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PBCA Named for Northern California

The Performance-Based Contract Administrator (PBCA) has been named for Northern California. It is the California Affordable Housing Initiative (CAHI), a nonprofit entity of the Oakland Housing Authority. CAHI will be servicing assigned Section 8 contracts in the San Francisco and Sacramento office jurisdictions. CGI, a subcontractor of CAHI, will perform most of the day-to-day responsibilities of the PBCA contract.

The new PBCA will conduct an orientation meeting with the Owners and/or Management Agents of the properties involved. They will contact affected owners/agents by letter with specific meeting information. It is anticipated that CAHI will assume responsibility for the servicing of about 500 Section 8 contracts throughout Northern California on September 1, 2004. Owners with Section 8 contracts will be working directly with the PBCA rather than their HUD Project Manager on rent increases, contract renewals, special claims, exigent health and safety items and tenant inquiries.

Please refer to our online newsletter of March 2004 at http://www.hud.gov/local/ca/working/localpo/mfhsgnews.cfm detailing information concerning the PBCA contract. Of particular value is the Quick Reference Chart which determines who has lead responsibility for processing various actions.

We are looking forward to working with CAHI and CGI in launching this initiative in Northern California.
The U.S. Senate unanimously confirmed Alphonso Jackson as the nation’s 13th Secretary of HUD on March 31, 2004.

Secretary Jackson is guiding the U.S. Department of Housing and Urban Development (HUD) in its mission of providing affordable housing and promoting economic development. He brings more than 25 years of direct experience in both the private and public sectors to this assignment.

In nominating Secretary Jackson, President George W. Bush chose a leader with a strong background in housing and community development, expertise in finance and management, and a deep commitment to improving the lives of all Americans.

Secretary Jackson first joined the Bush Administration in June of 2001 as HUD’s Deputy Secretary and Chief Operating Officer. As Deputy Secretary, Mr. Jackson managed the day-to-day operations of HUD and its annual budget of $32 billion. Mr. Jackson also instilled a new commitment to ethics and accountability within HUD’s programs and among its workforce and grant partners.

Secretary Jackson holds a bachelor’s degree in political science and a master’s degree in education administration from Truman State University. He received his law degree from Washington University School of Law.

An expert on public housing and urban issues, Secretary Jackson has been asked to serve on a number of national and state commissions, most notably the General Services Commission of the State of Texas, where he served as Chairman; the National Commission on America’s Urban Families, and the National Commission on Severely Distressed Public Housing. Secretary Jackson has also lent his expertise to numerous nonprofit and corporate boards.

INDUSTRY MEETING

The next HUD property management Industry meeting will be held on July 15th on the second floor of the Phillip Burton Federal Building, 450 Golden Gate Avenue, San Francisco.

To add topics to the Agenda contact Betty Wang at (415) 436-7465.
On April 22, 2004, the Association of Housing Management Agents of Northern California and Nevada presented the Pamela Stroud Lifetime Achievement Award to Janet Browder, Director of the San Francisco Multifamily Hub. Ms. Browder received this award in recognition of her more than 28 years working at HUD and her efforts to promote and preserve affordable housing.

Mrs. Browder came to the San Francisco HUD office after working in HUD Offices in Detroit and Columbus. As the San Francisco Multifamily Hub Director, she has responsibility for over 1600 HUD insured/subsidized properties, in Northern California, Arizona, Nevada, and Hawaii, with a total mortgage obligation of over $5.1 billion. Prior to Ms. Browder’s career with HUD, she worked for a non-profit developer and manager of cooperative housing.

Bill Harrison, President of Santa Fe Associates, presented the award to Mrs. Browder. Mr. Harrison hired her for a position in Loan Management in San Francisco over 25 years ago. Mr. Harrison stated in his presentation: "John Kennedy once said 'No government is better than the people who compose it.' In her public service career, Janet Browder is the best there is, and HUD is blessed to have her. She has organized a top rated housing staff in San Francisco, and she is respected by everyone in the industry. Like everyone here today, she has made affordable housing her career, and the administration of HUD’s housing programs is substantially better because of her involvement."

REAC would like to thank all of the people responsible for the success of the FASS system including the contractors and HUD staff who designed and built the system, the REMS team for their continued support, staff of the REAC Technical Assistance Center and REAC Financial Analysts for providing technical support to users, Project Managers for their data cleanup and maintenance efforts, and the entire community of industry users (owners, management agents, and CPAs). FASS continues to improve thanks to the continued dedication and support of our HUD and industry partners.

The Departmental Enforcement Center (DEC), in coordination with the Real Estate Assessment Center (REAC), receives electronic referrals of multifamily projects where the owner has failed to properly submit annual financial statements (AFS).

The DEC assigns an Enforcement Analyst (EA) to each "AFS non-filer" referral. All DEC Offices (Washington DC, Atlanta, Chicago, Fort Worth, Los Angeles, and New York) have EAs working on these matters.

The EA is responsible for assessing the reason the owner did not file properly and for obtaining compliance. The EA contacts the owner and/or the owner’s representative(s), such as accountants and management agents. The EA also obtains regulatory and contractual documents related to the ownership. These documents are reviewed and used in determining and verifying the owner’s AFS filing requirements.

After filing compliance is achieved and/or the owner agrees to file the report, the EA will determine if a civil money penalty should be pursued.
Civil money penalties will also be pursued if an owner does not agree to file. If an appropriate settlement cannot be reached or compliance cannot be achieved, the EA forwards the non-filer folder to legal counsel with a recommendation for the issuance of a complaint for civil money penalty pursuant to 12 U.S.C. § 1735f-15(c)(1)(B)(x).

