recertification in a Changing Environment COVID-19

This document was created and published as a courtesy for our customers.

The questions were asked during four different workshops offered in March and early April 2020.

Responses provided are based on our interpretation of guidance provided by HUD. Keep in mind, as HUD provides new guidance, this document may be updated or removed as appropriate.

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The answers provided to customer questions are specifically related the nation's response to the COVID-19 pandemic and do not always apply.

Please note that, as HUD releases new guidance, responses may change.



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Questions and Answers As of 4/17/2020	
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Rent Payment	
Q1	Can you explain more about what other options can be given to residents who pay with a money order?
A1	HUD has no requirements regarding form of payment. Residents may pay with check, cash, credit cards, debit cards, mobile payment methods such as Apple Pay or Venmo, electronic money order, through a resident portal or using WIPS kiosks. Owners must present electronic payment alternatives as optional. Owner/agents must acquire necessary technology to support their own rent collection policies.
Q2	Section 4024, B, 2 of the CARES Act states, "During the 120 day ...Moratorium...the lessor may not - charge fees, penalties, or other charges to the tenant for nonpayment of rent. Is this in effect for HUD subsidized multifamily housing?"
A2	Yes. <i>The moratorium applies to: rental housing providers whose properties are insured, guaranteed, supplemented, protected, or assisted in any way by HUD, the Federal Housing Administration, Fannie Mae, or Freddie Mac; or participate in the Section 202 Supportive Housing for the Elderly Program; the Section 811 Housing for Persons with Disabilities Program; Housing Opportunities for Persons With AIDS (HOPWA) Program; McKinney-Vento Homelessness Assistance Programs; Section 236 properties; Section 221(d)(3) below market and reduced interest rate program (BMIR); the Section 8 Housing Choice Voucher (HCV) Program; Section 8 project-based housing; HOME grantees; rural housing assistance programs; and Low Income Housing Tax Credit (LIHTC) properties (references in the law to rental housing providers of covered properties who must comply with the requirements of the Violence Against Women Act of 1994).</i>
Q3	If we choose to waive our late fees for the time being, do we have to alter our Rent Collection Policy to provide for this option?
A3	Because this is a temporary change, we do not see any need to formally modify your standard policy. However, you should do something to note that the policy was temporarily modified during the COVID-19 pandemic. The best thing to do is make a note to the file specifying that the late fees were waived in response to the CARES Act.
Q4	Would you advise owner/agents to develop a COVID-19 rent collection policy and provide the new policy to residents.
A4	If the owner/agent has a need to temporarily modify the rent collection policy in response to COVID-19, then I would suggest they communicate the temporarily modified policy to residents. We provide a standard policy template on our FASTForms web site Policy Rent Collection
Q5	Can we offer a rent concession to residents who pay their rent on time?
A5	You can, but then you cannot bill for subsidy so we would not recommend offering concessions. According to the MAT Guide Chapter 7 (formerly Chapter 9 of HH 4350.3 in previous versions), HUD provides the following guidance. <i>NOTE: If an owner elects to grant rent concessions, the owner cannot bill HUD for either the rental assistance or the tenant's portion of the rent for the month or months the concession is given.</i>
Q6	If a resident is going to have difficulty paying rent, can we enter in to a repayment agreement and accept partial payments as part of the repayment agreement.
A6	Yes. While owner/agents are not allowed to waive the requirement to pay rent, owner/agents can work with the resident while they are experiencing a reduction to income.
Q7	If we temporarily change our Rent Collection Policy, I'm assuming it has to be across the board for both those tenants with fixed income and those with employment?
A7	Owner/agents have to develop a policy that is in compliance with HUD requirements and the policy must be applied consistently. However, based on our interpretation, any temporary change to the rent collection policy may apply to all residents or only to people who have had an income decrease related to COVID-19. This is true regardless of whether income is fixed or not fixed. As of today, we have not been advised that any Fixed Income Families have experienced any income decrease.
Verification	
Q8	Can we use the prior year 9887 for the AR.
A8	The 9887 is good for 15 months so it may still be in effect when owner/agents are conducting verification. If not, owner/agents can either obtain a new 9887 as normal or may institute HUD's guidance re: extenuating circumstances found in HUD's COVID-19 Q&A for MF and in HH 4350.3 Paragraph 5-21. If an owner/agent obtains an electronic signature, the owner/agent must obtain an original signature later. If owner/agents cannot get a signed (electronic or wet) 9887/9887A, document the tenant file and get the signature when possible.
Q9	How can we run EIV for an 18-year-old if we do not have a signed 9887?
A9	We would use the guidance provided in Paragraph 5-21 and noted above.
Q10	I recently attended a NCHM seminar and the instructor stated that HUD change 4 expanded the definition of 3rd party



