5. Rehabilitation Documentation
HOUSING REHABILITATION POLICY AND PROCEDURAL
MANUAL FOR SMALL CITIES PROGRAM

PREPARED FOR:
COUNTY OF WARREN HOUSING PROGRAM

SUBMITTED:
NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

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AMENDED: JULY 2009
AMENDED: JULY 2010
AMENDED: JULY 2011
AMENDED: JULY 2012
AMENDED: DECEMBER 2012
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INTRODUCTION

A procedure manual (including definition of terms and forms), has been prepared to assist in the administration of the Warren County Affordable Housing Support Fund Rehabilitation Program, funded under the Small Cities Community Development Block Grant. It will serve as a guide to program staff in conjunction with the New Jersey Department of Community Affairs and the U.S. Department of Housing and Urban Development publications.

The manual discusses basic content and operation of the program by examining basic program purpose, program guidelines, and a framework for implementation of the program. It has been prepared with a flexible format, allowing for a periodic update of its sections, when required, due to revisions in regulations and/or procedures.

Further procedural assistance may be received by directing specific questions and problems to the program’s New Jersey Department of Community Affairs representative in Trenton.

Lastly, the procedural guide is to be utilized for the processing of rehabilitation cases and is not a standard applied or to be applied in the administration of any prior grant assistance. Small Cities funds will be utilized for rehabilitation improvements. Technical assistance will be provided to identify property improvement needs and financing for addressing those needs.
REHABILITATION PROGRAM PROCEDURES I-XII

The sections which follow address eleven areas or steps in the Warren County Housing Program rehabilitation process. The areas or steps have been identified by the New Jersey Department of Community Affairs and are incorporated within the Small Cities Program funding agreement by and between the State and the County of Warren. Specific points are presented which describe eligible participants, benefits available, property improvements, selection procedures, administrative procedures, program staffing and job responsibilities, maintenance of records and client files and fund obligation – payout.

I. Eligible Participants: The following section of the manual describes categories of eligible participants; income limits for participation; and target area(s) to be served by the program.

a. The conditions of eligibility for receipt of loans or grants.

The affordable housing support fund strategy developed by Warren County to address housing needs of low- and moderate-income persons will provide financial and technical assistance for rehabilitation of substandard housing. Complementary funding from County and other public sources will be utilized to correct or eliminate street, storm drainage, bridge and culvert needs. The primary object of the program presented in the application and this manual, is in conformity with mandated requirements established for the State of New Jersey Small Cities Block Grant guidelines. Specific compliance may be described as follows with respect to each of the three program requirements.

1. "...the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income."

The Warren County housing rehabilitation program has been designed to address both the physical and economic needs of the housing market. In addition, other funds will be utilized to address public improvement needs or problems in target areas. The program assistance provided will eliminate conditions in dwelling units which are detrimental to health, safety and public welfare. Further, proposed rehabilitation technical assistance activities will expand the quality and quantity of community services available to the lower-income population of the County. Finally, rehabilitation of substandard housing will facilitate more rational utilization of land and arrangement of land uses. Together, these program emphases will maximize the functional development of neighborhoods and communities in the County.

2. "...give maximum feasible priority to activities which will benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight...," and

The Warren County housing rehabilitation program has been designed to exclusively benefit low- and moderate-income persons, and alleviate substandard living conditions. The program will provide rehabilitation assistance and other public funds will provide for public improvement facilities for low income persons where households who are able to meet a low and/or moderate income test and where substandard housing conditions have been identified and residents therein surveyed. Based on income and condition survey results, there is a projected need to rehabilitate structures in the target areas occupied by lower income households. Proposed program activities will address housing needs by financing rehabilitation assistance and creating a self-perpetuating
rehabilitation loan program. Further, the needs of lower income households will be addressed through the provision of affordable financing and technical assistance to eliminate unsafe or blighting living conditions. Finally, program services and assistance will reduce the isolation of lower income households by correcting for environmental conditions which result in a neighborhood being labeled or designated as blighted, deteriorated, deteriorating, or inappropriately developed.

"...the projected use of funds may also include activities... designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs."

The Warren County housing rehabilitation program has been designed to give assistance on a priority basis. Priority applicants will be selected on the basis of income, age, physical health, family size, household composition, and perhaps the most important, type of required improvements. In addition, special consideration will be given for emergencies. Structural conditions which threaten the health and/or safety of occupants will be corrected first. Included here are electrical, heating, plumbing, and structural conditions with a particular urgency. The system of prioritization will require the processing of the most critical and/or life threatening rehabilitation cases on an immediate basis throughout the period of program implementation.

b. Income Limits.

The program will utilize the following specific applicant income test for determining eligibility.

- Income shall be income from all sources received by the head of household, spouse and other household members, other than minors, included in the determination of household size. ("Minor" is a member of the household, excluding foster children, other than the family head or spouse, who is under 18 years of age or is a full-time student.) Funds contributed directly to the household expenses by family members not included in the determination of household size shall also be considered as income.

- Household size shall be determined in accordance with U.S. Department of Housing and Urban Development Section 8 Program criteria, except that household members whose total income is not included in the household income, as described above, shall not be included in the determination of household size.

c. Target Areas.

The Warren County neighborhood revitalization program has identified target area neighborhoods as appropriate for housing rehabilitation and assistance. Specific locations in the target areas and eligible municipalities for rehabilitation assistance are as follows:
Target Area
Community
Alpha
Belvidere
Blairstown
Franklin
Frelighuysen
Greenwich
Hackettstown
Hardwick
Harmony
Hope
Independence
Knowlton
Liberty
Lopatcong
Mansfield
Oxford
Phillipsburg
Pohatcong
Washington Borough
Washington Township
White

Note: Maps presented in each annual Small Cities application.

II.

Benefits available. The following section of the manual describes program financing and technical assistance available under the rehabilitation program. Information is presented concerning available subsidies; financing terms and amounts; and emergency assistance. Technical services are also defined.

a. The Terms of the loans, including interest rates, maximum amounts and periods and frequency of repayment.

The two methods of providing rehabilitation assistance through the program are summarized below:

- **Direct Assistance.** The program is available to very low-income applicants and uses Community Development Block Grant funds to make direct assistance to property owners to cover the cost of rehabilitation. The property owner will be required to execute a deferred payment loan agreement.

- **Revolving Loan Program.** The program is available to low-income applicants and uses Community Development Block Grant funds to lend to homeowners at 1 percent interest for a six – fifteen year term.

1. **Direct Assistance**

   Assistance provided in the form of non-interest bearing and deferred payment loan. Repayment of the loan shall be secured
by a mortgage and shall be made at the time of the sale or transfer of the property after rehabilitation is completed. Very low-income participation guidelines for receipt of such assistance are set forth below:

<table>
<thead>
<tr>
<th>Persons</th>
<th>Maximum Adjusted Income (Section 8 Income Criteria)</th>
<th>Assistance Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$32,450</td>
<td>Improvement</td>
</tr>
<tr>
<td>2</td>
<td>37,050</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>41,700</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>46,300</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>50,050</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>53,750</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>57,450</td>
<td></td>
</tr>
<tr>
<td>8+</td>
<td>61,150</td>
<td></td>
</tr>
</tbody>
</table>

2. **Revolving Loan Program at 1 Percent Interest**

Assistance provided under a revolving loan program. Applicant eligible to borrow an average of $10,000 at 1 percent for a 6, 10, or 15 year term depending on the applicant’s ability to repay the loan. Repayment of principal and interest shall be secured by a mortgage, repaid on a monthly basis during the term of the mortgage, or at the time of property sale or transfer if this occurs prior to repayment of the mortgage. Low-income participation guidelines for receipt of such assistance are set forth below:

<table>
<thead>
<tr>
<th>Persons</th>
<th>Maximum Adjusted Income (Section 8 Income Criteria)</th>
<th>Assistance Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$45,100</td>
<td>Improvement</td>
</tr>
<tr>
<td>2</td>
<td>51,550</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>58,000</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>64,400</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>69,600</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>74,750</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>79,900</td>
<td></td>
</tr>
<tr>
<td>8+</td>
<td>85,050</td>
<td></td>
</tr>
</tbody>
</table>

Occasionally, program staff may identify a home improvement case with excessive rehabilitation needs. If sufficient funds are available, assistance would be made available and allocated to homeowners on the basis of health, safety and socioeconomic need. Assistance would be available to homeowners provided the following conditions are evident:
Repair of items which threaten health, safety, and/or welfare of applicant, the most of which would exceed the maximum amount of assistance available per the requirements described above.

Case characteristics (socioeconomic, emergency, other) are such that additional assistance is in the best interest of both the applicant and the program.