Failure to properly submit the AFS is a basis for an assessment of a monetary penalty. Penalties assessed must be paid with non-project funds. Use of project funds for penalties assessed on the ownership is prohibited. Currently, an administrative law judge may impose penalties up to $32,500 for each violation.

The DEC’s primary goal is to obtain owner compliance with the electronic AFS filing requirements.

Successful Loan Sale

The Department held a successful sale of mortgages in its March 30, 2004, Multifamily and Healthcare Loan Sale 2004-1.

- Number of Loans Offered:
  - 22 Multifamily projects
  - 21 Healthcare Projects (including one hospital)
- Number sold: 43
- Total Gross Proceeds: $138,766,608
- Overall Sales Price: 54.9%
- Price for Multifamily Loans: 70.57%
- Price for Healthcare Loans: 32.59%
- Total Bidders: 16 (including one owner)
- Total Successful Bidders: 5

The Department sells both multifamily and single family mortgages to the private sector to liquidate its inventory of HUD-held mortgage loans and to generate budget savings. Our goal is to hold two sales each year. The next sale of unsubsidized loans is planned for September 2004.


Mortgage Loan Servicing Website

Property owners and management companies of properties with HUD-held mortgages can access a new Mortgage Loan Servicing Website (MLSW) at www.dynaccsys.com to view the following accounting information from HUD’s database: payments applied to accounts, current balances, tax payments, insurance payments, and accrued interest. New users should click on the MLSW link on the left side of the screen and then on the "New User" link to apply for access.

A component of Housing’s strategy under the Rental Housing Integrity Improvement Project (RHIIP) is the Tenant Optimum Compliance initiative. This initiative builds on the Enforcement of the Automation Rule to meet the Secretary's initiative to significantly reduce subsidy payment errors by 50% in FY 2005.

TRACS Automation Rule - Lanier Hylton, Director, Office of Housing Assistance Contract Administration Oversight

The Office of Housing is implementing the Tenant Optimum Compliance initiative whereby HUD will check each month’s voucher request for payment and compare it with TRACS tenant data to determine the project’s compliance percentage.

What happens to voucher payment requests that are noncompliant?

1. Noncompliant requests for voucher payments will generate a broadcast notification message that appears as an email on the TRACS system.
2. Owners/agents will be given an opportunity to provide sufficient data for those vouchers that are noncompliant.
3. Those with a high percentage of noncompliant vouchers will be subject to suspension until the number of tenant certifications in TRACS meets an acceptable level to substantiate payment.

Service Coordinator Extension Procedures

For those properties with Service Coordinator grants, a new One-Year Budget form has been developed for use when requesting an extension.
The new Form HUD-91186-A has expanded those categories as follows: salary, fringe benefits, quality assurance, training, travel, supplies and materials, other direct costs, and indirect costs.

For further information about HUD’s Multifamily Housing Service Coordinator program and to obtain forms and other program materials, visit HUD’s website at http://www.hud.gov/offices/hsg/mfh/scp/scphome.cfm.

A decrease in prior year funding typically occurs after a contract has been terminated or after current year funding is in place for payments.

### Mortgagee Letters

**HUD issues Mortgagee Letters to inform lenders of changes in FHA operations, policies and procedures.**

Lenders, bankers and others interested in HUD mortgage insurance programs will be interested to know that HUD’s business partners page (http://www.hud.gov/groups/lenders.cfm) contains links to a wide variety of resources available on HUD’s website, including information on what’s new, online tools and a listing of all FHA Mortgagee Letters (http://www.hud.gov/offices/hsg/mltrmenu.cfm).

### SuperNOFA

The HUD SuperNOFA was published on May 14, 2004. The following programs are included in the NOFA:

- **Assisted-Living Conversion Program for Eligible Multifamily Projects** - applications due on July 22, 2004, to the appropriate HUD Multifamily Hub Office
- **Section 202 Supportive Housing for the Elderly** - applications due on July 7, 2004, to the appropriate HUD Multifamily Hub Office or Multifamily Program Center
- **Section 811 Supportive Housing for Persons with Disabilities** - applications due on July 7, 2004, to the appropriate HUD Multifamily Hub Office or Multifamily Program Center
- **Service Coordinators in Multifamily Housing** - applications due on July 22, 2004, to the appropriate HUD field office

The Department's Interim Rule published in the Federal Register on March 26, 2004, implements the requirement that applicants for funding assistance must have a Data Universal Numbering System (DUNS) to receive funding from HUD. A copy of the DUNS Rule has been placed on the grants internet page at http://www.hud.gov/grants/index.cfm.

Organizations can receive a DUNS number by calling the dedicated toll-free DUNS number request line at 866-705-5711 between 8:00 a.m. and 6:00 p.m. (local time of the caller when calling from within the United States). Speech- or hearing-impaired individuals may access the toll-free DUNS number request line through TTY by calling (866) 814-7818. Organizations may also apply online at: http://www.dunandbradstreet.com

### TRACSMail Funding Notification Messages

Beginning in May 2004, a new message will be sent to the TRACSMail ID that last submitted a property’s voucher request. The message will list contract number(s) that received additional amendment budget-authority (+) or contracts with decreased budget authority (-) and the funding amounts. A decrease in prior year funding is in place for payments.

### Nursing Home Update

HUD is taking a closer look at salaries paid to property owners. During a recent review, HUD found that owner's salaries were not always reasonable and necessary to the operations of the property because the property's administrator performed many of the normal management functions. HUD has generally approved the owner's salary during the loan origination process. However, paying the owner a salary out of operating funds has often contributed to the property's negative cash position.

