

### With You Today



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### Common PHA Findings

HUD: Spring / Summer 2021



### **Common Audit Findings**

- Misuse of credit cards, petty cash and vehicles
- Lack of internal controls polices or polices not followed, travel
- Improper use or monitoring of timesheets resulting in overpayment of unused leave time for staff that left PHA
- ▶ Bank reconciliations not being completed timely
- TAR and FSS balances improperly carried on the books because the subsidiary ledger was not reconciled
- Lack of segregation of duties
- Conflict of interest
- Lack of Board oversight



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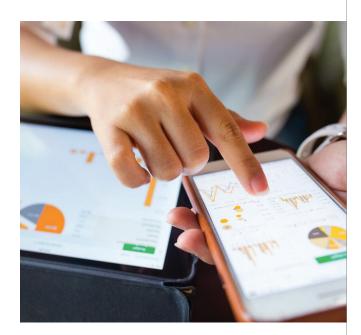
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#### Ineligible Program Expenses

- Improper cost allocation over burden a federal program with costs
- Lack of supporting documentation for vendor payments
- Procurement policy not followed or updated
- Use of funds for personal use
- Unreasonable salaries



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#### Improper Financial Management

- While the PHA followed its policy, the policy is inappropriate or not current (non-compliant)
  - FSS escrow accounts not held in a separate bank account, PHA policy allowed employee payroll advances, and the Executive Director received an unreasonable amount of salary
- Lack of planning or follow-through (normally associated with actions of senior management (i.e., Executive Director)
  - PHA failed to complete and file its audit within nine months, operating budget not prepared/approved before the start of the fiscal year, CFP drawdowns not requested in a timely manner
- Issues related to the PHA likely due to not understanding program rules
  - Ineligible costs, FSS participants not notified of FSS escrow balances, DOTs were not renewed



#### Rent Calculation & Tenant Files



- Wrong payment standards were used
- 50058 reflects different amounts than income and assets information in the tenant file
- Medical expense deductions were incorrectly calculated
- Wrong utility allowance schedule applied to the unit (which was the most common finding)
- Utility allowance schedule was outdated

- Findings related to rent reasonableness standards were not properly applied, resulting in overpayments of HAP to the landlords
- Unexplained / unsupported payments to landlords
- Ineligible person allowed into the program
- Recertifications not completed in a timely manner



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#### Rent Calculation & Tenant Files

#### **TENANT FILES**

- 3rd party income verification not in the file
- Income discrepancies not documented
- No community service documentation
- No background check information
- No lease



#### HUD OIG Report

OVERSIGHT OF SMALL PHAS (2015-FW-0802)

- Report concluded that there was a high risk associated with small and very small PHAs
- Of the 26 PHAs that were reviewed, 24 had common violations of HUD and other requirements
  - Did not have adequate financial controls (18 housing agencies); including mis-use of funds, financial conflicts of interest, and other similar issues, some of which resulted in criminal charges
  - Did not follow procurement regulations or maintain documentation to support the PHA's procurement functions (15 housing agencies)
  - Did not properly administer tenant rents (7 housing agencies)



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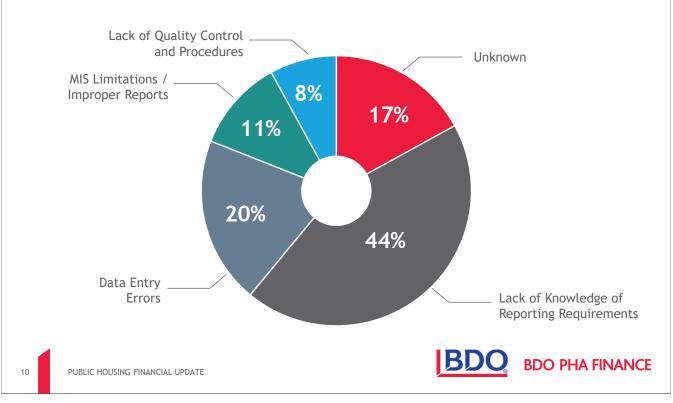
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#### QAD Review Results