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	verification to include all documents not generated by tenant, even if they are submitted by tenant, e.g. paystubs.
	NCHM is a reputable training organization for a reason. The following language – which used to be included in all previous versions of HH 4350.3 has was removed when Change 4 was released in December 2013. <i>Written. Written documentation sent directly by a third-party source is the preferred method of verification. It is assumed that third-party sources will send written verification to the owner through the mail.</i> <i>The applicant or tenant should not hand-carry the verification to or from the third-party source. If the verification does not contain an original signature or is delivered by the applicant or tenant, the owner should examine the document for evidence of tampering. In these situations, the owner may, but does not have to, accept the document as acceptable verification.</i> HUD has also removed the old verification guidance, which required owner agents to 1) first attempt to obtain written verification from the source, 2) wait 14 days for a response and 3) document the tenant file before choosing to review documents or use other verification. When developing new policies and training, owner/agents should review Paragraphs 5-13, 5-16 and 5-18 of HH 4350.3 Change 4 together to get a complete picture of the new verification process. In Change 4, third-party verification includes 1) written verification directly from the source, 2) review of original documents directly from the source, 3) electronic verification and 4) oral verification. The “old” review of documents and oral verification has been rolled in to 3 rd party verification which makes the verification process easier. This applies to most verifications including income verifications, asset verifications, medical expense verifications, etc. Since Change 4 was released, HUD has also introduced Streamlined Verification of Fixed Income (2016), Streamlined Verification of Assets (2018) and Streamlined Certification for Fixed Income Families under the FAST Act (2018).
A10	
Q11	Do we have to make a note to the file every time we attempt third-party verification or can we use one form.
A11	HUD is not that specific. By our interpretation, as long as there is a note to the file explaining why you could not acquire third-party verification (written, electronic or oral), it is up to your owner/agent whether to use one global form or individual forms.
Q12	If a resident is laid off but their employer has closed and the resident cannot get verification documentation from the employer (termination notice), can we still do the IR?
A12	Absolutely. Owner/agents should use the verification guidance provided in HH 4350.3 Paragraph 5-13. If owner/agents cannot obtain UIV or third-party verification, document the file explaining why and then accept notarized or witnessed self-certification. If the manager is witnessing the self-certification, signatures may have to be obtained at a later date.
Q13	Please discuss acceptable forms of verification for businesses that have shut down.
A13	Per HH 4350.3 Paragraph 5-13, owner/agents may accept written verification from the source even if such written verification is provided by the resident. This would include notice of termination, paystubs showing reduced hours, etc. If such written verification is not provided, owner/agents may conduct oral (phone) verification but must document such verification in compliance with HUD requirements found in Paragraph 5-16. If neither form of third-party verification is available, the owner/agent must document the tenant file explaining why third-party verification was not included in the file and then the owner/agent MAY accept witnessed or notarized self-certification. Owner/agents should choose when they will or will not accept self-certification based on HUD guidance and their own policies. For example, a resident cannot self-certify a Social Security Number. If the manager is witnessing the self-certification, signatures may have to be obtained at a later date.
Q14	Can we witness the signature via zoom or Skype?
A14	I don't see why not as long as the method you use is secure.
Q15	Will owner/agents have to go back later and get third party verification if you use self cert?
A15	If you're using Streamlined verification for fixed income, Streamlined verification of assets and Streamlined certification for fixed income families, you do not have to document the file explaining why you don't have third party