Headquarters has recommended that HUD identify the management duties performed by the project owner and determine the appropriate amount of salary the owner should receive from operating funds for performing those duties. An owner's salary should be restricted to the amount determined.

**New HUD Telephone Numbers Are Coming!**

HUD’s San Francisco Regional Office will be moving this Fall!
In Seattle, Washington, on March 10, 2004, Delores Pruden, the HUD National Director of Neighborhood Networks (NN), kicked-off the first of three 2004 Regional Technical Assistance Workshops (RTAW’s). Renee Greenman, HUD Director of Northwest/Alaska Multifamily Hub, and John Meyers, Regional Director of HUD Region X, also welcomed participants.

NN is now in its ninth year and continues to deliver the benefits of computer technology to residents of multifamily properties. The RTAW covered various ways for NN centers to enhance their programs. The RTAW provided useful information on marketing NN centers, recruiting & managing paid or volunteer staff, building effective partnerships, establishing 501C3’s & consortiums, connecting with today's technology trends, fundraising, delivering effective educational programs, creating entrepreneurial opportunities, resident workforce development and developing youth leadership.

BCT Partners is the new NN national partner. They specialize in management technology and consulting. BCT Partners is also actively involved in securing broadband access for units in HUD properties on the east coast. Workshop participants included: Armand Carriere, HUD, Office of University Partnerships; Hazel Mingo, U. S. Department of Education; Michelle Viotti, NASA; and Brian Cahill, U. S. Internal Revenue Service. They presented information on establishing partnerships with local colleges and/or universities, securing student aid funds for residents, connecting students to NASA programs and earned income tax credits for low-income residents.

For more information check the NN website at:

http://www.neighborhoodnetworks.org

Located in the Barrio Historico neighborhood, Lalo Guerrero Barrio Viejo provides housing for 62 very low-income senior households on the site of the original Drachman Elementary School constructed in the early 20th century. Portions of the original school have been preserved and incorporated into this unique project. The Neighborhood Networks Center has three work stations, all having internet access.

The grand opening was attended by a majority of Barrio Viejo residents, staff from Catholic Community Services of Southern Arizona (project sponsor), City of Tucson, Pima County and HUD personnel. Sharon Atwell, Field Office Director for the Tucson HUD Office presented a certificate of recognition to Jesus Mora, Housing Director for Pio Decima. Lynn Serfling and Sandra Trepper represented the Phoenix Multifamily Program Center.

The NN center currently has programs to help residents broaden their opportunities in the areas of health, social activities, as well as education and employment. In addition to the help from the Service Coordinator, savvy residents also assist fellow residents in learning how to use the equipment and software.
From June 20-26, 2004, Neighborhood Networks centers across the country will share the remarkable achievements, talents, leadership, and skills of families living in HUD insured and subsidized housing. HUD invites Neighborhood Networks centers, property owners, residents, partners, volunteers, and communities across America, Puerto Rico, and the U.S. Virgin Islands to participate.

Again this year, a youth poster contest was held, which closed April 30. The winning poster will be printed and distributed to all centers for Neighborhood Networks Week. For the first time, a contest is being held for songs that reflect the Neighborhood Networks tagline, “Delivering Technology Access to America’s Communities.” The winning song will be posted to the website and will be part of the Neighborhood Networks 10th Anniversary Conference in 2005. The deadline for song entries is June 4, 2004.

Kickoff and other events for Neighborhood Networks Week are being planned, along with national Web events. We encourage centers to register online at [http://www.hud.gov/offices/hsg/mfh/nnwk/nnweek2004.cfm](http://www.hud.gov/offices/hsg/mfh/nnwk/nnweek2004.cfm) using the Neighborhood Networks Week Registration Form or by calling toll free (888) 312-2743 or TTY (800) 483-2209.

### NEIGHBORHOOD NETWORKS WEEK LOCAL EVENTS

#### CALIFORNIA

<table>
<thead>
<tr>
<th>Location</th>
<th>Event</th>
<th>Center Name</th>
<th>Date &amp; Time</th>
<th>Phone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sacramento 7610 Amherst St.</td>
<td>NN-Basketball Tournament</td>
<td>Family Outreach of Whispering Pines NN CT</td>
<td>June 20, 2004</td>
<td>(916) 392-1002</td>
</tr>
<tr>
<td>Seaside 1466 Yosemite St.</td>
<td>Del Monte Manor Open</td>
<td>Del Monte Manor</td>
<td>June 20, 2004</td>
<td>(831) 394-1912</td>
</tr>
<tr>
<td>San Francisco 1340 Hudson Ave.</td>
<td>Completion Ceremony</td>
<td>Jackie Robinson Computer Learning Center</td>
<td>June 25, 2004</td>
<td>(415) 821-7104</td>
</tr>
<tr>
<td>San Francisco 9840 Powell St. #101</td>
<td>Heritage Network</td>
<td>YWCA Apartments</td>
<td>(Call)</td>
<td>(415) 397-6886</td>
</tr>
<tr>
<td>Fresno 4 Points Sheraton 3737 North Blackstone Avenue</td>
<td>HUD Forum</td>
<td>US Department of HUD - San Francisco Office</td>
<td>June 23, 2004</td>
<td>(415) 436-8470</td>
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#### ARIZONA

