

A Newsletter for Housing Owners

METRO HRA

Housing & Redevelopment Authority

VIEWS



EPA Requires Certifications in Lead-Based Paint

The Environmental Protection Agency requires contractors performing renovation, repair and painting projects that disturb paint in housing built before 1978 to be certified and follow specific work practices to prevent lead contamination.

Landlords who use their own crews to work on investment properties must also follow the new rule. The HRA is no longer offering a subsidized training opportunity. Two local companies that provide the required training are Sustainable Resources Center (SRC) and M J Environmental Institute. There are other training opportunities available in the Metro area. Metro HRA does not endorse or support a specific company.

Training is required in order for you to perform the work. Proof of certification is required before a unit will pass a Housing Quality Standards (HQS) inspection or before a housing assistance payment will be made.

VAWA

The Violence Against Women Act (VAWA) became federal law in January 2006. VAWA prohibits the eviction of certain persons if the grounds for such action are an instance of domestic violence, dating violence, sexual assault or stalking. This means that you cannot terminate a lease because of an abusers actions towards a tenant or their family. All Owners, whether participating in the Section 8 voucher program or not, must comply with this law.

For the full text on the law visit, <http://www.ovw.usdoj.gov/domviolence.htm>.

Are you familiar with the 'Right of Victims of Domestic Abuse to Terminate the Lease', Minnesota State Statute 504B.206? This state law allows a tenant to terminate their lease if they are a victim of VAWA. The statute can be found at <https://www.revisor.mn.gov/statutes/?id=504B.206>.



SUMMER 2014

VISIT US ON LINE

The Metropolitan Council has launched an updated website, please visit it at www.metrohra.org. We will be adding information for Landlords about Metro HRA programs. We will also be adding forms and other helpful links for you to utilize. We are requesting that you give us your feedback about what you would like to see on our website as a landlord. Please email your suggestions to mary.d-hra@metc.state.mn.us.

IS THERE SOMETHING YOU WOULD LIKE TO KNOW?

If there are topics you would like to see addressed in upcoming issues of the newsletter, please e-mail them to Mary D at mary.d-hra@metc.state.mn.us.

INSPECTIONS

Metro HRA encourages all landlords to prepare for the **HQS** inspection as soon as you receive notice of your inspection date. Checking for potential fail items and making repairs ahead of time greatly increases the possibility of a passed inspection on the first visit.

If the unit does fail, complete the repairs and call for a re-inspection right away to avoid late or prorated rent. The telephone number to call for re-inspection is (651) 602-1626. Please be sure the repairs are completed **BEFORE** you call for a re-inspection.

Thank you for being proactive.



REQUEST FOR TENANCY APPROVAL (RTA) REVIEW:

We understand that we are requesting a lot of information on the RTA. Please be patient and complete it carefully, legibly and completely. This will enable us to begin the required paperwork for a new tenant without a delay.

Metro HRA will only do move-in inspection on vacant units or units that are occupied by the subsidized family. We will no longer perform a move-in inspection on a unit that is still occupied by the previous tenant. We have provided a place on the RTA for the landlord to indicate if the unit is vacant or occupied. There is also a place to indicate the date the unit is available for inspection.

Please clearly print your name and address so we can be sure that our letters get to you.

LATE FEES

Tenants can only be charged a late fee on their portion of unpaid rent, following the Minnesota State Statute listed below:

Minnesota State Statute 504B.177 LATE FEES.

(a) A landlord of a residential building may not charge a late fee if the rent is paid after the due date, unless the tenant and landlord have agreed in writing that a late fee may be imposed. The agreement must specify when the late fee will be imposed. In no case may the late fee exceed eight percent of the overdue rent payment. Any late fee charged or collected is not considered to be either interest or liquidated damages. For purposes of this paragraph, the "due date" does not include a date, earlier than the date contained in the written or oral lease by which, if the rent is paid, the tenant earns a discount.

TENANCY ADDENDUM

The HUD required Tenancy Addendum is attached to all Housing Assistance Payments (HAP) Contracts. This Tenancy Addendum must also become part of your lease. The Tenancy Addendum states:

2. Lease

- a) The owner has given the PHA a copy of the lease, including any revisions agreed by the owner and the tenant. The owner certifies that the terms of the lease are in accordance with all provisions of the HAP contract and that the lease includes the tenancy addendum.
- b) The tenant shall have the right to enforce the tenancy addendum against the owner. If there is any conflict between the tenancy addendum and any other provisions of the lease, the language of the tenancy addendum shall control.

This is not new information but may be overlooked in some cases so this is just a reminder of your obligations under the HAP contract.



KEEP RESIDENT INFORMATION CONFIDENTIAL

You and your employees may get phone calls or letters from time to time requesting information about residents. These requests may seem innocent or even official. But if you give out information to the wrong person, a resident could end up being harmed and you could be held liable.

HOW DISCLOSURE PUTS YOU AT RISK

You have a great deal of personal information about your residents. You know where they live, who lives with them, and where their closest relatives live. You know their telephone numbers, their previous addresses, and where their bank accounts are located. You may even know what vehicles they drive and the times they go to work, and when they come home. People may want to get that information - from collection agencies and process servers to disgruntled ex-spouses, con artists and criminals. If you disclose information about a resident to a third party, the resident could sue you for violating his/her right to privacy.

What should you do to protect yourself?

CREATE A NONDISCLOSURE POLICY

To make sure that your employees keep confidential resident information from falling into the wrong hands. Create a policy prohibiting them from releasing information. Make sure they understand the policy before they start work. Your policy should do the following things:

Refer all inquiries to the manager.