A case must meet both criteria in order to receive additional assistance. Financing is made available as follows:

- Establishment of property lien with repayment on a 1 percent loan basis for up to 15 years, or a due-on-sale repayment basis. The selected repayment approach will be based on a staff decision and will emphasize loan affordability (ability to repay loan).

- A memorandum describing the hardship circumstance requiring the additional funding will be included in the applicant case file. All points noted in this section must be addressed in the memorandum.

b. Technical assistance which the program will provide and the manner or procedures to be followed in the implementation of the program are described below:

- Initiate advertisement and outreach program for applications for assistance with final date of application as part of the notice.

- Set up interviews and prepare applications and provide technical assistance, as may be required, to applicants. (This will likely include personal interviews, follow-up requests for missing documentation, assistance in contractor negotiations, etc.)

- Obtain all verifications necessary to determine eligibility. (Homeowner to provide verification data. Program staff to obtain judgment search and property report)

- Advise eligible applicant of status.

- Notify ineligible applicants with the reason for their ineligibility.

- Complete ownership and other locally required verifications.

- Review and rank all applicants and determine which applications may be funded with available funds.

- Set up appointment for an inspection.

- Inspect property of eligible applicants to verify the need for rehabilitation and provide a report which will be the basis upon which all contractor proposals will be submitted.

- Review work write-up with applicants and indicate when construction may start and explain again steps to be followed (contract signing, payment procedures, etc.)

- Obtain cost estimates.
o Execute applicant agreement, appropriate mortgage and related documentation, draw Community Development Block Grant funds and record approved assistance amount for each rehabilitation case.

o Transfer approved assistance funds from regular account to rehabilitation escrow account and establish account records.

o Applicant is then in construction stage and regular inspections should be made to determine status and quality of work.

o Make payments, as provided in contract, (identify contractors as payee) after progress inspection. Final payment to be made only after receipt of release of liens, warranty, contractor’s invoice voucher and final inspection by program staff and municipal inspector.

o Retain applicant’s records in closed case file.

c. The manner in which cost estimates will be developed for the rehabilitation, renovation or construction activities to be undertaken with such loans or grants.

All homeowners found eligible for program assistance will be required to submit their properties to an on-site inspection by the program administrators. Homeowners will be requested to abate all substandard conditions identified by the program inspector within a specified period of time in order to receive program assistance.

Small Cities rehabilitation funds will be utilized to address health and safety problems affecting plumbing; heating-energy; lead base paint; electrical; roof; and, structural systems. Rehabilitation needs of a lesser or secondary priority will include exterior weather proofing (siding and wall masonry repairs, exterior painting); interior improvements (plaster work, flooring, interior painting); premise repairs (driveway resurfacing, steps and railings, demolition, clearance, etc.); and, essential appliances (stoves and refrigerators).*

All construction or improvement work will be in accordance with regulations and guidelines under the New Jersey Uniform Construction Code.

d. The manner in which contractors will be selected for the construction, rehabilitation or renovation work funded in whole or in part with Small Cities funds provided through loans or grants including but not limited to, bidding procedures.

The program will be designed so as to offer and maximize employment opportunities to area residents in the construction trades. The following contractor systems are proposed in order to facilitate these objectives.

Program administrators will maintain a list of contractors for property rehabilitation work. Contractors will be identified and recruited by advertising, public meeting(s), and other resources such as County and municipal records. The list will show contractors in different areas of expertise (electrical contractors, general contractors, etc.). All contractors included on this list must show evidence of competence in their claimed area of expertise (contractors will be required to cite several examples of their recent work); must show evidence of carrying public liability insurance and must carry workmen’s compensation insurance; and, must provide affirmative action and non-collusion statements.
Plumbing and electrical contractors must be licensed, as required by local ordinances.

A contractor may be removed from the list if the program administrators find that the contractor through his own deficiency has failed on at least one occasion to meet the terms of an agreement entered into with a program participant.

The contractor information described above will be maintained in a contractor file.

e. The manner in which the program will inspect and monitor the construction, rehabilitation and renovation activities to be undertaken.

The procedures described below will provide for program inspection and monitoring relative to rehabilitation activities:

- The owner and the program shall be afforded access at all times to inspect the work and the program may, at all times, inspect the contractor's books, records, correspondence, construction drawings, receipts, vouchers, payrolls and agreements with subcontractors in relation to this contract, and the contractor shall preserve all such records for a period of two (2) years after the payment hereunder.

- As a condition to receiving payment, the contractor shall deliver to the owner a complete release of all liens arising out of this contract, and a warranty covering all work performed to the effect that such work shall be free from defects arising from the workmanship of the contractor, or subcontractor, or the quality of the material used in the work performed hereunder.

- The owner of the program, before making any payments, may require the contractor to furnish releases or receipts from any or all persons performing work and supplying materials under this contract, if this is deemed necessary to protect the owner's interests.

- The contractor shall give all notices required by and comply with all applicable laws, ordinances and codes of the local government and shall, at his own expense, accrue and pay fees or charges for all permits required for the performance of the contract work.

III. Eligible Property Improvements. Eligible rehabilitation activities, priorities, standards and ineligible improvements are described in the following section of the manual.

a. The following limitations shall apply to the assistance monies:

- Funds may be used for the purpose of covering the cost of repairs and improvements necessary to make the structure occupied by the applicant conform to Section 8 Program housing quality standards with provisions for improvements under the New Jersey Uniform Construction Code.

- Improvements initiated or completed prior to the approval of assistance as set forth herein, will not be eligible for financing under the provisions of this program.

* If the owner sells the property after improvement, appliances, purchased with grant funds must remain in the property.
Funds may not exceed the lesser of:

1. The actual and approved cost of eligible repairs and improvements.
2. The maximum amount of assistance the owner is eligible to receive.

Emergency assistance shall be available under the following procedures:

The Program Administrator shall determine that an emergency situation exists based on the following:

1. The repair problem is an immediate and serious threat to the health and safety of the building's residents;
2. The problem has been inspected and the threat verified by the appropriate local construction and/or health official; and
3. The building is owner occupied and the residents are determined to be income eligible.

All income qualified homeowners throughout the County are eligible for this assistance. Only those repairs necessary to correct the emergency situation are eligible for this priority assistance.

The recipient must abate all violations found to exist in the subject property. If the assistance is not adequate to provide for such abatement, the recipient must (1) exhibit adequate funds from supplemental sources prior to receipt of the assistance or (2) agree to abate primary violations which directly effect the health and safety of occupants of the weathertightness of the structure and to address the balance of code violations at some time in the near future and as household financing is available.

The recipient property will be reviewed for flood zone location. Properties within the 100 year flood boundary will be required to have flood insurance.

The maximum number of applicants to be assisted would not exceed fund availability, as identified in the Community Development Program budget. Applicants will be selected during the initial six months of project implementation. Application interest will be recorded for cases not selected and a program waiting list will be maintained.

Priority applicants will be selected on the basis of income. The earliest applications shall be approved first.

Priority applicants will also be selected based on need relative to applicant age, physical health, family size and composition (preference will be given to female-headed and large families), and type of required improvement to structure. In addition, special consideration will be given for emergencies.

After applicants have been selected, applications will be processed in phases and in the chronological order in which they are received, provided funds are available for assistance in the community development budget.
IV. Grantee Performance Procedures. Applicant selection, project estimating and property owner participation are described in the following sections of the manual.

a. The manner in which applications for grants or loans under the program are to be accepted, evaluated and approved or disapproved.

Applications for financial assistance under the program will be accepted as received. Each application will be provided with a case number and processed and evaluated upon receipt.

Approval and/or disapproval will be in accordance with established program criteria and process review and rating will be in accordance with the guidelines described.

Applicants will be processed until such time as funds under the Small Cities Program grant are exhausted for any particular target area neighborhood. At that time, applicants will be advised that they will only be listed on a waiting list.

b. The manner in which applications for assistance under the rehabilitation loan program are to be received and evaluated. Also, the entity who will make the final determination as to whether an application for assistance will be approved, and if so, upon what terms and conditions.

