

PHFA Multifamily Division

COVID-19 Questions and Answers – Current as of April 7, 2020

PHFA continues to monitor the situation surrounding COVID-19 and its impact on our multifamily partners. This Q&A is not exhaustive but addresses frequent questions we have received to date. We encourage you to utilize the resources listed below and consult your attorney when appropriate. Properties should continue to follow the most recent federal and state mandates and guidance provided by the Centers for Disease Control and Prevention. PHFA will update this document and post new versions on our website as additional information is provided.

The following Q&A is organized by each housing management department. Multiple departments may apply to a single property. We encourage you to read through the entire Q&A. Each department has listed the best way to contact their staff during this time. PHFA employees are actively monitoring their email throughout the day. Whenever possible, we encourage using email to contact PHFA. While phones are being monitored, email will allow for a faster response.

Project Operations – Agency Funded Properties (HOME, PHARE, Keystone, National Housing Trust Fund, Agency Mortgages)

Q1. *What is the best way to contact your Housing Management Representative during the COVID-19 office closure?*

A1. While PHFA's physical offices are closed, PHFA staff is working remotely from home. Please use email to communicate with the Housing Management Representative (HMR) assigned to your property. If you do not have this information, contact Barb Huntsinger at bhuntsinger@phfa.org. There may be some instances when response time is slower than usual due to the nature of working remotely.

Q2. *How will Management Reviews and File Audits be conducted?*

A2. Until further notice, all Management Reviews and File Audits will be conducted remotely as a desk audit. If you had a previous on-site visit scheduled, consider it cancelled. PHFA will contact Owners/Agents (O/A) to schedule a remote management audit.

Q3. *Can we still access the PHFA portal to enter Tenant Income Certifications (TICs)?*

A3. Yes, the system is still functional. We highly encourage owners and agents to enter TICs as events occur.

Q4. *Can we still access the PHFA portal to access rent and income limits?*

A4. Yes, rent and income limits are still accessible.

Q5. *Are we still required to do monthly occupancy reporting?*

A5. Yes, monthly occupancy reporting is still required. Contact Nicole Mullins at nmullins@phfa.org if you have any questions regarding your occupancy reporting.

Q6. *Will I still have a rent-up meeting for my new property?*

A6. If your property requires a rent-up meeting, your HMR will contact you to set up a remote meeting. The meeting will involve either a conference call or the use of a WebEx web-based meeting.

Q7. *How is PHFA handling the possibility of late recertification?*

A7. PHFA is awaiting guidance from all relevant regulating agencies. This Q&A will be updated as guidance is received.

Q8. *How do we meet recertification deadlines when we can't get verifications from sources?*

A8. PHFA is awaiting guidance from all relevant regulating agencies. This Q&A will be updated as we receive guidance.

Q9. *Will recertification deadlines be extended?*

A9. PHFA is awaiting guidance from all relevant regulating agencies. This Q&A will be updated as we receive guidance.

Q10. *Will we be able to receive guidance from PHFA regarding completing certifications with limited and/ or no contact with residents?*

A10. PHFA will accept electronic signatures (see next question). Other property operations are up to each individual O/A. For further guidance, please contact your HMR.

Q11. *Am I able to use electronic signatures?*

A11. Yes. Electronic signatures are permitted for many documents: Application, Tenant Releases for Verification, Third Party Documents, Leases and Lease Addendums.

Q12. *How should I handle evictions if people cannot pay their rent?*

A12. The U.S. Department of Housing and Urban Development suspended evictions for 60 days. Visit the HUD website at <https://www.hud.gov/coronavirus> for more information on HUD funded properties. Check your local town or municipality to see if other eviction restrictions are in place.

Pennsylvania has halted all evictions by order of the Pennsylvania Supreme Court. Residents cannot be displaced or forced to leave their homes by an officer or judicial official until at least April 3, 2020. However, please check with your local municipality and/or governmental agencies as they may have additional eviction restrictions.

Update 4/2/20: The Pennsylvania Supreme Court order issued April 1, 2020 extends the statewide judicial emergency and court closures to April 30, prohibiting evictions until after that date.

Also, the CARES Act covers renters in properties financed with federal mortgages (primarily Fannie, Freddie, or the FHA), and it also covers properties participating in the Low-Income Housing Tax Credit (LIHTC) program, the Rural Housing voucher program under Section 542, as well as several federally assisted rental housing and voucher programs covered by VAWA. The Act:

- Halts evictions of renters living in properties with federally backed mortgages for 120 days after its enactment (March 27, 2020), regardless of whether the landlord receives a forbearance.
- Halts evictions of renters from federally backed multifamily properties whose landlords receive a forbearance, effective for the duration of the forbearance, which is capped at 90 days.

