

## **INTRODUCTION**

The following guide was created by MaineHousing staff and intended to provide a “quick reference” for owners and managers of Section 8, project-based subsidized properties. The information contained herein is based on HUD Handbook 4350.3, REV-1, Chg 4 - ***Occupancy Requirements of Subsidized Multifamily Housing Programs*** (hereafter referred to as the “HUD Handbook”), Code of Federal Regulations – Title 24, the laws of the State of Maine, and MaineHousing’s management review protocols and procedures. This guide is **not intended** to replace any of the documents or sources named above, but to provide a listing of documentation and verification requirements that are part of the annual Management and Occupancy Reviews (MORs) conducted by MaineHousing Asset Management staff.

## **TENANT FILE/DOCUMENTATION TABLES**

The attached tables are designed to identify specific types of required documentation or information that are examined during the MOR process, the type of occupancy activity that triggers the use of particular documents and any additional information or comments that pertain to the specific documentation or processes.

**Documentation** – The specific document or type of information required.

**Citation** – The section of the HUD Handbook 4350.3, REV-1, Chg 4 or other reference which stipulates the requirement of the documentation, the frequency of its use and other pertinent information.

- ✓ Application process **(AP)**
- ✓ Move-In process **(MI)**
- ✓ Annual Recertification process **(AR)**
- ✓ Interim Recertification process **(IR)**
- ✓ Unit Transfer process **(UT)**
- ✓ Change in Household Composition **(CHG)**
- ✓ Utility Allowance **(UA)**
- ✓ Move-Out process **(MO)**

**Comments** – Additional or subsequent information pertaining to the documentation or the specific process for which the documentation is required.

## **APPLICABILITY**

This guide is intended for programs as identified by the HUD Handbook in, Sec. 1-2, Fig. 1-1, unless otherwise specifically exempted in any section of the HUD Handbook:

- Section 221(d)(3) Below-Market Interest Rate (*Section 221(d)(3) BMIR*)
- Section 236
- Rental Assistance Payment (*RAP*)
- Rent Supplement
- Section 8 Project-Based Assistance
  - ❖ New Construction
  - ❖ State Agency Financed (*generally New Construction or Substantial Rehabilitation projects*)
  - ❖ Substantial Rehabilitation
  - ❖ Section 202 Projects with Section 8 Assistance (*Section 202/8*)
- Rural Housing Section 515 Projects with Section 8 Assistance (*RHS Section 515/8*)
- Loan Management Set-Aside (*LMSA*)
- Property Disposition Set-Aside (*PDSA*)
- Section 202 with 162 Assistance - Project Assistance Contracts (*Section 202 PACs*)
- Section 202 with Project Rental Assistance Contracts (*Section 202 PRACs*)
- Section 202 without Assistance (*Income Limits Only*)
- Section 811 with PRAC contacts (*Section 811 PRACs*)

A more detailed description of each program type can be found in HUD Handbook Sec. 1-3.

## **OTHER RESOURCES – HANDBOOKS**

Other HUD Handbooks, although not referenced in this guide, are valuable tools used by owners and managers when performing occupancy functions.

- HUD Handbook 4350.1 – *Multifamily Asset Management and Project Servicing*
- HUD Handbook 4350.2 – *Section 8 Loan Management Set-Aside for Projects with HUD-Insurance and HUD-Held Mortgages*
- HUD Handbook 4350.5 – *Subsidy Contract Administration and Field Office Monitoring*
- HUD Handbook 4381.5 – *HUD Management Agent Handbook*
- HUD Handbook 4571.1 – *Section 202 Direct Loan Program Housing for the Elderly or Handicapped*
- HUD Handbook 4571.2 – *Section 811 Supportive Housing for Persons with Disabilities*
- HUD Handbook 4571.3 – *Section 202 Supportive Housing for the Elderly*
- HUD Handbook 8025.1 - *Implementing Affirmative Fair Housing Marketing Requirements for Multifamily Housing*

## **OTHER RESOURCES - WEBSITES**

The Handbooks listed above and other pertinent information can be found at the following websites:

**HUD Website** - provides updates, news clips, notices, handbooks and forms

<http://www.hud.gov>

**HUD Office of Multifamily Housing Website** - provides links to HUD fact sheets about determining rents for various subsidy programs

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/housing/mfh/](http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/)

<http://www.hud.gov/offices/hsg/mfh/hsgrent.cfm>

**HUD Office of Fair Housing and Equal Opportunity** – Persons with Disabilities provides information on the rights of persons with disabilities living in HUD-subsidized housing

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp)

**Enterprise Income Verification (EIV) System for Multifamily Housing Program Users** – contains information relating to gaining access to the EIV system and using the EIV system for upfront verification of a tenant's income

<http://www.hud.gov/offices/hsg/mfh//rhiip/eiv/eivhome.cfm>

**TRACS Website** - provides updates on developments in TRACS, including documents, announcements and frequently asked questions

<http://www.hud.gov/offices/hsg/mfh/trx/trxsum.cfm>

**Resident's Rights and Responsibilities Brochure**

<http://www.hud.gov/offices/hsg/mfh/mfinfo.cfm>

**HUDCLIPS Website** - provides fast and easy access to HUD's official policies, procedures, announcements and other materials, including HUD Handbooks, notices, forms, letters, Code of Federal Regulations Title 24 and U.S. Code Titles 12-24

<http://www.hudclips.org>

**MaineHousing – General Information** - provides partners with general information including program guides, notices, newsletters, income limits, leases and other forms (**NOTE:** Select “Property Management” from the “Info for Housing Partners” menu located at the bottom right of the screen and select either Asset Management Department Forms or Asset Management Department Notices.)

<http://www.mainehousing.org>

**US Department of Agriculture – Rural Development**

<http://www.rurdev.usda.gov>

**OTHER RESOURCES – WEBSITES (cont.)**

**US Department of Agriculture – Rural Development** - provides access to RD forms, regulations and administrative notices  
<http://www.rurdev.usda.gov/RegulationsAndGuidance.html>

**Institute of Real Estate Managers**  
<http://www.irem.org>

**National Affordable Housing Association**  
<http://www.nahma.org>

**New England Affordable Housing Management Association**  
<http://www.neahma.org>

**Maine Real Estate Management Association**  
<http://www.mrema.org/>

**Rental Housing Integrity Improvement Project Initiative** - includes general information, publications, and support for the HUD Rental Housing Integrity Improvement Project.  
<http://www.hud.gov/offices/hsg/mfh/rhiip/mfhrhiip.cfm>

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
Original Application	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 4-14	X	X				X			Anyone who wishes to be admitted to an assisted property or placed on a property's waiting list <b>must</b> complete an application. The application <b>must</b> include a signature from the applicant certifying the accuracy and completeness of information provided. The date and time the application was received <b>must</b> also appear on the application for purposes of placing the applicant on the waiting list. If written and not time stamped, the initials of the management agent must also be placed with the date and time received. In addition to providing applicants the opportunity to complete applications at the project site, owners <b>may</b> also send out and receive applications by mail. Owners <b>shall</b> accommodate persons with disabilities who, as a result of their disabilities, cannot utilize the owner's preferred application process by providing alternative methods of taking applications. The application <b>should</b> be accompanied by self-certification of their race and ethnicity for data collection by form HUD-27601-H ( <b>Exhibit 4-3</b> ) completed by the head of household. Completion of the form is <b>optional</b> , but notation <b>may</b> be made in the file if the applicant declines to complete the form. See <b>Sec. 4-14 (B) for Contents of an Application</b> . The application <b>must</b> include as an attachment, for HUD-92006, Supplemental Information to Application for Assistance for Federally Assisted Housing. See Sec. 4-14 (D) for Supplement to Application for Federally Assisted Housing.
Evidence of Criminal and Drug Screening and Sex Offender Background Checks	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 4-7(C), Sec. 4-27(E), Sec. 7-4(A)(7), and Sec. 8-14.  Also see HUD Notice 2002-22	X	X				X			Requirement for evidence of Criminal and Drug Screening became effective June 25, 2001 with HUD Notice H2002-22. A lifetime sex offender registration check is required effective September 9, 2009 with HUD Notice H2009-11. Tenant selection plans <b>must</b> contain screening criteria that include standards prohibiting admission of those who have engaged in drug-related or criminal activity, and <b>must</b> prohibit those who are on the State lifetime sex offender registration. The plan <b>may</b> , under certain circumstances, include additional provisions that deny admission to applicants for other drug and criminal activity. Owners <b>must</b> require every adult member of an applicant household to sign a consent form allowing all relevant criminal information be released. <b>Sec. 4-7(C)(2)</b> identifies