Applications for rehabilitation assistance will be received for each locality target area neighborhood and scored for the following criteria:

**SCORE ONE POINT FOR EACH APPLICABLE ITEM**

<table>
<thead>
<tr>
<th>Income is BELOW:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low Income Limits</td>
<td></td>
</tr>
<tr>
<td>Low Income Limits</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant Is and/or Has:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Large Family (5 or more members)</td>
<td></td>
</tr>
<tr>
<td>Elderly (65 years of age)</td>
<td></td>
</tr>
<tr>
<td>Handicapped</td>
<td></td>
</tr>
<tr>
<td>Female Headed Household</td>
<td></td>
</tr>
<tr>
<td>Special Social Problem</td>
<td></td>
</tr>
<tr>
<td>Explain:</td>
<td></td>
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</tbody>
</table>

| Applicant has received emergency assistance: |  |

<table>
<thead>
<tr>
<th>Property Is:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Within municipal goal</td>
<td></td>
</tr>
<tr>
<td>Target Area</td>
<td></td>
</tr>
<tr>
<td>Non-Target Area</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Improvement Necessary to Bring to Standard Condition:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Plumbing</td>
<td></td>
</tr>
<tr>
<td>Heating</td>
<td></td>
</tr>
<tr>
<td>Electrical</td>
<td></td>
</tr>
<tr>
<td>Other Structural Repairs</td>
<td></td>
</tr>
<tr>
<td>Insulation/Energy Conservation</td>
<td></td>
</tr>
<tr>
<td>Specialty Item (i.e. Lead Based Paint) Specify:</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL:**

10
A score of 15-19 points will provide for immediate treatment; a 7-14 point rating will provide for high or secondary phase treatment; and, a 1-6 point rating will result in tertiary or final phase treatment.

The final determination of approval will be provided by Housing Program staff under the direction of Housing and Community Development Services, Inc., program consultant.

c. The manner in which contractors are to be selected to perform any rehabilitation or renovation work with funds provided under the program.

Contractors will be given the opportunity to submit estimates (bids) on a phased basis. Contractors will be asked to contact the program office and ask for available specifications. Each job will have two to three estimates provided to the homeowner, who will select the low bidder for the improvement work. (An exception to this system may be utilized for emergency improvement items.) Notification will be sent to all successful bidders and an explanation of the estimate selected will be provided upon request.

The successful contractor will be notified and asked to come into the program office to sign contracts.

V. Administrative Procedures. Procedures for processing rehabilitation applications and who is responsible are described in the manual section which follows:

a. Administration described.

<table>
<thead>
<tr>
<th>Step</th>
<th>Responsible Agent*</th>
</tr>
</thead>
<tbody>
<tr>
<td>o Program Advertisement and Public Relations</td>
<td>1,2,3</td>
</tr>
<tr>
<td>- Advertise program through use of media, use of brochures, word of mouth, local municipal meetings, and housing committee member outreach.</td>
<td></td>
</tr>
<tr>
<td>- Hold contractor meeting and establish contractor list.</td>
<td>1,2,3</td>
</tr>
<tr>
<td>o Applicant Processing and Approval</td>
<td>1,2,3</td>
</tr>
<tr>
<td>- Distribute and place applications.</td>
<td></td>
</tr>
<tr>
<td>- Provide for initial interviews.</td>
<td>1,2</td>
</tr>
<tr>
<td>- Verify applicant income eligibility.</td>
<td>1,2</td>
</tr>
<tr>
<td>o Property Inspection and Costing</td>
<td>3</td>
</tr>
<tr>
<td>- Inspect property, prepare work write-ups and cost estimate.</td>
<td></td>
</tr>
<tr>
<td>- Schedule subsequent interview.</td>
<td></td>
</tr>
<tr>
<td>o Contractor Selection</td>
<td>2,3</td>
</tr>
<tr>
<td>- Obtain 3 estimates.</td>
<td></td>
</tr>
<tr>
<td>- Select contractor (homeowner).</td>
<td>2</td>
</tr>
</tbody>
</table>
- Prepare and sign contract documents.

- **Construction**
  - Authorize and begin construction
  - Provide inspection services.
  - Complete construction.
  - Complete instruction service.

- **Case Closeout**
  - Provide for recordkeeping and compliance documentation.
  - Provide for follow-up counseling, if necessary and/or close case files.
  - Make payments, as provided in contract; (identify contractor as payee) after progress inspection. Final payment to be made only after receipt of release of liens, warranty, contractor's invoice voucher and final inspection by program staff and municipal inspector.
  - Retain applicant's records in closed case file; should questions arise in the future. The following basic documentation should be part of the permanent case file:
    - Rehabilitation Assistance Application
    - Income verification and Related Data
    - Inspection Report and Related Data
    - Application Tabulation
    - Ownership Verification
    - Contractor Proposals
    - Contract and Change Orders, if applicable
    - Construction Inspection Reports
    - Contractor's Invoice, Release of Liens and Warranty
    - Voucher(s)
    - Payment and Account Records

- During the rehabilitation program application and construction stages, the property owner should be given copies of the following for his/her permanent household records:
  - Rehabilitation Assistance Application
  - Work Write-Up
  - Signed Contract and Change Orders, if applicable
  - Contractor's Invoice, Release of Liens and Warranty
VI. Program staffing and job responsibilities for each person who works in the program.

See job descriptions which follow.

REHABILITATION PROGRAM ADMINISTRATOR

The Rehabilitation Program Administrator will provide for the day-to-day operation of the Warren County Home Improvement Program.

RESPONSIBILITIES AND DUTIES

The Rehabilitation Program Administrator will administer the Home Improvement Program at the direction of, and will be responsible to, Housing and Community Development Services, Inc. The specific responsibilities and duties of the Rehabilitation Program Administrator are as follows:

1. Administration of all Home Improvement project activities.
2. Management of program procedures, including recordkeeping, filing and accounting requirements.
3. Advice/counseling to applicants on purpose of loan program.
4. Collection of pertinent application data and preparation of recommendations for presentation to the Board of Chosen Freeholders and/or the Housing Committee.
5. Liaison with Board of Chosen Freeholders and attendance at all required meetings.
7. Liaison with private lending institutions on behalf of low interest loan applicants.
8. Liaison with program participating municipalities on behalf of selected applicants.
9. Liaison with County departments.
10. Preparation of program summary and final reports.
11. Provision of such other services as may be required in connection with the administration of the county’s approved Housing and Community Development Program and/or which the County may direct.
HOUSING INSPECTOR

The Housing Inspector will assist the Home Improvement Program staff and provide data necessary to prepare work write-ups, specifications, and unit inspections.

RESPONSIBILITIES AND DUTIES

The Housing Inspector will assist the Housing Program staff at the direction of, and will be responsible to, Housing and Community Development Services, Inc.

The specific responsibilities and duties of the Housing Inspector are as follows:

1. Coordination with the Housing Program staff in the administration of all housing and project activities.
2. Performance of property inspections.
3. Preparation of work write-ups and cost estimates for inspected properties.
4. Provision of such other services as may be required in connection with the administration of the County’s approved program which the County may direct.

ADMINISTRATIVE ASSISTANT

The Administrative Assistant will assist the Home Improvement Program staff, as well as perform general administrative and secretarial functions.

RESPONSIBILITIES AND DUTIES

The Administrative Assistant will assist the Housing Program staff at the direction of, and will be responsible to, Housing and Community Development Services, Inc.

The specific responsibilities and duties of the Administrative Assistant are as follows:

1. Typing of correspondence, forms, work write-ups and cost estimates, etc., for the Home Improvement Program staff.
2. Management of program books accounting, and filing requirements, as directed by program staff.
3. Provision of such other services as may be required in connection with the administration of the County’s approved Home Improvement Program and/or which may be directed by the County.

VII. Maintenance of Records and Client Files.

Program records shall be maintained in the Warren County Housing Program Office (415B Front Street, Belvidere, New Jersey 07823 and shall include individual case files and supporting documentation as required by Small Cities Regulations. Case files should include all applicable forms presented in the Forms section of the rehabilitation manual.

a. The manner in which the program will ensure the repayment of the loans provided through appropriate security devices. In providing for the execution of such security devices, the procedures shall provide appropriate means by which the program can ensure that the value of the property being provided as security for the repayment of any loan is equal to or greater than the amount of the loan provided.
The County of Warren Housing Program staff will require the execution of Title Affidavit, Mortgage Note and Mortgage Documents for rehabilitation assistance provided under the Small Cities Program.

Further, each assistance case will be subject to a title search preparation to identify outstanding indebtedness on the case property. The County of Warren Housing Program Staff will not provide financing in those instances where the value of a property or the value of the property without indebtedness is less than the amount of proposed assistance.

b. The manner in which the program will insure payment in full of the loan will be received, should the borrower sell his residence or commercial property prior to the final payment as scheduled.

The County of Warren Housing Program will secure all financing assistance repayments by execution of an Affidavit of Title; a Mortgage Note; and, a Mortgage. Documentation will be recorded with the Warren County Clerk's Office.

c. The manner in which the program will ensure the value of any real or personal property being provided to secure the repayment of any loan made under the program be equal to or greater than the amount of any such loan.

The Small Cities Housing Program staff will provide for the processing of each rehabilitation case with a title search analysis to determine property value available to secure repayment of program assistance monies. Further, each applicant case will be required to execute an Affidavit of Title assuring the program of no recent indebtedness on the property in the past 6 months.

Housing Program staff will permit other than a primary mortgage position under the program for the County of Warren.