ROOT CAUSE OF PHA REPORTING ERRORS



2 CFR 200 & Eligible Costs & Cost Allocation

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#### Office of Management and Budget (OMB)

- Office of Management and Budget Regulation (most requirements not new)
  - The purpose of the regulation is to provide uniform administrative requirements, cost principles, and audit requirements for Federal awards to all non-Federal entities.
  - Merged and updated various OMB circulars into one rule, most notably, the following guidance are now part of 2 CFR 200
    - 24 CFR 85 (Common Rule)
    - OMB Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments
    - OMB Circular A-133 (Audits of States, Local Governments, & Non-Profit



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#### **Eligible Cost Guidelines**

- Must be necessary and reasonable for efficient administration of Federal awards
- Must be allocable to Federal awards (i.e., an eligible use of the federal grant)
- Must conform to limitations set forth under other governing regulations

- Must be adequately documented
- Must be authorized or not prohibited under State or local laws
- Must be consistent with other activities of the governing unit
- Must be charged consistently between programs for similar expenditures



- Cost must be reasonable such that the cost does not exceed that which would be incurred by a prudent person
- Cost is ordinary & necessary, arms length transaction, procured properly

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#### Specific Ineligible Costs



#### **AUTOMOBILES**

That portion of automobile costs furnished by the PHA that relates to personal use by employees (including transportation to and from work) is unallowable

#### ALCOHOLIC BEVERAGES

Costs of alcoholic beverages are unallowable



#### **ENTERTAINMENT COSTS**

Costs of entertainment, including amusement, diversion, and social activities and any associated costs are unallowable



#### FINES, PENALTIES, DAMAGES AND OTHER SETTLEMENTS

Costs resulting from PHA violations of, alleged violations of, or failure to comply with, Federal, state, local laws and regulations are unallowable





- Goods or services for personal use
  - Costs of goods or services for personal use of the PHA's employees are unallowable
- Interest
  - Interest costs for interest on borrowed capital are unallowable
  - Interest costs for the acquisition or replacement of capital assets are allowable



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#### **Cost Allocation Plan**

- A documented plan to allocate indirect costs and sometimes front-line costs to various programs
- A cost allocation plan must be mathematically supported using cost drivers to determine the rate
  - The allocation plan cannot be estimated
- Cost drivers could include:
  - Direct payroll cost
  - Number of units
  - Tenant case load
  - Office space





#### **Cost Allocation Problems**

- Cost allocation plans are not supported
- Costs are not allocated as described in the allocation plan
- Cost drivers used do not adequately allocate costs in a fair method between the programs
- New allocation methodology used to help ensure program expenses can be covered by program revenue (cost shifting) but allocation method is not reasonable
- Indirect costs (overhead) charged to a grant or program are above the allowed amount
- Some grants do not allow any indirect cost to be charge to the grant (i.e. HUD's FSS Coordinator grant)



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#### **Eligible Cost Decision Tree MUST MEET ALL FIVE STANDARDS!** Is Cost Is the Cost Is the Cost Is the Cost Is the Cost Allowed? Documented? Equitable? Necessary? Reasonable? (Laws, regs, (Procurement (True cost of (Program (Prudent goals) guidance) & accounting) person test) program) BD( **BDO PHA FINANCE** 18 PUBLIC HOUSING FINANCIAL UPDATE

