

**8-II.C. ANNUAL/BIENNIAL HQS INSPECTIONS [24 CFR 982.405; 982.406,  
Notice PIH 2016-05]**

**AHA Policy**

Each unit under HAP contract must be inspected biennially within 24 months of the last full HQS inspection. AHA reserves the right to require annual inspections of any owner at any time.

AHA may accept the results of inspections performed by HUD or for other housing programs such as HOME or LIHTC.

**Scheduling the Inspection**

**AHA Policy**

If an adult family member cannot be present on the scheduled date, the family should request that the AHA reschedule the inspection. The AHA and family will agree on a new inspection date that generally should take place within 5 business days of the originally-scheduled date. The AHA may schedule an inspection more than 5 business days after the original date for good cause.

If the family misses the first scheduled appointment without requesting a new inspection date, the AHA will automatically schedule a second inspection. If the family misses two scheduled inspections without AHA approval, the AHA will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with Chapter 12.

**Deleted:** If a unit is found to have a life-threatening HQS fail or 3 or more non-life threatening fail items, the owner of that unit will be required to participate in annual inspections for all units for the period of 24 months before being returned to biennial inspections. This does not apply to HQS fails caused by tenants. One or more substantiated complaints will also require the owner of that unit to participate in annual inspections for all units for the period of 24 months before being returned to biennial inspections.

**8-II.D. SPECIAL INSPECTIONS [24 CFR 982.405(g)]**

If a participant or government official reports a life-threatening condition which the owner would be required to repair within 24 hours, the PHA must inspect the unit within 24 hours of notification. If the reported condition is not life-threatening, the PHA must inspect the unit within 15 days of notification.

**AHA Policy**

During a special inspection, the AHA generally will inspect only those deficiencies that were reported. However, the inspector will record any additional HQS deficiencies that are observed and will require the responsible party to make the necessary repairs.

If the annual inspection has been scheduled or is due within 90 days of the date the special inspection is scheduled the AHA may elect to conduct a full annual inspection.

#### 8-II.E. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b); HCV GB, p. 10-32]

HUD requires a PHA supervisor or other qualified person to conduct quality control inspections of a sample of units to ensure that each inspector is conducting accurate and complete inspections and that there is consistency in the application of the HQS.

The unit sample must include only units that have been inspected within the preceding 3 months. The selected sample will include (1) each type of inspection (initial, annual, and special), (2) inspections completed by each inspector, and (3) units from a cross-section of neighborhoods.

#### 8-II.F. INSPECTION RESULTS AND REINSPECTIONS FOR UNITS UNDER HAP CONTRACT

##### Notification of Corrective Actions

The owner and the family will be notified in writing of the results of all inspections. When an inspection identifies HQS failures, the PHA will determine (1) whether or not the failure is a life-threatening condition and (2) whether the family or owner is responsible.

##### AHA Policy

When life-threatening conditions are identified, the AHA will immediately notify both parties by telephone, facsimile, or email. The notice will specify who is responsible for correcting the violation. The corrective actions must be taken within 24 hours of the AHA's notice.

When 3 or less failures that are not life-threatening, not lead based paint (LBP) deficiencies, not "failure to gain access" are identified, the AHA will send the owner and the family a written notification of the inspection results within 5 business days of the inspection. The written notice will specify who is responsible for correcting the violation, and the time frame within which the failure must be corrected. The written notification will also outline the unit is eligible for self-certification. The owner and/or tenant must verify that all repairs are corrected. The self-certification must be submitted to the AHA or its contractor within the time specified in the written notification. Generally not more than 30 days will be allowed for the correction.

The notice of inspection results will inform the owner that if life-threatening conditions are not corrected within 24 hours, and non-life threatening conditions are not corrected within the specified time frame (or any AHA-approved extension), the owner's HAP will be abated in accordance with AHA policy (see 8-II.G.). Likewise, in the case of family caused deficiencies, the notice will inform the family that if corrections are not made within the specified time frame (or any AHA-approved extension, if applicable) the family's assistance will be terminated in accordance with AHA policy (see Chapter 12).

