

HPD's Moderate Rehabilitation (Mod Rehab)

Participant Program Information

What is the Moderate Rehabilitation (Mod Rehab) program?

The Moderate Rehabilitation (Mod Rehab) project-based rental assistance program is a federally funded affordable housing program that through long-term contracts with owners of private apartments provides monthly rental assistance payments for apartments occupied by eligible households.¹ Assisted households pay approximately 30% of their adjusted incomes towards rent.

There are three parties in the program: the tenant(s), the owner, and HPD.

What are the eligibility requirements for Mod Rehab subsidy?

- Must meet the definition of a family as defined by federal (HUD) rules
- Must be within income limits
- Must provide all requested information to HPD
- At least one household member must be a legal resident or citizen
- No household member may be subject to a lifetime registration requirement under a state sex offender registration program
- No household member may have ever been convicted of producing or manufacturing methamphetamine on the premises of federally assisted housing

How does HPD determine the eligible unit size?

The size of unit that a household is eligible to occupy is determined by HPD's subsidy standards. The eligible unit size refers to the number of bedrooms HPD has determined is an appropriate standard to house your family. Based on HPD's subsidy standard, a bedroom is approved for every two people in the household. Single-member households may reside in a one-bedroom, studio or Single Room Occupancy (SRO) unit. Only single-member households may reside in an SRO unit.

- Determining the number of people in your family:
 - If you are pregnant at the time of your application please make sure to indicate your pregnancy as this will be an additional member in your family
 - Foster children and live in aides need to be added to the household composition, and to do so proper documentation must be supplied.

¹ The Mod Rehab program is a HUD project-based rental assistance program that is governed by federal regulations including 24 CFR Part 882. Although some rules and regulations in Mod Rehab are similar to the Section 8 Housing Choice Voucher program, Mod Rehab assistance is tied to the assisted unit and is not part of the Section 8 Housing Choice Voucher program. There are many important differences between these programs that are explained in this briefing packet.

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What is an Overhoused Family?

Overhoused family = a family residing in a unit that has more bedrooms than the appropriate number based on your HPD determined eligible unit size (two household members per bedroom). For example, a household of four people would be considered overhoused in a three-bedroom apartment.

If your family is overhoused with Mod Rehab subsidy, one of two things will happen:

- If an appropriately-sized Mod Rehab unit is available and offered to you, you must move to that unit.
- If an appropriately-sized Mod Rehab unit is not available, you may remain in your current apartment until one is offered to you.

What is an Overcrowded Family?

Overcrowded family = a family that has more household members than the maximum number of people that HUD allows to live in the unit.

Two people per bedroom or living/sleeping room is the maximum. Living and sleeping rooms in an apartment includes both the bedrooms and living room. This means, for example, that five or more people in a one-bedroom apartment would be considered overcrowded.

More than one person in an SRO unit is considered overcrowded. If you are overcrowded, HPD cannot provide rental subsidy to you.

How does HPD determine your income?

HPD will determine your income based on HUD's policies for how to calculate income. The determination will include income and any allowable deductions from your income.

HPD first calculates your gross income, which includes:

- Income from all sources, for all family members, such as:
 - Wages (before taxes)
 - Social Security (SS) or Social Security Insurance (SSI)
 - Public Assistance
 - Pensions
 - Unemployment benefits
 - Self-employment
 - Child support
- Income from assets. This includes (but is not limited to):
 - Bank accounts

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- Investment accounts
- Equity in real estate property
- Retirement savings accounts
- Company retirement or pension accounts
- Lump sum payments
- Personal property held as investment

Some income sources do not count towards your gross income (they are considered “excluded” from your income). Examples of excluded income include earned income of minors and payments for care of foster children. You need to report all income for your household, and HPD will determine if any of this income is excluded.

Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered **fraud**.

Your assistance may be denied or terminated if you or a family member has willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. You may also face arrest and criminal prosecution.

