

Frequently Asked Questions about PIH Notice 2021-03: Request for Applications under the Moving to Work Demonstration Program Fiscal Year 2021: COHORT #4 – Landlord Incentives
and
2021-19: EXTENSION of Request for Applications under the Moving to Work Demonstration Program – Landlord Incentives Cohort
(previously published as Request for Applications under the Moving to Work Demonstration Program Fiscal Year 2021: COHORT #4 – Landlord Incentives)

UPDATED June 10, 2021

Background

This document contains a listing of questions regarding PIH Notice 2021-03 (HA) and PIH Notice 2021-19. The contents of this document will be updated periodically as questions arise that can be addressed by HUD. Additional questions and answers will be added to the top of the document as they become available. The footer will be updated to denote the revision date.

For more information on the Landlord Incentives Cohort of the MTW Expansion please visit: https://www.hud.gov/program_offices/public_indian_housing/programs/ph/mtw/expansion/cohort4 (MTW Cohort #4 Website).

June 2021 FAQs

1. Is there a new due date and eligibility determination date by which PHAs must submit applications to the Landlord Incentives Cohort?

Yes. MTW Plan and application packages for the Landlord Incentives Cohort of the MTW Expansion are now due by **11:59 pm Eastern Daylight Time (EDT) on October 15, 2021**. HUD will conduct eligibility for all applicant PHAs according to the requirements of PIH Notice 2021-03 as of that date.

2. My PHA already held public meetings related to the Work Requirements Cohort. Would those count for the Landlord Incentives Cohort of the MTW Expansion?

FOR PHAs THAT PLANNED TO ONLY APPLY TO THE WORK REQUIREMENTS COHORT BUT WOULD NOW LIKE TO APPLY TO THE LANDLORD INCENTIVES COHORT

PHAs that planned to apply for only the Work Requirements Cohort must conduct a public process with details pertinent to the landlord incentives cohort.

FOR PHAs THAT PLANNED TO APPLY TO BOTH THE WORK REQUIREMENTS COHORT AND THE LANDLORD INCENTIVES COHORT

PHAs that planned to apply to both the Work Requirements Cohort and the Landlord Incentives Cohort of the MTW Expansion may continue utilize one set of public processes for both cohorts. Going forward in the public process, PHAs should be careful to explain that the Work Requirements Cohort was rescinded by HUD and include relevant information on the Landlord Incentives Cohort only. PHAs should also ensure that all documentation makes reference to the Landlord Incentives Cohort.

For both situations, if prior public meetings discussed the PHA applying under the Work Requirements Cohort, the PHA must explain that the Work Requirements Cohort was rescinded by HUD and that the PHA has redirected its efforts to apply to the Landlord Incentives Cohort.

3. **The MTW Waiver and associated activity on Vacancy Loss (item 4.a described on page 4 of PIH Notice 2021-03) states that "The PHA may pay a landlord reimbursement for tenant-caused damages after accounting for any security deposit." Are PHAs only allowed to reimburse the landlord for tenant damages if they are also evicting the tenant or the tenant has otherwise vacated?**
Yes. Vacancy Loss payments are available to the landlord only after the tenant has been evicted or has otherwise vacated the unit.
4. **If our PHA is assigned to the “control group” through the lottery for the Landlord Incentives Cohort, will it be able to apply to future cohorts of the MTW Expansion?**
On the top of page 3, PIH Notice 2021-03 explains that: “The applicant PHAs not selected through the lottery will not receive MTW designation under the fourth cohort of the MTW Expansion but may apply for any future cohorts of the MTW Expansion.”
5. **How should my PHA fill out the required standard forms?**
The signatories for the required standard forms vary depending on the structure of the PHA and its jurisdiction. The PHA must determine the applicable entities and signatories that apply under its specific circumstances.