VIII. Program Marketing Strategy.

a. The manner in which the program will advertise and otherwise disseminate information as to the availability of loans and grants.

The advertisement for program participation and the dissemination of program information as to the availability of loans and grants will be on a target area neighborhood basis.

Measures will include the provision of door-to-door material on the project and funding availability, and the announcement of a local community meeting with Housing Program staff and members of the Governing Body for each target area municipality.

The municipal target area public meetings will be conducted for the purpose of program explanation and will distribute preapplication forms.

IX. Instructions about How Funds are Obligated and Paid Out by the County.

a. The manner in which the disbursement of loan or grant funds and the payment for work performed by such contractors is to be made on a periodic, rather than on an advance, lump-sum, basis as the work is completed to the satisfaction of both an appropriate municipal official and the owner of the property being rehabilitated or renovated.
Construction work should be started within 30 days of contract and completed within 60 days after that (weather permitting).

Contractors will be paid in a minimum of two stages.

- Upon completion of 50 percent of the work – 40 percent of the contract price.
- Upon completion of 100 percent of the work – the remainder of the contract price.

A certificate of final inspection will be signed by the homeowner and the program administrators (property inspector).

All amounts due and payable by the owner to the contractor for the work performed under this agreement shall be payable within thirty (30) days after the work is satisfactorily completed and approved by the owner and Housing Program staff. The owner may withhold its approval of such work if the program refuses to give its approval thereof.

b. The establishment of a revolving loan fund to be created with the repayments of the loans.

In November 1982, the Warren county board of Chosen Freeholders established the procedures and policy for a housing program rehabilitation trust fund. The fund has received loan principal and interest repayment monies since that time and in accordance with the following loan repayment guidelines.

- Monies may be used for any eligible Community Development Block Grant activity which the Board of Chosen Freeholders identifies and approves. This includes the following activities:
  - Rehabilitation assistance for dwelling units owned and occupied by lower income households, program administration and management or planning. Essentially, assistance will be used to eliminate code and incipient code violations for households in specified areas and meeting income and other policy criteria.
  - Acquisition of previously rehabilitation properties with foreclosure status for the purpose of maintaining affordable housing opportunities in the County.

- Revolving loan fund distribution:
  - The funds are and will be administered by the County of Warren and its agents. The county Treasurer/Chief Financial Officer has established a rehabilitation trust fund and is responsible for the financial security of that account. The housing program staff as supplied by the County monitor the loan fund and process applicants with assistance from that fund.
  - Decisions with respect to the distribution of funds will be made by housing program staff employed by the County of Warren and the Board of Chosen Freeholders.
  - The geographic area in which the revolving loan fund will operate includes all residential areas in the County of Warren.
- The administrative costs for the fund are provided through current housing program grants received by the Freeholder Director and Board of Chosen Freeholders of the County of Warren. This has included continuing funding under the Small Cities Program. At such time as these resources are not available, the County most likely would need to utilize a portion of the revolving loan fund to cover administrative charges.

- Unobligated monies are maintained in the County Treasurer/Chief Financial Officer Housing Rehabilitation Trust Fund. This is an interest-bearing account. Generally, monies are turned around and applied to new cases within a short time of repayment thereby reducing the actual return on investment.

- Any proposed changes in the use of funding must be undertaken with the approval of both the New Jersey Department of Community Affairs’ State of New Jersey and the County of Warren Freeholder Director and Board of Chosen Freeholders as the public housing agency.

0. Affordable Housing Program Guidelines:

- Prior to property acquisition, the housing program staff will obtain property appraisal and title search documentation in order to determine acquisition feasibility.

- Properties acquired through foreclosure proceedings shall be made available to Self Sufficiency Program households under the US Department of Housing and Urban Development Voucher Choice Program. A contractual agreement or lease-purchase mortgage will be executed between an income eligible tenant and the County of Warren. The County Treasurer will agree to credit a portion of the monthly rental toward a down payment and convey title to the property to the tenant after a specified period of time for an agreed upon sale price.

- Acquired property must meet local codes/standards or must be free of safety and health hazards prior to occupancy or within 6 months of property transfer, whichever is sooner.

- Acquired property will be subject to resale or recapture provisions in order to address program affordability requirements. All of the Warren County investment in the property and the assistance to the buyer must be recaptured at the time of property sale.

- Voucher Choice Self Sufficiency Program clients will be provided with a detailed analysis of the household ability to afford the purchase of the dwelling. The affordability analysis will consider income, liabilities, and available funds, along with lease-purchase terms and conditions.

The housing program will allow the following homeownership expenses:

Principal and interest on initial mortgage debt, any refinancing of such debt, any mortgage insurance premium incurred to finance the purchase of the home, real estate taxes and public assessments on the home, home insurance, an allowance for maintenance expenses and the cost of major repairs and replacements (these amounts will be determined on a case-by-case basis), the Warren County utilities allowances for the home, principal and interest on mortgage debt incurred to finance the costs of major repairs, replacements or improvements for the home.
(1) All applicants for the homeownership vouchers must be participants in good standing with the Section 8 Housing Choice Voucher Program and have a good credit history.

(2) Program participants must also have established an Escrow/Savings account with a current balance not less than $1,000.

(3) Applicants for the Voucher Choice Homeownership Program must have gross annual income of at least $25,000 to be eligible for the Homeownership voucher.

(4) Homeownership participants (head of household or spouse) will be required to complete a pre-homeownership counseling. All costs for the homeownership counseling will be paid by the Warren County Housing Program.

(5) The Housing Program will conduct annual Housing Quality Standards evaluations of all homes that are purchased through the homeownership voucher choice program. These evaluations will enable the program to assess the conditions of the homes and to provide any counseling or training that may be needed to sustain the homeownership opportunity for participating families.

- Housing program staff will monitor loan repayment information reported by data processing and will follow-up on applicants failing to maintain repayment schedules. At this time, the largest loan was made for the moderate rehabilitation program. Loan repayment funds are to be automatically paid from the monthly rental subsidy contract which is in effect for 15 years. In all rehabilitation loan cases, staff will be guided by contract, not and coupon specifications.

X. Complaint Processing. The Warren County Housing Rehabilitation Program will establish a Complaint Review Committee to consider issues raised by program applicants and participants, including both homeowners and contractors. The Complaint Review Committee will be comprised of three members of the Warren County Housing Committee and the Fair Housing Officer or, an alternate member assigned by each. Complaints must be submitted in writing to the Fair Housing Officer and should describe the problem in sufficient detail for the Committee to review the case. A response will be provided to the complaint within 15 working days and will establish the procedures to be followed to resolve the issues raised.

In the event there arises a dispute regarding program guidelines or policy, payment, construction or contractual matters, the disputes shall be resolved in accordance with the following procedure:

1. The housing rehabilitation program administrators shall attempt to negotiate any dispute and establish a settlement which is acceptable to the owner, the contractor, and the County.

2. In the event the dispute cannot be negotiated, the housing rehabilitation program administrators shall complete a detailed report describing the issues and their recommendation for resolution of the dispute. The report shall be submitted to the Complaint Review Committee (CRC). If the dispute is resolved with the assistance of the CRC in accordance with the administration recommendation or other acceptable manner, the resolution shall be duly memorialized and no further action will be
required. In the event the dispute cannot be resolved, the matter will be submitted to arbitration as set forth below.

3. In the event the dispute cannot be resolved through negotiation, the matter shall be submitted to binding arbitration before a neutral third party, preferably an established arbitration service. In the event arbitration is required, the following procedure shall apply:
   a. The arbitrator shall schedule a hearing for the matter in a timely manner.
   b. Parties to the dispute and their representatives may attend the arbitration hearing.
   c. Written and oral arguments and statements may be presented at the hearing.
   d. Based upon the information presented at the hearing, the arbitrator shall determine the manner or resolution of the dispute.

XI. What is 40 CFR Part 745 – Lead, Renovation, Repair, and Painting Program Final Rule and What Is the Lead-Based Paint Renovation, Repair and Painting Program (RRP)?

1. The Lead-Based Paint Renovation, Repair and Painting Program is a federal regulatory program affecting contractors, property managers, and others who disturb painted surfaces.

2. It applies to residential houses, apartments, and child-occupied facilities such as schools and day-care centers built before 1978.

3. It includes pre-renovation education requirements as well as training, certification, and work practice requirements.

3.1 Pre-renovation education requirements are effective now:
   3.1.1 Contractors, property managers, and others who perform renovations for compensation in residential houses, apartments, and child-occupied facilities built before 1978 are required to distribute a lead pamphlet before starting renovation work.

3.2 Training, certification, and work practice requirements become effective April 22, 2010:
   3.2.1 Firms are required to be certified, their employees must be trained in use of lead-safe work practices, and lead-safe work practices that minimize occupants' exposure to lead hazards must be followed.