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<tr>
<th>Location</th>
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<th>Date &amp; Time</th>
<th>Phone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phoenix 22-1 E. Broadway</td>
<td>Job Fair Rep., Health Awareness Rep. and Rep. from College to discuss educational opportunities</td>
<td>Broadhouse Apartments</td>
<td>(Call)</td>
<td>(602) 276-1645</td>
</tr>
<tr>
<td>Phoenix 7220 North 27th Avenue</td>
<td>Demonstration Information</td>
<td>Lemon Grove Computer Lab</td>
<td>June 20, 2004</td>
<td>(602) 995-1961</td>
</tr>
<tr>
<td>Tucson 1619 W. El Rio Drive, #136</td>
<td>Open House</td>
<td>Greenviw Neighborhood Network Center</td>
<td>(Call)</td>
<td>(520) 884-8797</td>
</tr>
<tr>
<td>Guadalupe/Tempe 5805 East Ciel Fortunato Sera- anno</td>
<td>Volunteer Recognition</td>
<td>Guadalupe Barrio Nuevo</td>
<td>June 20, 2004</td>
<td>(480) 820-2772</td>
</tr>
<tr>
<td>Chandler 598 N. McQueen Road</td>
<td>Open House</td>
<td>Chandlers Place Neighborhood Networks</td>
<td>June 20, 2004</td>
<td>(480) 963-2685</td>
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#### NEVADA

<table>
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<tr>
<th>Location</th>
<th>Event</th>
<th>Center Name</th>
<th>Date &amp; Time</th>
<th>Phone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carson City 2100 California St.</td>
<td>Open House</td>
<td>Southgate Apartments</td>
<td>(Call)</td>
<td>(775) 887-1747</td>
</tr>
</tbody>
</table>
Almond Terrace Senior Apartments is a new affordable rental apartment development located near the corner of North Union and Lathrop Roads in north Manteca. It is comprised of 50 units - 49 one-bedroom units for seniors and one two-bedroom manager’s unit. The six residential buildings are a mix of one and two stories; the two story buildings are semi-attached and served by one elevator. A community building is the center of the development. The architecture is contemporary and designed to blend into the neighborhood. The one-story apartments are a transition to the neighboring one-story homes. The buildings have covered entries and access walks; each unit has a front porch, and most have a rear patio or deck. Building materials include stucco walls, vinyl windows, and composition shingle roofs. The buildings are a soft sandstone color with sunny yellow columns, eucalyptus green eaves, and rosewood hued doors. There are 53 uncovered parking spaces. There is a drop-off zone at the community building to provide for safe entry to the buildings.

The 1,840 square foot community building was designed to host various educational, social and recreational activities, and perhaps programs sponsored by the Manteca Senior Center will be there as well. Other project amenities include exterior patios and wide walkways that provide space for outdoor activities. When mature, deciduous and evergreen trees will give shade in both summer and winter, and trees and shrubs will serve as a privacy buffer from the adjacent single-family neighborhood. The development includes lawns and landscaped grounds to soften and compliment the building extensions. The gardens provide areas for activities and individual enjoyment of trees and flowers. Plant materials are low maintenance.

Eden Housing Management, Inc. (EHMI), an affiliate of Eden Housing, Inc., is providing professional property management for the development.
California State Office
San Francisco Multifamily HUB

Whether you’re thinking new construction, considering refinance or purchase of an existing property, HUD and our approved MAP lenders can help.

For more information on MAP contact a MAP pre-approved lender

The list of pre-approved MAP lenders is at: hud.gov/offices/hsg/mfh/map/aprvlend.cfm

A variety of information about MAP is available at HUD’s Website

Visit the frequently asked questions page at: Hud.gov/offices.hsg/mfh/map/mapfaq.cfm

Take a look at MAP data, statistics and program guidelines at:

hud.gov/offices/hsg/mfh/map/maphome.cfm

For information on other HUD programs and services visit HUD’s main web page at: http://www.hud.gov

The San Francisco Multifamily HUB has overall responsibility for processing multifamily mortgage insurance applications for Arizona, Hawaii, Nevada and Northern California

Equal Housing Opportunity

U.S. Department of Housing and Urban Development
San Francisco Multifamily Hub
Janet L. Browder, Director
For applications involving the purchase or refinance of an existing property, HUD will issue a Firm Commitment within 60 calendar days of receiving a complete application package. In all cases, Firm Commitments are good for 60 calendar days, and may be extended for two additional 30-day periods. Once a Firm Commitment is issued, HUD must be provided with documentation from the lender that the conclusions in the underwriting are still valid. HUD headquarters may issue one additional 30-day extension. The lender must take action to proceed in accordance with its Firm Commitment issued within 45 calendar days of receipt. HUD will issue a Firm Commitment within 60 calendar days for applications involving the purchase or refinance of an existing property. HUD will issue a complete application package within 90 calendar days of receiving a complete application.

### MAP Production

**Section 220, 221(d)(3), 221(d)(4)**

- **San Francisco Hub**
  - Projects: 36
  - Units: 8,457
  - Dollars Insured: $573,885,000
- **All Hubs**
  - Projects: 489
  - Units: 93,106
  - Dollars Insured: $6,305,715,000

**Section 232**

- **San Francisco Hub**
  - Projects: 14
  - Beds: 1,316
  - Dollars Insured: $164,520,400
- **All Hubs**
  - Projects: 99
  - Beds: 9,437
  - Dollars Insured: $901,854,200

**Section 232/223(f)**

- **San Francisco Hub**
  - Projects: 29
  - Beds: 3,521
  - Dollars Insured: $164,520,400
- **All Hubs**
  - Projects: 527
  - Beds: 62,767
  - Dollars Insured: $3,085,204,963

**Total Production**

- **San Francisco Hub**
  - Projects: 111
  - Beds: 19,387
  - Dollars Insured: $1,144,597,500
- **All Hubs**
  - Projects: 1,474
  - Beds: 219,957
  - Dollars Insured: $12,626,724,463

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**Internet Resources**

- **The HUD MAP Guide is available on-line at:**
- **A list of HUD-approved MAP lenders:**
- **For more information on RC/EZ/EC's, including maps of designated areas, see:**

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**Internet Resources**

- **MAP Works**
- **YOU BE THE JUDGE**

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**Terms:**

- New Construction and Substantial Rehabilitation:
  - Expected Life: 50 years
  - LTV: 75%
  - DSC: 75%
- Rehabilitation of Existing Property: HUD will issue a Firm Commitment within 60 calendar days of receiving a complete application involving the purchase or refinance of an existing property. hud will issue a complete application package within 90 calendar days of receiving a complete application.