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	<p>verification and you do not have to go back later and attempt traditional verification.</p> <p>For the examples discussed in other questions (reduction to employment income, termination of employment), there is no requirement to go back and verify information after attempting third-party verification, documenting the tenant file and accepting self-certification using the methods described in Paragraph 5-13 unless the owner/agent has some indication that the resident did not fully and accurately report that information.</p> <p>However, there are instances where accepting self-certification is not appropriate such as verification of age, citizenship eligibility, SSN, student status, etc. In these cases, the owner/agent may have had to accept self-certification but the owner/agent will go back and collect verification. See HH 4350.3 – specifically Appendix 3 – to help determine when self-certification is not appropriate.</p>
Q16	Can we accept text methods as a form of verification?
A16	I am assuming you mean if someone texts you a picture of a document that can be used for verification. On the surface, the answer is yes, you can use a method that is secure. Be careful that there is no personally identifiable information in the text. Owner/agents should require the resident to provide original copies at a later time when required by HUD.
Q17	Can we accept a text copy of a document such as termination?
A17	This is an electronic form of third-party verification. Ask the resident to keep the original and provide it when we go back to “business as usual”.
Q18	If we receive a 3rd party verification from the resident (i.e. email, letter, etc.), do we need to also send a verification and/or call as well? Or just accept the document/email from the resident?
A18	As noted above and in HH 4350.3 Paragraph 5-13, an unaltered original version of a letter is acceptable third-party verification in most cases. This can be provided on paper or electronically. No additional verification is required.
Q19	With so many residents reporting zero income, may an owner/agent suspend requirements for zero income residents to report quarterly.
A19	The option to review zero income residents on a quarterly basis is not a requirement based on HH 4350.3 Appendix 3. However, one HUD office and many owner/agents do require quarterly review for zero-income families. If owner/agents are conducting this review based on internal policy, then owner/agents may temporarily suspend this practice. If HUD has mandated such a review, then owner/agents should contact their CA or their HUD Account Executive.
Q20	What do we use if the resident cannot get a state ID, birth certificate, etc.
A20	You’re taking about verification of information when self-certification would not be appropriate like age, citizenship, ID, etc. Owner/agents should attempt to get some documentation to verify whatever they are trying to verify. For example, if owner/agents need a birth certificate to verify age, use a driver’s license instead. If owner/agents or the resident/applicant cannot provide any acceptable documentation or phone verification, then owner/agents have to decide if it is ok to accept self-certification (temporarily) or not. At some point, owner/agents would have to collect appropriate verification.
Q21	Our managers are having a hard time getting verification forms back from medical, doctors, pharmacy, etc. due to shortage of staff at these places. What is the best way to verify these if the resident has not kept all of their receipts, print outs from the doctors, etc.
A21	HUD has not provided specific requirements which gives owner/agents the flexibility to develop your own policies. We recommend using the recurring medical expenses from the previous certification (we do not recommend using non-recurring medical expenses). We also recommend that owner/agents notify the resident that information will have to be verified later and if the medical expense is incorrect the certification will have to be corrected and the change will be retroactive based on guidance provided in HH 4350.3 Paragraph 7-8.. We have created two free sample notices (one for AR and one for IR), that can be modified to meet your own policy, on our RBD/Resources/COVID-19 web site.
Q22	How do we verify loss of income for Ride Hailing Services (Uber/Lyft)?
A22	If a resident has been working for Uber or Lyft or any other similar services, owner/agents should ask the resident to provide new statements showing the reduction. For example, if the resident has worked for Lyft since January, owner/agents could review the Lyft income statements and evaluate the current income compared to the income on the current 50059. If the income has been reduced, the resident can provide new verification information and owner/agents can complete an IR to reduce tenant rent. We provided guidance in our August 6, 2018 HUDBlast which can be found in our HUDBlast Archives . We provide a sample form as part of our FASTForms library. Self-Certification Self Employment Ride Hailing .



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Streamlined Verification	
Q23	Where can we get additional information about Streamlining?
A23	For information about Streamlined Verification of Fixed Income, owner/agents can refer to HUD's HSG Notice 16-09 Streamlining Administrative Regulations for Multifamily Housing Programs . For information about Streamlined Verification of Assets or Streamlined Certification for Fixed Income Families refer to the Federal Register. Streamlining Administrative Regulations for Multifamily Housing Programs and Implementing Family Income Reviews Under the Fixing America's Surface Transportation (FAST) Act
Q24	For Streamlining, do all household members have to have the fixed income? Ex: HOH has SS, however OAFM is unemployed
A24	RBD also offers an RBD Online Training Workshop – Streamlining & the FAST Act on Thursday, May 14.
Q25	There are three streamlined verification processes as defined. 1) Streamlined verification of assets valued at \$5000 or less 2) Streamlined verification of fixed income and 3) Streamlined certification for Fixed Income Families. Under all three rules, family members may have income that is fixed and may have income that is not fixed.
Q26	What do owner/agents use to self-certify Streamlined Verification of Assets?
A26	HUD has no required form and has not provided a sample. We strongly recommend owner/agents create their own form. We provide a sample form as part of our FASTForms library. Self-Certification Assets (Streamlining) . If the property is layered with LIHTC funding, we suggest owner/agents use the same form used for LIHTC as long as it meets HUD's requirements (includes Title 18 language and is witnessed or notarized).
Q27	Is streamlined method acceptable for HUD/tax credit properties?
A27	While Notice 88-80 indicates that LIHTC programs use HUD's rules regarding income and verification, the state agencies and syndicators have been slow to accept Streamlining. Owner/agents will have to check with your state agency and your syndicators to find out if they will accept streamlined verification. Remember, Streamlining cannot be used at MI since traditional verification (described in HH 4350.3 Paragraph 5-13) must be conducted in Year One and Streamlining can be used in Year Two and Year Three.
Q28	If we use Streamlining now, is there a requirement to update any policies or letters.
A28	If owner/agents decide to implement Streamlining, HUD has not indicated that there is any requirement to notify tenants or update any policies and procedure. We updated the tenant selection plan and added the word Streamlining to our methods of verification, but we did not provide an explanation in that document. We did update our internal process documents but not anything that the tenants are required to review or acknowledge. That's not to say owner/agents can't update such documents, just that, at this time, there is no requirement to do so. We provide a Streamlining Bundle of Forms and a stand-alone Streamlining Policy as part of our FASTForms library.
Q29	I am not clear on the requirements for Streamlined Verification of Assets \$5000 or less. What should we be asking?
A29	The extension of Streamlined Verification to Multifamily Housing was effective March 2018. This information is included in the Federal Register. Streamlining Administrative Regulations for Multifamily Housing Programs and Implementing Family Income Reviews Under the Fixing America's Surface Transportation (FAST) Act This is a three-year verification process. Basically, in year one, owner/agents conduct traditional verification of assets. If the cash value of all assets for a family totals \$5000 or less, owner/agents may accept residents' self-certification in years two and three. Owner/agents should ask residents to certify the cash value of any assets and the income from any assets. We recommend that owner/agents create their own forms, but that is not required by HUD. Owner/agents should follow HUD's rules about self-certification and make sure they are notarized or witnessed. We provide a sample form as part of our FASTForms library. Self-Certification Assets (Streamlining) . We also incorporate the form in our Questionnaire AR Streamlining . This eliminates the requirement to gather six bank statements for checking accounts and other traditional asset verification for two years. Please note that owner/agents cannot use Streamlined Verification for move-ins because owner/agents have to conduct traditional verification in year one.
Q30	If we verified everything last year, using traditional verification, can we implement Streamlined Verification this year?
A30	Yes, you can. 2019 would be considered year one where traditional verification is conducted. In year 2 (2020) and year 3 (2021), owner/agents may accept self-certification based on HUD's Streamlining rules.
Q31	Are we able to use Streamlining on a case-by-case basis? For example, if we are unable to collect verifications for a specific resident, can we use this for that resident but not others?
A31	Streamlined verification is just one more verification alternative. Owner/agents have to establish their own internal policies. But, based on our interpretation, owner/agents can use Streamlining when other methods are not available.