VAWA-covered housing programs include the following:

Department of Housing and Urban Development (HUD)

- Public housing
- Section 8 Housing Choice Voucher program
- Section 8 project-based housing
- Section 202 housing for the elderly
- Section 811 housing for people with disabilities
- Section 236 multifamily rental housing
- Section 221(d)(3) Below Market Interest Rate (BMIR) housing
- HOME (42 U.S.C. § 12741 et seq.)
- Housing Opportunities for Persons with AIDS (HOPWA)
- McKinney-Vento Act homelessness programs

Department of Agriculture

- Section 515 Rural Rental Housing
- Sections 514 and 516 Farm Labor Housing
- Section 533 Housing Preservation Grants
- Section 538 multifamily rental housing

Department of Treasury

- Low-Income Housing Tax Credit (LIHTC)

Q13. *What is the best way to handle late rent payments?*

A13. Per PHFA's 3/16/20 COVID-19 email, we asked that O/As consider waiving late fees for tenants who miss the due date for payments because of changes to their work situation at the current time. "We understand that this health emergency may be causing stress for some of your renters. We are hoping you can show some sensitivity to their situation and be flexible in how you manage their rent payments until our communities start to recover from the COVID-19 pandemic."

Q14. *Has PHFA provided protocol/directives regarding property operations?*

A14. PHFA will not offer guidance on how O/As should perform property operations. Please refer to guidance from the resources listed below or contact your attorney.

Q15. Can we “cease” lease-ups for the time being?

A15. PHFA will not offer guidance on how O/As should perform property operations. Please refer to guidance from the resources listed below or contact your attorney.

Q16. Will PHFA postpone or delay a desk review if staff is currently telecommuting to reduce risk for their tenants?

A16. PHFA staff will work with properties to the greatest extent possible while adhering to required rules, regulations, and contracts.

Q17. Does the temporary moratorium on eviction filings apply to Section 42 housing? I was told that “(i) a covered housing program (as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a))” includes Section 42 developments?

A17. The provision does apply to Low Income Housing Tax Credit properties since they are subject to the requirements of the Violence Against Women Act.

Q18. If an owner receives a forbearance on their property’s loan payments, are there any tenant protections that must be implemented?

A18. Yes, for the duration of the forbearance period, the owner may not:

- Evict or initiate an eviction of a tenant from a unit located on the property solely for nonpayment of rent or other fees or charges; or
- Charge any late fees, penalties, or any other charges for late payment of rent.
- Issue a notice to vacate until after the expiration of the forbearance.

Q19. Where can I get current COVID-19 information on HUD funded properties?

A19. Visit HUD’s COVID-19 Information and Resources page at <https://www.hud.gov/coronavirus>.

Financial Operations

Q20. What is the best way to contact my financial analyst?

A20. Contact your financial analyst by email for the fastest response. They are monitoring emails regularly:

Andrea Biller	abiller@phfa.org
Abena Dufie	adufie@phfa.org
Tram Le	tlee@phfa.org

If you do not know who your financial analyst is, please contact Kurt Livering klivering@phfa.org or Ed Neuhart eneuhart@phfa.org.

Q21. Will PHFA extend the deadline to submit year-end December 31, 2019 audited financial statements?

A21. Yes, the deadline has been extended from March 31 to April 30, 2020.

Q22. Will PHFA waive billings for soft PHFA mortgages (PennHOMES, Home, HRA, TCAP, PHARE)?

A22. PHFA will not bill for soft mortgages unless a request for return is made by the owner.

Q23. Is PHFA still processing payments for tax bills and insurance premiums?

A23. PHFA is making payments two times a week. Please send all tax bills, via email, to your financial analyst. Insurance premiums should be sent, via email, to Olga Mercado - omercado@phfa.org.

We are urging you to sign up for Automated Clearing Housing (ACH) payments. This will allow us to expedite payments and reimbursements.

Please contact Tram Le at tle@phfa.org to obtain a copy of the ACH sign-up form. The form needs to be completed and sent back, via email, to Tram Le. In addition to the form, you must include **one** of the following items: voided check, deposit slip, or a letter from the bank. These documents will be used to verify the bank account information listed on the form.

Q24. We are hoping that the property does not suffer financially if tenants do not pay rent. Can money from reserves be used to cover operating costs?

A24. PHFA will look at these requests on a case-by-case basis. Please contact your financial analyst with any questions.

Housing Services

Q25. Can I still reach my Housing Services Representative?