# What are Operating Reserves?

How PHAs Can Use Operating Reserves

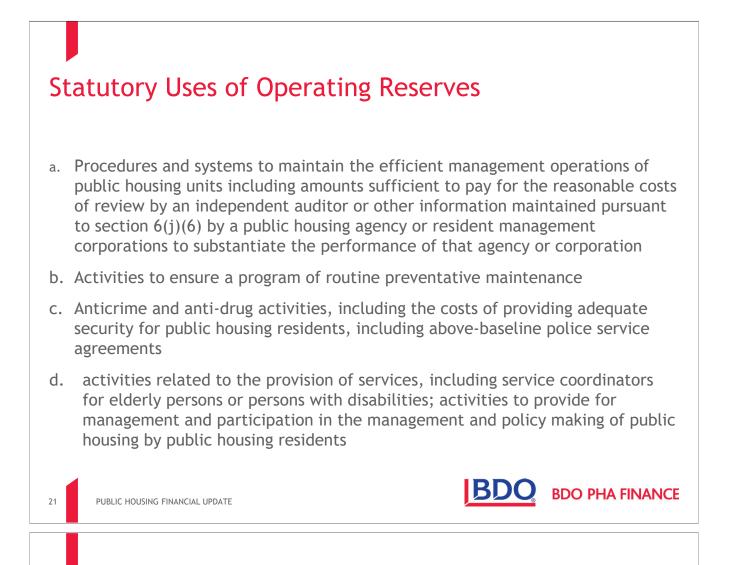
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#### **Operating Reserves**

- Unspent operating subsidy
  - Asset Repositioning Fee
- Unspent tenant rent
- Other miscellaneous revenue
  - Including program income that has expanded uses (e.g., non-rental income from vending machines, cell tower leases, energy savings from energy performance contracts)
- Unspent insurance proceeds



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#### **Statutory Uses Of Operating Reserves**

- e. the costs of insurance
- f. the energy costs associated with public housing units, with an emphasis on energy conservation
- g. the costs of administering a public housing work program under Section 12, including the costs of any related insurance need
- h. the cost of repaying, together with rent contributions, debt incurred to finance the rehabilitation and development of public housing units, which shall be subject o such reasonable requirements as the Secretary may establish
- i. the costs associated with the operation and management of mixed finance projects, to the extent appropriate; and

#### Statutory Uses of Operating Reserves

 j. the costs of operating computer centers in public housing through a Neighborhood networks initiative described in subjection (d)(2)E), and of activities related to that initiative



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#### Emergencies

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PHAs may also use Operating Funds for unforeseeable and unpreventable emergencies that include damage to the physical structure of the PHA's housing stock.

For example, damage as a result of a natural occurrence, such as a windstorm or flood





#### Emergencies

Although damages caused by unforeseen emergencies may eventually be covered under a warranty, with insurance proceeds, or through disaster funds, PHAs may use Operating Funds to cover the expenses incurred prior to receipt of warranty, insurance or disaster proceeds.

 PHA must reimburse themselves after receipt of warranty, insurance or disaster proceeds



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#### What is Not Included?

Capital Improvements



### Capital Purchase vs. Expenditure (After Acquisition)

If an expenditure provides additional service beyond the current period, it should be capitalized, if the expenditure does not provide additional service, it should be expensed.



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#### June 1999 HUD GAAP Flyer

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#### Future Service Potential

An entity may produce future service potential by:

#### 1. Extending the useful life

- 2. Increasing the quantity of services provided
- 3. Increasing the quality of service

If an expenditure meets 1 of the 3 categories, then it is a Capital purchase.



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#### **Exception - Small PHA Flexibility**

"Section 9(g)(2) of the 1937 Act permits PHAs with less than 250 public housing units (and that are not designated as troubled and are, in the determination of the Secretary, operating and maintaining public housing in a safe, clean, and healthy condition) to use their Operating and Capital Funds flexibly." A PHA with less than 250 units are permitted by statute to:

- Use operating reserves for capital activities
- Have flexibility between LIPH and CFP