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	We provide a Streamlining Bundle of Forms and a stand-alone Streamlining Policy as part of our FASTForms library. You have to think about how you want to apply the new method of verification. For example, our policy specifies that, if a resident is in repayment because of failure to fully and accurately disclose income information, we will not accept Streamlined verification. We discuss options in our RBD Online Training Workshop .
Signatures	
Q40	Can we use DocuSign to obtain signatures?
A40	Based on the information provided by HUD on the HUD Multifamily Housing web site, owner/agents may accept electronic signatures but are required to obtain original signatures, as required, at a later date. HUD does not mention any particular method for accepting electronic signatures. At RBD we just advise that owner/agents ensure that whatever method used, resident data is secure.
Q41	If I have a signed 50059 sent via email, do I have to get another one?
A41	Yes, an email version of a 50059 is considered an electronic document. HUD clearly states that owner/agents must obtain a certification with 50059 with an original signature.
Q42	Can we mail the certifications to our residents and have them sign and return them via USPS or drop box?
A42	Yes. Just make sure your practices are as safe as possible for both you and your residents. Keep in mind that people usually lick envelopes so using gloves, washing hands and implementing other practices recommended by the CDC is imperative. Also, the method used to deliver and receive documents containing personally identifiable information must be secure.
Q43	How long do we have to get a signature if we use Extenuating Circumstance Code?
A43	Based on information provided by HUD on the HUD Multifamily Housing web site, HUD hopes owner/agents can complete the necessary tasks, including getting signatures, within 90 days of returning to business as usual. However, there is no “hard and fast” rule. We’ll have to see when we can return to “business as usual”.
Q44	When the resident returns, do they sign both 50059s or just the correction.
A44	The resident is only required to sign the correction. The resident must be provided with a copy and a copy should be maintained in the resident file.
Q45	If we send a certification using an Extenuating Circumstance Code and the resident comes to sign later, do we submit a correction to HUD.
A45	Create a “correction to prior” using the reason Administrative Resubmission and remove the Extenuating Circumstance Code and adding the tenant signature date (the date the resident actually signed). Transmit the correction to HUD.
Q46	If we send a certification using an Extenuating Circumstance Code and the resident comes to sign later, what signature date should we use.
A46	Signature dates must always be the actual date the resident signed. This is always the case.
Q47	If we sent a certification using an Extenuating Circumstance Code and the resident passes away, what do we do?
A47	Make a note to the file explaining that there is no way to obtain the tenant signature and then process the MO as defined by HUD.
Q48	Is the process the same for Gross Rent Changes
A48	Not really. Submission of GRC has always been allowed using Extenuating Circumstance Codes 8 and 9. We have created a free set of instructions on our RBD/Resources/COVID-19 web site. Please keep in mind that the rules for the 10 Extenuating Circumstance Codes have not changed.
Interim Recertification	
Q49	If a resident reports a decrease of income and has zero income, do owner/agents process an IR for the upcoming month and then a 2nd IR once income resumes?
A49	In compliance with instruction provided in HH 4350.3 Paragraph 7-11, and in compliance with guidance provided in the COVID-19 Q&A for ME , we suggest owner/agents complete an IR reducing rent and complete another IR when/if income is fully or partially restored.
Q50	Tenant on SSID was working school bus monitor, school is closed. She will not be receiving unemployment. The owner/agent created an IR and removed the income from employment for now. The owner/agent will create another IR when the resident returns to work. Is this ok?
A50	The process you describe is in compliance with HH 4350.3 Paragraph 7-11.
Q51	We have several residents reporting a reduction in income and that they have applied for unemployment but they have not been able to confirm when it will begin or the amount. Because it is so close to the end of the month, should we process the reduction for 4/1 and then an increase for 5/1 or wait to find out the unemployment benefit amount?
A51	It’s your choice. See HH 4350.3 Paragraph 7-11. However, if you delay preparing the IR, and the resident cannot pay