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										standards that owners <b>must</b> adopt as prohibitions for admission. <b>NOTE: Sec. 7-4(A)(7) allows</b> owners to require a criminal background check, including a State lifetime sex offender registration check, on current tenants at recertification. Owners who adopt the policy of conducting background checks, and State lifetime sex offender registration checks, at recertification <b>must</b> conduct a background check on <b>all tenants</b> at recertification. If the criminal background check indicates that the tenant is in violation of the provisions of the lease, the owner <b>may</b> evict the tenant in accordance with the lease and the owner's standards for termination of tenancy. Owners should be careful to implement consistently all criminal background checks, State lifetime sex offender registration checks, and decision making procedures and have them included in the Tenant Selection Plan.
<b>HUD-92006 Supplement to Application For Federally Assisted Housing</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 4-14 (A)(3) and, HUD Notice H2009-13 Issued September 15, 2009, and Section 644 of Housing and Community Development Act of 1992	X								The requirement for the HUD-92006 to be placed in the tenant file is applicable to all tenant files for those applying after December 14, 2009. Section 644 of the Housing and Community Development Act of 1992 (U.S.C. 13604) imposed on HUD the obligation to <b>require</b> housing providers participating in HUD's assisted housing programs to provide any individual or family applying for occupancy in HUD-assisted housing with the option to include in the application for occupancy the name, address, telephone number, and other relevant information of a family member, friend, or person associated with a social, health, advocacy, or similar organization, to assist in providing any delivery of services or special care to the tenant and assist in resolving any tenancy issues arising during the tenancy of such tenant, and to be maintained as confidential information. This requirement was implemented 9/15/2009 with HUD Notice H2009-13. The applicant's completion of the form is optional but a copy of the form is <b>required</b> to be placed in the tenant file, whether completed or not.

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Citizenship Declaration Form</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 3-12(B), Exhibit 3-5, and Sec. 3-32. Also see Appendix 2 and HUD Notice 2003-11 regarding verification of Immigration Status in HUD-Assisted Properties through the Department of Homeland Security (DHS).	X	X				X			The requirement for this document to be completed for all tenant family members was effect November 29, 1996 by 24 CFR Part 5 dated May 12, 1999. Assistance in subsidized housing is restricted to U.S. citizens or nationals, and non-citizens who have eligible immigration status. All family members, regardless of age, <b>must</b> declare their citizenship or immigration status at the time of application. Non-citizens (except those aged 62 or older) <b>must</b> sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. US citizens <b>must</b> sign a declaration of citizenship.
<b>Social Security Number Verification</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 3-5(B), Sec 3-9 (C) (1), Sec. 3-31 and Sec. 5-12(A)(3)	X	X				X			Applicants <b>must</b> disclose and provide verification of complete and accurate Social Security numbers (SSNs) for all family members regardless of age, except individuals who do not contend eligible immigration status or individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010, prior to admittance to the property. Adequate documentation means a Social Security card issued by the Social Security Administration (SSA), an original document issued by a federal or state government agency which contains the name and SSN of the individual along with identifying information of the individual, or other acceptable evidence of the SSN listed in <b>Appendix 3</b> . If all household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant <b>must</b> be offered the available unit, but applicant may retain his or her place on the waiting list for a 90 day period in which they <b>must</b> provide verification.

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Age Verification</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 3-28(C), and Appendix 3.	X	X				X			Owners <b>may</b> need to verify age to determine eligibility for a property restricted to elderly persons or families or to determine whether a person is old enough to sign a legally binding contract. Owners <b>may</b> also need to verify age to determine whether a family is entitled to certain allowances based upon the age of the head, spouse, co-head, or minor. Acceptable forms of documentation of age may be found in <b>Appendix 3</b> .
<b>Disability Verification</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 3-28(B), Figure 3-5, Figure 3-6, Sec. 4-8(E), Also see Appendix 3 and 6 (B).	X	X				X			Owners <b>may</b> verify disability to determine whether a family or person meets the definition of disability used to determine eligibility for a project, preferences, or an allowance, or to identify applicant needs for features of accessible units or reasonable accommodations. The owner <b>may not</b> specifically ask for or verify the nature and extent of the disability. There are ways to verify disability status without obtaining detailed information or information that must not be collected. Although receipt of Social Security disability payments is stated as adequate verification of an individual's disability status for programs listed in <b>Figure 3-5</b> that use definition E for persons with disabilities, HUD also states that the receipt of SSI or SSDI does not automatically qualify a person as disabled. Definition E disqualifies a person whose disability is based solely on any drug or alcohol dependence and therefore the HUD provided disability form is <b>required</b> to be completed. Receipt of veteran's disability benefits does <b>not</b> automatically qualify a person as disabled because the VA and SSA definitions are different. See <b>Appendix 3</b> and <b>Appendix 6 (B)</b> .

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Student Status</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 3-3 E, 3-13, 3-33. Also see Federal Register Vol. 71, No. 68, April 10, 2006, Eligibility of Students for Assisted Under Section 8 of US Housing Act of 1937; Supplementary Guidance.	X	X	X	X		X			Required by the Federal Register Col. 71, No. 68 effective May 10, 2006. Owners <b>must</b> determine a student's eligibility for Section 8 assistance at the time of move-in, annual recertification, initial certification (when an in-place tenant begins receiving assistance) and at the time of an interim recertification if one if the family composition changes reported is that a household member is enrolled as a student. Programs required to comply with this eligibility requirement include: Section 8 New Construction; Substantial Rehabilitation, State Agency, Rural Housing Services Section 515, Loan Management Set-Aside, Property Disposition Set-Aside, Section 202/8 Direct Loan Programs for the Elderly and Persons with Disabilities. <b>Sec. 3-13</b> and <b>Sec. 3-33</b> provide detailed information regarding eligibility for assistance and steps to perform in instances of determining parents' income and program eligibility.
<b>Release of Information - form HUD-9887 and form HUD-9887A.</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 3-11, Sec. 5-12(A)(3), Sec. 5-15, and Exhibit 5-5	X	X	X			X			All members of an applicant or tenant family who are at least 18 years of age and each family head and spouse regardless of age <b>must</b> sign these forms at the initial certification (prior to move in) and each recertification authorizing the owner to verify family income and other applicable eligibility factors, and disability. All adults regardless of whether they report income <b>must</b> sign and date these forms. A current for HUD-9887 <b>must</b> be on file before owners access the EIV employment and income information for a tenant. Owners <b>must</b> also sign form HUD-9887A. These releases are valid for 15 months. A current form HUD-9887 does not have to be on file to use the EIV Verification Reports. This includes the Existing Tenant Search for applicants.
<b>EIV Existing Tenant Search</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-8(B) 1-3.	X	X				X			With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD's Enterprise Income Verification system. Owners <b>must</b> use the Existing Tenant Search in EIV as part of their screening criteria for new tenants and must include written policies for using the search in their Tenant Selection Plan. Prior to screening for EIV Existing Tenant Search, the owners <b>must</b> have signed consent forms HUD-9887 on file before accessing the employment and income

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										information in EIV for a tenant.
<b>Mandatory Use of the EIV System</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-5 and 24 CFR 5.236, and administrative guidance from HUD.		X	X	X	X				With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. Owners must use the EIV system in its entirety as a third party source to verify tenant employment and income information during mandatory recertifications of family composition and income. The EIV system is used to reduce administrative and subsidy payment errors in accordance with HUD administrative guidance. Contract Administrators (HUD staff, PBCAs and TCAs) must use EIV for monitoring the owner’s compliance with obtaining access to and using the EIV system.
<b>EIV Income Reports – Summary Report</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11.			X	X					With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. The Summary Report is one of three reports that the owner <b>must</b> use at the time of recertification. The information taken from the current, active certifications contained in the TRACS file at the time of the income match. It also provides the <b>Identity Verification Status</b> for each household member. Owners <b>must</b> use this report at the time of recertification to review and resolve the status of any household member(s) with a “failed” or “deceased” status, and as verification that a tenant’s SSN has been “Verified” by SSA as being a valid SSN. The Summary Report in the tenant file shows an Identity Verification Status of “Verified” for all household members required to have a SSN, the owner <b>does not</b> have to continue to print out the Summary Report at recertification unless there is a change in household composition or in a household member’s identity verification status.