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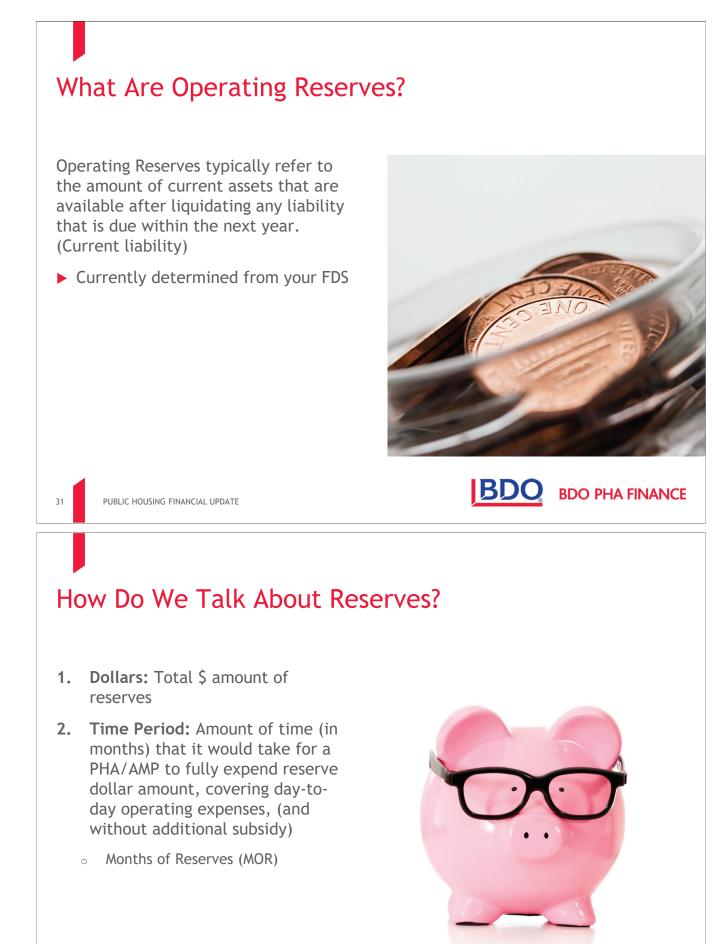
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#### Operating Reserve Calculation Methodology

How Much Cash Does Your PHA Have?





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#### **Operating Reserves Calculation Methodology**

	FDS Line #	Description	
1	111	Cash - Unrestricted	
2	114	Cash - Tenant Security Deposit	
3	120	Total Receivables	
4	131	Investments - Unrestricted	
5	142	Prepaid Expenses & Other Assets	
6	144	Inter-Program-Due From	
7	145	Assets Held for Sale	
8		Total (1+2+3+4+5+6+7)	
9	310	Total Current Liabilities	
10	343	Current Portion of Long Term Debt - Cap. Projects	
11		Total (9-10)	
12		Total Operating Reserves (8-11)	

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## Number Of Months - Operating Reserves Formula used to determine number of months of operating reserves: **Operating Reserves** FDS Lines (969000+97100+97200) ÷ 12 96900 - Total Operating Expenses 97100 - Extraordinary Maintenance 97200 - Casualty Losses **BD BDO PHA FINANCE**

#### **Internal Controls**

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#### **Internal Controls**

"Internal control comprises the plan of organization and all of the coordinate methods and measures adopted within a business to safeguard its assets, check the accuracy and reliability of its accounting data, promote operational efficiency, and enforce adherence to the prescribed managerial policies"

- AIPCPA DEFINITION



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#### Accounting Control Assurances



Accounting Control is the plan of organization and the procedures and resources that are concerned with the safeguarding of assets the reliability of financial resources and consequently are designed to provide reasonable assurance that:

- Transactions are executed in accordance with management's general or specific authorization
- Transactions are recorded as necessary to permit preparation of financial statements in conformity with GAAP and other criteria that may apply and maintain accountability for assets

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#### **Reasons for Control**



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Reduce possible losses from misunderstandings

Reduce the difference in perception between those who carry out the tasks and the actual task objectives

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Help keep the basic activities of the Authority on target



#### Characteristics of Control

- Timeliness: detect deviations, problems or issues
- Economy: should provide reasonable assurance of achieving intended results at a minimum cost. "How much is enough?"
- Accountability: controls are available to those responsible to carry out the plan



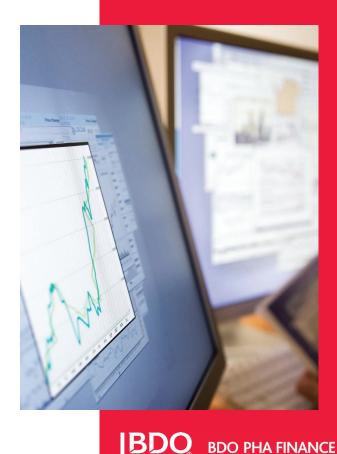
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#### Characteristics of Control