## Extensions

For conditions that are life-threatening, the PHA cannot grant an extension to the 24 hour corrective action period. For conditions that are not life-threatening, the PHA may grant an exception to the required time frames for correcting the violation, if the PHA determines that an extension is appropriate [24 CFR 982.404].

### AHA Policy

Extensions will be granted in cases where the PHA has determined that the owner has made a good faith effort to correct the deficiencies and is unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:

- A repair cannot be completed because required parts or services are not available.
- A repair cannot be completed because of weather conditions.
- A reasonable accommodation is needed because the family includes a person with disabilities.

The length of the extension will be determined on a case by case basis, but will not exceed 60 days, except in the case of delays caused by weather conditions. Weather related extensions for exterior defective paint deficiencies and concrete walkway and foundation work may be granted/approved for the period November 1st through April 30th. Re-inspections for weather related items will be conducted beginning May 1st. In order for Weather Related Extensions to be approved, all interior deficiencies cited on the inspection report must be in a passed status.

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## Reinspections

### AHA Policy

The AHA will conduct a reinspection immediately following the end of the corrective period, or any AHA approved extension for units that have over three (3) repair items, have life-threatening repair items, have LBP deficiencies, or have "failure to gain access deficiencies."

The family and owner will be given reasonable notice of the reinspection appointment. If the deficiencies have not been corrected by the time of the reinspection, the AHA will send a notice of abatement to the owner, or in the case of family caused violations, a notice of termination to the family, in accordance with AHA policies. If the AHA is unable to gain entry to the unit in order to conduct the scheduled reinspection, the AHA will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with Chapter 12.

\$30 Reinstatement Fee – Owners who have not resolved inspection failures that are their responsibility once the unit goes into abatement may be required to pay a \$30 reinstatement fee before a re-inspection can be scheduled. Once the fee is paid, the Inspections Department will contact the landlord to schedule the re-inspection appointment.  
**8-11.G. ENFORCING OWNER COMPLIANCE**

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## **Departure of a Family or Household Member**

Families must promptly notify the PHA if any family member no longer lives in the unit

[24 CFR 982.551(h)(3)]. Because household members are considered when determining the family unit (voucher) size [24 CFR 982.402], the PHA also needs to know when any live-in aide, foster child, or foster adult ceases to reside in the unit.

### **AHA Policy**

If a household member ceases to reside in the unit, the family must inform the AHA within 10 calendar days. If an adult household member is removed from the household, that household member is not allowed to be added back to the family composition at any time. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

If a live-in aide, foster child, or foster adult ceases to reside in the unit, the family must inform the AHA within 10 calendar days.

#### 17-III.D. INSPECTING UNITS

##### Pre-selection Inspection [24 CFR 983.103(a)]

The PHA must examine the proposed site before the proposal selection date. If the units to be assisted already exist, the PHA must inspect all the units before the proposal selection date, and must determine whether the units substantially comply with HQS. To qualify as existing housing, units must substantially comply with HQS on the proposal selection date. However, the PHA may not execute the HAP contract until the units fully comply with HQS.

##### Pre-HAP Contract Inspections [24 CFR 983.103(b)]

The PHA must inspect each contract unit before execution of the HAP contract. The PHA may not enter into a HAP contract covering a unit until the unit fully complies with HQS.

##### Turnover Inspections [24 CFR 983.103(c)]

Before providing assistance to a new family in a contract unit, the PHA must inspect the unit. The PHA may not provide assistance on behalf of the family until the unit fully complies with HQS.

##### Annual/Biennial Inspections [24 CFR 983.103(d); FR Notice 6/25/14]

At least once every 24 months during the term of the HAP contract, the PHA must inspect a random sample consisting of at least 20 percent of the contract units in each building to determine if the contract units and the premises are maintained in accordance with HQS. Turnover inspections are not counted toward meeting this inspection requirement.