A25. Yes, contact your HSR by email for the fastest response:

Alicia Spencer	aspencer@phfa.org
Dawn Bartha	dbartha@phfa.org
Tawanda Peterson	tpeterson@phfa.org
Lisa Scott	lscott@phfa.org
Amanda Stengel	astengel@phfa.org

Q26. How do I reach other members of the HS Department?

A26. Please contact Gelene Nason, gnason@phfa.org for information on the status of our various initiatives. She will direct your inquiry.

Q27. What are properties doing about on-site resident service coordinator committed hours?

A27. Please contact your owner/management agent for instructions. We have heard from several properties that are making the resident service coordinator available via phone and/or email to assist residents.

Q28. Can I expect a site visit in the near future from my HSR?

A28. We are currently working on developing procedures to address this. Right now, all physical on-site visits have been put on hold.

Q29. What if I have an updated Supportive Services Plan due in the next 3 months?

A29. Contact your HSR to request an extension, if necessary.

Q30. What is the status of the MAH Conference?

A30. PHFA recently decided to reschedule this year’s conference with a new date of **July 20-July 22, 2021 at the same location, Seven Springs. Please stay tuned for more information.**

Contract Administration (Section 8 and Section 811 PRA)

Best way to reach us:

General Contract Administration	Linda Demmi	ldemmi@phfa.org
Voucher Processing	Peggy Snyder	psnyder@phfa.org
	Stephanie McCauslin	smccauslin@phfa.org
	Debra McHugh	dmchugh@phfa.org
	Tammy Frye	tfrye@phfa.org
	Connie Antes	cantes@phfa.org
	Britney Fritz	bfritz@phfa.org
Special Claims Processing	Monique Snyder	msnyder@phfa.org
	Jacquelynne Howard	jhoward@phfa.org
Section 811 Property owners and agents	Kristen Nagel	knagel@phfa.org
Service Agencies working with Section 811	Regional Housing Coordinators	811@sdhp.org

Q31. How should I submit my special claims for processing and approval?

A31. Owners and Agents should submit their special claims in accordance with the Guidelines for Paperless Claim Submission located at https://www.phfa.org/forms/section8/special_claims/ca-guidelines-submitting-paperless-claim.pdf.

Q32. Is it ok to send my special claim in the mail instead of sending it via email?

A32. Since PHFA staff is working remotely due to the COVID-19 virus, it is best to send your special claims through email using the instructions in the Guidelines for Paperless Claim Submission located at https://www.phfa.org/forms/section8/special_claims/ca-guidelines-submitting-paperless-claim.pdf. Sending your special claim through the mail may delay processing your special claim.

Q33. Does PHFA have the ability to process my voucher request while working remotely?

A33. Yes, PHFA Voucher Analysts and Special Claims Analysts continue to process all voucher requests for approval and submission to TRACS.

Q34. Will I receive my housing assistance payment on April 1st if I submitted my voucher by the deadline of March 10, 2020?

A34. PHFA will send housing assistance payments to owners upon receipt of funds from HUD. This applies to Section 8 and Section 811 PRA programs.

- Q35. I have a Section 8 contract that has traditionally been administered by PHFA. Will I receive my housing assistance payment on April 1st?**
A35. PHFA has reached out to our traditional Section 8 owners and agents who do not currently receive their subsidy payments electronically to request you complete the 1199a form on PHFA's website https://www.phfa.org/forms/section8/hap/ca_1199a.pdf. PHFA has waived the requirement for your bank to sign the 1199a form.
- Q36. I need to submit a new 1199a form to PHFA to receive my HAP payment electronically. How do I submit it?**
A36. Please submit your completed 1199a form and a void check to Kim Izer - kizer@phfa.org.
- Q37. Is annual recertification required to be completed during this time?**
A37. Yes, annual recertification must be completed as long as the resident is able to participate in the greatest extent possible.
- Q38. Am I required to follow the normal HUD recertification process for annual recertification?**
A38. Yes, the annual recertification must still comply with HUD requirements, though the process may change temporarily.
- Q39. Is it acceptable to communicate with residents by email, text, or resident portal?**
A39. Yes, however, consider the security of personally identifiable information (PII), sensitive personally identifiable information (SPII), and other personal information when doing so.
- Q40. Are residents required to report changes to income and/or household composition?**
A40. Yes, residents are required to report changes and interim recertification must be completed.
- Q41. Is interim recertification required at this time?**
A41. Yes, if residents report changes that require an interim recertification, an interim recertification must be completed.
- Q42. Am I required to follow the normal HUD recertification process for interim recertification?**
A42. Yes, the interim recertification must comply with HUD requirements, though the process may change temporarily.
- Q43. What if third-party verification is not possible?**
A43. The owner/agent must attempt third-party verification (mail, phone, or email). They may have to rely on family self-certification, without notary or witness of signature. The tenant may provide background documentation for the recertification process, including but not limited to paystubs, SS/SSI/SSP awards, bank statements, public assistance documents, by email to the O/A at their discretion. With the above flexibility, owners/agents can complete a temporary recertification using electronic versions of this document and can collect the original documents for the tenant at a later date.