- Placement: controls should be located where they would be most cost effective
- Flexibility: the agency should be able to make modifications without adjusting controls, although may have to make some adjustments to controls
- Standard Implementation: once issue is identified, response can be implemented



#### Characteristics of Control

- Measurability: help measure controls effectively
- Appropriateness: controls should be consistent with their purpose and setting, they should fit within the nature and structure of the organization



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#### Internal Controls



"Controls are a mixed blessing. Although they keep an activity on course, they do so at a price. Controls and their implementation involve both monetary and human costs. Systems can be overcontrolled. Redundant or unimportant checks intended to provided additional assurance may in reality produce increased confusion, frustration, an decreased effectiveness. Furthermore, controls may not be cost-beneficial and may protect against problems the costs of which do not approach the cost of the controls themselves. Some controls may also shift attention from areas where control is needed and deserved."



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#### **Cash Controls**

- Petty cash should be
  - Reconciled monthly
  - Kept at a minimum
  - Physically controlled
- Cash should be
  - Reconciled monthly
  - Policy to open and close accounts
- Person who receives cash should be different than the one who
  - Records cash receipt
  - Takes deposit to bank
  - Staff should be authorized to handle cash and bonded



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#### Accounts Receivables

- Are receivables reconciled monthly?
- Are the duties of recording accounts receivable and collecting accounts receivable separate?
- Do you have a policy to writeoff accounts receivable?



#### Materials Inventory

- Are the materials for inventory in a locked supply room?
- Is there a custodian for each supply room?
- Are minimum levels kept in the supply room?
- Are the duties of receiving inventory and ordering inventory completed by a different person?



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#### Expendable Equipment

- Is the equipment in a locked storeroom?
- Is there a custodian in the supply room?
- Is a physical count taken annually?
- How is the equipment monitored?



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#### **Fixed Assets**

- Separate duties for acquisition and disposition of fixed assets
- Annual reconciliation of fixed assets
- Capitalization policy
- Depreciation policy
- Transfer policy





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#### **Accounts Payable**

- ► Use correct forms
- Communication with other departments
- Proper documentation
- Vendor terms
- Vendor inquiries
- Checks & signatures in secure area
- Check processing



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### **Payroll Disbursements**

- New activation of staff
- Time reporting
- Pay dates
- ▶ Work type classification
- Withholdings
- Distribution

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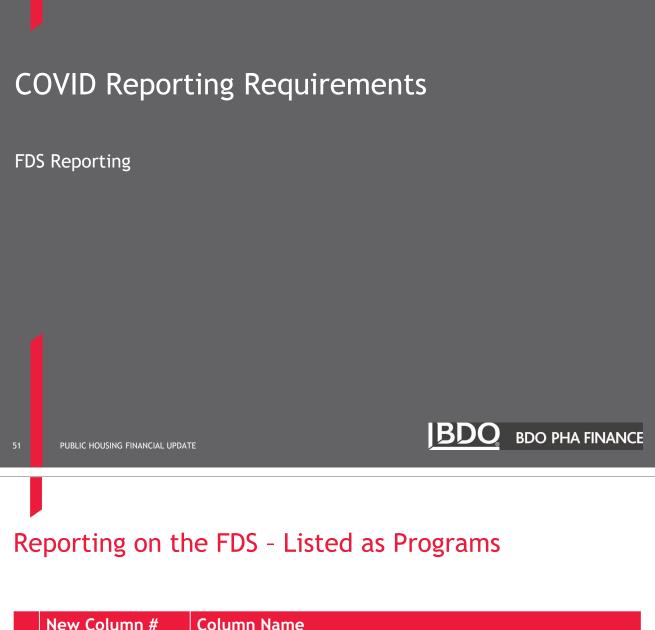
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#### **ELOCC** Draws

