U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES (OLHCHH)

FY18 PROGRAM MANAGER SCHOOL

UNIT ELIGIBILITY

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OMAHA, NE   APRIL 30-MAY 3, 2018
Objective: Determining unit eligibility

• Construction Year
• Unit Type
• Occupancy: child under 6 residing or spending significant time; pregnant woman.
• Resident Income Eligibility: At or below 80% median income
• Lead-Paint Hazards
UNIT REQUIREMENTS

- Construction: Must be Pre-1978
  check local Assessor or tax website
- Unit Type:
  Single family (owner-Occupied or rental)
  Multi-family
- Privately Owned Units Only- NO project based or public assisted units!
- Residents of owner-occupied and rental must meet income eligibility and you must have income verification to document that
- Rentals must be occupied by or made available to low income families with children under 6
- Vacant units must be marketed as lead safe, ideal for families with children under age 6.
Owner-Occupied:

- Must be primary residence of families with income at or below 80% area medium income.
- Not less than 90% of the units assisted must be occupied by a child under age 6 – includes visiting child who spends significant amount of time” which is defined as at least three hours per day on two separate days in a week (six hours per week total), and at least 60 hours total per calendar year.
UNIT ELIGIBILITY, CONT’D

Rental:
- Tenants must meet income requirements
- Must remain affordable for minimum 3 years following the completion of lead abatement activities
- Marketed to families with a child under the age of six years, with preference given to these families- Program Responsibility to show this in contract and monitoring documents

Vacant:
- Must be marketed to low-income families with children under age 6 and remain affordable for 3 years
- Do not overload your unit production with vacant units-
  - See policy 2014-01 PAGE 3: it is the programs responsibility to show documentation that they have marketed to occupied units as a priority and accept vacant units as an exception (Such as having no waiting list of occupied units)
UNIT ELIGIBILITY, CONT’D

Occupancy:
• Occupied by a child under age 6
• Frequently visited by a child under age 6
• Pregnant woman or of child bearing age
• Zero Bedrooms are different they have their own policy!!
# Eligibility of Units for Assistance

PGI 2014-01 November 5, 2014

<table>
<thead>
<tr>
<th>Occupant Type</th>
<th>Income Level</th>
<th>Child Occupant &lt;6 years old</th>
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</table>
| Renter                               | 1. At least 50% units must be less than 50% AMI, and 2. Remaining units (<50%) must be less than 80% AMI | 1. Not required at time of assistance  
Property owner must give priority to families with child under 6 years old for at least 3 years. |
| Multifamily Renter (≥ 5 units in same property) | 1. 20% of total number of units in same building may exceed 80% AMI  
2. Remaining units must meet renter income requirements above | 1. Not required at time of assistance  
Property owner must give priority to families with child under 6 years old for at least 3 years. |
| Owner (primary residence)            | 100% of owner-occupied units must be occupied by families with less than 80% AMI | 1. At least 90% of total number of owner-occupied units assisted must have:  
   - A child under 6 years old in residence, or  
   - A child under 6 years old spends a "significant amount of time" 3 or  
   - A pregnant woman  
2. Less than 10% of total number of units assisted may be occupied by families without a child |
NEW POLICY 0-BEDROOM

PGI 2017-03 0-Bedroom Pre 1978 Units with a child under 6

- Child under six must reside or expected to reside in the unit
- “Expected to reside” means actual knowledge of residency or expected residency.
  (includes woman known to be pregnant. In cases of future move-in, a signed lease is required and must be part of the case file documents.)
INCOME ELIGIBILITY

• Resident’s must meet the guidelines of at or below 80% median income
• Income of all 18 years and older must be included.
• Use documentation required by the income eligibility method chosen by your program
• Income must be reverified if unit is not completed within 6 months initial application
INCOME VERIFICATION

You must choose the method you will use for all program applications and apply it consistently.

Options:

• The Part 5 definition of annual income

• The Internal Revenue Service (IRS) adjusted gross income definition from IRS Form 1040. HOME rules specify that initial income verification must be based on a review of reliable source documentation, such as wage statements.

○ https://www.hudexchange.info/incomecalculator/
LEAD-PAINT HAZARDS

• If unit meets construction, occupancy and income eligibility requirements, it must also have lead-based paint hazards identify:
  • Complete a Tier II Environmental Review (Appendix A)
  • Conduct a full LIRA which includes a lead paint inspection with XRF and a Risk Assessment identifying the lead paint hazards and providing suggested methods to eliminate the hazard either through abatement or interim controls.
Units meet all the above criteria – What’s next?

The purpose of Lead Hazard Control Grant Funds are to address units that impact the health of children under age 6

- Units should be prioritized meeting the needs of children with elevated blood lead levels FIRST
- Units with children under 6
- Units with women of childbearing age
Case Example 1

Case:
Unit: Pre-1978, EBL, Household income over 80%: Can the unit receive grant funds for lead hazard control?

No even with a lead poisoned child.

Possible Solution:
Refer owner to HUD approved Housing Counselor to see if they qualify for a HUD 203K loan.
If in rural area, refer to local USDA Single Family Loan Program.
Suggest owner reapply if income changes.
CASE EXAMPLE 2

Application approved 1/20/2017

Due to delay, hazard control work not scheduled to process until 10/1/2017

Income must be recertified. Recertification shows unit is now over income. Can work proceed.

No Owner must meet income guidelines at time of assistance.
• NOFA
• PG 2017-03, Treatment of 0-Bedroom Pre-1978 Units
• PG 2014-01, Eligibility of Units for Assistance
• PG 2013-07, Income Verification Guidance
• PG 2013-05 Use of LHC funds in non-target housing and other prohibited activities
• PG 2012-02 Enrolling Previously Assisted Units
• PG 2008-04 Use of OHHLHC Grant Funds for units covered by pending or final Section 1018 Lead Disclosure Rule Enforcement Actions
• PG 2002-01 Lead Hazard Control in Multi-Family Housing containing Ineligible Units
• PG1998-02 Eligibility of certain publicly owned housing for assistance under Lead Hazard Control grants
• CPD Income Eligibility Calculator (https://www.hudexchange.info/incomecalculator/)
FINALLY……

When in doubt, do not hesitate to contact your GTR for an opinion.