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Minimizing Risk of Exposing a Tenant's SSN</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11 (A) (3)			X						To minimize the risk of exposing a tenant's SSN, owners <b>may</b> remove and destroy, at the time of recertification, copies of verification documentation received from the tenant at the time of disclosure of their SSN once the Identity Verification Status shows tenant records that contain documents that display the full nine-digit SSN. Owners <b>must not</b> include the full nine-digit SSN for a tenant in emails or other electronic communications.
<b>EIV Income Reports – Income Report</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11 (B)			X	X					With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD's Enterprise Income Verification system. Owners <b>must</b> use the Income Report at the time of recertification (annual and interim) of family composition and income and at other times as indicated in their policies and procedures. This report provides employment and income information for all household members who passed the SSA identity test and identifies household members who may be receiving multiple subsidies by displaying the following message: "This member may be receiving multiple subsidies). See Exhibit 9-3, EIV Income Report Information for the types of information contained in each of the components of the report. The Income Report <b>does not</b> include other income the household may receive such as welfare benefits, most pensions, child support, etc. It is also noted that a tenant may have wages that the employer didn't report to the SWA and not contained in the database. Owners <b>must</b> use the Income Report to identify the SSA benefit information in the EIV system as third party verification of the tenant's receipt of SS benefits and to calculate the tenant's income. A copy of the SSA award or benefit letter or Proof of Income Letter is <b>not</b> required unless the tenant disputes the EIV information.
<b>EIV Reports – New Admissions</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11 (B) (5)		X				X			With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD's Enterprise Income Verification system. For all new admissions, including Initial Certifications, the owner <b>must</b> review the Income Report within 90 days after transmission of the move-in certification to TRACS to confirm/validate the income reported by the household; to resolve any income discrepancies with the household within

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										30 days of the Income Report date; and to print and retain the Income Report in the tenant file along with any documentation received to resolve income discrepancies, if applicable. The EIV system only contains employment and income information for tenants. Owners <b>must</b> request third party verification from the income source for determining an applicant's income for eligibility and rent calculation purposes.
<b>EIV Reports – Income Discrepancy Report</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11 (C)									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD's Enterprise Income Verification system. Owners <b>must</b> print the Income Discrepancy Report at the same time they print the Income Report, as each week a completely new report is generated based on the current information in the system for a tenant. This report identifies households where there is a difference of \$2,400 or more annually in the wages, unemployment compensation and/or Social Security benefit income reported. Other income the household receives such as welfare benefits, most pensions, child support may be reported in annual TRACS reported income but it is not used for the discrepancy analysis in the EIV system. Owners <b>must</b> retain the Income Discrepancy Report along with detailed information on the resolution of the reported discrepancy in the tenant file.
<b>EIV Additional Income Reports</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11 (D)									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD's Enterprise Income Verification system. The EIV system contains stand-alone Additional Income reports named: <b>No Income Reported on 50059; No Income Reported by HHS; or SSA, and New Hires Report.</b> Owners <b>must</b> use these reports as established in their policies and procedures and retain them in a "Master" file that contains a copy of the reports and documentation and/or notations on the status of any investigations if required. <b>NOTE:</b> Any detail reports retained in a tenant's file <b>must</b> only contain information for members of that tenant's household. Since many of the reports do not have page breaks between households, owners <b>will</b> need to separate the reports by household by cutting the reports apart until page breaks are

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										inserted in the EIV system.
<b>EIV Reports – No Income Reported on 50059</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11 (D) (1)(a)									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. This report is a tool for owners to use to identify tenants who passed the identity match against SSA’s records but have zero income represented in the TRACS system. Owners <b>must</b> use this report only as identified and described in their policies and procedures. Owners <b>are not</b> required to retain copies of this report. <b>NOTE:</b> It is recommended that owners have a policy to re-verify the status of tenants reporting zero income at least quarterly. As part of the procedures for implementing the policy, the owner <b>must</b> use the EIV Income Report to determine if the tenant or any family members have income reported by HHS or SSA.
<b>EIV Reports – No Income Reported by HHS or SSA</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11 (D) (1)(b)									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. This report is a tool for owners to use to identify tenants who passed the SSA identity test but no employment or income information was received from the match against either the SSA or NDNH records. Owners <b>must</b> use this report as identified and described in their policies and procedures. Because no income was reported as a result of the match against SSA or NDNH records does not mean that the tenant(s) does not have income. Owners <b>must</b> make sure when they interview the tenants at the time of recertification that the right questions are asked so that the tenants are given the opportunity to disclose any income they receive. Owners <b>are not</b> required to retain copies of this report. <b>NOTE:</b> It is recommended that owners have a policy to re-verify the status of tenants reporting zero income at least quarterly. As part of the procedures for implementing the

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										policy, the owner <b>must</b> use the EIV Income Report to determine if the tenant or any family members have income reported by HHS or SSA.
<b>EIV Reports – New Hires Report</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-11 (D) (1)(c)									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. This report identifies tenants who have started new jobs within the last six months. The information in this report is updated monthly. The New Hires Report can also be found in the EIV system as a Verification Report. Owners <b>must</b> use this report at least quarterly to determine if any of their tenants have started new employment whereby the tenant has not reported a change in income to the owner between recertifications and/or the new employment was not reported at the time of recertification. Owners <b>must</b> contact the tenant regarding the new employment; confirm with the tenant that they have a new job and that the employment information in the EIV system is correct; process a recertification in accordance with program requirements that includes the employment income if the household’s income cumulatively increases by \$200 or more; and retain a copy of the report in a master “New Hires Report” file along with notations as to the outcome of the contact with the tenant. All correspondence with the tenant third party verifications <b>must</b> be retained in the tenant file.
<b>EIV Reports – Existing Tenant Search</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-12 (A)	<b>X</b>					<b>X</b>			With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. This report identifies applicants applying for assisted housing that may be receiving rental assistance at the time of application at another Multifamily Housing or Public and Indian Housing (PIH) location. The owner <b>must</b> use this report at the time they are processing an application to determine if the applicant or any applicant household members are currently being assisted at another Multifamily Housing or PIH location. If an applicant has been identified, the owner <b>must</b> discuss with the applicant to give them the opportunity to explain any circumstances relative to their being assisted at another location. This could be a case where the applicant

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										wants to move from their current location or where two assisted families share custody of a minor child. The owner <b>must</b> follow up with the respective PHA or owner to confirm the individual's program participation. This report gives the owner the opportunity to coordinate move-out and move-in dates with the PHA or owner of the property. The owner <b>must</b> retain the search results with the application along with any documentation obtained as a result of contacts with the applicant and the PHA and/or owner at the other location.
<b>EIV Reports – Multiple Subsidy Report</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-12 (B)									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD's Enterprise Income Verification system. This report identifies individuals who may be receiving multiple HUD rental subsidies. Owners <b>must</b> use the Multiple Subsidy Report at least quarterly to identify any tenants who are receiving assistance at another location. Owners <b>must</b> follow up with tenants identified on the report where the discrepancy was not identified and resolved at the time of recertification. Owners <b>must</b> perform a search to determine if possible multiple subsidies exist. Owners <b>must</b> discuss with the tenant if the results of the search shows that a tenant is being assisted at another location. The owner <b>must</b> follow up with the respective PHA or owner to confirm if the tenant is being assisted at the other location. The copy of the search results <b>must</b> be printed out and retained along with any documentation supporting any contacts made or information obtained to determine if a household is receiving multiple subsidies. <b>NOTE:</b> HUD does <b>not</b> prohibit owners of partially subsidized projects from housing tenants who are receiving assistance through the Housing Choice Voucher Program, and these tenants are not considered as receiving double subsidy.
<b>EIV Reports – Identity Verification Report</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-12 (C)									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD's Enterprise Income Verification system. There are three reports that are accessed from the Identity Verification Report link. Owners <b>must</b> use the <b>Failed EIV Pre-Screening</b> and the <b>Failed Verification Report</b> (Failed the SSA Identity Test) reports

