

October 1, 2022



## Office of Portfolio Management Updates

Don't miss the latest Compliance and Asset Management Updates

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### The BLAST

October 1, 2022

## October is Domestic Violence Awareness Month

**FREE Webinar: Violence Against Women Act (VAWA)**

**October 6, 2022 - 1-2:30 PM.**

In this 90 minute webinar, Amanda Lee Gross will discuss the requirements that apply to affordable housing properties under VAWA including what programs it covers, and protections provided under VAWA.

- VAWA Rules for HUD, LIHTC, HOME, and USDA/RD
- Denial of tenancy or assistance
- Termination of assistance or tenancy
- Lease Bifurcation
- Emergency Transfers
- Notification and Documentation Requirements

Registration Open September 14, 2022 [Register](#)

### Compliance

**2022 HOME Rent Approvals are now past due! The deadline to submit HOME Rent Approval Forms was September 30, 2022.** Please ensure all the HOME projects in your portfolio submit the HOME Rent Reviews for approval.

The 2022 DCA HOME Rent Approval Form is available [here](#).

**Important!** Once you submit all required documents via Emphasys, please notify OPMPodC at [opmpodc@dca.ga.gov](mailto:opmpodc@dca.ga.gov).

### Success Stories

Thank you for your dedication to support Georgia Department of Community Affairs' mission to build strong and vibrant communities. We could not fulfill our mission without you and your teams.

- If you have a positive story to share, please submit a short write-up, blurb, and/or news article highlighting your success! We encourage you to provide pictures or links to accompany your story.
- Please note that your story may be shared with a wider audience

OPM  
YouTube  
Page

File Audit &  
Physical  
Inspections

Reporting

outside of our organization, therefore we ask that you do not include any information that might compromise the physical or online safety of any person such as a physical address/apartment number or social security number.

to DCA

Share Your Success here! - [Formstack](#)

## Compliance FAQ

**Q:** The “missing adjusted rent information” was cited as a finding, and we’ve consistently applied the 80% HOME over-income rule until receiving DCA’s directive stating otherwise. Would you please clarify?

**A:** If it is determined that the household’s income exceeds 80% of AMI, the tenant’s rent must be increased to the lesser of: 30% of the tenant’s adjusted annual income or HUD’s fair market rent limits, not to exceed the applicable limit. This applies to any HOME project, including those blended with LIHTC. We apologize for any mix-up or confusion. Following the procedures and requirements outlined in the HOME Regulations and the HOME Rules, partners shall annually re-examine and verify income for each household. Please review the LURA for each project, specifically the Income Determination section “Recertification and Over-Income Tenants.” You can find more information in the DCA HOME Manual Section 3.3 Over-Income Tenant restrictions regarding DCA’s monitoring protocols.

<https://www.dca.ga.gov/node/1939/documents/2254>

**Q:** Is there anything else we should know/do for households whose income increases above the 80% maximum limit?

**A:** Complete the [Next Available Unit - HOME](#), the HOME Adjusted Rent Worksheet, and a copy of the rent adjustment notification to the resident to document the tenant file as evidence that the owner is complying with this requirement. The form must be available for review by governing agencies upon inspection of the units.

<https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/compliance-monitoring/home>

**Q:** Would you clarify if we should use the Recertification Checklist as a guide to our recertification file submissions? Or should we submit the entire recertification file using the New Move-in Checklist as a guide?

**A:** Prepare and submit tenant files for electronic submission to the Emphasys Certification Portal using the [Desk Review Checklist for Recertification Files](#), and save each by unit number and household last name. Ex. Unit 1201, Doe.

[Desk Review Checklist for Initial Files](#)

[Desk Review Checklist for Recertification Files](#)

Review the [Inspection Timeline](#) to ensure you are aware of all due dates.