- Q44. Are annual and interim 50059s completed at this time required to be signed by the resident? What if the resident cannot sign or does not want to risk a face-to-face meeting?**
- A44. Yes, currently a signed 50059 is required. When the resident cannot sign or does not want to risk a face-to-face meeting, the certification may be submitted using one of the following three (3) extenuating circumstances codes:
- 1=Medical (medical staff have quarantined the tenant)
 - 2=Late annual recertification due to accommodation or extenuating circumstances
 - 10=Other
- Once the pandemic has passed, you must obtain a signature from the tenant and submit a correction certification.
- Q45. Are electronic signatures acceptable?**
- A45. HUD will allow electronic signatures as long as an original “wet” signature on the document is obtained at a later date, after the pandemic is over. These documents include but are not limited to the HUD-9887/9887A, HUD-50059, lease agreements/addendums, affidavits of unemployment and zero income, and state lifetime sex offender forms. Please see HUD’s updated guidance at https://www.hud.gov/sites/dfiles/Housing/documents/HUD_Multifamily_Corona_QA_FINAL.pdf.

Tax Credit Compliance

- Q46. What is the best way to contact LIHTC compliance staff during the COVID-19 office closure?**
- A46. All LIHTC compliance staff continue to work remotely, but they can still be contacted through their email or work phones. Staff will continue to answer messages left using either method. If you are not aware of who your compliance staff member is, please contact Kathy Esworthy at kesworthy@phfa.org.
- Contacts for properties located in:
- Region 1 = Maryellen Schenck - mschenck@phfa.org or 717-780-1884
 - Region 2 & 3 = Kristen Kasi - kkasi@phfa.org or 717-780-4337
 - Region 4,5, 6 = Steven Crummel - scrummel@phfa.org or 717-720-5504
 - Web Entry System = Malika Jiwani - mjiwani@phfa.org or 717-780-1812.
- Q47. Is there any IRS guidance available regarding LIHTC compliance rules and policies?**
- A47. We believe consideration may be given to delays directly related to COVID-19. We will update this Q&A as we receive guidance.
- Q48. Is the PHFA Web portal currently available for use?**
- A48. Yes. It is recommended that owners/agents continue to enter Tenant Income Certifications (TICs) as they occur.
- Income/Rent Limit Charts are also available for access. *No news is available regarding 2020 limits.

Q49. How is PHFA addressing the possibility of late recertification?

A49. PHFA is awaiting guidance from all relevant regulatory agencies.

Q50. How do we meet recertification deadlines when we are unable to get supporting third-party documentation?

A50. PHFA is awaiting guidance from all relevant regulatory agencies.

Q51. Will recertification deadlines be extended?

A51. PHFA is awaiting guidance from all relevant regulatory agencies.

Q52. Are electronic signatures permitted by the LIHTC Program?

A52. Yes. Electronic signatures are permitted for many documents: Applications, Tenant Releases for Verification, Third Party Documents, Leases, Lease Addendums.

Q53. When will the 2020 LIHTC Income/Rent charts be available?

A53. HUD has released the 2020 MTSP limits. The Agency is now processing them and will update this Q & A when they are available on the Web Portal.

Technical Services

The operational status and procedures for Technical Services has not changed from the guidance set forth in the notification of Friday, March 13.

Development Division

Q54. What is the best way to contact someone in PHFA's Development Division during the COVID-19 office closure?

A54. While PHFA's physical offices are closed, PHFA staff are working remotely from home and can be contacted by email and phone (on their office line) with a preference for email. Please contact the Development Officer assigned to your project with any question or concerns you may have. Development questions can be directed to Debra Clark at dclark@phfa.org and Tax Credit questions can be directed to Michelle Lugo at mlugo@phfa.org.

Q55. How should documents be submitted to the Agency during this period?

A55. Please continue to submit documents in the form requested – email or hard copy. The Agency continues to maintain a mail delivery schedule and is accepting physical delivery through the United States Postal Service, UPS and Federal Express. While we prefer a number of submissions to be in hard copy format, please contact your Development Officer or other Agency staff in advance of sending in hard copies as, in some cases, we may accept a soft copy in lieu of the physical submission. The Agency will continue to only accept Placed in Service Packages and Construction Related Documents (plans and specifications) in hard copy.