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**MAP Timeframes**

- **220 Projects:**
  - New Construction and Substantial Rehabilitation: Expected Life: 50 years
  - LTV: 75%
  - DSC: 75%
- **223(f) Projects:**
  - Rehabilitation of Existing Property: HUD will issue a Firm Commitment within 60 calendar days of receiving a complete application involving the purchase or refinance of an existing property. HUD will issue a complete application package within 90 calendar days of receiving a complete application.

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**References of action:**

- DSC 90% (95% for non-profit sponsors)
- LTV 90% (95% for non-profit sponsors)
- The New Construction and Substantial Rehabilitation: Expected Life: 50 years
- Rehabilitation of Existing Property: HUD will issue a Firm Commitment within 60 calendar days of receiving a complete application involving the purchase or refinance of an existing property. HUD will issue a complete application package within 90 calendar days of receiving a complete application.
Rental housing refinance and acquisition

Details:
- Properties must be at least 3 years old (unless constructed with HUD-insured financing) and must remain rental housing for at least 5 years after initial/final endorsement.
- Fixed interest, market rate
- Non-recourse
- Assumable
- 5 or more units
- No cap on number of units or loan amount
- Statutory per unit limits vary by location
- No Davis-Bacon wage rates for required repairs
- Equity take-out possible if LTV is less than 80%

Eligible mortgagors:
- Owners or prospective purchasers (profit-motivated or non-profit) of eligible multifamily properties.

Terms:
- 35-year term or 75% of remaining economic life
- LTV 85%
- DSC 85% of net income
- No separate LTV or DSC for non-profit owners
- Commercial space may not exceed 20% of gross floor area; commercial income may not exceed 20% of gross income
- Up to 25% of beds in board and care facilities may be independent living (additional debt service required)

There is no pre-application processing stage for 223(f) or 232/223(f) projects.

New Construction, substantial rehabilitation

Details:
- Properties must be at least 3 years old (unless constructed with HUD-insured financing) and must remain rental housing for at least 5 years after initial/final endorsement.
- Fixed interest, market rate
- Non-recourse
- Assumable
- No statutory limits
- Construction financing is also insurable (at lender's option)
- Davis-Bacon wage rates for new construction and substantial rehabilitation
- Facility must be licensed/certified by state
- Nursing homes, intermediate care facilities, assisted living facilities, and board and care facilities

Eligible mortgagors:
- Investors, builders, developers, public and non-profit entities, and nonprofits

Terms:
- 40-year maximum term or 75% of remaining economic life
- LTV 90% (up to 100% for non-profit owners under 221(d)(3))
- DSC 90% of net income (up to 95% for non-profit owners under 221(d)(3))
- Limited to 10% of gross floor area and 15% of gross income
- No mandatory non-medical services are required
- Non-profit owners under 221(d)(3) may use the 221(d)(3) and 221(d)(4) programs
- Commercial space and income restrictions:
  - Limited to 10% of gross floor area and 15% of gross income
  - No mandatory non-medical services are required
  - Non-profit owners under 221(d)(3) may use the 221(d)(3) and 221(d)(4) programs

Two-stage application process (applies to projects involving new construction or substantial rehabilitation):
- Pre-application: HUD reviews project feasibility and freedom from eminent domain, asbestos, and lead
- Firm commitment: HUD reviews and issues commitment

For 221(d)(3) and 221(d)(4) projects designed specifically for independent living facilities (age 62 and over), congregate living facilities are not eligible under 221(d)(3) or 221(d)(4) and no mandatory non-medical services are required.
New construction and substantial rehabilitation for rental housing may only be done in eligible areas:

1. Existing slum clearance and urban redevelopment projects covered by a Federal aid contract before the effective date of the Housing Act of 1954.
2. Approved urban renewal areas under Title I of the Housing Act of 1949.
3. Disaster urban renewal projects assisted under Section III of the Housing Act of 1949.
4. An area of concentrated code enforcement being carried out under Section 117 of the Housing Act of 1949.
5. A concentrated development area, approved by the HUD Field Office, in which concentrated housing, physical development and public service activities are being carried out in a coordinated manner, pursuant to a locally developed strategy (e.g., Neighborhood Revitalization Areas, Renewal Communities, Urban Empowerment Zones, and Enterprise Communities, also referred to as RC/EZ/EC's) for neighborhood improvement, conservation or preservation. The locally developed strategy shall:
   a. Provide for a combination of physical improvements, necessary public facilities and services, housing programs, private investment and citizen self-help activities appropriate to the needs of the area;
   b. Coordinate public and private development efforts;
   c. Provide sufficient resources to produce substantial long-term improvements in the area within a reasonable time period, taking into account the severity of the area's problems.

- **What is MAP?**

  Multifamily Accelerated Processing (MAP) is a process employed by HUD's Multifamily Housing Division that allows approved lenders to prepare, process and submit loan applications for Federal Housing Administration (FHA) multifamily mortgage insurance.