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										<p>monthly to clear up any invalid, discrepant or missing information in the TRACS database that was not identified and corrected at the time of recertification. There will not be any employment or income information in EIV for tenants who fail either the EIV Pre-Screening or SSA Identity Test so it is essential that any discrepancies are corrected within 30 days from the date of the reports. Owners <b>must</b> conduct third party verifications to obtain employment and income data for these tenants. The <b>Number of Households Not-Verified</b> (verification in process) Report is <b>not</b> required to be used by owners.</p>
<p><b>EIV Reports – Failed EIV Pre-Screening Report</b></p>	<p>HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-12 (C) (1) and Exhibit 9-1.</p>									<p>With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. This report identifies tenants who fail the EIV pre-screening test because of invalid or missing personal identifiers (last name, DOB or SSN). The tenants identified in this report will not be sent to SSA for the SSA identity test until the personal identifier information is corrected in TRACS. Owners <b>must</b> use this report monthly to identify tenants that did not pass the pre-screening test and the reason(s) they did not pass so that the errors can be corrected. Owners <b>must</b> follow up with the tenants identified on the report where discrepant personal identifiers were not corrected at the time of recertification. Owners <b>must</b> confirm accuracy of the data entry in TRACS, confirm with the affected tenant their SSN, last name, and/or DOB, and obtain documentation to verify any discrepant personal identifiers. The owners <b>must</b> correct any TRACS discrepancies so that the tenant will be included in the TRACS file. Owners <b>must</b> print and retain a copy of the report in a master “Failed EIV Pre-Screening Report” file. The report <b>must</b> be documented with action taken to resolve invalid or discrepant personal identifiers. <b>NOTE:</b> Exempt from the SSN disclosure and verification requirements are tenants who were 62 years of age or older as of January 31, 2010 and whose initial determination of eligibility was begun before January 31, 2010 and individuals who do not contend eligible immigration status.</p>

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>EIV Report – Failed Verification Report</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-12 (C) (2) and Exhibit 9-2.									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. This report identifies household members who failed the SSA identity test because their personal identifiers (last name, DOB or SSN) do not match SSA’s records, as well as, identifies deceased household members. Owners <b>must</b> use this report monthly to identify those tenants that did not pass the SSA identity verification test and the reason(s) they did not pass so that the errors can be corrected. Owners <b>must</b> confirm accuracy of the data entry in TRACs and then follow up with the tenants identified their last name, SSN and/or DOB. Owners <b>must</b> obtain verification or documentation to support the tenant’s personal identifiers and correct any discrepancies in TRACS. Owners <b>must</b> encourage the tenant to contact SSA to correct any inaccurate data in their databases if the personal identifiers on the form HUD-50059 and in TRACS are accurate. Owners <b>must</b> print and retain a copy of the report and document it with action taken to resolve invalid or discrepant personal identifiers. <b>NOTE:</b> If a tenant’s information was corrected at the time of recertification but the EIV data has not yet been updated, this should be noted on the printed report and no further action is required.
<b>EIV Report – Deceased Tenant Report</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-12 (D) and Sec.7-13(D)									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. This report identifies tenants who are participating in one of the Multifamily Housing’s rental assistance programs who are reported by SSA as being deceased. Owners <b>must</b> use this report at least quarterly to identify those tenants reported by SSA as being deceased. Owners <b>must</b> confirm in writing, with the head of household, next of kin or contact person/entity provided by the tenant whether or not the person is deceased. If the person is deceased, the owner <b>must</b> update the household composition and income and allowances on the form HUD-50059. The effective date of the form HUD-50059 <b>should</b> be IAW Sec. 7-13 (D). Any overpayment of subsidy that was paid on behalf of the deceased

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										tenant <b>must</b> be repaid to HUD and corrected in the TRACS system within 30 days from the date of the report. If a person identified on the report is not deceased, the owners <b>must</b> encourage them to contact the SSA to correct the information. The owner <b>must</b> print and retain a copy of the report in a master “Deceased Tenant” file. The report <b>must</b> be documented with action taken to resolve any discrepancies. All correspondence or action taken for a particular tenant <b>must</b> be retained in the tenant file. <b>NOTE:</b> If action was taken to remove the deceased tenant from the household at the time of recertification but the EIV data has not yet been updated, note this on the printed report and no further action is required.
<b>EIV &amp; You Brochure</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 5-15 (C)(3)		X	X	X	X	X			With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. Owners <b>must</b> provide applicants and tenants with a copy of the EIV & You Brochure at move-in and annually at recertification. Proof <b>must</b> be in the file indicating that the tenant has received the brochure (MaineHousing policy).
<b>Penalties for Failure to Have Access To and/or Failure to Use EIV</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-19									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD’s Enterprise Income Verification system. Owners who do not have access to or are not using the EIV system in its entirety <b>will</b> receive a finding on the Management and Occupancy Review report, if the violation was identified during the MOR. The violation <b>can</b> be identified at times other than at the time of the MOR. Owners <b>will</b> incur a penalty of a 5% decrease in the voucher payment for the month following the date the violation was found and each subsequent voucher payment until the violation is cured. An adjustment on the next scheduled voucher <b>must</b> be made to adjust for the 5% decrease. The CA <b>must</b> monitor to ensure the adjustment is made. The owner will have 30 days to cure the violation. <b>See Sec. 9-19 B</b> for instructions on curing the violation. If the violation is not cured during the 30 day period, then it <b>will</b> be flagged in APPS. When there is a change in ownership or

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										management at a property, the new owner or management agent <b>must</b> obtain access to and begin using the EIV system within 90 days of date of possession or <b>may</b> be subject to the penalties as described in Sec. 9-19.
<b>Pet Deposits</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 6-24		X							The pet rules <b>may</b> require tenants to pay a refundable pet deposit, but apply only to those tenants who own or keep cats or dogs in their units. This deposit is in addition to any additional financial obligation generally imposed on tenants of the property. The maximum amount of the pet deposit that may be charged by an owner on a per-unit basis is determined as outlined in Figure 6-8. Pet deposits only apply to properties established for the elderly and persons with disability. An owner <b>may</b> use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet on the property. Owners <b>must</b> return the unused portion of a pet deposit to the tenant within a reasonable time after the tenant moves from the property or no longer owns or keeps a household pet in the unit.
<b>Retention of EIV Reports</b>	HUD Handbook 4350.3, Rev-1, Chg. 4, Sec. 9-14									With 74 FR 68924 dated December 29, 2009 and 24 CFR 5.236 dated May 17, 2010 and effective January 31, 2010, it became mandatory for all Section 8 properties to use HUD's Enterprise Income Verification system. Owners <b>must</b> retain the Income Report, the Summary Report(s) showing Identity Verification Status as "Verified" and the Income Discrepancy Report(s) and supporting documentation in the tenant file for the term of tenancy plus three years. Any tenant provided documentation, or other third party verification of income, received to supplement the SSA or NDNH data <b>must</b> be retained in the tenant file for the term of tenancy plus three years. Results of the Existing Tenant Search <b>must</b> be retained with the application. If the application is not admitted, the application and search results <b>must</b> be retained for three years. If the applicant is admitted, the application and search results <b>must</b> be retained in the tenant file for the term of tenancy plus three years. The master files for the New Hires Report, Identity Verification Reports, Multiple Subsidy Report and

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										Deceased Tenants Report <b>must</b> be retained for three years.
<b>Other consent forms to verify income, assets and, if applicable, allowable expenses</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 3-11, Sec. 5-12(A)(2), Sec. 5-15, and Fig. 5-5	X	X	X	X		X			Adult members of assisted families (head, spouse, co-head and anyone 18 years of age or older) <b>must</b> authorize owners to request independent verification of data required for program participation. In addition to forms HUD-9887 and HUD 9887A, owners <b>must</b> create their own verification forms for specific verification needs, and <b>must</b> include the language required by HUD as shown in <b>Figure 5-5</b> , to request information from employers, child care providers, medical professionals and others. Owners <b>must</b> give the family a copy of each form the family signed, a HUD Fact Sheet, the Resident Rights and Responsibilities brochure, and EIV & You Brochure, at move-in certification, initial certification and each annual recertification. The form must also be signed when a new adult member joins the household.
<b>Ethnicity and Racial Data Form</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 2-11 (A)(2), Sec. 4-14 (A)(4) and Exhibit 4-3 for form HUD 27061-H (9/2003)	X	X				X			Effective September 2003 with HUD 27061-H. The HUD-27061-H (Exhibit 4-3) is form for self-certification of an applicant's race and ethnicity for data collection by HUD. It is to be provided to all individuals wishing to receive assistance. Parents and guardians can complete the form for children under the age of 18. Completing this form is <b>optional</b> and there is no penalty for not completing it. Owners <b>should not</b> complete the form on behalf of the tenant. When the tenant chooses not to self-certify race or ethnicity, a notation of this <b>may (should</b> is MaineHousing requirement) be placed in the file.