4. Renovation is broadly defined as any activity that disturbs painted surfaces and includes most repair, remodeling, and maintenance activities, including window replacement.

5. The program includes requirements implementing both Section 402(c) and 406(b) of the Toxic Substances Control Act (TSCA). [www.epa.gov/lead/pubs/titleten.html]

6. EPA's lead regulations can be found at 40 CFR Part 745, Subpart E.

What Happens if the Agency Discovers a Violation? (reprinted directly from EPA-Small Entity Compliance guide to Renovate Right 12/08)
EPA uses a variety of methods to determine whether businesses are complying, including inspecting work sites, reviewing records and reports, and responding to citizen tips and complaints. Under TSCA, EPA (or a state, if this program has been delegated to it) may file an enforcement action against violators seeking penalties of up to $32,500 per violation, per day. The proposed penalty in a given case will depend on many factors, including the number, length, and severity of the violations, the economic benefit obtained by the violator, and its ability to pay. EPA has policies in place to ensure penalties are calculated fairly. These policies are available to the public. In addition, any company charged with a violation has the right to contest EPA's allegations and proposed penalty before an impartial judge or jury.

What Are the Recordkeeping Requirements?

1. All documents must be retained for three years following the completion of a renovation.

2. Records that must be retained include:
   2.1 Reports certifying that lead-based paint is not present.
   2.2 Records relating to the distribution of the lead pamphlet.
   2.3 Any signed and dated statements received from owner-occupants documenting that the requirements do not apply (i.e. there is no child under age 6 or no pregnant woman who resides at the home, and it is not a child-occupied facility).

3. Documentation of compliance with the requirements of the Lead-Based Paint Renovation, Repair, and Painting Program require but is not limited to; copies of supervisors certification and training of workers in 7 work practices, posting of warning signage, cleaning verification, dust sampling, etc., (EPA has prepared a sample form that is available at www.epa.gov/lead/pubs/samplechecklist.pdf).

What Does the Program Require?

Pre-Renovation Education Requirements – Effective Now.

1. In housing, you must:
   1.1 Distribute EPA’s lead pamphlet to the owner and occupants before renovation starts.

2. In a child-occupied facility, you must:
   2.1 Distribute the lead pamphlet to the owner of the building or an adult representative of the child-occupied facility before the renovation starts.

3. For work in common areas of multi-family housing or child-occupied facilities, you must:
   3.1 Distribute renovation notices to tenants or parents/guardians of the children attending the child-occupied facility. Or you must post informational signs about the renovation or repair job.

4. Informational signs must:
   4.1 Be posted where they will be seen;
4.2 Describe the nature, locations, and dates of the renovation; and

4.3 Be accompanied by the lead pamphlet or by information on how parents and guardians can get a free copy (see page 31 for information on obtaining copies).

5. Obtain confirmation of receipt of the lead pamphlet (see page 23) from the owner, adult representative, or occupants (as applicable), or a certificate of mailing from the post office.

6. Retain records for three years.

*Note: Pre-renovation education requirements do not apply to emergency renovations. Emergency renovations include interim controls performed in response to a resident child with an elevated blood-lead level.

Training, Certification, and Work Practice Requirements – Effective after April 22, 2010:

1. Firms must be certified.

2. Renovators and workers must be trained.

3. Lead-safe work practices must be followed. Examples of these practices include:
   3.1 Work-area containment to prevent dust and debris from leaving the work area.
   3.2 Prohibition of certain work practices like open-flame burning and the use of power tools without HEPA exhaust control.
   3.3 Thorough clean up followed by a verification procedure to minimize exposure to lead-based paint hazards.

4. The training, certification, and work practice requirements do not apply where the firm obtained a signed statement from the owner that all of the following are met:
   4.1 The renovation will occur in the owner’s residence;
   4.2 No child under age 6 resides there;
   4.3 No woman who is pregnant resides there;
   4.4 The housing is not a child-occupied facility; and
   4.5 The owner acknowledges that the renovation firm will not be required to use the work practices contained in the rule.

What Are the Responsibilities of a Certified Firm?

Firms performing renovations must ensure that:

1. All individuals performing activities that disturb painted surfaces on behalf of the firm are either certified renovators or have been trained by a certified renovator and the firm must maintain documentation to such training.

2. A certified renovator is assigned to each renovation and performs all of the certified renovator responsibilities.
3. All renovations performed by the firm are performed in accordance with the work practice standards of the Lead-Based Paint Renovation, Repair, and Painting Program.

4. Pre-renovation education requirements of the Lead-Based Paint Renovation, Repair, and Painting Program are performed.

5. The program’s recordkeeping requirements are met.

What Are the Responsibilities of a Certified Renovator?

Certified renovators are responsible for ensuring overall compliance with the Lead-Based Paint Renovation, Repair, and Painting Program’s requirements for lead-safe work practices at renovations they are assigned. A certified renovator

1. Must use a test kit acceptable to EPA, when requested by the party contracting for renovation services, to determine whether components to be affected by the renovation contain lead-based paint (EPA will announce which test kits are acceptable prior to April 2010. Please check our Web Site at www.epa.gov/ead).

2. Must provide on-the-job training to workers on the work practices they will be using in performing their assigned tasks and document such training.

3. Must be physically present at the work site when warning signs are posted, while the work-area containment is being established, and while the work-area cleaning is performed.

4. Must regularly direct work being performed by other individuals to ensure that the work practices are being followed, including maintaining the integrity of the containment barriers and ensuring that dust or debris does not spread beyond the work area.

5. Must be available, either on-site or by telephone, at all times renovations are being conducted.

6. Must perform project cleaning verification.

7. Must have with them the work site copies of their initial course completion certificate and their most recent refresher course completion certificate.

8. Must prepare required records.

Lead hazard Reduction Methods

Lead Hazard Reduction methods are the specific types of treatments to control lead-based paint hazards. The method of Lead Hazard Reduction required is determined by the type of housing activity being undertaken. There are two Lead Hazard Reduction methods: abatement and interim controls. These method are discussed below and consolidated into a summary table of reduction methods.

1. Abatement

   Abatement is a Lead Hazard Reduction method that is designed to permanently eliminate lead-based paint or lead-based paint hazards. Permanent is defined as having 20 year expected life. Abatement must be performed by certified abatement workers who successfully completed an EPA accredited abatement worker course and supervised by an abatement supervisor certified under a State program authorized by EPA, or by EPA. Abatement activities include:
2. **Interim Controls.**

Interim controls are Lead Hazard Reduction activities that temporarily reduce exposure to lead-based paint hazards through repairs, painting, maintenance, special cleaning, occupant protection measures, clearance, and education programs. A person performing paint stabilization, interim controls, or standard treatments must be trained in accordance with OSHA Hazard Communication requirements (29 CFR 1926.50) and must be supervised by a certified lead-based paint abatement supervisor, or must have successfully completed a HUD-approved training course. Interim control methods require **safe work practices** and include:

- **Paint stabilization.** Repair any physical defect in the substrate of a painted surface that is causing paint deterioration, remove loose paint and other material from the surface to be treated, and apply a new protective coating or paint.

- **Treatment for friction and impact surfaces.** Correct the conditions that create friction or impact with surfaces with lead-based paint.

- **Treatment for chewable surfaces.** If a child under age six has chewed surfaces known or presumed to contain lead-based paint, these surfaces must be enclosed or coated so they are impenetrable.

- **Lead-contaminated dust control.** All rough, pitted or porous horizontal surfaces must be covered with a smooth, cleanable covering. Carpets must be vacuumed on both sides using HEPA vacuums or equivalent.

- **Lead-contaminated soil control.** If bare soil is lead-contaminated, impermanent surface coverings such as gravel, bark, and sod, as well as land use controls such as fencing, landscaping, and warning signs may be used.

3. **Standard Treatments.**

Standard treatments may be conducted in lieu of a risk assessment and interim controls. Standard treatments are designed to reduce all lead-based paint hazards in a unit. Standard treatments must be performed on all applicable surfaces, including bare soil, to control lead-based paint hazards that may be present. All standard treatment methods must follow **safe work practices.** Standard treatments consist of a full set of treatments that include:

- Paint stabilization
- Creating smooth and cleanable horizontal surfaces
- Correcting dust-generating conditions
- Addressing bare residential soil

XII. Copies of all forms and agreements, including application, income verification, case log, form letters, grants, inspection forms, etc. are described in the Forms section.
Dear Colleague:

This letter clarifies the Title X requirements for rehabilitation and lead hazard reduction in property receiving up to $25,000 per unit in Federal rehabilitation assistance under regulations issued by the Department of Housing and Urban Development (HUD). This letter also clarifies the definition of “abatement” under regulations issued by the Environmental Protection Agency (EPA) and HUD. Both agencies issued their regulations under the authority of Title X of the 1992 Housing and Community Development Act, which amended the Toxic Substances Control Act. EPA and HUD are working together to ensure that these two regulations complement each other to ensure that children are protected from lead-based paint hazards.