- **Why go with MAP?**

  MAP has standardized HUD's underwriting process by applying national standards which provide greater lender responsibility and control. The result is a process that creates more timely and consistent results.

- **How can MAP help you?**

  MAP provides insured mortgages for new construction, substantial rehabilitation, purchase or refinance.

- **What is HUD FHA multifamily mortgage insurance?**

  HUD FHA mortgage insurance protects the lender if a borrower defaults on the insured loan. The Federal Guarantee results in a AAA rating on financing, which is eligible for securitization by Ginnie Mae and provides credit enhancement for tax-exempt bonds and Low Income Housing Tax Credits (LIHTC's).
Fuller Gardens is located in San Leandro, California, and provides supportive housing for very-low income people who are developmentally disabled. The property is named in honor of Luella Fuller, a dedicated advocate and pioneer in the education of people with developmental disabilities. She established the first nonprofit school, and succeeded in obtaining the first state legislation providing for special education in the public school system.

Property amenities include a multi-purpose room, patio space, an orchard and raised planters for community gardens. CoEvolution Institute, a San Francisco-based nonprofit, chose Fuller Gardens as a project for their “Butterfly Garden” Program. This nonprofit provides plants for the creation of flowering California native plant gardens. The gardens provide nectar sources for some of the area's endangered pollinators. The CoEvolution will be offering instruction to the residents of Fuller Gardens in installing and caring for the plants. The garden was initiated as part of the grand opening celebration.

Common areas were furnished and decorated by Interior Dimensions, which provided its services free-of-charge in cooperation with a San Francisco non-profit organization, Philanthropy by Design. The latter secured funding to purchase artwork from Creative Growth Art Institute, an Oakland nonprofit that provides studio space and art instruction to adults with developmental disabilities.

The architectural firm of Pyatok & Assoc. of Oakland designed Fuller Gardens to look like a manor home, a non-institutional setting where people will live as a family and a community. This beautiful building occupies the former site of an auto repair shop located here since the 1930s. Eden Housing demolished the buildings and hauled away over 600 tons of contaminated soil. We are pleased with the results of this partnership. It has produced a healthier and more attractive community, and supportive housing in which we can all take great pride.
On Friday, March 19, 2004, Blair Lund and Frank Castro of the Las Vegas HUD Office manned the HUD booth at the Southern Nevada Multi-Housing Association Conference. HUD staff distributed literature and answered questions concerning Multifamily programs.

Blair Lund provides conference participants HUD brochures

Southern Nevada Multi-Housing Association

- Prohibition of signs in unit windows;
- Use of parking within the project grounds for such incidental business use;
- Hours such incidental work could be performed if such performance could disturb the rights or comfort of the neighbors; and
- Other such reasonable rules.

The responsibility for developing house rules lies with the owner who must follow the guidelines contained in Handbook 4350.3. The enforcement and compliance with the lease terms and the house rules remain strictly the responsibility of the owner and the resident.

Operating An “Incidental Business”

It has come to our attention that some owners and/or agents are misinterpreting HUD’s policy concerning allowing residents to operate an incidental business out of their unit. An incidental business is defined as a business such as typing, computer work, babysitting, etc. A 1987 memorandum from the Assistant Secretary for Housing, clarified HUD’s position concerning this issue.

First, if the owner wants to convert residential units to commercial space, they must first obtain HUD approval. However, if a resident receives incidental business income for work conducted in the unit they occupy, such income is not to be considered as commercial space income. Therefore, HUD approval is not needed to allow residents to conduct limited business activity in their dwelling units.

However, the owner does have the right to set house rules that would deal with or prohibit such things as the:

- Amount of traffic (both foot and motor vehicle) associated with such incidental business income;
- Amount of noise associated with such incidental income;

More than 70 resident leaders met with HUD Officials at the 25th Annual Housing California Conference in Sacramento on Sunday, May 23. Resident leaders from throughout California met with Ulyses Bridges from HUD Headquarters, Angela Corcoran and Larry Fergison of the San Francisco Multifamily Hub Office, Unetha Norman and Sharron Treskanoff of the Sacramento HUD Office, Rick Abdullah of the Los Angeles Multifamily Hub, Bill Bolton, the Sacramento Field Office Director, and two representatives from Quadel representing the Southern California PBCA, to discuss issues affecting residents living in subsidized rental properties. The annual meeting emphasized the importance of tenant input and collaboration in multifamily developments. Items discussed at the meeting ranged from project specific problems to Department-wide proposals contained in the proposed FY 2005 HUD budget. All who attended agreed on the value of the meeting and are looking forward to next year’s Housing California Conference.

“Eyes and Ears Meeting”

WHEN WE MOVE!

HUD’s New Reception Desk for the
San Francisco Regional Office will be located
on the
THIRD FLOOR

600 Harrison Street
San Francisco, CA
94107-1389
Rent Increase Requests

Some owners and/or agents are not submitting complete budget based rent increase requests to HUD. This often delays processing. It is especially important when the rent increase is requested in conjunction with a Section 8 contract renewal. HUD and the PBCA will not begin processing the contract renewal package until the rent increase request is complete. Rent increase packages should be submitted at least 90 days, and in some cases 120 days, before the requested effective date.

An owner’s initial submission of rent increase materials should include the following:

1. A cover letter containing information that:
   a. Summarizes the reasons why a rent increase is needed and the proposed date the increase will be effective;
   b. Provides the requested rent increase percentage;
   c. Identifies any proposed change in services, equipment, or charges and the reasons for the change.

2. A Budget Worksheet, HUD-92547, providing income and expenses for the 12 months following the anticipated effective date.