## Friendly Reminders :-)

### Affirmative Fair Housing Marketing Plan (AFHMP)

DCA requires that the HUD AFHMP be completed at initial Placed in Service or lease up, then updated or modified and submitted for approval every five years or with any significant demographic change between the five-year intervals. The most current version of the HUD 935.2A is OMB Approval No. 2529-0013 (exp. 1/31/2021).

<https://www.hud.gov/sites/dfiles/OCHCO/documents/935-2A.pdf>

Partners must ensure the marketing and rental practices follow Fair Housing policy and use advertising methods accessible to all prospective tenants.

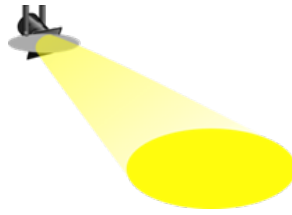
### Have you reviewed your Tenant Selection Plan?

Housing partners must have written tenant selection policies and criteria that include eligibility requirements and income for admission, occupancy standards, procedures for accepting applications, and selecting tenants from the waitlist. The Tenant Selection Plan should be free of discriminatory verbiage.

### State Database Tenant Transaction Reporting

The use of Emphasys is mandatory. The monthly deadline for updating the previous month’s tenant data is the 10th. Failure to enter tenant transactions monthly into the Emphasys portal may potentially result in any of the following:

- a) audit findings,
- b) delay in receiving 8609s,
- c) point deduction in scoring for future DCA funding,
- d) increased frequency of DCA Compliance Reviews (physical inspection and file auditing) from every three years, to annually,
- e) increased unit sampling size for physical inspections and file audits and/or,
- f) the cost of additional physical inspections/file reviews noted in d. and e. above (warranted by non-compliance issues) will be charged to the owner per unit in accordance with each applicable QAP



### **Form Spotlight**

*Urgent Health and Safety Violations form*

#### Health and Safety Findings

If during the inspections the inspector identifies findings that are Health and Safety Issues, the *Urgent Health and Safety Violations* form will be completed at the Exit Interview with the management personnel. If there are items having 24, 48 or 72 hour cures, the repairs to those items must be made in the timeframe listed for each violation. The Owner/Agent must certify by signing and dating the form, that those repairs have been made. It is then emailed to the appropriate POD, as noted on the form, within the timeframe allowed. It is imperative that this be completed and submitted as required. The Notice of Health and Safety violation form may be found under *Step 7* [here](#) .

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## **Asset Management**

### **Georgia Housing Search (GHS) – Affordable Housing Listing Website**

Every Georgia DCA monitored properties **are required to be listed on the GHS website**. Your listings must include the required photos, (bedroom(s), kitchen, dining, living room for each floorplan, and the main entrance and monument/sign) <https://www.georgiahousingsearch.org/>

### **Extended Use Period properties – be ready for an unscheduled visit**

- Properties in the LIHTC Extended Use Period (EUP) are subject to a physical inspection at DCA's sole discretion. Please be advised, unlike physical inspections performed during the Compliance Period, DCA does not provide advance notice for these inspections. Please note that an owner's refusal to provide DCA staff or an inspection consultant access to a DCA monitored property for physical inspection is considered a major finding of non-compliance.
- Properties in the EUP (meaning properties in years 16-30) are required to report Tenant transactions to the Emphasys Certification Portal by the 10th of each month, just like properties in the LIHTC Compliance Period and/or HOME Affordability period. Failure to file these monthly reports is considered a major finding of non-compliance.

### **Ownership Transfers and Sales of DCA properties**

Please be reminded that owners are responsible for filing a formal request for DCA's approval of GP transfers of interest and/or the sale of a GHFA/DCA funded and monitored property. No GHFA/DCA monitored properties are exempt from notifying DCA at least 30 days in advance of a proposed sale or transfer. Currently, you may contact DCA's Asset Management team for specific instructions for filing these transfer requests **for properties that have already been placed in service please**

email: [AssetManagement@dca.ga.gov](mailto:AssetManagement@dca.ga.gov)

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