EPA is authorized to set minimal standards for all lead-based paint abatements, inspections, and risk assessments. This includes establishing training and certification requirements and work practice standards for individuals and firms engaged in those activities, and developing hazard standards. While EPA regulations do not mandate abatement, they require that whenever abatement activities occur by design, they be performed by certified personnel. EPA also authorizes states and tribes to operate their own training and certification programs to address inspections, risk assessments, and abatement if they demonstrate that they are at least as protective as the EPA program and provide for adequate enforcement. Because authorized state and tribal programs may differ from the EPA training and certification program, individuals and firms working in these areas must check with the authorized state or tribe to ensure compliance with those requirements. Local jurisdictions may also have requirements for lead hazard control.

HUD is authorized to require lead-based paint hazard control measures in federally-assisted housing, community development, and loan guarantee programs, and to provide grants to address lead-based paint hazards in low-income, privately-owned dwelling units. HUD’s Lead Safe Housing Rule, also issued under the authority of Title X, requires that each recipient of Federal rehabilitation assistance less than $25,000 per unit must reduce lead-based paint hazards, through either interim controls or, if desired, abatement (this does not include public housing authorities conducting modernization). With limited exception, recipients conducting Federally assisted rehabilitation of more than $25,000 per unit must abate lead-based paint hazards.

Pursuant to Title X, both EPA’s and HUD’s regulations define abatement generally as any measure or set of measures designed to permanently eliminate lead-based paint hazards, including occupant protection and safe work practices. Whenever activities intended to permanently eliminate lead hazards are being conducted, EPA and HUD consider such activities
to be abatement. Under HUD's Lead Safe Housing Rule, intention to conduct abatement would, in virtually all circumstances, be established when HUD regulations require abatement, when
abatement is specified in work specifications, job write-ups, cost allocation, or similar
documents, or when abatement is expressly ordered by a responsible state or local agency or
court order. HUD regulations require abatement during modernization of conventional pre-
1978 family public housing developments (regardless of funding level), conversions, and for
housing rehabilitation programs funded through the HUD Office of Community Planning and
Development when Federal rehabilitation assistance exceeds $25,000 per unit.

EPA's regulations at 40 CFR Part 745.223 exclude from abatement "renovation,
remodeling, landscaping or other activities, when such activities are not designed to
permanently eliminate lead-based paint hazards, but, instead, are designed to repair, restore, or
remodel a given structure or dwelling, even though these activities may incidentally result in a
reduction or elimination of lead-based paint hazards" (emphasis added). When the primary
purpose of work is rehabilitation or weatherization, EPA and HUD do not consider such
activities to be abatement. The presence of a lead inspection or risk assessment report or the
presumption of the presence of lead-based paint does not trigger federal abatement requirements
or automatically change a housing rehabilitation project into an abatement project. Similarly,
the use of specific work practices, such as window replacement, does not by itself change a
rehabilitation project into an abatement project. On the other hand, even if a housing unit’s
Federal rehabilitation assistance is less than $25,000, activities expressly intended to
permanently eliminate lead hazards are considered abatement. For example, if a cost allocation
document subtracts the cost of window replacement from the hard cost of rehabilitation as a
lead-based paint hazard reduction measure, the window removal is considered to be abatement.
Any other building component replacement, enclosure, or encapsulation measure intended to
permanently eliminate a lead-based paint hazard, particularly as documented in regulation,
project specifications, cost allocation document, or court or agency order is abatement.

For paint repair and rehabilitation activities in properties receiving less than $25,000 in
federal rehabilitation assistance, HUD regulations require occupant protection, the use of
workers trained in lead-safe work practices and clearance testing whenever more than de
minimis amounts of paint are disturbed. Occupant protection is a required element of all
federally-assisted rehabilitation projects covered under Subpart J of the HUD regulation,
regardless of funding level, because occupant protection is a requirement under lead-safe work
practices (see 24 CFR 35.1350(b) and 24 CFR 35.1345). While EPA does not currently regulate
remodeling or renovation activities, both EPA and HUD support the use of lead-safe work
practices for all rehabilitation and paint repair activities involving surfaces that may contain
lead-based paint. HUD has adapted EPA’s one-day training courses to address the requirements
of HUD’s Lead Safe Housing Rule and HUD is working to make its courses widely available
for those subject to HUD’s rule (see www.hud.gov/offices/lead for a schedule of course
offerings).

HUD will enforce its requirements. Those who believe HUD's lead-based paint
regulations are being violated should send a written complaint and supporting documentation to:

John P. Kennedy  
Associate General Counsel for Finance and Regulatory Enforcement  
U. S. Department of Housing and Urban Development  
451 Seventh St., SW  
Washington, DC 20410

When fully implemented, these requirements will help to ensure that every child living in federally-assisted housing will have a lead-safe home.

William H. Sanders, III, Director  
Office of Pollution Prevention and Toxics  
U.S. Environmental Protection Agency

David E. Jacobs, Director  
Office of Healthy Homes and Lead Hazard Control  
U.S. Department of Housing and Urban Development
ATTACHMENT

HUD > Program Offices > Healthy Homes and Lead Hazard Control > Enforcement > Summary of Lead-s:

Lead-safe Housing Rule Requirements

The Lead Safe Housing Rule (LSHR) applies to all federally-assisted housing. Depending on the nature of work and the dollar amount of federal investment in the property, certain requirements must be complied with in handling lead-based paint. **HUD and EPA issued a joint statement** in 2001 that clarified the requirements of Title X for rehabilitation and lead abatement in federally-assisted properties.

In summary, as it relates to recipients under Subpart J, if a project exceeds $25,000 in federal rehab assistance, abatement is required (and the use of a certified abatement contractor is also required). If a project receives less than $25,000 in federal rehab assistance, activities *intended* to permanently eliminate lead paint hazards, as documented in regulation, project specifications, cost allocation documents, or court or agency orders, are considered abatement and require the use of certified abatement contractors. Weatherization and rehabilitation activities are not automatically considered abatement. More information on EPA's requirements under the Renovation, Repair and Painting Rule is available at [OHHLHC's RRP Website](#).

Refer to the [LSHR Overview](#) document for additional information.

Note: Clearance is always required after abatement, interim controls, paint stabilization, or standard treatments unless the area is below de minimis levels.

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<th>Type of Assistance</th>
<th>Construction Period</th>
<th>Requirements</th>
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| C               | Disposition by Federal Agency Other Than HUD | Pre-1960 | - LBP inspection and risk assessment  
- Abatement of LBP hazards  
- Notice to occupants of inspection/abatement results |
| D               | Project-Based Assistance by Federal Agency Other Than HUD | 1960-1977 | - LBP inspection and risk assessment  
- Notice to occupants of results |
|                 |                    | Pre-1978 | - Provision of pamphlet  
- Risk assessment  
- Interim controls  
- Notice to occupants of results  
- Response to EBL child |
| F               | HUD-Owned Single Family Sold With a HUD-Insured Mortgage | Pre-1978 | - Visual assessment  
- Paint stabilization  
- Notice to occupants of clearance |
### ATTACHMENT

**Summary of Lead-safe Housing Rule Requirements - HUD**  

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<td>2. Unit receiving more than $5,000 and up to $25,000</td>
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- Provision of pamphlet
- Risk assessment
- Interim controls
- Notice to occupants
- Ongoing LBP maintenance
- Provision of pamphlet
- LBP inspection
- Abatement of LBP
- Notice to occupants
- Provision of pamphlet
- Visual assessment
- Paint stabilization
- Notice to occupants
- Ongoing LBP maintenance
- Response to EBL child
- Provision of pamphlet
- Paint testing of surfaces to be disturbed, or presume LBP
- Safe work practices in rehab
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**PROGRAM DEFINITIONS:**

**Absorption.** In portability (under subpart H of this part 982): the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.

**Accessible.** The facility or portion of the facility can be approached, entered, and used by individuals with physical handicaps.

**Adjusted Income.** Annual income, less allowable HUD deductions.

**Adjusted Annual Income.** The Annual Income (described above) less the HUD-approved allowances. Remember that these changed with the HURRA legislation. Same as Adjusted Income (always annual).

**Administrative fee.** Fee paid by HUD to the PHA for administration of the program. See §982.152.

**Administrative fee reserve** (formerly “operating reserve”). Account established by PHA from excess administrative fee income. The administrative fee reserve must be used for housing purposes. See §982.155.