3. A narrative that adequately explains the basis for any increase in the expense line items on the Budget Worksheet. Generally, if an increase amounts to 5 percent or more, compared to the prior year’s audited profit and loss statement, it must be documented. If the income or expense was estimated at the prior annual period’s actual expense, or the increase is less than $500, no explanation is required. To support the narrative, copies of contracts, if available, copies of staffing salary charts, etc., should also be provided.

4. A copy of the Notice to Tenants annotated to show where and how the Notice was distributed.

5. An executed copy of the “Owner’s Certification Regarding Purchasing Practices and Reasonableness of Expenses.”

6. A status report on the project’s implementation of its current Energy Conservation Plan.

7. A signed request for an increase in the Reserve for Replacement deposits, if such an increase is contemplated as part of the rent increase request.

8. For projects with utility allowances, a recommendation to what utility allowance is appropriate for each unit type and a summary of how the owner/agent arrived at that amount with appropriate documentation.

In addition, 30 days after the Notice to the Tenants has been posted, owners/agents must also provide the "Owner’s Certification as to Compliance with Tenant Comment Procedures in 24 CFR 245"

Please refer to Handbook 4350.1, Chapter 7, for a more detailed discussion of the requirements.

Neighborhood Networks Consortium

Several Neighborhood Networks Centers in the San Francisco Bay Area held their second Neighborhood Networks Consortium Planning meeting on Thursday, May 20, 2004.

The consortium was established in an attempt to provide the following types of services to its members: shared resources such as staff, programming materials, and information; access to funding opportunities and partnerships; networking; the ability to offer joint programming; opportunities to secure or provide training that otherwise might not be available to a single center; and, the ability to combine resources for marketing and media outreach.

The next meeting will be held on Monday, June 21, 2004, from 10 AM to 2 PM at the Dorothy Day Community Learning Center, 54 McAllister Street, San Francisco, California. If your neighborhood network center would like to attend, please contact Carol Suazo for information at (415) 431-9156 or e-mail at: suazo@mercyhousing.org

We’re Moving Soon!

HUD Regional Office
600 Harrison Street
San Francisco, CA
94107-1389
By the fourth quarter of 2003, the nation’s homeownership rate soared to a record high of 68.6 percent. That compares to 1934 when Congress created the FHA during the Depression—a time when only 40 percent of American families owned homes.

In the seven decades that FHA has served the nation, the FHA has made it possible for citizens and new immigrants to purchase and finance more than 34 million homes. In recent years, FHA programs have assisted an average of 750,000 low- to moderate-income families buy homes each year.

SHARE THE GOOD NEWS...

This newsletter is sent to our industry partners, which include: Lenders, Developers, Management Agents, Property Owners, Consultants, Government Officials, Project Site Offices, etc. The residents of the developments have advised they are interested in the information in the newsletter. We request that the copy sent to the project site be posted in the community room, on a bulletin board or somehow shared with the residents. Residents could also be advised that the newsletter is on our website, (www.hud.gov/local/index.cfm?state=ca) should they want to view it on their computer or in your Neighborhood Network location.
Q. A couple has been on the waiting list for several years, waiting for a one-bedroom unit. After they were approved for the apartment, the wife moved in alone and the husband got other subsidized housing at another location. The husband would like to move into our property since he was on the waiting list since 1993. The wife does not want to let him into her unit, but would like him to have a separate unit. Can I move the husband into the property?

A. Handbook 4350.3 states in Chapter 3, paragraph 3-5: “D. The unit for which the family is applying must be the family’s only residence.” Therefore a husband and wife cannot have separate subsidized units.

Q. Chapter 3, page 3-23, paragraph 3-12 K.1.a. states "If a unit is available, the family has come to the top of the waiting list, and at least one member of the family has submitted the required documentation in a timely manner, the owner must offer the family a unit and provide prorated assistance to those family members whose documents were received on time."

However, Appendix 7, on page 21, Household Assistance Codes, states that "F = Verification of eligibility is pending. A family in this status is awaiting verification of eligibility and receives full assistance."

The PBCA’s question is whether or not the family receives prorated or full assistance when at least one family member has submitted the required documentation in a timely manner.

A. The information in the HUD Handbook 4350.3 REV-1, at paragraph 3-12 K.1.a. is correct. The family would receive prorated assistance. The information in Appendix 7 on page 21 will be corrected where it says “F=Verification of eligibility is pending and the family receives full assistance.”

Q. An existing HUD-insured property owner has inquired about the Drug Screening and Eviction Rule. Their question is whether or not it applies to current tenants. They have required that all current residents at recertification sign a criminal release form. One resident is refusing to sign and the property has started eviction proceedings. Is this consistent with HUD’s rule?

A. Notice H 2002-22 states “Owners are not required to have criminal background checks conducted of current tenants at lease recertification. However, Owners have the authority to require criminal background checks at recertification. If, after a criminal background check has been conducted, it is discovered that the tenant is in violation of the provisions of the lease, the Owner may evict the tenant in accordance with the lease and the Owner’s standards for termination of tenancy. However, the household must (1) be notified by the PHA/Owner of the proposed action to be based on the information and (2) must provide the subject of the record, and the tenant, with a copy of such information and an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.” The application of the required criminal background check at recertification must be applied to all residents, not selectively applied.

Q. A Muslim couple is applying for occupancy in a senior building with a mandatory meal program. They don’t want to participate in the meal program based on Muslim dietary restrictions. "As I read the 4350.1, page 31-6, para 31.7, the property must either accommodate them or let them out of the meals. Because of the cost for making the accommodation, I have advised the property to let them out of the meals."