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Verification of Income, Assets and Allowable Deductions</b>	HUD Handbook 4350.3, REV-1, Chg. 4 Sec. 3-26, Sec. 5-13, Sec. 5-17, 5-18E and Appendix 3. Also see Exhibits 5-1: Income Inclusions and Exclusions; Exhibit 5-2: Assets; and Exhibit 5-3: Medical Expenses That Are Deductible and Nondeductible.	X	X	X	X		X			Owners <b>must</b> verify all income, expenses, assets, family characteristics, and circumstances that affect family eligibility, order of applicant selection or level of assistance. Methods of verification acceptable to HUD in order of priority: Up-front Income Verification (UIV); using HUD’s EIV system for tenants <b>mandatory</b> (not available for applicants); UIV using non-EIV system <b>optional</b> ; third-party verification from source (written); third-party from source (oral); Family certification. See Chapter 5, Para. 5-13 for acceptable verification methods) <b>Sec. 5-18 (E)</b> provides guidance for instances in which third-party verification is not available. <b>Sec. 5-13</b> outlines acceptable verification methods. Notarized statements or signed affidavits from the tenant, if no other source of verification can be provided, are acceptable. Verifications are valid for <b>120 days</b> from the date of receipt by the owner, after which time the owner must obtain new verifications. Time limits do not apply to information that does not need to be re-verified such as age, disability status, family membership, or citizenship status. <b>Appendix 3</b> provides a list of acceptable forms of verification. <b>NOTE: Exhibits 5-1, 5-2 and 5-3</b> should be reviewed to ensure that all income, asset and medical expense inclusions and exclusions are considered.
<b>Divestiture of Assets Verification</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 4-24 (B)(8) and Sec. 5-7 (G)(8)	X	X	X			X			Owner <b>must</b> require the head of household, spouse, or co-head to give a written certification, at their initial certification and each annual recertification, as to whether any family member did/did not dispose of any assets for less than fair market value during the two years preceding the effective date of the certification/recertification. HUD does not prescribe a form for this certification. It may be part of an application form or a separate form.

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Lead Paint Disclosure</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-8(C), Residential Lead-based Paint Hazard Reduction Act of 1992 (61 FR 9064), 24 CFR Part 35, Subpart H, and 40 CFR Part 7456, Subpart F	X	X							Required for all non-elderly properties built prior to January 1, 1978. For properties where the disclosure is required (see <b>Sec. 6-8(A)</b> for Applicability), prior to leasing, owners <b>must</b> provide the tenants with the EPA/HUD/Consumer Product Safety Commission (CPSC) Lead Hazard Information Pamphlet entitled <b>Protect Your Family from Lead in Your Home</b> and have tenants sign the disclosure form.
<b>Unit Inspection at Move-In and Move-Out</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec.6-5 (A) (3), Sec. 6-29(B)(C)(D).		X						X	Owners in all HUD-subsidized multifamily properties <b>are required</b> to complete move-in and move-out inspections, and these inspections must be documented. <b>Appendix 5</b> of the HUD Handbook provides sample inspection forms. <b>Before</b> executing the lease, the owner and tenant <b>must</b> jointly inspect the unit and both parties <b>must sign and date</b> the inspection form. If cleaning or repair is required, the owner <b>must</b> specify on the inspection form the date by which the work will be completed. The date <b>must</b> be no more than <b>30 days</b> after the effective date of the lease. The tenant has <b>5 days</b> to report any additional deficiencies to the owner to be noted on the move-in inspection form. The move-in inspection form is made part of and is an attachment to the lease. For further information regarding inspections and inspection criteria, see <b>Sec. 6-29(C)</b> and <b>(D)</b> . <b>NOTE:</b> Whereas the move-in inspection is part of the lease and the lease is required supporting documentation when submitting a special claim, the move-in inspection <b>must</b> be submitted with the special claim request. Likewise, the move-out inspection supports charges withheld from the security deposit as identified in the disposition letter. HUD <b>does not</b> provide move-out inspection criteria. It is at the owner's discretion to develop criteria to distinguish between wear-and-tear and damage. If an owner determines that the unit is damaged as a result of tenant abuse or neglect, they may use the security deposit to cover the repair costs. See <b>Section 2: Security Deposits</b> for more information.

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										<b>NOTE:</b> Effective June 29, 2007, move-in inspection forms <b>must</b> include the statement <b>“The unit is in decent, safe and sanitary condition.”</b>
<b>Annual Inspections</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-29(A)(3)			X						Owners perform unit inspections on at least an annual basis to determine whether the appliances and equipment in the unit are functioning properly and to assess whether a component needs to be repaired or replaced. This is also an opportunity to determine any damage to the unit caused by the tenant's abuse or negligence and, if so, to make the necessary repairs and bill the tenant for the cost of the repairs.
<b>HUD Tenant/ Income Fact Sheet</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 7-4 (A)(6) and Appendix 14		X	X			X			At the time of each recertification, the owner <b>must</b> provide the tenant with a copy of the <b>HUD Fact Sheet on How Your Rent is Determined</b> describing how the tenant's rent is calculated. These fact sheets are included in <b>Appendix 14</b> of the HUD Handbook. Also, these fact sheets are not to be confused with the fact sheets which accompany form HUD-9887 and HUD-9887A. Proof that this document was provided to the tenant is <b>required</b> to be placed in the tenant file (MaineHousing requirement).
<b>Resident Rights and Responsibilities Brochure</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 5-15(C)(2)		X	X			X			Owners <b>must</b> provide applicants and tenants with a copy of the <b>Resident Rights and Responsibilities</b> brochure at move-in and annually at each certification. The Resident's Rights and Responsibilities brochure may be found at <a href="http://www.hud.gov/offices/hsg/mfh/gendocs/mfhrrr.pdf">http://www.hud.gov/offices/hsg/mfh/gendocs/mfhrrr.pdf</a> . Proof that this document was provided is <b>required</b> to be placed in the tenant file (MaineHousing requirement).
<b>Lease - HUD Model Lease</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-5(A), Fig. 6-2, Fig. 6-3, Sec. 6-12 and Appendix 4.		X	X		X	X	X		HUD has provided model leases that <b>must</b> be used for certain programs. <b>Figure 6-2</b> identifies that appropriate lease for HUD subsidized programs and <b>Figure 6-3</b> identifies the initial and renewal lease terms. <b>Sec. 6-12</b> of the HUD Handbook provides guidance for modifying any provisions of the model lease. The head, spouse, co-head and all adult members of the household <b>must</b> sign the lease and the lease <b>must</b> also be executed by the owner or the owner's designated representative. Attachments to the lease include the signed form HUD-50059, HUD-50059A signed by the owner and when applicable, by the tenant; move-in inspection report signed by tenant and owner, House Rules (if applicable), Lead-based paint disclosure