**Administrative plan.** The plan that describes PHA policies for administration of the tenant-based programs. See §982.54.

**Admission.** The point when the family becomes a participant in the program. The date used for this purpose is the effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program.

**Amortization payment.** In a manufactured home space rental: The monthly debt service payment by the family to amortize the purchase price of the manufactured home.

**Annual contributions contract (ACC).** The written contract between HUD and a PHA under which HUD agrees to provide funding for a program under the 1937 Act, and the PHA agrees to comply with HUD requirements for the program.

**Annual Income.** The anticipated total Annual Income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

**Applicant (applicant family).** A family that has applied for admission to a program but is not yet a participant in the program.

**Area Exception Rent.** An amount that exceeds the published FMR. See §982.504(b).

**“As-paid” States.** States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.
Assets. (See Net Family Assets.)

Assistance Payment. The amount HUD pays the owner for a unit occupied by a Section 8, RAP or Rent Supplement tenant. It includes HUD's share of the contract rent and any utility reimbursement due the tenant. It is the gross rent for the unit minus the TTP.

Assisted Rent. Any rent less than the market rent defined herein. Includes Section 236 rents that are greater than the basic rent.

Assisted Tenant. A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Section 8 assistance and all other 236 and 221 (d)(3) BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

Auxiliary aids. Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities receiving Federal financial assistance.

Budget authority. An amount authorized and appropriated by the Congress for payment to HAs under the program. For each funding increment in a PHA program, budget authority is the maximum amount that may be paid by HUD to the PHA over the ACC term of the funding increment.

Certificate. A document issued by a PHA to a family selected for admission to the certificate program. The certificate describes the program and the procedures for PHA approval of a unit selected by the family. The certificate also states obligations of the family under the program.

Certificate program. The rental certificate program.

Certificate or voucher holder. A family holding a certificate or voucher with unexpired search time.

Child. A member of the family other than the family head or spouse who is under 18 years of age.

Child care expenses. Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

Citizen. A citizen or national of the United States.
Co-head. An individual in the household who is equally responsible for the lease with the Head of Household. A family may have a Co-head or Spouse but not both. A Co-head never qualifies as a dependent.

Common space. In shared housing: Space available for use by the assisted family and other occupants of the unit.

Computer match. The automated comparison of data bases containing records about individuals.

Confirmatory review. An on-site review performed by HUD to verify the management performance of a PHA.

Consent form. Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs; return information from the Social Security Administration (including wages, net earnings from self-employment, and payments of retirenent income); and return information for unearned income from the Internal Revenue Service. The consent forms expire after a certain time and may authorize the collection of other information from assistance applicants or participants to determine eligibility or level of benefits.

Congregate housing. Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing. A special housing type: see §982.606 to §982.609.

Contiguous MSA. In portability (under subpart H of this part 982): An MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.

Continuously assisted. An applicant is continuously assisted under the 1937 Act if the family is already receiving assistance under any 1937 Act program when the family is admitted to the certificate or voucher program.

Contract. (See Housing Assistance Payments Contract.)

Contract authority. The maximum annual payment by HUD to a PHA for a funding increment.

Contract Rent. The rent HUD (or the contract administrator) authorizes an owner to collect for a unit occupied by a family receiving assistance. The rent may be paid by the tenant, HUD, or both. The term “contract rent” includes Section 236 basic rents, HUD-approved rents for BMIR, Section 202 and Rent Supplement units, and the unit rents specified in a Section 8 HAP contract. The contract rent is listed on the project’s HUD-approved rent schedule (Form HUD-92458) or HAP contract. In the Section 8 Certificate Program, Contract Rent is the total rent paid to the owner, including the tenant payment and the HAP payment from the PHA.

Cooperative (term includes mutual housing). Housing owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing. A special housing type: see §982.619.
**Entity applicant.** A partnership, corporation, or any other association or entity, other than an individual owner applicant or a public entity, such as a PHA, IHA, or State Housing Finance Agency, that seeks to participate as a private owner in any of the following:

- The project-based assistance programs under Section 8 of the 1937 Act;
- The programs in 24 CFR Parts 215, 221, or 236; or
- The other mortgage and loan insurance programs in 24 CFR parts 201 through 267, except that the term "entity applicant" does not include a mortgagee or lender.

**Evidence of citizenship or eligible status.** The documents which must be submitted to evidence citizenship or eligible immigration status. (See §5.508(b).)

**Extremely Low Income Family.** A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. *(CFR 5.603)*

**Facility.** All or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other real or personal property or interest in the property.

**Fair Housing Act** means title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988

**Fair market rent (FMR).** The rent, including the cost of utilities (except telephone), as established by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. See periodic publications in the Federal Register in accordance with 24 CFR part 888.

**Family.** Defined by PHA in policy.

**Family rent to owner.** In the Voucher program, the portion of rent to owner paid by the family.

**Family self-sufficiency program** (FSS program). The program established by a PHA in accordance with 24 CFR part 984 to promote self-sufficiency of assisted families, including the coordination of supportive services (42 U.S.C. 1437u).

**Family share.** The portion of rent and utilities paid by the family. For calculation of family share, see §982.515(a).

**Family unit size.** The appropriate number of bedrooms for a family, as determined by the PHA under the PHA subsidy standards.

**Federal agency.** A department of the executive branch of the Federal Government.

**Foster Child Care Payment.** Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.
**Full-time Student.** A person who is attending school or vocational training on a full-time basis. (CFR 5.603)

**Funding increment.** Each commitment of budget authority by HUD to a PHA under the consolidated annual contributions contract for the PHA program.

**General Counsel.** The General Counsel of HUD.

**Gross rent.** The sum of the rent to owner plus any utility allowance.

**Group home.** A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide). A special housing type: see §982.610 to §982.614.

**Handicap.** Any condition or characteristic that renders a person an individual with handicaps. See “Disability”

**Handicap Assistance Expense.** The definition of “handicap” has been combined with that of “Disability.” See “Disability Assistance Expense.”

**HAP contract.** Housing assistance payments contract. (Contract). A written contract between HUD or a Contract Administrator and an owner for the purpose of providing housing assistance payments to the owner on behalf of an eligible family (sometimes referred to as the HAP Contract). For Section 8 programs, the Housing Assistance Payment Contract is executed between the PHA and the private owner.

**Head of household.** The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

**Housing assistance payment.** The monthly assistance payment by a PHA, which includes: (1) A payment to the owner for rent to the owner under the family's lease; and (2) An additional payment to the family if the total assistance payment exceeds the rent to owner.

**Housing agency (HA).** A State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing. (“PHA” and “HA” mean the same thing.)

**Housing Assistance Plan.** (1) A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. (2) A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.
Housing Quality Standards. The HUD minimum quality standards for housing assisted under the tenant-based programs.

Imputed Asset. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

Imputed Income. HUD passbook rate x total cash value of assets. Calculation used when assets exceed $5,000.

Income. Income from all sources of each member of the household, as determined in accordance with criteria established by HUD.

Income For Eligibility. Annual Income.

Income information means information relating to an individual's income, including:
- All employment income information known to current or previous employers or other income sources;
- All information about wages, as defined in the State's unemployment compensation law, including any Social Security Number; name of the employee; quarterly wages of the employee; and the name, full address, telephone number, and, when known, Employer Identification Number of an employer reporting wages under a State unemployment compensation law;
- Whether an individual is receiving, has received, or has applied for unemployment compensation; The amount and the period received;
- Unearned IRS income and self-employment, wages and retirement income; and
- Wage, social security, and supplemental security income data obtained from the Social Security Administration.

Individual owner applicant. An individual who seeks to participate as a private owner in:
- The project-based assistance programs in 24 CFR Parts 880, 882, 886, 887, or 891; or
- The project-based assistance programs under Section 8 of the 1937 Act

Individual with handicaps. Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment.

Initial PHA. In portability, the term refers to both: (1) A PHA that originally selected a family that later decides to move out of the jurisdiction of the selecting PHA; and (2) A PHA that absorbed a family that later decides to move out of the jurisdiction of the absorbing PHA.

Initial payment standard. The payment standard at the beginning of the HAP contract term.

Initial rent to owner. The rent to owner at the beginning of the HAP contract term.
Interest Reduction Subsidies. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

Jurisdiction. The area in which the PHA has authority under State and local law to administer the program.

Landlord. Either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

Lease. A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the PHA.

Lease addendum. In the lease between the tenant and the owner, the lease language required by HUD.

Live-in aide. A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:
- Is determined to be essential to the care and well-being of the persons;
- Is not obligated for the support of the persons; and
- Would not be living in the unit except to provide the necessary supportive services.

Low Income Family. A family whose income does not exceed 80% of the median income for the area as determined by HUD with adjustments for smaller or larger families, except that HUD may establish income limits higher or lower than 80% on the basis of its findings that such variations are necessary because of the prevailing levels of construction costs or unusually high or low incomes.