April 2021 FAQs

1. **What are the requirements for public housing agencies (PHAs) applying for the MTW demonstration under this Notice? Must applicant PHAs meet all of the requirements? Is there a way to obtain an exception to one or more of the requirements?**
Section 239 of the Fiscal Year 2016 Appropriations Act, P.L. 114-113 (2016 MTW Expansion Statute) requires that applicant PHAs be designated as a High Performing agency under either the Public Housing Assessment System (PHAS) OR the Section Eight Management Assessment System (SEMAP). Additional eligibility criteria established by HUD can be found in the Notice on pages 11-15. PHAs applying for the MTW demonstration under this Notice must meet all of the eligibility requirements. Exceptions to one or more of the requirements will not be available.
2. **How many PHAs does HUD expect to designate under the Landlord Incentives Cohort of the MTW Expansion?**
HUD estimates selecting up to 30 PHAs under this cohort.
3. **In light of COVID-19, must the PHA still conduct the two public meetings and public hearing as described in PIH Notice 2021-03?**
Public hearings/meetings required as part of the Landlord Incentives Cohort Request for Applications must still occur. PHAs are permitted to hold such meetings remotely or online provided they can accept and post answers to questions submitted during the meeting. In selecting a streaming service, PHAs must ensure they can comply with Section 504 of the Americans with Disability Act. PHAs that continue with public hearings/meetings in-person should follow the latest CDC, state, and/or local health department guidance.
4. **With limited ability for face-to-face contact, resident, participant and community engagement is a challenge. Are there other ways to conduct robust public engagement?**
HUD recommends that PHAs develop a process that includes various forms of alternative communication methods so that all residents/participants/the community can receive information and participate in the

process regardless of their individual circumstances. Below are some suggested methods by which to share information:

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

5. Where can I find blank copies of the standard forms needed for Appendix 3 (HUD-2991, HUD-50071 and SF-LLL)?

Links to blank versions of these forms are available on the Landlord Incentives Cohort website.

6. Please provide more clarification on the “15 day” requirement for the Board approval (that is, that the board resolution must be signed no less than 15 days after the public hearing). Is there any requirement on when the public hearing must be held during the public comment window (should it be at the beginning or at the end)?

To give an example, if the public hearing was held on June 10th, the Board approval would need to be on June 25th or later (assuming the public comment period had already closed). The Board approval should occur after, not during, the public comment window.

There are many different ways to schedule these requirements to provide flexibility with the existing processes of your local community. For example, say, the public comment period runs from June 1st through June 30th and the public hearing is on June 10th, the soonest the Board could provide approval would be July 1st. If the public comment period runs from June 1st through June 30th and the public hearing is on June 20th, the soonest the Board could provide approval would be July 5th.

7. Can MTW activities work in both PBV and PBRA RAD units?

No. PBRA units are not included in the MTW program. No MTW flexibility may be extended to PBRA units whether they are PBRA RAD units or not. MTW flexibility may be applied to PBV units as described in the MTW Operations Notice. If PBV units are PBV RAD units, then the PHA must also follow the requirements of the RAD Notice, which may expressly limit which MTW flexibilities and/or activities can be applied to an MTW PHA's PBV RAD units.

8. My PHA was determined to be eligible to MTW Flexibility for Small PHAs Cohort or the Stepped and Tiered Rent Cohort of the MTW Expansion. Am I still eligible under this Notice? Do we have to complete an entirely new MTW Plan and application package for this cohort?

PHAs that applied to the MTW Flexibility for Small PHAs Cohort or the Stepped and Tiered Rent Cohort of the MTW Expansion and were found to be eligible for that cohort by HUD are eligible for Landlord Incentives Cohort of the MTW Expansion if they are not troubled in either the Public Housing Assessment

System (PHAS) or the Section Eight Management Assessment Program (SEMAP) as of October 15, 2021. Additional verification of the statutory and additional eligibility requirements will not be conducted for these PHAs.

The PHA must still meet the completeness requirements for the cohort-specific application, so the PHA must submit a specific MTW Plan and application for this cohort by the deadline in PIH Notice 2021-03. PHAs that have applied to other cohorts of the MTW Expansion will notice that the items in the MTW Plan portion of the application for this cohort mirror the items from other cohorts. To the extent information is still accurate and relevant to the current cohort, a PHA may elect to use information from past applications.

9. What if I have a question not addressed in this document?

Please direct any questions in email to: MTWcohort4@hud.gov.