The fewer employees that have the authority to decide whether to disclose information, the less likely it is that a mistake will be made. Do not let anyone on your staff respond to inquiries about residents. Require them to refer all such inquiries to the manager.

Prohibit Disclosure.

Tell the manager to respond to every request for resident information by saying that he/she is "not

at liberty to divulge that information". The only exception to this rule is that you should disclose resident information if a government authority requires you to do so in writing. But even in those cases, be careful. If people claiming to be government officials call you on the telephone or email requests about residents, ask them to submit their requests in writing and provide identification that you can verify.

Set Policy on Reporting Inquiry.

Should you tell the resident that someone is inquiring about her? It's a judgment call. If you think the inquiry is suspicious, follow whatever procedure you have for reporting suspicious activity. If you have reason to believe the person is dangerous, call the police immediately and try to warn the resident. You could be held liable for the resident's injuries if you knew a seemingly dangerous person was looking for the resident and you didn't tell anyone.

Give Examples of Suspicious Inquiries.

Most people seeking information for illegitimate reasons will not just call up and ask you. They are adept at conning people into telling them what they want to know. So give your manager and staff an example or two so that they will know to be on their toes. To further protect against accidental lapses by your staff, keep all resident files locked safely away or stored in a computer with a password. Only the manager should have access to this information.

HOARDING

Hoarding — you've seen it on TV and heard about it in the news, but is hard to imagine until you actually see it up close and personal.

While hoarding is not common — only about 2 out of every 100 people may develop it — the consequences of having a hoarding tenant are extreme.



One of the most serious consequences of hoarding is the resulting fire danger. Even if a fire started in another unit, the heaps of debris from a tenant's hoarding will quickly drive the blaze out of control. Because hoarding is considered a mental illness, it is possible that a tenant will argue that they are disabled, and entitled to a reasonable accommodation. HUD agrees that, to the extent it is possible, the hoarder may be entitled to accommodation.

Preparation is the best tool for a landlord should a tenant become a hoarder. Make sure your lease and house rules carve out specific limitations on the number of animals, require that access routes be kept clear, balconies are free of debris, trash is picked up, and that any increased exposure to pests or other unsanitary conditions is labeled a nuisance. Also make clear that if the rules are not followed, the tenant is subject to eviction. Local animal, building and fire codes can serve as guidelines.

Reasonable accommodation generally does not entail forcing the landlord to break the law, allowing the tenant to risk the health or safety of others, or causing undue financial hardship through property damage. If you find yourself with a hoarder, be sure to document everything.

GO GREEN - E-MAIL

Do we have your e-mail address? With the ever increasing cost of postage we would like to do as much of our day to day communication as possible by e-mail. Please contact Maika B. to provide your current e-mail address. She can be reached at **Maika.b-hra@metc.state.mn.us**.

VENDOR NUMBERS

All of the correspondence you receive from Metro HRA should now include your vendor number. Please keep your vendor number handy and use it on ALL correspondence you send to Metro HRA to ensure we are providing you with the best possible service.

ENERGY STAR

Consider buying ENERGY STAR products next time you replace an appliance. It's good for you and good for the environment. Go to **www.energystar.gov** for more information.

RENEWING THE TENANT'S LEASE?

Approximately 4 months, (120 days) prior to a tenant's lease renewal, Metro HRA sends a letter to the landlords of all current tenants asking if they intend to renew the lease. We require these back at least 60 days prior to the lease renewal to provide us with at least a 60 day notice of possible rent increase or non-renewal. Please help us by completing these and returning them on time.



METRO HRA

390 Robert Street North
Saint Paul, MN 55101-1805

OWNER BRIEFINGS!

Would you like to know more about the Section 8 rent assistance program but don't know who to ask? Metro HRA can help. We are offering ongoing briefings to provide Landlords/ Property Managers with valuable information about the Section 8 program. These briefings offer owners/managers an opportunity to see what is new, ask questions, and network with other property owners. The briefings last approximately one hour and are offered quarterly on the 2nd Tuesday of the month at Metro HRA, 390 North Robert St., St. Paul. Upcoming briefings are as follows:

- **August 12, 2014, 10:00 a.m.**
- **November 18, 2014, 2:00 p.m.**

For more information or to register contact Mary D at mary.d-hra@metc.state.mn.us or **651-602-1445**.

DIRECT DEPOSIT

Metro HRA encourages all landlords to enroll in the direct deposit system as a convenient Housing Assistance Payment (HAP) option. By offering direct deposit, Metro HRA provides you the option to have your monthly HAP directly deposited into your checking or savings account.

Direct Deposit is a convenient way to receive your payments and eliminates the delays of mailing and the possibility of lost checks.

To request an enrollment form for direct deposit, or to make a change if you already have direct deposit, please contact Maika B. at Maika.b-hra@metc.state.mn.us or **651-602-1526**

FREE ADVERTISING OPPORTUNITY

Do you have a vacancy to rent?

Housing Link is the primary distributor of affordable housing information in the Twin Cities. The Housing Link online listing service is easy to use and it is FREE. The website is viewed by almost 35,000 people each month and used to list vacancies by over 6,000 landlords. Get the word out through Housing Link! Visit www.housinglink.org, Click on the landlord link and advertise your affordable housing vacancies today.

This website also provides current Payment Standard and Utility Allowance information for the Twin Cities area Housing Authorities.