Manufactured home. A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type: see §982.620 and §982.621.

Manufactured home space. In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See §982.622 to §982.624.
Market Rent. The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For Section 236 units, the market rent is shown on the project’s HUD-approved rent schedule. For Rental Supplement, Section 202 and Section 8 units, the Market Rate Rent is the same as the contract rent. For BMIR units, market rent varies by whether the project is a rental or cooperative, as follows: 1) For BMIR Rentals, market rent equals 110% of the BMIR contract rent; 2) For BMIR Cooperatives, market rent equals the contract rent plus any surcharge established by the cooperative and approved by HUD. If the cooperative did not receive HUD approval of a plan for purchasing its over-income members, market rent equals 110% of the contract rent.

Medical expenses. Medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance.

Merger Date. August 12, 1999.

Minor. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age.

Mixed family. A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Monthly adjusted income. One twelfth of adjusted income.

Monthly income. One twelfth of annual income:

Mutual housing. Included in the definition of “cooperative.”

National. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

Near-elderly family. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides.
Net family assets. (1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

- In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under §5.609.
- In determining net family assets, PHAs or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

Noncitizen. A person who is neither a citizen nor national of the United States.

Notice of Funding Availability (NOFA). For budget authority that HUD distributes by competitive process, the Federal Register document that invites applications for funding. This document explains how to apply for assistance and the criteria for awarding the funding.

Over-FMR tenancy. In the certificate program: A tenancy for which the initial gross rent exceeds the FMR/exception rent limit.

Owner. Any person or entity with the legal right to lease or sublease a unit to a participant.

PHA Plan. The annual plan and the 5-year plan as adopted by the PHA and approved by HUD.

PHA’s quality control sample. An annual sample of files or records drawn in an unbiased manner and reviewed by a PHA supervisor (or by another qualified person other than the person who performed the original work) to determine if the work documented in the files or records conforms to program requirements. For minimum sample size see CFR 985.3.

Participant (participant family). A family that has been admitted to the PHA program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term).

Payment standard. The maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family).

Persons With Disabilities. See “Individual with handicaps”

Portability. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial PHA.
**Premises.** The building or complex in which the dwelling unit is located, including common areas and grounds.

**Private space.** In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

**Processing entity.** The person or entity that, under any of the programs covered, is responsible for making eligibility and related determinations and any income reexamination.

**Program.** The Section 8 tenant-based assistance program.

**Project owner.** The person or entity that owns the housing project containing the assisted dwelling unit.

**Public Assistance.** Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

**Public Housing Agency (PHA).** Any State, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

**Public Housing covered programs.** The public housing programs administered by the Assistant Secretary for Public and Indian Housing under title I of the 1937 Act. This definition does not encompass HUD's Indian Housing programs administered under title II of the 1937 Act. Further, this term does not include those programs providing assistance under section 8 of the 1937 Act. (See “Section 8 Covered Programs”)

**Reasonable rent.** A rent to owner that is not more than rent charged: (1) For comparable units in the private unassisted market; and (2) For comparable unassisted units in the premises.

**Receiving PHA.** In portability: A PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a certificate or voucher and provides program assistance to the family.

**Recertification.** Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported.

**Regular tenancy.** In the certificate program: A tenancy other than an over-FMR tenancy.

**Remaining Member Of Tenant Family.** Person left in assisted housing who may or may not normally qualify for assistance on own circumstances (i.e., an elderly spouse dies, leaving widow age 47 who is not disabled).
Rent to owner. The total monthly rent payable to the owner under the lease for the unit. Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

Residency Preference. A PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

Residency Preference Area. The specified area where families must reside to qualify for a residency preference.

Resident Assistant. A person who lives in an Independent Group Residence and provides on a daily basis some or all of the necessary services to elderly, and disabled individuals receiving Section 8 housing assistance and who is essential to these individuals' care or well-being. A Resident Assistant shall not be related by blood, marriage or operation of law to individuals receiving Section 8 assistance nor contribute to a portion of his/her income or resources towards the expenses of these individuals. (See Sections 882.109(n), 882.106(c) and 882.102 definitions in Appendix 1 of 7420.7.)

Responsible entity. For the public housing and the Section 8 tenant-based assistance, project-based certificate assistance, and moderate rehabilitation programs, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

Secretary. The Secretary of Housing and Urban Development.

Section 8. Section 8 of the United States Housing Act of 1937.

Section 8 covered programs. All HUD programs which assist housing under Section 8 of the 1937 Act, including Section 8 assisted housing for which loans are made under section 202 of the Housing Act of 1959.

Section 214 Section 214 of the Housing and Community Development Act of 1980, as amended

Section 214 covered programs is the collective term for the HUD programs to which the restrictions imposed by Section 214 apply. These programs are set forth in §5.500.

Security Deposit. A dollar amount (maximum set according to the regulations) which can be used for unpaid rent or damages to the owner upon termination of the lease.

Set-up charges. In a manufactured home space rental: Charges payable by the family for assembling, skirting and anchoring the manufactured home.

Shared housing. A unit occupied by two or more families. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family. A special housing type: see §982.615 to §982.618.
**Single Person.** A person living alone or intending to live alone.

**Single room occupancy housing (SRO).** A unit that contains no sanitary facilities or food preparation facilities, or contains either, but not both, types of facilities. A special housing type: see §982.602 to §982.605.

**Social Security Number (SSN).** The nine-digit number that is assigned to a person by the Social Security Administration and that identifies the record of the person's earnings reported to the Social Security Administration. The term does not include a number with a letter as a suffix that is used to identify an auxiliary beneficiary.

**Special admission.** Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

**Special housing types.** See subpart M of part 982. Subpart M states the special regulatory requirements for: SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

**Spouse.** The marriage partner of the Head of Household.

**State Wage Information Collection Agency (SWICA).** The State agency, including any Indian tribal agency, receiving quarterly wage reports from employers in the State, or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information.

**Subsidized Project.** A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:
- Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 235 of the National Housing Act, or
- Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965, or
- Direct loans pursuant to Section 202 of the Housing Act of 1959, or
- Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974,
- Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency, or
- A Public Housing Project.

**Subsidy standards.** Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.
Suspension. Stopping the clock on the term of a family’s voucher after the family submits a request for approval of the tenancy. If the PHA decides to allow extensions or suspensions of the voucher term, the PHA administrative plan must describe how the PHA determines whether to grant extensions or suspensions, and how the PHA determines the length of any extension or suspension.

Tenant. The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.

Tenant Rent. The amount payable monthly by the family as rent to the unit owner (Section 8 owner or PHA in public housing).

Term of Lease. The amount of time a tenant agrees in writing to live in a dwelling unit.

Total Tenant Payment (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

Unit. Residential space for the private use of a family. The size of a unit is based on the number of bedrooms contained within the unit and generally ranges from zero (0) bedrooms to six (6) bedrooms.

Utility allowance. If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility reimbursement. In the Certificate program, the amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total tenant payment for the family occupying the unit. In the Voucher program, the portion of the housing assistance payment which exceeds the amount of rent to owner.

Utility hook-up charge. In a manufactured home space rental: Costs payable by a family for connecting the manufactured home to utilities such as water, gas, electrical and sewer lines.

Vacancy Loss Payments. (Applies only to pre-10/2/95 HAP Contracts in the Rental Certificate Program). When a family vacates its unit in violation of its lease, the owner is eligible for 80% of the Contract Rent for a vacancy period of up to one additional month, (beyond the month in which the vacancy occurred) if s/he notifies the PHA as soon as s/he learns of the vacancy, makes an effort to advertise the unit, and does not reject any eligible applicant except for good cause.
**Very Low Income Family.** A Low-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit for the Certificate and Voucher Programs.

**Violent criminal activity.** Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

**Voucher (rental voucher).** A document issued by a PHA to a family selected for admission to the voucher program. This document describes the program and the procedures for PHA approval of a unit selected by the family. The voucher also states obligations of the family under the program.

**Voucher Holder.** A family holding a voucher with an unexpired term (search time).

**Voucher program.** The rental voucher program.

**Waiting list admission.** An admission from the PHA waiting list.

**Welfare assistance.** Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

**Welfare Rent.** This concept is used ONLY for Section 8 Rental Certificate tenants who receive welfare assistance on an “AS-PAID” basis. It is not used for the Rental Voucher Program.

**Welfare-to-work (WTW) family.** A family assisted by a PHA with Voucher funding awarded to the PHA under the HUD welfare-to-work voucher program.
FORMS

A copy of each form that will be used during the implementation of the rehabilitation program is presented subsequently.

The following listing summarizes the documents to be used by program staff for applicant file completion, reporting efforts and organizational activities.