

November 2013

BREAKING NEWS

PBCA Awards Update

As we previously reported, the lawsuit brought against HUD by eight Performance-Based Contract Administrators is in the appeals process. In late April 2013 the Court of Federal Claims ruled in favor of HUD, saying that the NOFA system was appropriate to use for PBCA awards. The plaintiffs appealed to the U.S. Court of Appeals for the Federal Circuit, and the court ordered HUD to stop all PBCA award proceedings until the appeal was decided.

On October 10, 2013, the Court of Appeals heard oral arguments from both sides. Now, its panel of three judges will consider the case; they're expected to issue a decision by the end of December 2013. In the meantime, HUD cannot move forward with the NOFA awards announced in August of this year. PBCAs in 42 states and territories are continuing to operate (without conducting MORs) under a series of 3-month extensions that is expected to last until awards can be made.

In the 11 uncontested states, HUD had planned to offer new 2-year contracts to PBCAs beginning January 1, 2014, so that all 53 states and territories would be back on the same contract cycle. This is still the goal, so HUD is currently providing those eleven PBCAs with continuing 3-month extensions of their existing contracts.

Maintenance Recognition After a REAC Inspection

Now that your REAC inspection has been completed and you breathe a sigh of relief, how do you go about recognizing the job well done by your maintenance team? Many times we're so flustered and then relieved that we forget about the people who have served us well, especially if our rating was over 90.

Here are some ways that you might want to recognize your maintenance team:

1. Tell them that you appreciate all their efforts, and note some specific things they did well.
2. Say "thank you" when they've done a good job.
3. Bring donuts to the maintenance team the next morning.
4. Provide a gift card to a local eatery or coffee place.
5. Bring in lunch (their favorite).
6. Recognize their efforts in the community newsletter.
7. Give them an hour off early with pay.
8. Provide them with business cards of their own.
9. Write a letter of appreciation and place it in their files, along with a copy to them.
10. You know your team - now it's your turn to think of something great.

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Final 2014 FMRs Released

The Federal Register for Thursday, October 3, 2013 shows the FY 2014 Fair Market Rents (FMRs).

The release includes the FMRs for Public & Indian Housing (PIH) programs such as Housing Choice Vouchers, Moderate Rehabilitation and project-based vouchers. It also lists the final FY 2014 FMRs for all areas that reflect the estimated 40th and 50th percentile rent levels trended to April 1, 2014.

In general, the FMR for an area is the amount needed to pay the rent and utilities of privately owned, decent, safe rental housing of a modest (non-luxury) nature, with suitable amenities.

The FY 2014 FMRs are based on 5-year, 2007-2011 data collected by the American Community Survey (ACS).

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Bogus Service Dogs

Many of us in the industry deal with the issue of service animals. Canine Companions for Independence is asking the Department of Justice to take issue with the online sale of fraudulent service dog products that allow people to take their dogs anywhere they choose.

“As a result of this fraudulent practice, people with disabilities who have a legitimate need for an assistance dog face added discrimination and are being denied access to public places, which is in violation of the Americans with Disabilities Act.”

“There’s no penalty for people in Florida who fraudulently claim their dog is a service animal”, said Paul Edwards of Miami, President of the Florida Council of the Blind. “There are some of us who feel it isn’t unreasonable to ask folks to carry identification for a dog that shows them to be a trained service animal – and most legitimate service dog organizations do issue those.”

What does this mean to property managers? Perhaps it is time for us to try to address the issue again, and ask for the aid of this organization. How do you handle this issue in your House Rules? Do you ask for third party verification? Are service animals allowed in your common areas? Are there guidelines that are clearly stated?

For more information, visit: www.cci.org

QUESTIONS & ANSWERS

Question:

If a person has a power of attorney to address all financial issues, can that person see someone else’s EIV information? ~*Michael in AR*

Answer:

A power of attorney (POA) is a written authorization to represent or act on another’s behalf. It may be limited to a specific type of act (such as the one you described, which is for financial issues), or it may be general. It may also be limited as to time. Seeing EIV is not, technically a “financial issue”; it’s a privacy issue. So the tenant should sign the EIV Consent Form (4350.3, Exhibit 9-4) allowing the person with the POA to view his/her EIV data.

Question:

We have a resident whose doctor is stating they should eat only organic food instead of regular food due to a medical condition. From my investigation, organic food costs 10% – 30% more than regular supermarket food. Therefore, shouldn’t we expense 20% of the food bill toward medical expenses? Our CA states that the entire bill for food – minus the light bulbs and toilet paper – should be counted as a medical expense. ~*Cheryl in PA*

Answer:

Policy clarified this one in an e-mail on September 5, 2013. HUD does not allow for organic or gluten-free food items to be considered medical expenses.

StopPests.org in Housing Program

Cornell University’s IPM (Integrated Pest Management) Center is promoting IPM for Affordable Housing Communities. Free online resources and IPM consulting are available to properties. The Center is reaching out to the public through their website, presenting at conferences, running webinars, social media and one-on-one coaching.

The goal of the StopPests in Housing Program is to use Integrated Pest Management (IPM) to address housing conditions that threaten human health, and to strengthen affordable housing communities.

Participating properties will:

- Pick a pilot property
- Complete an initial program questionnaire
- Work with StopPests IPM expert to set program goals
- Accomplish the goals at the pilot site with coaching and resources from StopPests

Housing providers who have gone through this program report:

- Increased communication among staff, contractors, and residents
- Reduced pesticide applications
- Fewer pests

Funding for this project is provided through an interagency agreement between HUD and USDA.

For more information concerning this program, visit, www.StopPests.org or e-mail: stoppests@cornell.edu