Q56. While the Agency has extended the closing of May 31, 2020 deadline for developments which were awarded Low Income Housing Tax Credits and loan funding (PennHOMES, PHARE RTT and HTF and first mortgage financing) in July 2019, has the Agency extended the December 31, 2021 placed in service deadline?

A56. Multifamily staff, Development, Technical Services and Housing Management, continue to work with 2019 developments moving forward to closing. We understand that some properties may be delayed as they await municipal approvals (such as land development plan or funding commitments) or completion of certain activities that can only occur after the lifting of governmental orders affecting their business. Please work with your Development Officer to confirm continued compliance with other requirements of the Reservation Letter, such as maintaining valid site control.

At this time, the Agency has not extended the 10% test requirements of Section 42 or the placed in service deadline of December 31, 2021. We are awaiting future guidance from the IRS and HUD on specific regulatory relief with respect to program deadlines. Certain federal program deadlines have been extended by the IRS and HUD in previous major disasters and the Agency is hopeful that similar extensions will be granted as a result of the impact of COVID-19. Please continue to check our website for additional program guidance.

Q57. When will developments with a conditional forward commitment of 2020 tax credits receive a 2020 Carryover Agreement, and when will they be required to return it with the Carryover Part 1 requirements?

A57. While the Agency initially anticipated these would be sent by the end of this month, they will be sent later than anticipated. You will receive detailed instructions and a deadline when the 2020 Agreement is forwarded. We recommend that, in anticipation of receipt, you proceed with assembling the Part 1 requirements, which can be accessed at the attached link.
https://www.phfa.org/forms/multifamily_application_guidelines/2019-crryvr-a-att.pdf

Q58. When will the Agency make awards to 2020 applications for Tax Credits, PennHOMES and PHARE? Has the timing schedule changed?

A58. Agency staff continue to evaluate the 2020 applications and hope that a significant delay in making awards will not occur. Unfortunately, at this time, we do not know to what extent COVID-19 might disrupt or adversely impact the financial viability of pending applications. The Agency may request additional documentation in the future to assist us in further evaluating these projects.

Q59. Will PHFA be extending the 4% Tax Exempt program deadlines discussed in the 2020 Tax Exempt Request for Proposals due to the COVID -19 pandemic?

A59. The Agency currently has no plans to extend or modify the program deadlines discussed in the PHFA 2020 RFP for projects seeking tax exempt financing.

Q60. Question: How should developers submit their 4% Tax Exempt applications?

A60. Applications should be submitted in accordance with the requirement set forth in the 2020 Tax Exempt RFP. The process has not changed. Once your application has been uploaded into the PHFA system, please notify via email the Manager of Multifamily Underwriting, David Doray (ddoray@phfa.org), that your application has been submitted and is ready for review.

Helpful Web Links

COVID-19 Resources:

- <https://www.governor.pa.gov/> - Governor Wolf's office
- <https://www.cdc.gov> - Centers for Disease Control (CDC)
- <https://www.who.int/health-topics/coronavirus> - World Health Organization (WHO)
- <https://www.usa.gov/coronavirus> - COVID-19 resource page at USA.gov
- <https://www.hud.gov/coronavirus> - U.S. Department of Housing and Urban Development.
- <https://www.irs.gov/> - Internal Revenue Service
- <https://www.health.pa.gov/topics/disease/Pages/Coronavirus.aspx> - PA Department of Health.
- <https://www.ncsha.org/covid-19/> - Coronavirus-related information, guidelines, and notices published by state housing finance agencies, the Trump Administration, the CDC, HUD, and other state entities.
- <https://www.pa.gov/guides/responding-to-covid-19/> - PA Department of Health.
<https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Pages/default.aspx> - PA Department of Education guidance on COVID-19, including where to access free meals for children.
- <https://www.dli.pa.gov/Pages/default.aspx> - For workers impacted by COVID-19, including workers compensation.
- <https://www.uc.pa.gov/Pages/default.aspx> - To apply for unemployment benefits.
- <https://www.hhs.gov> - PA Department of Health and Human Services (to apply for benefits).
- <https://www.compass.state.pa.us> - COMPASS is an online tool for Pennsylvanians to apply for many health and human service programs (apply for benefits)
- <https://www.midpenn.org> – MidPenn Legal Services
- <https://www.thecaap.org/agency-info/pa-community-action-agencies.html> - Community Action Agencies (assistance in counties)
- [PAHousingSearch.com](https://www.pahousingsearch.com) - assistance with finding housing
- Refer to your state or local health department