- Deductions. HPD makes deductions for the following:
 - Seniors and Persons with Disabilities: disabled or elderly (62+) head of household or spouse
 - Disability Assistance Expense: unreimbursed expenses for a disabled family member(s) which allows any adult in the household to be employed
 - Medical Expense: Unreimbursed medical expenses that exceed 3% of the household income for any member of the family
 - Minor Children: any minor 17 or younger
 - Childcare Expense: minors 12 or younger; expenses that allow the head of household to be employed and/or further education

HPD subtracts the amount of your allowable deductions from the amount of your gross income to determine your adjusted income. Your adjusted income is used to calculate your total tenant payment (rent share plus any tenant paid utilities).

$$\begin{array}{r} \text{Your gross income (before taxes)} \\ - \text{Your allowable deductions} \\ \hline = \text{Your adjusted income} \end{array}$$

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How does HPD determine your share of the rent?

The tenant share is the greatest of the below numbers minus an allowance for any utility costs:

- 30% of your monthly adjusted income
- 10% of your monthly gross income
- Welfare rent (if applicable)
- Minimum rent (\$50)

What is the family's role in the program?

The assisted household signs a lease with the owner, must comply with the Mod Rehab program's family obligations², and must comply with the lease requirements.

What are the family obligations?

- Supply all information requested by HPD.
 - All information must be true and complete, including when responding to Requests for Additional Information (called A.I. Notices).
- Sign required consent forms.
- Allow HPD to inspect the apartment.
- Allow management access to make required repairs in your apartment.
- Correct any Housing Quality Standards (HQS) failures that are determined to be the tenant's responsibility by an HPD inspector.
- Notify HPD if your family will be absent from the apartment for 90 days or more.
- Reside in the apartment; the subsidized apartment must be your only residence, which also means that you must not sublet or rent out the subsidized apartment
- Transfer to an appropriately-sized Mod Rehab unit if you are overhoused and a unit is offered to you.
- Notify HPD if you have been given court papers by management or an eviction notice.
- Comply with all of the terms and conditions of the lease between you and the landlord, including paying your tenant share of rent on a timely basis.
- Report any changes in your household composition to HPD immediately:
 - Do not allow any person to move into your household unless you have obtained prior approval from HPD or they have moved in because of marriage, domestic

² Your family obligations under the Mod Rehab program are detailed in this briefing packet and in 24 CFR Part 882.

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partnership, birth, adoption, or court-awarded custody, in which case, you must report the change to HPD within 30 days.

- Do not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. This also applies to all other members of the family.
- Do not engage in drug-related criminal activity or violent criminal activity. This also applies to all other members of the family.

Your obligations to the owner are described in detail on your lease.

What happens if you don't meet the family obligations?

If you do not meet your family obligations HPD may terminate your participation in the program. HPD will notify you in writing if you are terminated from participation. This notification will include instructions on how to appeal HPD's decision.

If you have committed fraud or committed a crime, you may be referred to federal, state, and local law enforcement agencies for prosecution.

When will your rental assistance end?

HPD **must** terminate assistance if:

- Any family member fails to sign and submit consent forms for obtaining information that HUD requires.
- No member of your family is either a U.S. citizen or eligible immigrant. Your assistance will not be terminated while verification of immigration status is pending.
- Your family vacates, abandons, or is evicted from the assisted unit.
- Your family is absent from the assisted unit for more than 180 days for any reason under any circumstances.

HPD **may** terminate assistance if:

- Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
- Any family member is currently engaging in illegal drug use.
- Any family member commits drug-related criminal activity or violent criminal activity.
- There is reasonable cause to believe that a family member's alcohol or illegal drug use threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

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- Anyone in your family has engaged in or threatened abusive or violent behavior toward HPD personnel.
- Anyone in your family has misrepresented income, household members, or other reported information.
- Your family has violated one of the family obligations.
- Your family is absent from the assisted unit for more than 90 days without prior written approval from HPD.
- Your family has failed to provide requested information or failed to attend a mandatory conference
- Your family has failed to reimburse a public housing authority (PHA) for amounts paid to an owner under a contract with that PHA due to the family's failure to report information.