- ▶ Is HUD Form 50080 CFP maintained with supporting documentation?
- Is the person drawing funds a different person from the person doing the bank reconciliation?
- Maintain separate files for each type of grant



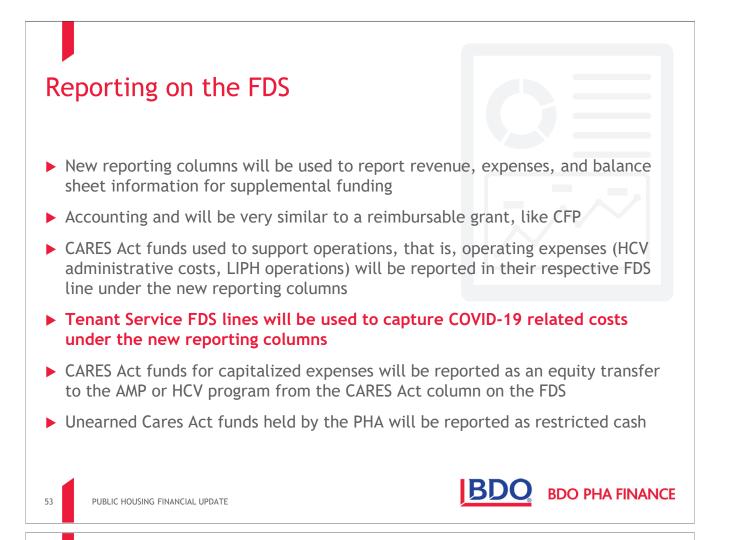




	New Column #	Column Name
1	14.PHC	Public Housing CARES Act Funding
2	14.HCC	HCV CARES Act Funding (Admin & HAP)
3	14.MSC	Mainstream CARES Act Funding (Admin & HAP)
4	14.MRC	Moderate Rehabilitation CARES Act Funding
5	14.CCC	Central Office Cost Center CARES Act Funding
6	14.CMT	CARES Act Funding Transferred to MTW

14.CCC will be used to account and report any transfer and use supplemental funds above the safe-harbor rates to the PHA's COCC

14.CMT will be used to account and report the transfer and use of supplemental funds used to support the PHA's MTW program



#### LIPH Income Statement Example

	14.PHC	Explanation
Any supplemental grant funding	\$49,000	Supplemental grant funding recognized as revenue for eligible costs
Admin Salaries	8,000 ←	7
Employee Benefits	2,000	
Mgmt. Fees (not above safe- harbor)	1,000	
Tenant Services Other	34,000	Expenses used to prepare, prevent and respond to C19
TOTAL EXPENSE	\$45,000	
Net Operating Income	\$4,000	
Transfer (out)	(4,000)	Capitalized cost to purchase laptops for AMP 2
Net Change to Net Position	\$0	





### LIPH Balance Sheet Example

	14.PHC	Explanation
Cash Restricted Pymt. for Current Liability	\$5,000	C19 costs that were incurred by PHA, but still processing invoice
Cash Restricted Other	11,000	<u>C1</u> 9 funds drawn in advance of any invoice being processed (should not have this)
Current Assets	\$16,000	
Accounts Payable	\$5,000 🔶	
Unearned Revenue	11,000	
Total Current Liabilities	\$16,000	
Net Investment In Cap Asst	\$0 <b>+</b>	
Restricted Equity	0	No equity CARES Act funds cannot build reserves
Unrestricted Equity	0	
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#### Reporting on the FDS

The COCC & LIPH Fees

- The property management, asset management and bookkeeping fee expenses that are paid to the COCC from the Public Housing program that are above safeharbor amounts will be reported on the Public Housing CARES Act column 14.PHC on their respective FDS lines
  - 91300 Management Fee expense, 91310 Bookkeeping Fee expense, 92000 Asset Management Fee expense
- The corresponding revenue will be paid reported on the COCC CARES Act fund 14.CCC on their respective FDS lines
  - 70710 Management Fee Revenue, 70720 Asset Management Fee Revenue, 70730 Bookkeeping Fee Revenue)