##### AHA Policy

The AHA will inspect on a biennial basis a random sample consisting of at least 20 percent of the contract units in each building to determine if the contract units and the premises are maintained in accordance with HQS.

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If more than 20 percent of the sample of inspected contract units in a building fail the initial inspection, the PHA must reinspect 100 percent of the contract units in the building.

**Preferences [24 CFR 983.251(d), FR Notice 11/24/08]**

The PHA may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. The PHA must provide an absolute selection preference for eligible in-place families as described in Section 17-VI.B. above.

Although the PHA is prohibited from granting preferences to persons with a specific disability, the PHA may give preference to disabled families who need services offered at a particular project or site if the preference is limited to families (including individuals):

- With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;
- Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and
- For whom such services cannot be provided in a non-segregated setting.

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

If the PHA has projects with more than 25 percent of the units receiving project-based assistance because those projects include "excepted units" (units specifically made available for elderly or disabled families, or families receiving supportive services), the PHA must give preference to such families when referring families to these units [24 CFR 983.261(b)].

**AHA Policy**

The AHA will provide a selection preference when required by the regulation (e.g., eligible in-place families, qualifying families for "excepted units," mobility impaired persons for accessible units). The AHA will offer any additional preferences for the PBV program or for particular PBV projects or units.

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<b>Revision Instructions – 7/1/17 Revision to Model Administrative Plan</b>		
<b>Remove Pages</b>	<b>Insert Pages</b>	<b>Changes Made in Admin Plan</b>
<b>Revision Page</b>	<b>Revision Page</b>	<b>Added new revision date</b>
TOC-1 thru TOC-30 (Entire TOC)	TOC-1 thru TOC-34	Updated TOC
1-11 thru 1-14	1-11 thru 1-14	Added new 4th bullet for 24 CFR Part 100 on p. 1-12 Corrected formatting in 7th bullet on p. 1-14
3-3 thru 3-6	3-3 thru 3-6	Added reference in <b>Family Breakup</b> heading, and added new 2nd bullet under this heading on p. 3-4 Repaginated pp 3-4 and 3-5
3-19/20	3-19/20	Corrected spelling of “liaison” in 2nd paragraph of the PHA Policy on p. 3-19
3-25 thru 3-28	3-25 thru 3-28	Added 2nd paragraph on p. 3-26 and deleted 1st paragraph under the PHA policy on p. 3-26 Corrected formatting at end of 2nd PHA Policy on p. 3-26
3-33/34	3-33/34	Changed text in 1st and 3rd paragraph and under the PHA Policy on p. 3-33
4-13 thru 4-16	4-13 thru 4-16	Changed text throughout PHA Policy under <b>Local Preferences</b> on p. 4-14 Repaginated pp. 4-14 and 4-15
5-5/6	5-5/6	Changed text in PHA Policy on p. 5-5
7-1 thru 7-4	7-1 thru 7-4	Changed text in 1st paragraph of PHA Policy on p. 7-2 Changed text in 3rd paragraph of PHA Policy on p. 7-4
7-19/20	7-19/20	Added 2nd paragraph to PHA Policy on p. 7-20
8-9/10	8-9/10	Changed text in 8-I.E. heading, and in all three paragraphs under this heading on p. 8-10
8-25/26	8-25/26	Changed text in 2nd to last paragraph under <b>Lead-Based Paint</b> on p. 8-26
9-13/14	9-13/14	Corrected formatting in 8th paragraph, and added new 4th paragraph under PHA Policy on p. 9-13
10-1/2	10-1/2	Added text in paragraphs under PHA Policy on p. 10-2
10-21/22	10-21/22	Corrected formatting in 3rd paragraph on p. 10-22
12-7 thru 12-24	12-7 thru 12-26	Added new 2nd paragraph, and deleted 1st paragraph under PHA Policy on p. 12-7 Repaginated from p. 12-7 through end of chapter Added sentence to paragraph before PHA Policy, and changed text in 4th paragraph of PHA Policy on p. 12-15 Added new 2nd and 3rd paragraphs under <b>Terminating the Assistance of a Domestic Violence Perpetrator</b> on p. 12-16 Added text regarding form HUD-5380 to both PHA Policies on p. 12-18
15-27/28	15-27/28	Added text at the end of 2nd paragraph on p. 15-28
16-1/2	16-1/2	Changed text in Part VII paragraph on p. 16-1