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										<p>form (if applicable), Pet Rules (if applicable) and “Owner’s” Live-in Aide addendum (if applicable); “Owners Police or Security Personnel addendum (if applicable); HUD issued Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA) Lease Addendum (Section 8 only). When a unit transfer occurs, a new lease <b>must</b> be executed by the owner and tenants who are required to sign. Lease amendments <b>may</b> be used in instances where the rent has changed and the lease is still in effect.</p> <p><b>NOTE:</b> When submitting a special claims request, the request <b>must</b> be supported by providing a copy of the lease and attachments.</p>
<b>Lease - RHS 515 with Section 8</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-5(A), Fig. 6-2, Figure 6-3, Exhibit 6-2, Sec. 6-4 and Appendix 4.		X	X		X	X	X		<p>The HUD model lease <b>must</b> be used at RHS, Sec. 515 projects that have Sec. 8 assistance. <b>Exhibit 6-2</b> contains the lease provisions required by RHS. Owners <b>are responsible</b> for ensuring that any RHS required provisions not already included in the HUD model lease are added to the lease as an addendum. The lease addendum <b>must</b> be reviewed and approved by HUD or the Contract Administrator, ensuring that the addendum does not include provisions that conflict with HUD requirements or regulations. The RHS required lease provisions are also provided in <b>Attachment 6-E</b> of the USDA <i>MFH Asset Management Handbook</i>, HB-2-3560.</p> <p><b>NOTE:</b> When submitting a special claims request, the request <b>must</b> be supported by providing a copy of the lease and attachments.</p>
<b>Lease - MaineHousing Model Lease</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-5(A), Fig. 6-2, and Appendix 4.		X	X		X	X	X		<p>For Performance-Based Contract Administration (PBCA) properties, the HUD Model Lease <b>must</b> be used with amendments which comply with state law pursuant to the provisions for modification as found in HUD Handbook Sec. 6-12. MaineHousing financed properties may use the MaineHousing model lease.</p> <p><b>NOTE:</b> When submitting a special claims request, the request <b>must</b> be supported by providing a copy of the lease and required attachments.</p>

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Lease – Modifications</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-12									Owners <b>may</b> modify the term or conditions of the lease, but <b>must</b> receive prior written approval of HUD or the Contract Administrator. Modifications are only effective at the end of the existing lease terms and the owner <b>must</b> provide tenants with the approved modifications no less than 60 days prior to the end of the lease term. Tenants are also provided with a 30 day period to comment on proposed changes. Lease changes provided by HUD through notices <b>do not</b> require HUD or Contract Administrator approval.
<b>House Rules</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-9	X	X	X	X					House Rules are <b>not</b> required, but if they are implemented, they <b>must</b> be related to the safety, care, and cleanliness of the building or the safety and comfort of the tenants; be compliant with HUD requirements; not circumvent HUD requirements; not discriminate against individuals based upon membership in a protected class; be reasonable and fair; and comply with state and local requirements. House rules are listed in the lease as an attachment and <b>must</b> be attached to the lease. Owners <b>must</b> also give tenants written notice 30 days prior to implementing new house rules. <b>NOTE:</b> There are no statutory or regulatory provisions governing smoking in assisted housing. HUD assisted properties are required to comply with applicable state and local laws, which would include any laws governing smoking in residential units. Owners are free to adopt reasonable rules that must be related to the safety and habitability of the building and comfort of the tenants. Owners should make their own informed judgment as to the enforceability of house rules.
<b>Pet Rules</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-10	X	X	X	X					Pet rules as discussed in this <b>Sec. 6-10</b> of the HUD Handbook pertain <b>only</b> to housing for elderly and persons with handicaps. Pet rule requirements do not apply to family housing, where properties are instead covered by state and local requirements. The regulations apply to household pets only.( See <b>Glossary</b> for definition) An owner <b>must not</b> apply house pet rules to assistance animals (service animals) ( See <b>Glossary</b> for definition) and their owners, but <b>may</b> enforce appropriate state and local health and safety laws, nor does it preclude the owner from requiring

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										<p>that the tenant with a disability who uses an assistance animal be responsible for the care and maintenance of the animal, including the proper disposal of the assistance animal's waste.</p> <p><b>Exhibit 6-4</b> identifies mandatory pet rules as well as possible discretionary pet rules. The pet rules are part of the lease and are incorporated by reference. Language in the lease <b>must</b> state that the tenant agrees to comply with the pet rules and that they understand a violation of any of the rules may be grounds for removal of the pet or termination of the pet owner's tenancy (or both). <b>NOTE:</b> See <b>Sec. 5-10.C.4</b> for information on expenses for assistance animals, which are deductible when calculating a tenant's annual income, because they may be counted as medical expenses. Expenses for common household pets are <b>not</b> deductible when calculating annual income.</p>
<p><b>Privacy Act Disclosure</b></p>	<p>HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 5-12(A) (5), Fig. 5-4.</p>	<p><b>X</b></p>		<p>The owner <b>must</b> handle any information obtained to verify eligibility or income in accordance with the Privacy Act. The Privacy Act Statement is part of the form HUD-50059.</p>						

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
Form HUD-50059	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 5-31. Appendix 7.		X	X	X	X	X	X	X	<p>Owners <b>must</b> keep the signed form HUD-50059 facsimiles for tenants from the time of move-in to move-out and for a minimum of three years thereafter. Signatures by the head, spouse, co-head, all adult members of the household and the owner are <b>required</b> on the form HUD-50059 facsimile for move-ins, initial certifications, annual recertifications, interim recertifications, when correcting a previous submission, or when there is a change in the designated head of household.</p> <p><b>NOTE:</b> Pursuant to <b>Sec. 5-31</b>, although signatures are <b>required</b> on form HUD-50059, the owner <b>may</b> consider extenuating circumstances when an adult family member is not available to sign the form. The owner <b>must</b> document the file why the signature(s) was not obtained and, if applicable, when the signature(s) will be obtained. For the following actions, a new form HUD-50059 should be generated but signatures are not necessary: address change, move-out, termination of assistance, unit transfer, gross rent change or utility allowance change. The tenant should be provided a copy of the revised form HUD-50059 and a copy <b>must</b> be placed in the tenant's file. <b>NOTE:</b> When submitting a special claim for approval, the owner <b>must</b> submit a copy of the signed form HUD-50059 facsimile completed at move-in.</p>

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
Security Deposit Collection	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-13 thru Sec. 6-18 and Fig. 6-7.		X			X				The owner <b>must</b> collect a security deposit at the time of the initial lease execution for several types of property as defined in <b>Sec. 6-15 (C)</b> . <b>Fig. 6-7</b> establishes the amount of security deposit collected from the tenant for certain property types. <b>Sec. 6-17</b> defines which property types are required to calculate accrued interest on security deposit accounts. In instances of unit transfers, the owner <b>must</b> either transfer the existing security deposit to the new unit regardless of the new total tenant payment (TTP) or charge a new deposit and refund the deposit of the earlier unit. Owners are <b>required</b> to keep security deposits in a separate interest bearing account from other assets. The owner <b>must</b> allocate interest to the tenant's security deposit on an annual basis and when a tenant vacates the unit. <b>NOTE:</b> When submitting special claims requests, the owner <b>must</b> include in the submission documentation that the appropriate security deposit was collected from the tenant. If the owner did not collect the appropriate security deposit from the tenant, the claim will be reduced by the amount of the security deposit the owner should have collected from the tenant. <b>NOTE:</b> Payment arrangements may be made for the payment of the security deposit in installments. However, the original and subsequent leases should reflect the full amount of the security deposit that was to have been collected, regardless if the full amount was not collected. Payment arrangements should be documented in the tenant file.
Minimum Rent Collected	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 5-26 (D). Also see Sec. 5-26 (D)(3) for Financial Hardship Exemptions and HUD Notice 2000-18 (QHWRA)	X	X	X	X	X	X	X		Tenants in properties subsidized through Sec. 8 program <b>must</b> pay a minimum total tenant payment (TTP) of \$25. However, the owner <b>must</b> waive the minimum rent for any family unable to pay due to a long-term financial hardship and the financial hardship <b>must</b> be documented in the tenant file. The owner <b>may</b> request reasonable documentation of the hardship in order to determine whether there is a hardship and whether it is temporary or long term in nature. The owner <b>should</b> make a determination within one week of receiving the documentation. See <b>Sec. 5-26 (D) (3)</b> for further details.