FDS line 707xx has not been working on the FDS. As an alternative, PHAs have been using FDS Line 71500 with an explanation in the Comments section of the FDS



### COCC Above Safe Harbor Income Statement Example

	14.PHC	14.CCC	Explanation		
Supplemental grant funding	\$50,000		C-19 Funding above safe-harbor		
Management Fee	(30,000)		Above safe-harbor mgmt. fee expense		
Bookkeeping Fees	(15,000)		Above safe-harbor bookkeeping fee expense		
Asset Management Fees	(5,000)		Above safe-harbor asset mgmt. fee expense		
Total Expense	\$50,000				
Management fee income		\$30,000	Above safe-harbor mgmt. fee income		
Bookkeeping fee income		15,000	Above safe-harbor bookkeeping fee income		
Asset management fee income		5,000	Above safe-harbor asset mgmt. fee income		
TENANT SERVICES					
Tenant Services		(50,000)	C-19 eligible costs		
Net Income	\$0	\$0			

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#### Reporting on the FDS

The COCC & CFP Fees

- The management fee expense that is paid to the COCC from the Capital Fund program that are above safe-harbor amounts will be reported on the Other Project column of the income statement, in the CFP column
  - Remember there are two columns CFP and OFP
  - 91300 Management Fee Expense
- The corresponding revenue will be paid reported on the COCC CARES Act fund 14.CCC on their respective FDS lines
  - 70710 Management Fee Revenue

FDS line 707xx has not been working on the FDS. As an alternative, PHAs have been using FDS Line 71500 with an explanation in the Comments section of the FDS



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### CFP & COCC Above Safe Harbor Income Statement Example

	Other AMP CFP Column	14.CCC	Explanation		
Supplemental grant funding above safe- harbor	\$10,000		Above safe-harbor admin fee (BLI 1410)		
Management Fee	(10,000)		Above safe-harbor mgmt. fee expense CFP		
Management fee income		\$10,000	Above safe-harbor mgmt. fee income		
Tenant Services		(10,000)	C-19 eligible costs		
Net Income	\$0	\$0			
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#### Reporting Requirements

#### Quarterly Portal Reporting



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#### Quarterly Reporting Requirements

- The \$150,000 threshold for reporting is based on all CARES Act funds awarded to the PHA regardless of source
- Once the PHA is over the \$150,000 reporting threshold the PHA must report on all Cares Act funds regardless of source
- The reporting must be at the grant level and at least one level below the grant award reporting and is due 10 days after the
  - For example: April 10<sup>th</sup>, July 10<sup>th</sup>, October 10<sup>th</sup>, January 10<sup>th</sup>
- ▶ When reporting, PHA's must report using the accrual basis of accounting
- Reporting will be completed at the activity level for each CARES Act award

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### **Quarterly Reporting Requirements**

The PHA may receive two awards for funding, such as HCV Admin fees.

For quarterly reporting, the PHA can report both awards together. For PHA's, HUD will establish 6 award types

- 1. CARES Act Operating Fund
- 2. CARES Act HCV Administrative Fee
- 3. CARES Act HCV HAP
- 4. CARES Act Mainstream Administrate Fee
- 5. CARES Act Mainstream HAP
- 6. CARES Act Moderate Rehabilitation



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#### Quarterly Reporting Requirements - Activity Levels

	Operating Fund	HCV Admin Funds	HCV HAP	Mainstream Admin	Mainstream HAP	Mod Rehab HAP		
Activity Level								
Operating Exp	Yes	Yes	N/A	Yes	N/A	N/A		
RAD	Yes	N/A	N/A	N/A	N/A	N/A		
HAP	N/A	N/A	Yes	N/A	Yes	Yes		
C19 Supp	Yes	Yes	N/A	Yes	N/A	N/A		
C19 Non-Sup	Yes	Yes	N/A	Yes	N/A	N/A		
Trf to COCC	Yes	Yes	N/A	Yes	N/A	N/A		
MTW PH: MTW HCV	Yes	N/A	N/A	N/A	N/A	N/A		
MTW HCV Admin-Non Admin	N/A	Yes	N/A	N/A	N/A	N/A		
MTW HCV HAP: Non HAP	N/A	N/A	Yes	N/A	N/A	N/A		
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### Quarterly Reporting Requirements - Activity Levels

