

## **EXHIBIT D**

### **Housing Stability & Retention Guidelines for PACT Development Partners**

#### **BACKGROUND**

NYCHA's Real Estate Development Department developed a set of resident retention guidelines to ensure proactive processes are in place to protect residents from displacement during the ongoing public health crisis due to COVID-19. The guidelines were created for all Permanent Affordability Commitment Together (PACT) development partners and will be followed by property management staff at each PACT development. Housing stability is critical during this public health crisis and we are all working together to ensure that households have been provided with appropriate resources and information about how to address arrears or other tenancy issues. PACT development partners are expected to work directly with residents to respond to their unique circumstances and offer resources based on their situation. Development partners should also utilize their on-site social service providers to conduct outreach and provide direct assistance.

The retention guidelines were created in response to the COVID-19 public health crisis but will now be implemented at all PACT projects moving forward.

#### **GOALS AND OBJECTIVES**

- Ensure that housing stability and retention is a key component of each PACT Development Team's work
- Outline expectations for communication and connection to resources so that all PACT Development Teams allocate the necessary resources and staff levels to oversee this on-going work
- To confirm that households across the PACT portfolio are provided the same information about their rights as NYC tenants and access to resources to help address arrears or cure breaches in their lease.

#### **HOW TO USE THESE GUIDELINES**

The Designated Project Teams will be expected to create and implement a 'Resident Stability & Retention Plan' that outlines their approach to provide pro-active communication and outreach to households to avoid unnecessary evictions. Project Teams will outline how they will adopt these guidelines into a standard operating procedure for their site, in coordination with NYCHA, following designation. Once implemented, Project Teams will provide updates on their outreach and communication efforts through a Legal Proceeding report submitted to the REDD Asset Management team.

## HOUSING STABILITY AND RETENTION GUIDELINES

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Expectations for outreach and communication before starting a formal eviction proceeding in court:

### Households with Rental Arrears

For residents with any rental arrears, PACT development partners are expected to conduct the following outreach prior to starting a formal eviction proceeding to ensure that all proactive steps have been taken.

- 1. Make all possible attempts to reach out and connect with your tenant.** Find out why your tenant is behind on rent, knowing this will inform what other information you should provide them.
  - A minimum of two attempts through two different modes of communication should be made to contact the tenant. This should include phone calls, door knocking, and hand-delivering an outreach letter to the household.
  - Schedule an appointment with the tenant to walk through the following steps. Property management should assist tenants in applying for assistance during this appointment.
  - Development partners should utilize their on-site social service providers to reach out to the tenant to engage them in services and connect them to resources.
  - All initial outreach attempts should be documented in the 'Pre-Eviction Outreach' section of your legal proceeding report.
- 2. Clarify information about eviction moratoriums if still in place.** Direct outreach can help clarify uncertainties and ensure that families remain in their homes.
- 3. Ask your tenant if they have experienced a loss in income and if they have reported that loss in income to NYCHA.** If they have experienced a loss in income....
  - Property management should share the '*Interim Recertification Guide*' from NYCHA's Leased Housing Department with the tenant.
  - Direct residents to visit the Section 8 Self-Service Portal to submit an interim recertification online.
    - Section 8 participants can report a decrease in household income by completing an Interim Recertification by visiting: [selfserve.nycha/info](https://selfserve.nycha.info) or by calling the Customer Contact Center at 718-707-7771
  - Because interim recertifications will not address arrears, residents should be provided the list of resources in steps 4-5 to assist with any outstanding rent payments.

**4. If your tenant owes arrears, they might qualify for emergency payment assistance.**

- Property management can share an 'Eviction Prevention 1-pager' or flyer from the Mayor's Office to Protect Tenants
- Property managers should inform residents that the NYC Department of Social Services/ Human Resources Administration (DSS/HRA) has several programs for tenants in need of assistance. Tenants can apply for one-time emergency Assistance/One-Shot-Deal (ES/OSD) for Rent Arrears.
- Property management staff should help residents access these services and inform NYCHA of any issues or complications with applications or processing. When necessary, NYCHA can help flag a case or follow up with other city agencies.
- Direct residents to call 311 and ask for the "Tenant Helpline"
- They can also complete a form on the Mayor's Office to Protect Tenants here: <https://www1.nyc.gov/content/tenantprotection/pages/contact-us>
- Households can also reach out to ACCESS NYC to see if they are eligible for rent assistance: <https://access.nyc.gov/eligibility/#step-1>
- If PACT development partners are aware of any other non-profit assistance programs, they should make their best effort to

**5. If your tenant is ineligible for any of the above resources or services and they are unable to pay arrears in a lump sum, work with them to set up a repayment agreement.**

- HUD encourages Section 8 property managers to enter into repayment agreements so families may continue to be housed. Section 8 property managers are encouraged to set up a repayment agreement with reasonable payments spread over time that will not cause an undue burden to the tenant.
- Repayment agreements must follow any local or state eviction moratoriums, or other tenant or landlord protections in effect in NYC.
- PACT development partners who enter into a repayment agreement with residents and used the NYCHA Section 8 Participant Repayment Agreement form are eligible for a \$500 incentive from NYCHA, provided certain requirements are met. Additional information about this incentive program can be found online on NYCHA's Section 8 Owners webpage.