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Initial Notice to Recertify</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 7-7(B) , Fig. 7-3, Fig. 7-4 and Exhibit 7-1		X	X						Owners <b>must</b> provide tenants with the <b>Initial Notice</b> upon the initial signing of the lease and at each annual recertification. This notice serves to ensure that tenants understand that they will need to report to the property's management office by the specified dates the following year to prepare for the next recertification. The tenant <b>must</b> sign and date the initial notice to acknowledge receipt; the owner or manager <b>must</b> sign and date the notices as a witness. <b>Fig. 7-3</b> provides an outline of the Recertification Steps. <b>Exhibit 7-1</b> provides a sample <b>Initial Notice</b> .
<b>Reminder Notice to Recertify - 120 days</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 7-7(B)(2), Fig. 7-3, Fig. 7-4 and Exhibit 7-2			X						Owners <b>must</b> provide tenants with a reminder notice at least 120 days prior to the recertification anniversary date. Owners <b>must</b> maintain a copy of this notice in the tenant file documenting the date the notice was issued. <b>Section 7-7 (B) (2)</b> lists the requirements for the First Reminder Notice. <b>Fig. 7-3</b> provides a list of recertification notice due dates. <b>Exhibit 7-2</b> provides a sample of the first reminder notice.
<b>Reminder Notice to Recertify - 90 days</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 7-7(B)(3), Fig. 7-3, Fig. 7-4 and Exhibit 7-3			X						If the tenant fails to respond within 30 days of the first reminder notice, owners <b>must</b> provide tenants with a second reminder notice at least 90 days prior to the recertification anniversary date. Owners <b>must</b> maintain a copy of this notice in the tenant file documenting the date the notice was issued. <b>Fig. 7-3</b> provides a list of recertification notice due dates. <b>Exhibit 7-3</b> provides a sample of the first reminder notice.
<b>Reminder Notice to Recertify - 60 days</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 7-7 (B)(4), Fig. 7-3, Fig. 7-4 and Exhibit 7-4			X						If the tenant fails to respond within 30 days of the second reminder notice, owners <b>must</b> provide tenants with a reminder notice at least 60 days prior to the recertification anniversary date. Owners <b>must</b> maintain a copy of this notice in the tenant file documenting the date the notice was issued. <b>Fig. 7-3</b> provides a list of recertification notice due dates. <b>Exhibit 7-4</b> provides a sample of the first reminder notice.

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
<b>Rent Increase Notification</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 7-8(B), 7-8(D) and Maine Revised Statutes Annotated Title 14 §6015.			X	X	X	X	X		HUD regulations require a 30 notice to the tenant indicating the date and the amount of the new rent and timely delivery of the three reminder notices. Owners <b>must</b> maintain a copy of this notice in the tenant file documenting the date the notice was issued. Maine State Law provides a 45 day written notice to the tenant. It is MaineHousing's interpretation that this applies only to contract rent, not in changes to the total tenant payment (TTP). Also see <b>Sec. 7-8(D)</b> regarding the notification of a rent increase in situations where there is a delay in processing recertifications due to owner or tenant delays in providing the necessary documentation for recertification.
<b>Utility Allowance Reimbursement</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 5-25(B), 5-26(C), and Fig. 5-7.									When the total tenant payment (TTP) is less than the utility allowance, the tenant receives a utility reimbursement to assist in meeting utility costs. The owner <b>must</b> provide the utility reimbursement to the tenant or utility provider <b>within 5 business days</b> of receipt of the assistance payment from HUD. <b>NOTE:</b> If the utility reimbursement is not disbursed to the tenant or utility provider, the funds <b>must</b> be returned to HUD. The check should be voided and the funds returned to HUD as an adjustment on the voucher. The owner needs to ensure before returning the funds that the tenant has been given sufficient opportunity to cash the checks and that all attempts have been exhausted in reaching former tenants, including any requirements under state or local law.
<b>30 Day Move-Out Notice from Tenant</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 8-9								X	In order to terminate tenancy, the tenant <b>must</b> provide the owner with a written 30-day notice to vacate the unit as required in the HUD lease. If the tenant fails to give a full 30 day notice, the tenant is liable for the <b>tenant portion</b> of the rent, up to the earlier of the end of the 30-day period for which the notice is required or the date the unit is re-rented. The owner <b>may not</b> collect Section 8 subsidy for the unit once the tenant has moved out. <b>NOTE:</b> The regulations for RHS Section 515/8 properties permit either the tenant or the owner to terminate the lease with a 30 day written notice, and <b>may</b> be included in a one-year lease, and <b>must</b>

DOCUMENT	CITATION or SOURCE	AP	MI	AR	IR	UT	CHG	UA	MO	Comments
										be included in any multi-year lease.
<b>Final Disposition Letter for Security Deposit</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-18 (C).								X	Within <b>30 days</b> after the move-out date, the owner <b>must</b> either refund the full security deposit to a tenant that does not owe any amounts under the lease or provide the tenant with an <u>itemized list</u> of any unpaid rent, <u>itemized damages</u> to the unit, and an <u>estimated cost of repair</u> , along with a statement of the tenant's rights under state and local laws (see below regarding special claims). Documentation of the proof of this must be filed in the move-out tenant file, to include a copy of the payment and documents provided to the tenant. If the owner fails to provide the list to the tenant, the tenant is entitled to a full refund of the tenant's security deposit plus accrued interest. If the amount the owner claims is less than the security deposit, the owner <b>must</b> refund the unused balance to the tenant within 30 days from the move-out date. In some instances, the amount of the security deposit is to include earned interest (see <b>Sec. 6-17</b> for additional information and clarification). <b>NOTE:</b> When submitting special claim requests, the owner submission <b>must</b> include a certified letter to tenant <b>detailing</b> the unpaid rent and other charges, the disposition of the security deposit, a demand for payment, and notice to the tenant that failure to pay the sums due will result in the owner/agent hiring a collection agency to collect the debt.
<b>Billing for Damages and Unpaid Rent</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 6-25 (C), 6-18 (C).			X	X	X			X	Whenever damage is caused by carelessness, misuse, or neglect on the part of the tenant, household member, or visitor, the tenant is obligated to reimburse the owner for the damages <b>within 30 days</b> after the tenant receives a bill from the owner. An owner <b>may</b> deduct accrued, unpaid damage charges from the tenant's security deposit at the time of move-out. Billing is limited to actual and reasonable costs incurred by the owner for repairing damages. <b>NOTE:</b> See <b>Final Disposition Letter for Security Deposit</b> section of this document for additional information regarding submissions of special claim requests and accompanying documents.

DOCUMENT or ISSUE	CITATION or SOURCE	COMMENTS
<b>Affirmative Fair Housing Marketing Plan (AFHMP)</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 4-11, Sec. 4-12 and Appendix 1	Each multifamily property built or substantially rehabilitated since July 1972 <b>must</b> develop and carry out an <b>Affirmative Fair Housing Marketing Plan (AFHMP)</b> . Properties built or rehabilitated before 1972 are not required to have a plan in the prescribed form unless the plan is required by a Housing Assistance Payment Contract. During compliance reviews, owners must be able to provide documentation that marketing activities for the property have been consistent with affirmative fair housing marketing requirements and the approved plan for the property. Owners <b>must</b> review their AFHMP every <b>five (5) years</b> and update as needed to ensure compliance with 24 CFR 200.620. If a revision of the plan is necessary, the revised plan <b>must</b> be submitted to HUD for approval. If based on the owner's review of the AFHMP, it is determined that the plan does not need to be revised, the owner <b>should</b> maintain a file documenting what was reviewed, what was found as a result of the review, and why no change was required. This documentation <b>may</b> be reviewed at the time of the MOR.
<b>Fair Housing Poster</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 4-11 (B) and Sec. 4-12 (G)	Owners of HUD-subsidized multifamily housing <b>must</b> display the <b>Equal Housing Opportunity</b> poster (i.e. Fair Housing Poster) in accordance with HUD requirements. Copies of the poster may be obtained from their HUD Field Office. Owners may use a facsimile of the poster if the facsimile and lettering are equivalent in size and legibility to the poster available from HUD. The poster <b>must</b> be prominently displayed so it is readily apparent to all persons seeking housing. <b>NOTE:</b> The poster should also include notation of protected classes as required by Maine State Law, which include sexual orientation, ancestry, and the receipt of any kind of federal, state or local public assistance. These protected classes <b>must</b> also be noted in the property's tenant selection plan.
<b>Tenant Selection Plan and Screening Criteria</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 4-3 thru Sec. 4-9	Owners <b>must</b> develop and make public written tenant selection policies and procedures that include descriptions of eligibility requirements and income limits for admission. <b>Fig. 4-2</b> provides a sample of a tenant selection plan. <b>Sec. 4-4 (C)</b> provides an excellent resource for components which HUD requires as part of the plan. Tenant selection plans <b>should</b> be reviewed at least annually to ensure that they reflect current practices, program priorities, and HUD requirements. HUD or a Sec. 8 Contract Administrator <b>does not approve</b> tenant selection plans except in certain circumstances, but if staff become aware of a failure to comply with applicable requirements or violates HUD regulations, the owner will be required to modify the plan accordingly. <b>NOTE:</b> The tenant selection plan and screening criteria <b>must</b> also include notation of protected classes as required by Maine State Law, which include sexual orientation, ancestry, and the receipt of any kind of federal, state or local public assistance.