		9						
	FDS Lines	LIPH 14. PHC	HCV 14.HCC	Mainstream 14.MSC	MOD Rehab 14.MRC	COCC 14. CCC	MTW 14.CMT	
Activity Level								
Operating Expenses	9110-97800 11040-070 to 11040- 1110	Х	Х	Х		Х	Х	
C19 Costs	92100 to 92500	Х	Х	Х		Х	Х	
RAD	97300 or 10094	Х						
HAP	97300		Х	Х	Х		Х	
Transfer to COCC	91300 91310 92000 70710 70720 70730	Х	Х	Х				
Transfers to MTW, PH and HCV	10010 10020 10093 10094	Х	х	Х				

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#### Quarterly Reporting Requirements Aligned to FDS

**Possible Portal View** 

DC999 - Anywhere Housing Authority Cares Act Supplemental Funding - Housing Choice Voucher For the Period July 1, 2020 - September 30, 2020

Quarte	rly CARES Act Re	porting		7		
	Cares Act Supplemental Admin. Fee	Cares Act Supplemental HAP	Other HUD Funds	Cares Act Reporting Total		
Amount Obligated by HUD Note 1	\$50,000	\$150,000	n/a	\$200,000		
Amount Disbursed by HUD Note 1	\$50,000	\$150,000	n/a	\$200,000		
Activity	Expenses Incurred by CARES Act AWARD					
Cash Balance - Beginning of Reporting Period	\$50,000	\$150,000	n/a	\$200,000		
Activity Level				a de la composition		
Operations	\$17,000			\$17,000		
COVID-19 Related	\$32,000		\$2,000	\$34,000		
HAP		\$140,000		\$140,000		
Total Expenses Incurred	\$49,000	\$140,000	\$2,000	\$191,000		
Cash Balance - End of Reporting Period	\$1,000	\$10,000		\$11,000		
Jobs Created	Note 2					
Benefits	Note 2	Note 2				

 FDS Reporting

 HCV CARES Act Funding 14.HCC

 Amount
 FDS Line Item

 \$8,000
 Admin. Salaries

 \$2,000
 Employee Benefits

 \$1,000
 Office Supplies

 \$6,000
 Equity Transfer Out (Laptops)

 =
 \$17,000

 =
 \$34,000

 =
 \$140,000

 =
 \$11,000

 Cash - Restricted - Other

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Note 1: HUD will provide data from their systems

Note 2: HUD is trying to fulfill this reporting requirement by using data already captured in HUD systems Note 3: Of the \$34,000 spent on COVID-19 relief, \$2,000 was funded by 2020 HCV administrrive fees

#### HUD must be able to reconcile quarterly CARES Act reporting to the PHA's FDS reporting

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#### CARES Act Reporting System (CARS) **Data Entry Steps** Step 1 - Select PHA Code Step 2 – Select Reporting Quarter CARS Step 3 - Select CARES Act Award DASHBOARD CARES ACT INSTRUCTIONS Step 4 – Select Activity Step 5 - Enter Amount Expended Step 6 - Select Add PHA Code 2020 - December 31 Transactions - n List of Activities per PIH Notice 2020-24 CARES Act Awards **Operating Funds Operating Expenses** \$0.00 \$0.00 HCV Admin. Fees RAD HCV HAP HAP ÷ - Activity Purpose -+ Mainstream Admin. Fees COVID-19 Supp Mainstream HAP COVID-19 Non-Supp Mod. Rehab. HAP \$0.00 Trf to COCC MTW PH: MTW / HCV MTW HCV Admin: Non-Admin MTW HCV HAP: Non-HAP Clear Cancel Submit BL **BDO PHA FINANCE** 68 PUBLIC HOUSING FINANCIAL UPDATE

### Questions?

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