**6. Follow up and give households time.** Once you have provided residents with a resource, you should follow up within 2 weeks to make sure residents have taken the necessary steps to connect with services.

- Provide your tenant time to work through any eligibility screening and enrollment process.

- All updates should be documented in the 'Actions Steps' section of your Pre-Eviction Outreach log.

### Holdover Issues

PACT development partners are expected to take the following steps for households with lease violations before starting formal eviction proceedings.

- 1. Make all possible attempts to reach out and connect with your tenants.** Find out why your tenant has violated their lease. Knowing this will inform what other information you should provide them.
  - A minimum of two attempts through two different modes of communication should be made to contact the tenant. This should include phone calls, door knocking, and hand-delivering an outreach letter to the household.
  - Schedule an appointment with the tenant to walk through the following steps. Property management should assist tenants in connecting to assistance during this appointment.
  - Development partners should utilize their on-site social service providers to reach out to the tenant to engage them in services and connect them to resources.
  - All outreach attempts should be documented on 'Pre-Eviction Outreach' section of your Legal Proceedings report.
- 2. Provide the tenant with an opportunity to cure the behavior that is causing the breach of the lease.**
  - If it is a nuisance condition, give them an opportunity to change their behavior.
  - If someone other than the head of household is causing the issues, provide the head of household the opportunity to remove that member from their Section 8 household.
- 3. Clarify information about eviction moratoriums if still in place.** Direct outreach can help clarify uncertainties and ensure that families remain in their homes.
- 4. Provide your tenant a copy of grievance procedures.** Property management should ensure use of grievance procedures and that residents are aware of all steps. NYCHA will provide detailed guidance on the grievance process in a separate communication.
- 5. Ask your tenant if they are currently connected with social services or supports that could help address any root cause of the lease violation.**
  - Provide the household with your PACT Social Service provider contact information
  - Ask if they would like to have the social service provider reach out to them

- Have tenant sign a consent form so you're able to share their information with a social service provider.
- 6. Social services should attempt to work with the tenant to refrain from future lease violations, if possible.**
    - This should include violations regarding habitability concerns, nuisance or community disturbances or other issues.
  - 7. Include details of your communication with tenants and support services in your report to NYCHA. NYCHA will provide assistance or intervene if necessary.**

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**Outreach and communication once a formal eviction proceeding begins in court:**

**For Rental Arrears & Holdover Cases**

Development partners should note on the Pre-Eviction Outreach log the date a case is escalated to a formal proceeding. Development partners will then need to include this case in the appropriate Legal Proceedings Summary Tab.

- 1. Follow any state or federal guidance for eviction moratoriums, if in place.**
- 2. Continue to provide all of the above resources to your tenant, depending on their unique household situation.**
  - This includes following up with residents to ask if they have had any trouble connecting with services and working with the tenant's legal advocate, if any.
  - Continue to share your social service providers contact information.
  - All outreach attempts should be documented on the appropriate tab of your Legal Proceedings report.
- 3. Make sure residents know they are eligible for free legal counsel once a formal eviction proceeding has started.**
  - Provide residents with a formal letter outlining the resources available to them.
  - Inform residents that they have 4 steps they can take and that they should not wait to connect to free legal services. Outline the following steps:
    - i. CALL 311 and ask for the "Tenant Helpline"
    - ii. FILL OUT the Mayor's Office to Protect Tenants' Contact Us form by visiting:  
<https://www1.nyc.gov/content/tenantprotection/pages/contact-us>
    - iii. SUBMIT an application for emergency rental assistance and other benefits with HRA. Right now, the Human Resources Administration (HRA) is ready to receive applications for

emergency rental assistance for those in need. In most cases, the entire process can be done without going in person to the HRA office. Visit [nyc.gov/accesshra](https://nyc.gov/accesshra)

- iv. USE the Tenant Resource Portal to learn more about nonpayment and holdover evictions and the rights and protections tenants have in each scenario.
4. **Consistently follow up with households.** Make sure they know how to connect with resources, answer any questions they might have and continue to work towards an agreement or plan to avoid eviction by all means necessary.
  5. **Continue to log all outreach in your Legal Proceedings log.** Continue to provide details on all steps taken with the household in your weekly report to NYCHA.

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