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	rent, you cannot charge late fees and you cannot terminate for failure to pay rent.
Q52	If some of the residents reported loss of jobs and stated that they applied for unemployment benefits but it takes longer than 30 days for them to receive the unemployment benefits, do we key in the IR removing the wages or do we wait until unemployment benefits start?
A52	While owner/agents are required to complete an IR if any income reduction lasts 30 days or more, owner/agents are allowed to complete an IR if the income reduction is less than 30 days. See HH 4350.3 Paragraph 7-11. While not our normal practice, in response to COVID-19 and recommendations from HUD, we would complete the IR reducing income immediately and then would complete a second IR when income is fully or partially restored.
Q53	We need guidance with regards to processing income reductions and work stoppages for 1099 contractors and self-employed workers such as Uber drivers.
A53	Someone who is self-employed has the same rights as any other resident. If a self-employed resident reports a reduction to income, owner/agents should work with the resident to provide some kind of documentation. For example, the self-employed individual may have financial statements produced by QuickBooks. If owner/agents cannot obtain verification, document the file and accept self-certification. Effective dates are defined in HH 4350.3 Paragraph 7-13.
Q54	If a resident receives a bump in pay or bonus to encourage them to keep coming in to work during this time - some are calling it hazard pay - is that pay bump counted?
A54	If the increase means that the new monthly income would increase by \$200 or more per month, then the income must be included. Owner/agents should run a full year analysis. Do not create an IR if the resident has a one month increase of something like \$400 and then income returns to normal. In compliance with HUD guidance provided in HH 4350.3 Paragraph 7-13, owner/agents can delay creating the IR for 60 days if owner/agents don't know what is going to happen. Owner/agents may want to participate in our RBD Online Training Workshop – Annual Recertifications for HUD Programs for additional information about how to handle such increases.
Q55	If a resident reports that their income was reduced on April 1, is the AR effective May 1?
A55	HH 4350.3 Paragraph 7-13 specifies that, when a resident reports as required, reductions to rent take effect the first of the month following the change. Assuming resident compliance, the effective date is based on the date of the change, not the date the resident reported the change.
Q56	What if a person's hourly rate is changed upward and they don't report it, but then it shows on EIV in the next quarter, should we create the interim then? and the resident then be responsible to pay back for assistance they were not entitled to? what if the increase does not reach the \$200 benchmark?
A56	Based on the requirements in the lease, residents are only required to report increases that would cause a cumulative income increase of \$200 or more per month. See HH 4350.3 Paragraph 7-10 and the HUD lease. Assuming you have a way for residents to report changes, if a resident fails to report such an increase, the owner/agent should notify the resident, create an IR and follow your EIV policy and require the resident to enter in to repayment to return any improper payment. If the income increase is less than \$200 there is no requirement to report and the owner/agent should not create an IR. See HH 4350.3 Paragraph 7-11. We provide a sample IR Questionnaire as part of our FASTForms library .
Q57	How do you show that you are complying with HUD's process regarding asking questions at IR?
A57	The resident can complete the questionnaire and return it or owner/agents can conduct a phone or web interview. Owner/agents may also use resident portals. We provide a sample IR Questionnaire as part of our FASTForms library. Request for Interim Recertification (IR)
Q58	How do you recommend we handle the employees that work for places like Walmart, Costco, Amazon, etc. that are receiving the temporary pay increase during this time? Would we do an IR and then adjust again if it goes down right away?
A58	You should analyze the increase and the impact on the annual income for the family. If the income increase warrants creation of an IR, owner/agents create an IR and provide required notices if there is an increase to the tenant rent. See HH 4350.3 Paragraph 7-11 for additional information about owner/agent responsibilities in regards to IRs.
Q59	In Massachusetts restaurants and colleges and essential businesses are closed. If I reduce rent to zero income and they receive unemployment do I give 30-day notice from when they receive their first check. If the benefit is retroactive to 4/1, do I correct the 4/1 IR used to reduce income and TTP?
A59	The certification effective date rules provided in HH 4350.3 Paragraph 7-13 and the lease requirements are still in place. If you created an IR to reduce income to zero and that IR is effective on 4/1, the resident's TTP was reduced to \$25. If the resident comes in and says that unemployment has started, thus increasing income, you must comply with the requirement to provide a 30-day notice of any rent increase. Owner/agents can reference HH 4350.3 Paragraph 5-6