Fraud and Program Integrity

Fraud and program abuse are single acts or a pattern of actions that are intended to deceive or mislead. Making a false statement, omitting information, or concealing information in order to obtain assistance or to reduce the amount of rent you pay are all considered fraud and program abuse.

Your assistance may be denied or terminated if you or a family member has willfully and intentionally committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. You may also face arrest and criminal prosecution.

If you know of anyone who provided false information on a housing assistance application or recertification, or if anyone tells you to provide false information, report that person to:

- HPD's Program Integrity and Compliance Unit at: **917-286-4300**, extension **8032**
- The New York City Department of Investigation at: **212-825-5900**
- HUD Office of Inspector General Hotline at: **1-800-347-3735** Or
- Call **311**

What are the owner's obligations?

- Screen, select, and enter into leases with Mod Rehab-eligible tenants.
- Comply with fair housing and equal opportunity requirements.
- Comply with the Mod Rehab HAP contract with HPD and with the lease with the tenant.

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- Carry out normal owner functions: enforcing the lease, collecting tenant share of the rent, charging tenants for damage.
- Maintain the apartment.
- Must NOT charge any extra amounts to the family except for what is listed in the Rent Breakdown letter and reasonable charges to tenant for damages.
- Landlords may request a rent increase annually at lease expiration. Assisted tenants are not responsible for any increases in the rent until the rent increase is approved by HPD. Both the landlord and tenant will then receive a rent breakdown letter listing the new contract rent, family share, and HPD share.

What if you have a problem with your apartment?

Contact management directly to notify them first of the problem. If you are unable to resolve the problem, contact 311 to request a Housing Quality Standards (HQS) inspection of your apartment.

What do you need to do after you start receiving Mod Rehab assistance?

- You must **report** any changes in your household composition to HPD within 30 days.
- You must **recertify** your household and income with HPD at least once annually.
 - You may also **report** any decrease in your household income to HPD at any time so that HPD can adjust your tenant share of the rent.
- You must **respond** to the recertification mailing within 30 days.
- You must **allow HPD access to inspect** your apartment when scheduled.

What happens to your Mod Rehab rental assistance if you move out of your Mod Rehab unit?

Your Mod Rehab assistance is tied to your unit. This subsidy cannot be used to move out of the apartment. In certain documented circumstances, such as if you are overcrowded or are approved for a reasonable accommodation for a household member with a disability, HPD may approve a transfer from one assisted unit to another within the same building. These transfers must be approved by HPD in advance.

If you are transferring to another unit within the same Mod Rehab development, the unit must pass an HQS inspection and the transfer must be approved before you move.

If you want to move, but require an affordable apartment, you may apply for other affordable housing developments, including other Mod Rehab project-based developments—HPD can

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provide you a listing of Mod Rehab developments if you request one from HPD by calling 917-286-4300. More information about available affordable housing in New York City can be found at NYC Housing Connect: www.nyc.gov/housingconnect.

You must notify HPD immediately if you will be temporarily relocated from your unit for any reason (including rehabilitation of the unit).

What if I don't agree with HPD's decisions about my eligibility or assistance?

You may **appeal** a decision made by HPD affecting your eligibility or the amount of your assistance, including if your assistance is denied or your subsidy is terminated. The instructions for filing an appeal will be sent with your denial or termination notice.

Housing Discrimination

HPD will not deny any family or individual the equal opportunity to apply for or receive assistance under the program on the basis of age, race, color, sex, religion, creed, national or ethnic origin, lawful occupation or source of income, family or marital status, handicap or disability, sexual orientation, gender identity, prior arrest or conviction record, status as a veteran, or status as a victim of domestic violence.

If you have been a victim of housing discrimination, you may make a complaint to the NYC Human Rights Commission by calling 311. More information about filing a complaint is available at: <http://www1.nyc.gov/site/cchr/enforcement/complaint-process.page>.

Violence Against Women Act (VAWA):

The federal Violence Against Women Act (VAWA) protects all survivors (of all genders and gender identities) of domestic violence or dating violence (intimate partner violence); sexual assault; or stalking. These protections apply to all federal (HUD) programs, including Mod Rehab, and apply to all members of the Mod Rehab household composition.