"My question is this – another similar property down the road told one of the meal program staff that they just went to a HUD seminar that told them they did not have to let residents with such requests out of the program, and apparently the property is also refusing to admit people who try to opt out of the meal program before acceptance for occupancy – including exclusion for religious dietary restrictions. I believe this is discrimination, but because of the adamancy of the staff member at the site telling me this information, I am passing these questions on to you:

1. Is there any truth to the advice that these applicants do not have to be accommodated and that they must pay for meals?

2. May a property refuse admittance to applicants who do not wish to partake of the meal program?"
A. If a property has a mandatory meals program, it is a provision of the lease. An owner may require as a condition of occupancy that tenants (unless they meet one of the exemptions below) must participate in the program. Paragraph 31-3 of Handbook 4350.1 states that "All prospective tenants must be given notice, before the lease is executed, that absent qualification for an exemption, participation in the meals program is a condition of occupancy."

There are 5 mandatory exemptions to the meal program: (1) a medical condition that requires a special diet, (2) a paying job that requires absence from the property when meals are served, (3) absence from the property for one or more weeks for hospital care, vacation, etc., (4) temporarily immobile or incapable of visiting the central dining facility, and (5) permanently immobile or incapable of visiting the central dining facility. There are also discretionary exemptions for: dietary practices, financial hardship, or other good cause determined by the owner. Note: an owner who does not provide an exemption for a religious-based dietary practice must offer an alternative menu that does not conflict with the tenant’s religious dietary practice. See Handbook 4350.1, Chapter 31, paragraphs 31-6 & 7.

An owner only has to accommodate those individuals who require one of the mandatory exemptions listed above. The property has to allow the mandatory exemptions and cannot deny admission to the property for any of these reasons. However, the discretionary exemptions are at the discretion of the owner, and as long as they are applied uniformly, an owner could deny admission to the property for these reasons. However, please note that if the applicant is requesting an exemption for religious-based dietary practice, the owner must offer an alternative menu that does not conflict with the applicant’s dietary practice. If the owner does not offer such an alternative menu, the exemption is allowed and the owner cannot deny admission for this reason. The Tenant Selection Plan should state what exemptions to the meal program are allowed.
COMINGS AND GOINGS
San Francisco Hub

Congratulations To:
Fred Atilano, Project Manager, San Francisco, on his retirement.

Welcome To:
Alamdar Arastu, Architect, San Francisco
Albert Cabellon, Architect, San Francisco
George G. Nolasco, Construction Analyst, Phoenix, Arizona
Marcus Loy, Project Manager, San Francisco
Norman Kamp, Project Manager, San Francisco
Sharon Lane, Project Manager, San Francisco
Sylvia Cuellar, Project Manager, San Francisco

Development Corner

Section 202/811 Initial Closings
Toby House VIII, Phoenix, Arizona, 21 units, Section 811
Gadella Gardens Senior Housing, Livermore, CA, 40 units, Section 202

Section 202/811 Final Closings
Alvarez Court, Pinole, California, 19 units, Section 811
Monarch Housing, Santa Cruz, California, 6 units, Section 811
Casa Natomas, Sacramento, CA, 59 units, Section 202

Initial/Final Endorsements
Roman Villas Apartments, Las Vegas, 192 units, Section 221d4
Guadalupe Barrio Nuevo Apartments, Guadalupe, Arizona, 60 units, Section 223a7
Colonia del Sol Apartments, Phoenix, Arizona, 144 units, Section 221d4
Colores del Sol Apartments, Tucson, Arizona, 125 units, Section 542b
Kachina Gardens Apartments aka Winslow West, Winslow, Arizona, 51 units, Section 223a7
Casa de Primavera Apartments, Phoenix, Arizona, 162 units, Section 223f
Lemon Grove Apartments, Phoenix, Arizona, 83 units, Section 223a7
Casas de Esperanza, Douglas, Arizona, 50 units, Section 223a7
Somerset Nursing Center, W. Sacramento, California, 99 beds, Section 223a7
Rockwell Manor Apartments, Fairfield, California, 64 units, Section 223a7
Monte Vista Garden Apartments, Santa Clara, California, 144 units, Section 542b
Parkside Villa Apartments, Fairfield, California, 64 units, Section 223a7
Paraiso Apartments, Hayward, CA, 63 units, Section 223(f)
Villa Del Rey Retirement Inn, Merced, CA, 120 beds, Section 202
U.S. Department of Housing and Urban Development
Office of Multifamily Housing, 9AHM
450 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102-3448

COME MEET THE PBCA AT HUD'S INDUSTRY MEETING ON JULY 15TH!
Phillip Burton Federal Building
450 Golden Gate Avenue
San Francisco

July, 2004

13 - 15 - Assisted Housing Manager, Quadel, San Diego (www.quadel.com)
14 - 16 - Certified Occupancy Specialist, NCHM, San Francisco (www.nchm.org)
15 - 10 AM Multifamily HUD Industry Meeting, 450 Golden Gate Avenue, 2nd Floor, SF
28 - 30 - Certified Occupancy Specialist, NCHM, San Diego (www.nchm.org)
28 - 30 - Tax Credit Specialist, NCHM, San Francisco (www.nchm.org)

August, 2004

3 - 5 - Assisted Housing Manager, Quadel, Sacramento (www.quadel.com)
4 - 6 - Certified Occupancy Specialist, NCHM, Las Vegas (www.nchm.org)

September, 2004

1 - 3 - Certified Occupancy Specialist, NCHM, Sacramento (www.nchm.org)
22 - 24 - Certified Manager of Maintenance, NCHM, San Francisco (www.nchm.org)
22 - 24 - Certified Manager of Housing, NCHM, San Francisco (www.nchm.org)