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	when exploring options for handling a retroactive benefit. In light of the impact of COVID-19 we suggest owner/agents implement the first option provided by HUD.
Annual Recertification	
Q60	Can we continue to process ARs as we always have?
A60	If you and your residents feel that doing so is safe, sure. Owner/agents are not REQUIRED to make any changes. Currently, it may be recommended based on CDC guidance and guidance from your local leaders.
Q61	Can we complete AR interviews via telephone?
A61	Yes, you can. Owner/agents are still required to obtain required documentation and signatures at some point. Owner/agents can also perform AR functions using secure resident portals, secure web meeting providers, secure document exchange programs, etc. The key is to make sure data covered by the Privacy Act and HIIPA is secure.
Q62	Can we just hold off on ARs until after this crisis passes and business goes back to normal?
A62	There is a federal requirement to process ARs. Failing to do so could put subsidy in jeopardy. HUD's current guidance is for owner/agents to submit certifications using the Extenuating Circumstance process if obtaining signatures is not possible or recommended.
Q63	If we submit an AR using Extenuating Circumstance Code 2 or 10, and, when the resident comes back, we discover that the Tenant Rent should be higher, what is the effective date of the new rent.
A63	The change to TTP and the Assistance payment is effective based on the effective date of the AR. Assuming owner/agents have issued all reminder, notices including the 60-day reminder notices, the change in rent is retroactive to the effective date of the AR and the resident is responsible for the retroactive increase. If owner/agents have not provided notices, including the 60-day notice, the resident is entitled to a 30-day notice of rent increase.
Q64	Are we allowed to change the AR Notices?
A64	Yes. HUD's AR Notices are samples. As long as the notices include the required information, they can be created by owner/agents. We have created a free sample form, that can be modified to meet your own policy, on our RBD/Resources/COVID-19 web site. These samples provide several options for residents to provide information so owner/agents should choose which option is best (or combine options) and delete the options they don't want.
Q65	We were told to stop sending reminder notices.
A65	We are not aware of any HUD guidance advising owner/agents to stop sending the AR reminder notices.
Q66	Why do we send the VAWA Notices with the 60 Day Reminder Notice
A66	Because, technically, it is a notice that the assistance payment may be terminated and the VAWA 5380 and 5382 are required to be provided when any termination notice is issued.
Q67	I called my residents yesterday with their new rents and explained situation with no signature on 50059s everyone but one was fine. Made note for tenant file to attach to 50059 delivered notices yesterday as 2020 PRAC are we good?
A67	At the highest level, it sounds like you're OK. Since you have not given me details explaining what information you used and how you documented the tenant file, I can't be absolutely sure.
Q68	So, if I have a resident whose AR is completed, and needs to be sent April 1st, for the May voucher, and the resident is stuck out of state currently due to the virus, am I still supposed to send it with my next voucher without the signature since it has the extenuating circumstance code? Or do I wait until resident is able to sign it and send it with a different voucher?
A68	It is up to owner/agents. Owner/agents should develop a policy to specify when the certification will be sent. Your choices are to go ahead and send the certification with the Extenuating Circumstance Code and get the signature later or wait until June, and if you still haven't gotten a signature, go ahead and send it. My suggestion is to go ahead and send it, but we have a well-documented process (as noted below) that we provide to our customers and have already created notices for our customers so the process is nothing new to me. The key is to 1) follow HUD's rules, 2) document, document, document the tenant file and 3) make sure the resident knows exactly what is going on including how corrections will be handled.
Q69	What information are you using to create the AR 50059 when you can't get information from the tenant or you cannot get verification.
A69	Understanding that we have done our best to create recommendation for our clients and that HUD has not approved or endorsed our methodology, this is what we're recommending. We're recommending that owner/agents get as many documents as possible either through resident portals, secure document exchange systems or other safe and secure methods. In some cases, residents are not available. In some cases, verifiers are not available or do not respond. Obtain electronic signatures if possible and obtain "wet" signatures later (hopefully within 90 days as recommended by HUD).