DOCUMENT or ISSUE	CITATION or SOURCE	COMMENTS
<b>Waiting Lists</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 4-13 thru Sec. 4-23	<b>Sections 4-13</b> through <b>Section 4-23</b> provide detailed waiting list management guidelines. The tenant selection plan <b>must</b> describe how the waiting list is maintained (see <b>Tenant Selection Plan and Screening Criteria</b> of this document for additional guidance). The waiting list <b>must</b> include date and time the applicant submitted the application, the name of head of household, annual income level or other income targeting information, need for an accessible unit include specific accessibility features, preference status (if any), and unit size. Whenever a change is made in the waiting list, an action is taken or an activity specific to an applicant occurs, a notation <b>must</b> be made on the waiting list. Upon receipt of an application, the owner <b>must</b> either process the applicant for admission, place the applicant on the waiting list or, based on a preliminary eligibility determination, or reject the applicant. <b>NOTE: See Sec. 4-16 (B)</b> for opening and closing the waiting list.
<b>Extremely Low-Income Targeting (40% at 30% AMI)</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 4-5 and HUD Notice H00-18 (QHWRA) Sec. V	Required per HUD H00-18 dated March 29, 2000. The owner <b>must</b> lease not less than 40% of the units that are assisted under the contract that become available for occupancy in any project <b>fiscal year</b> to extremely low-income families (30% AMI). The methodology for income-targeting <b>must</b> be described in the tenant selection plan. Such income-targeting <b>must</b> also be reflected on the property's waiting list. For information and guidance about income limit exceptions, see <b>Sec. 3-7</b> .
<b>Reasonable Accommodation Requests</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 2-38	Owners <b>must</b> consider requests for reasonable accommodations from applicants and tenants with disabilities and <b>must</b> make reasonable adjustments to their rules, policies, practices and procedures in order to enable an applicant or resident with a disability to have an equal opportunity to use and enjoy the unit and the common areas of a dwelling, or to participate in or have access to other activities conducted or sponsored by the owner. Owners have an obligation to provide prompt responses to reasonable accommodations requests. All requests for accommodations and responses should be in writing and contained in the tenant files. See <b>Chapter 2, Subsection 4: Reasonable Accommodations</b> for details regarding requirements. <b>NOTE:</b> Effective June 29, 2007 with the release of <b>Change 2, Sec. 2-33 (C)</b> requires that if a tenant household is being moved to a different unit as a reasonable accommodation to a household member's disability, then the owner <b>must</b> pay for the move unless doing so would constitute an undue financial and administrative burden.

DOCUMENT or ISSUE	CITATION or SOURCE	COMMENTS
<p><b>Improving Access to Services for Persons with Limited English Proficiency (LEP)</b></p>	<p>HUD Handbook 4350.3, REV-1, Chg. 4, 2-9 (C) and “Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons” published in the Federal Registry on January 22, 2007</p>	<p>Executive Order 13166, August 11, 2000 <b>requires</b> Federal agencies and grantees to take affirmative steps to communicate with persons who need services or information in a language other than English. Housing owners <b>must</b> take reasonable steps to ensure meaningful access to the information and services they provide for persons with LEP. This may include interpreter services and/or written materials translated into other languages.</p>
<p><b>Elderly Restriction at RHS Section 515/8 Projects</b></p>	<p>HUD Handbook 4350.3, REV-1, Chg. 4, Sec. 3-18(A)(12) and Fig. 3-6</p>	<p>Owners of RHS Section 515/8 projects designated as elderly are limited to housing elderly persons or persons with disabilities meeting Definitions A, D or E in <b>Fig. 3-6</b>. Age restrictions <b>cannot</b> be waived at these projects. If there are an insufficient number of eligible applicants and the owner wishes to house persons who do not meet the elderly or disabled eligibility requirements in <b>Figure 3-6</b>, the owner <b>must</b> request RHS to reclassify the project designation from elderly to family. In cases where RHS has determined there is no longer a demand for the elderly units in the community where the project is located and changes the project designation to family, HUD or the Contract Administrator <b>should</b> consult with Legal Counsel to determine if there is a need to amend the assistance contract.</p>

DOCUMENT or ISSUE	CITATION or SOURCE	COMMENTS
<b>Occupancy Standards</b>	HUD Handbook 4350.3, REV-1, Chg. 4, Section 3-23 and Federal Register Notice dated December 18, 1998 “Fair Housing Enforcement – Occupancy Standards Statement of Policy; Notice”	Owners <b>must</b> develop and follow occupancy standards that take into account the size and number of bedrooms needed based on the number of people in the family. Occupancy standards must be part of an owner’s tenant selection procedures. Owners do have discretion in developing specific occupancy standards for the property as long as the standards do not violate fair housing requirements or contain prohibited policies and comply with: Federal, State, and local fair housing and civil rights laws; tenant-landlord laws; zoning restrictions; and HUD’s Equal Opportunity and nondiscrimination requirements under HUD’s administrative procedures. <b>Sections 3-23 (E), (F), and (G)</b> specifically address issues regarding general standards, instances where a family requests a unit smaller unit than dictated by the occupancy standards, or when an owner elects to assign a family to a unit larger than required. These occupancy standards serve to prevent either over- or under-utilization of units that can result in an inefficient use of housing assistance and to ensure all tenants are treated fairly, consistently and receive adequate housing space.
<b>Previous Participation Certification</b>	24 CFR 200.210 to 200.245, HUD Handbook 4065.1, and form HUD-2530 (5/2001)	The <b>Previous Participation Certification, Form HUD-2530</b> provides HUD with a certified report of all previous participation in HUD multifamily projects by those making application and <b>must</b> be completed and signed by all parties applying to become principal participants in HUD multi-family projects. Principals include all individuals, joint ventures, partnerships, corporations, trusts, non-profit organizations, any other public or private entity that will participate in the property as a sponsor, owner, primary contractor, turnkey developer, managing agent or consultant. This form is not only to be completed at the time of the inception or creation of a new property, <b>but also when there is a change in any of the principals.</b> The information provided is used by HUD to determine if the applicants meet the standards established to ensure that all principal participants in the project will honor their legal, financial and contractual obligations and are acceptable risks from the underwriting standpoint of an insurer, lender or government agency. <b>NOTE:</b> HUD recommends, but does not require that any future submissions of this form be done electronically through the <b>Active Partners Performance System (APPS)</b> via the internet. On June 15, 2007, President George W. Bush signed into law an immediate suspension of the electronic filing requirements for this form. Although use of the electronic APPS is not required, it is suggested by HUD for an audit and update trail. When changes in principal participants as identified above occur, the original of the form must be submitted to the HUD Office where the project application is to be or has been submitted. Additional completion and filing instructions are provided with the form. Any questions regarding the form or how to complete it can be answered by your HUD Office Multifamily Housing Representative. The Previous Participation Certification can be downloaded at <a href="http://portal.hud.gov/hudportal/documents/huddoc?id=2530.pdf">http://portal.hud.gov/hudportal/documents/huddoc?id=2530.pdf</a> .