Revision Instructions – 7/1/17 Revision to Model Administrative Plan		
Remove Pages	Insert Pages	Changes Made in Admin Plan
16-19 thru 16-22	16-19 thru 16-22	<p>Moved subsection on <i>Procedures for Rehearing or Further Hearing</i> to now be before the <i>Hearing Officer's Decision</i> subsection on p. 16-20</p> <p>Repaginated from p. 16-20 through 16-22</p> <p>Deleted last sentence in 1st paragraph on p. 16-21</p> <p>Replaced where <i>Procedures for Rehearing or Further Hearing</i> subsection had been, with a new subsection for <i>Issuance of Decision</i> with new PHA Policy on p. 16-22</p> <p>Changed title of last subsection to <i>Effect of Final Decision</i> and changed text throughout the PHA Policy in this subsection on p. 16-22</p>
16-37/38	16-37/38	<p>Changed formatting in 3rd paragraph from bottom of page, and added new 2nd to last paragraph on p. 16-37</p>
16-41/42	16-41/42	<p>Changed "environmental intervention" to "elevated" text in <b>PART VII</b> heading, and throughout p. 16-41</p>
16-47 thru 16-76	16-47 thru 16-74	<p>Added text to 2nd paragraph under PHA Policy on p. 16-47</p> <p>Added text in first paragraph in 1st PHA Policy and added a new paragraph and new 2nd PHA Policy on p. 16-48</p> <p>Repaginated from p. 16-48 through 16-52</p> <p>Deleted text in 1st paragraph under PHA Policy on p. 16-49</p> <p>Added text in (1) and under PHA Policy on p. 16-50</p> <p>Changed text in paragraphs and both PHA Policies on p. 16-51</p> <p>Reformatted from p. 16-53 through end of chapter.</p> <p>Changed text and tightened the spacing throughout <b>EXHIBIT 16-1</b> from pp. 16-53 through 16-58</p> <p>Deleted "NMA" from <b>EXHIBIT 16-3</b> heading on p. 16-61 and tightened up spacing throughout this exhibit</p> <p>Replaced <b>Exhibit 16-5</b> with new exhibit for <b>Model Owner Notification of Rights and Obligations</b> on p. 16-69</p>
17-3/4	17-3/4	<p>Added new subbullet under last bullet on p. 17-3</p> <p>Changed text in 2nd subbullet and added new 3rd subbullet on p. 17-4</p>
17-15 /16	17-15 /16	<p>Added text to 1st paragraph under <b>Exceptions to 25 Percent per Project Cap</b>, added new subbullet under 3rd bullet, added new <i>Supportive Services</i> subheading, added text in paragraph following this subheading, deleted what had been the last paragraph above the PHA Policy, and corrected font size in PHA Policy on p. 17-15</p> <p>Changed Section number in 1st parenthesis of 1st subbullet on p. 17-16</p>



<b>Revision Instructions – 7/1/17 Revision to Model Administrative Plan</b>		
<b>Remove Pages</b>	<b>Insert Pages</b>	<b>Changes Made in Admin Plan</b>
17-51 thru 17-62	17-51 thru 17-64	Added new Emergency Transfers under VAWA section with new PHA Policy on p. 17-51 Repaginated from p. 17-51 through end of chapter Added new subbullet under 3rd bullet on p. 17-52
18-37 thru 18-46	18-37 thru 18-48	Added new Emergency Transfers under VAWA section with new PHA Policy on p. 18-37 Repaginated from p.18-37 through end of chapter