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- Conduct analysis of the file to determine what documents you need to complete the AR. This is especially important if you are going to implement Streamlining. We provide a free sample analysis form on our on our [RBD/Resources/COVID-19](#) web site.
- Send all required reminder notices including the 60 Day Notice until certification is signed by the resident (electronically or wet signature) – we recommend providing an AR Questionnaire for the resident to complete or, if possible, have residents use a resident portal. We provide two sample AR Questionnaire’s as part of our FASTForms library [Questionnaire AR](#) and [Questionnaire AR Streamlining](#)
- Provide required documents. We have consolidated all the required AR documents (9887 Package, EIV & You Brochure, etc.) in to one electronic document that can be emailed to residents if that is the resident’s preferred method of delivery. This includes an Acknowledgement of Receipt of Required documents. We created one for S8 and one for 202 PRAC. These are large documents but are available on our on our [RBD/Resources/COVID-19](#) web site.
- Review EIV Reports as required. If you’re new and need assistance with review of EIV Reports, We provide EIV AR/IR Checklist as part of our FASTForms library [Checklist EIV AR & IR](#)
- Schedule a meeting. Attempt at least a phone interview with the resident using a standard AR Questionnaire. We provide two sample AR Questionnaire’s as part of our FASTForms library [Questionnaire AR](#) and [Questionnaire AR Streamlining](#)
- Collect as much information as possible
- Based on income information provided by the resident, determine if this is a Fixed Income Family (90% of income is from a fixed income source). We provide an Self-certification of Income and we include this self-certification in our AR Streamlining Questionnaire which are part of our FASTForms library [Streamlining Bundle](#) and [Questionnaire AR Streamlining](#)
- **Termination of Employment.** If the resident reports termination of employment attempt third party verification and if that is not possible, document the file and accept resident self-certification. We provide a free standardized note to the file on our on our [RBD/Resources/COVID-19](#) web site.
- **Income that is Not Fixed Income.** Attempt third party verification of income that is not fixed and if that is not possible, document the file and accept resident self-certification. We provide a free standardized *note to the file* on our on our [RBD/Resources/COVID-19](#) web site.
- **Social Security Income.** If the resident receives Social Security, owner/agents should use EIV whenever possible. If information is not available in EIV, use the Streamlined Verification method described below or ask the resident to provide information from the SSA web site using the www.myssa.gov page.
- **Fixed Income.** If any fixed income was verified last year, use Streamlined Verification of Fixed Income. Be sure to include in the tenant file, verification of the increase. For example, if you have a resident who receives survivor’s benefits and their information is not in EIV, you can access the SSA web site and print the COLA Fact Sheet and attach it to last year’s verification. <https://www.ssa.gov/news/press/factsheets/colafacts2020.pdf>,
- **Stimulus Checks.** These funds are excluded based on the income exclusion provided in HH 4350.3 Exhibit 5-1. Exclusions: *income tax credit (EITC) refund payments received on or after January 1, 1991, including advanced earned income credit payments (26 U.S.C. 32[j])*; HUD has clarified this interpretation in the COVID Questions and Answers for Multifamily Housing issued on April 16.
- **Unemployment.** Ask the resident to provide approval document. In some cases, the Pandemic Unemployment Compensation (PUC) will appear on that approval document. In other cases, you will need to reference and print information provided on your state unemployment web site and include that information as verification in the tenant file. HUD has clarified that regular unemployment must be included and should be projected in compliance with Guidance provided in HH 4350.3 Paragraphs 5-5 and 5-6. The Federal Pandemic Unemployment Compensation (\$600 per week for four months) is not to be included based on instruction provided in the COVID Questions and Answers for Multifamily Housing issued on April 16.
- **Assets.**
 - If last year’s verified assets were \$5000 or less, owner/agents should attempt to get a self-certification from the resident necessary to conduct Streamlined Verification. We provide a sample [Self Certification of Asset](#) as part of our FASTForms library. We also include this form as part of our [Questionnaire AR Streamlining](#). If you cannot get tenant signatures or you cannot witness these signatures, obtain signatures later.



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	<ul style="list-style-type: none"> ○ If last year's verified assets were more than \$5000 then attempt 3rd party verification. If that is not possible, owner/agents might consider using last year's number and correct later if necessary. ○ If the resident received an RMD last year, ask the resident if they plan to take the RMD this year. Under the CARES Act, withdrawing the Required Minimum Distribution is not required in 2020. If the resident says they will be drawing their RMD, attempt phone verification but if that is not possible, we suggest owner/agents use last year's number and correct later if necessary. If the resident says they will not be collecting the RMD, owner/agents should attempt to verify the value of the asset and income from the asset even accepting resident provided information. If that is not possible, we have decided to recommend that owner/agents do not include the Retirement Account on the 50059 sent using the Extenuating Circumstance Code and correct later, when possible. We don't really don't have any other recommendation since so many IRAs have lost value. ● Medical Expenses & Disability Assistance Expenses. <ul style="list-style-type: none"> ○ If appropriate, use Medicare Premium information provided in EIV ○ If the resident cannot provide appropriate medical expense verification documents, accept self-certification or use recurring medical expenses from the previous year. Our Extenuating Circumstance process specifies that property managers will verify these medical expenses later and correct the certification if the medical expense deduction is not correct. ○ Watch for changes introduced in the CARES Act ● Childcare Expense. If appropriate, attempt to verify child care expenses. If that is not possible, decide if you want to accept self-certification. While not required, you may decide to verify child care expenses later and correct the certification. If you do so, you must be sure to provide appropriate notices to your residents. ● Students. <ul style="list-style-type: none"> ○ If student status was verified on the most recent 50059 and the resident is still a student, request information if possible. We are advising owner/agents not to change student status right now and to correct if necessary ○ If student status was not verified on the most recent 50059 and if the student cannot provide documentation from a student portal, then we are advising owner/agents not to list the resident as a student. Correct later if necessary ● Citizenship Eligibility. <ul style="list-style-type: none"> ○ If citizenship eligibility status changed, owner/agents need to collect new documents and a new Declaration, Citizenship Consent, a new Family/Owner Summary and SAVE verification if possible ○ If citizenship eligibility status has not changed, no action is required ● Signatures. Obtain signatures if possible, if not, submit certifications using Extenuating Circumstance Code 1-Medical, 2 – Late AR Due to Reasonable Accommodation or Extenuating Circumstance or 10 - Other. When using Extenuating Circumstance Codes, owner/agents are required to document the tenant file explaining why the certification was sent without a tenant signature and when the tenant signature may be obtained. We have created a free sample form, that can be modified to meet your own policy, on our RBD/Resources/COVID-19 web site. ● Notices <ul style="list-style-type: none"> ○ While not required by HUD, we recommend owner/agents send a Notice to residents explaining that <ul style="list-style-type: none"> ▪ The 50059 was sent without signature ▪ The new Tenant Rent ▪ The resident will be required to sign later or face termination ▪ Information may have to verified and/or be corrected ▪ Any corrections are retroactive to the AR effective date including changes that cause an increase in Tenant Rent. This is allowed based on information provided in the 60-Day Notice. See HH 4350.3 Paragraph 7-8 ▪ We have created a free sample notice, that can be modified to meet your own policy, on our RBD/Resources/COVID-19 web site. ○ When the nation returns to business as usual, owner/agents will need to notify the resident that they are required to meet and provide required signatures. We have created a free sample notice, that can be modified to meet your own policy, on our RBD/Resources/COVID-19 web site.
Q70	If the owner/agent does not submit an AR and TRACS generates an HQ Termination, how does a property restart the households subsidy?