A Notice of Occupancy Rights is enclosed with this package and provides more detailed information about your rights under VAWA. If you would like to request an accommodation under VAWA for your Mod Rehab rental assistance, you may complete and submit forms that are available on HPD's website: <http://www1.nyc.gov/site/hpd/section-8/forms-and-resources.page> or in Client Services at 100 Gold Street. These forms explain some of the types of accommodations that HPD may be able to provide survivors with their rental assistance.

Survivors of domestic violence can also call the New York City Domestic Violence Hotline at 1-800-621-HOPE (1-800-621-4673), or visit a Family Justice Center in any of the five boroughs

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for support outside of your Mod Rehab assistance. The contact information for the Family Justice Center is located in the attached Notice of Occupancy Rights, or you may call 311 for more information.

New York City law also protects survivors from discrimination based on their status as a survivor of domestic violence. You may call 311 to make a complaint to the NYC Human Rights Commission if you have been a victim of discrimination.

Important things to Remember:

- Keep this package as a reference so that you know your rights and responsibilities as a program participant.
- Be sure to read all letters, notices, or forms that you receive from HPD. Pay special attention if there is an appointment date or a deadline to return materials to HPD. If you do not completely understand something, contact us for assistance at 917-286-4300.
- Supply all information requested by HPD and respond to all HPD requests for information on a timely basis. All of the information you provide to HPD must be true and complete.
- Keep copies of all documents that you submit to HPD.

Language Access

If you would like assistance in a different language, please check the box indicating your preference. For assistance in completing this package, please call 917-286-4300

Spanish / Español

Si usted desea ayuda en algún idioma para completar este paquete, por favor llame al 917-286-4300. Un representante HPD podrá ayudarlo a obtener ayuda. Por favor marque el casillero al final de esta declaración si es que a usted le gustaría que registremos la preferencia de idioma marcada para referencia futura.

French / Français

Si vous désirez obtenir de l'aide dans votre langue pour remplir ce document, veuillez appeler le 917-286-4300. Un représentant du service des logements pourra vous aider à obtenir de l'aide. Veuillez cocher la case à la fin de cet énoncé si vous désirez que nous notions votre préférence de langue indiquée pour référence future.

Haitian Creole / Kreyòl ayisyen

Si w ta renmen jwenn asistans pou ranpli pake sa a, tanpri rele 917-286-4300. Yon anplwaye HPD ap kapab ba ou bon jan asistans. Tanpri tcheke kaz ki nan fen fraz sa a si w ta renmen nou endike lang ou pi pito pou referans alavni.

Russian / Русский

Если вам нужна помощь переводчика при заполнении этих анкет, звоните по телефону 917-286-4300. Представитель отдела HPD поможет вам вызвать переводчика. Пометьте соответствующий язык ниже, если вы хотите пользоваться этой услугой и в будущем.

Cantonese / 廣東話

如果您在填寫這套表格時需要以廣東話提供協助，請致電917-286-4300。一位HPD代表將可協助您獲得幫助。如果您希望我們記錄指明的語言選擇供未來參考之用，請在本聲明結尾處別選相關的方格。

Chinese Mandarin / 普通话

如果您在填写这套表格时需要以普通话提供协助，请拨打917-286-4300。一位HPD代表将可协助您获得帮助。如果您希望我们记录指明的语言选择供未来参考之用，请在本声明结尾处别选相关的方格。

Arabic / العربية

سيكون حديث 917-286-4300 بالرقم الاتصال فيرجى الرزمة، هذه ملء في لغوية مساعدة تلقى تود كنت إذا المجال هذا في لك المساعدة تقديم HPD وتطويرها الإسكان من نشأت على الحافظ مديرية ممثلي أحد بمقدور كل لغة إليها المشار اللغة لك نسجل أن تود كنت إذا البيان هذا نهائية في الواقع المرعب في إشارة وضع يرجى المساعدة بل في مرجعالات خاذا مفضلة.

Other _____