



Questions and Answers for Office of Multifamily Housing Stakeholders¹

[Coronavirus \(COVID-19\)](#)

Last Updated: May 21, 2020, 8:00 a.m., ET

This document is intended to provide guidance and clarification of HUD's policies, and does not have the force and effect of law except when based on statutory, regulatory, or other legally binding authority.

¹ Office of Multifamily Housing Stakeholders include tenants; property managers, owners, and agents; lenders and their partners; residential service coordinators; contract administrators; and other participants in FHA Multifamily mortgage insurance and Office of Housing rental assistance programs.

Recapitalization and Rental Assistance Demonstration

Property Reviews and Inspections

Q1: Will HUD relax its RAD Capital Needs Assessment inspection requirements for RAD conversions?

A: The Capital Needs Assessments are a core part of the RAD review process, as they are used to establish a basis on which to project the property's 20-year capital needs. As such, unless constructed within the past ten years, all properties will require a complete inspection in compliance with the MAP Guide. For properties built within the last ten years, HUD may approve the inspection of only vacant or model units. The Office of Recapitalization will extend milestones and deadlines on a case-by-case basis if the capital needs inspection cannot be completed at this time due to COVID-19. Recap is also considering other approaches to avoid delays caused by inspectors having more limited access to sites at this time.

(Updated on 4/2/20)

Policy and Operations

Q2: Public Housing Authorities (PHAs) and their development teams are currently implementing renovations and tenant moves to facilitate construction. How should property owners reconcile the construction schedule with COVID-19 concerns?

A: PHAs and their Rental Assistance Demonstration (RAD) development partners should consider the health and well-being of the residents and the public as the first priority and use CDC guidance and guidance from state and local health officials. In doing so, RAD development teams should consider the impact of their renovation activities on the potential to exacerbate or mitigate exposure to the virus, particularly among vulnerable populations. Every construction project is different - in the vulnerability of the residents, the extent of tenant relocation, the extent of construction, the timing of construction and the deadlines created by natural conditions or financing sources. In all cases, development teams should follow the instructions of applicable governmental authorities (such as a government-issued shelter-in-place or similar order).

(Added on 4/2/20)

Q3: How will HUD handle delays in the completion of construction required by the RAD Conversion Commitment (RCC), including increases in costs, modification of resident relocation? How will it approve periods for rehab assistance payments?

A: HUD will approve extensions to the rehab period and rehab assistance payments. Such requests can be made through the RAD Resource Desk. Note that the RAD construction

deadlines do not supersede other parties' requirements, so development teams should also consult with their lenders, investors, and other stakeholders as applicable when modifying the construction schedule. Increases in costs should be reflected on the sources and uses log on the RAD Resource Desk. HUD encourages PHAs to maintain routine communication with residents whose length of relocation may be impacted and to alert HUD if relocation plans change such that resident relocation will exceed 12 months.

(Added on 4/2/20)

Q4: Where can a PHA or owner find guidance regarding PBRA or PBV program requirements that customarily involve in-person meetings?

A: Guidance is available and will be continually updated at www.hud.gov/coronavirus. Guidance for PBRA can be found within this FAQ document ("FAQ for Multifamily Housing Providers"). For PBV, please see "FAQs for Public Housing, Housing Choice Voucher, Project-based Voucher Program, and Native American Programs."

(Added on 4/2/20)

Q5: How should PHAs communicate with residents about the RAD conversion process, respond to resident questions, and solicit feedback when in-person resident meetings are not possible due to the recent COVID-19 outbreak?

A: The health and safety of residents, PHA and Owner staff, and other program partners is paramount. PHAs that continue with public meetings should follow the latest CDC, state, or local health department guidance relative to holding public meetings. However, it is still critical for PHAs and owners to keep residents informed about any changes to their housing, their rights, and the timing of key events related to the conversion and for residents to have the opportunity to provide comments as required at different stages of a RAD conversion.

Required resident meetings. The RAD Notice requires PHAs and owners to hold resident meetings and to receive and provide response to comments during those meetings. In lieu of community meetings held in common areas, PHAs and owners may hold meetings remotely using videoconferencing or teleconferencing technology provided that they can:

- Accept and respond to answers to questions submitted during the meeting;
- Maintain an attendance log in order to track if residents are able to participate successfully;
- Accommodate the needs of persons with disabilities or with limited English proficiency (LEP) through the meeting format. In selecting the host technology, PHAs must ensure they can comply with Section 504 of the Americans with Disability Act; and
- Provide residents with a follow-up notice after the meeting with a summary or reproduction of presented information and a means to ask additional questions related to the conversion.

In selecting among alternative meeting methodologies, PHAs and owners should be attentive to the nature of technology which residents are likely to have in their homes. When submitting their Financing Plan or Conversion Plan and (for public housing conversions) their RAD application, PHAs and owners must provide the date(s) of any remote resident meetings and a record of the responses (written or oral, or in subsequent actions) to resident comments on the proposed conversion and scope of work that were received in connection with such meetings. HUD may request follow-up measures on a case-by-case basis.

Effectively communicating during this period may take more time than previously and PHAs and owners may determine that additional meetings are necessary in order to ensure that you are reaching all residents. Please keep your RAD point of contact updated in the event that an extension to existing deadlines is needed.

Ongoing resident engagement. Beyond the required resident meeting and comment period, HUD recommends that PHAs and owners develop an alternative communication plan that is sustainable for at least 8 weeks or more and that achieves the goals of providing residents relevant information about the RAD conversion, particularly more complex transactions with significant construction and/or relocation. PHAs may develop a process that includes various forms of alternative communication methods so that all residents can receive information and participate in the process regardless of their individual circumstances. Below are some suggested methods by which to share information with residents:

- ✓ Set up teleconference calls in the place of in-person meetings, ensuring that residents have enough prior notice and receive clear directions (particularly those with limited technological access/abilities).
- ✓ Provide flyers/notices to residents at each unit with updates about how information can be obtained regarding the RAD process.
- ✓ Post notices in common areas of the property.
- ✓ Provide letter updates in resident mailboxes.
- ✓ Provide text and/or email updates to residents.
- ✓ Share a sign-up sheet with residents to meet 1-on-1 with office staff or by phone.
- ✓ Create online materials (video or other) available to all residents.
- ✓ Create and distribute a survey for residents to gather information about their questions, experience, and preferences.
- ✓ Ensure that all residents have contact information (phone and email) for PHA staff should they have questions.

(Added on 4/2/20)

Q6: If a PHA/owner anticipates needing more time after a RAD closing to sign tenant leases, will HUD provide any flexibility around the timing of the effective date of the HAP contract as outlined in the Section 1.13.A of the [RAD Notice](#)?

A: In order to provide PHAs and owners additional time to execute individual leases with tenants in light of social distancing measures, HUD will permit the HAP effective date to be the first day of the third full month after closing upon request (rather than the first day of either of the first two months following closing). For example, a closing that occurs on May 15th could elect a HAP effective date of June 1st, July 1st, or August 1st. This option will be available for any closing that occurs through September 30, 2020.

(Added on 5/21/20)