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A70	Submit the AR. Because the HQ Termination is effective the day before the effective date of the AR, TRACS will accept it and reactivate the resident. See HUD's MAT Guide Chapter 4.
Repayment Agreements	
Q71	Can we suspend a resident's requirements to make repayment agreement payments?
A71	HUD has always stated that the repayment agreements are between owner/agents and your resident(s). If owner/agents choose to suspend the requirement, it should not be a problem. Owner/agents may want to send a notice explaining when the requirement to make repayment agreements payments will start again. We have created a free sample form, that can be modified to meet your own policy, on our RBD/Resources/COVID-19 web site.
Miscellaneous	
Q72	We require resident to sign when they pick up Utility Allowance checks; what do we do now?
A72	Owner/agents are still required to distribute Utility Allowances. If it were me, I would just mail it, incorporate debit card distribution, or provide them in some other safe manner as indicated by the CDC and your local leaders. Make a note to the file that you are temporarily waiving the requirement to sign.
Q73	Regarding the example you used of the elderly resident participating shelter in place with their family...If they are out of the apt for longer than 60 days, are we addressing it as a lease violation?
A73	Temporarily, we recommend that owner/agents treat extended absences for residents who are sheltering with their families or who cannot return to the U.S. as a medical absence and hope it does not last more than 180 days. Of course, be sure to document the file.
Q74	If the resident is not paying their portion and there is not a good reason to conduct an IR, can we still collect the subsidy? Is HUD saying anything about that?
A74	I think you are referring to the rule that requires owner/agents to collect the tenant portion of the rent. If the resident has not reported an income reduction and the resident has not paid the rent as required under the lease, then owner/agents should try to find out why. Normally, we would issue a lease violation and, which we would still do. However, you cannot charge late fees and you cannot indicate that the resident will be terminated/evicted if the resident does not pay rent. Our assumption is that HUD will continue to pay the subsidy until owner/agents can safely address the issue. I wish I had a more definitive response.
Q75	Where can we find the HUD Q&A on COVID.
A75	We post updated Q&As on the RBD COVID-19 Resources page. HUD also has a general COVID-19 Resource Page and the HUD Multifamily Housing page also includes information specific to Multifamily Housing.
Q76	Similar to recert paperwork, can we accept electronic signatures on pre-applications and note on the pre-app that we will obtain the wet signature at a later date?
A76	According to the information provided by HUD on the HUD Multifamily Housing web site, yes, you can.
Q77	What if a resident has a disability and cannot use a document management system or an online payment option?
A77	In compliance with S504 and the FHA, you must have a solution that can be used by a resident or applicant with a disability.
Q78	Should TSP's be modified to include some of the changes of doing phone questionnaires, over the phone interviews, etc.? or maybe a paragraph of sorts to indicate that in March 2020 the Country was faced with COVID-19 and were restricted from face to face meetings with residents/prospects, thus the normal business practice of in face meetings are temporarily suspended?
A78	Tenant Selection Plans are designed and required to describe the tenant selection process. These documents provide information for applicants and are not an attachment to the lease and are not enforceable as such. When describing methods of verification, most TSPs indicate that the owner/agent uses HUD's acceptable verification methods which are 1) Up Front Income Verification, 2) Third-party verifications and 3) Family self-certification. We have added an option 4 – Streamlining as appropriate. However, we do not feel it is necessary to explain Streamlining. We provide Tenant Selection Plan Packages and individual Tenant Selection Plans as part of our FASTForms library. Alternatively, House Rules are an attachment to the lease. If owner/agents want to document a temporary change, you may want to send resident notices saying you are temporarily amending some House Rule requirement, if that is the case. Keep in mind, though, that most House Rules do not discuss how information is verified, so it may be a moot point. We provide House Rules Packages and individual House Rules as part of our FASTForms library.