



**HUD Section 811 Project-Based Rental  
Assistance Program  
(HUD Section 811 PRA)**

**Program Operations Manual**

*May 2023*



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## Introduction

The purpose of the HUD Section 811 Project-Based Rental Assistance program (HUD Section 811 PRA), as authorized under the [Frank Melville Supportive Housing Investment Act of 2010](#), is to provide Extremely low Income (ELI) People with Disabilities (PWD) and ELI households with at least one person with a Disability, with decent, safe and sanitary rental housing through the use of Rental Assistance Payments to owners. HUD Section 811 PRA guidelines are applicable only to the Assisted Units. Owners that administer HUD Section 811 PRA must comply with these guidelines without modification, unless approved by the U.S. Department of Housing and Urban Development (HUD).

This Program Operations Manual describes the procedures used by the Minnesota Department of Human Services (DHS), in collaboration with Minnesota Housing, to identify Target Populations, to provide outreach and referral information, to maintain the waiting list and to provide guidance on tenant selection plans (TSPs) for HUD's Section 811 PRA.

Individual owners/agents must follow HUD program guidelines and will maintain their own Tenant Selection Plan (TSP) and site-specific occupancy policies. Owners/agents, however, must give priority to HUD Section 811 PRA applicants referred by the DHS housing coordinator until all HUD Section 811 PRA units are utilized. For TSP guidance, refer to: <https://www.mnhousing.gov/sites/multifamily/tenantselectionplan>.

The procedures described in this document do not supplant the HUD Section 811 Program Guide; however, owners/agents must use the information in this document when implementing the HUD Section 811 referral process and other procedures as outlined in the HUD Section 811 Program Guide.

## Chapter 1 – Tenant Eligibility Requirements

Households eligible for HUD Section 811 PRA include single adults and families. Households must meet **each** of the following three criteria:

- The household must include at least one adult with a disability who is at least 18 but less than 62 years of age at the time of admission.
- The household must include at least one adult with a disability who is eligible for community-based, long-term services funded through Medicaid or state-funded sources, including Home and Community-Based Waivered Services, Housing Stabilization Services, Adult Mental Health Services, Money Follows the Person (MFP), or Long-term Homeless Supportive Services.
- The household income cannot exceed the [Extremely Low Income \(ELI\) limit](#) established by HUD and published annually.

### 1.01 Target Populations

Beyond the initial eligibility for HUD Section 811 PRA, Minnesota Housing will work for maintain a balance between the following targeted populations who meet the eligibility criteria:

- Experiencing long-term homeless (LTH), have a serious mental illness (SMI), and are enrolled in Minnesota’s Projects for Assistance in Transition from Homelessness (PATH) outreach program (up to 25% of the units for this population will be further targeted to unsheltered LTH populations); **OR**
- Exiting a qualified institution after a long-term stay of 60 days or more and enrolled in the MFP program. Qualified institutions include:
  - Intermediate care facilities for individuals with developmental disabilities
  - Nursing facilities
  - Hospitals, including community behavioral health hospitals
  - Institutions for Mental Disease (IMF), to the extent Medical Assistance pays for the stay (Medical Assistance typically pays if the person is under 21 years or 65 years plus therefore only these applicants would be eligible for HUD Section 811 PRA);
  - Child and adolescent behavioral health services facility in Willmar (CABHS); **OR**
- At risk of institutionalization and living in segregated settings

**NOTE:** Program eligibility for PATH and MFP is determined by the PATH outreach worker and the MFP transition coordinator, respectively. Minnesota Housing does not make eligibility determinations for these programs.

## 1.02 Additional Eligible Applicants

If there are no applicants on the waiting list for a site location from the target populations, the following individuals will be eligible for the program:

- People experiencing homelessness and SMIs with or without substance abuse and that do not have a PATH outreach worker available in their location and who meet the tenant eligibility criteria

## 1.03 Ineligible Households

The following households are excluded from HUD Section 811 PRA:

- Any household containing a member(s) who was evicted from federally assisted housing in the last three years for drug-related activity, with the following exceptions:
  - The evicted household member has successfully completed an approved, supervised drug rehabilitation program; **OR**
  - The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household)
- A household containing a member(s) who is(are) currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety and right to peaceful enjoyment of the property by other residents
- Any household member who is subject to a state sex offender lifetime registration requirement
- Any household member if there is reasonable cause to believe that the member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety and right to peaceful enjoyment by other residents
- A household may be ineligible if the following Social Security Requirements are not met:
  1. Applicants must disclose Social Security Numbers (SSNs) for all family members and provide proof of the numbers reported.
  2. If no SSN has been assigned to a particular family member, the applicant must, at a minimum, bring proof that an application to the Social Security Administration (SSA) has been completed.
  3. The SSN requirement does not apply to people who are not claiming eligible immigration status as of January 31, 2010, whose initial determination of eligibility for assistance was begun before January 31, 2010. Nothing would be required in place of the SSN requirement; the applicant would be coded on the form HUD-50059 in such a way that would indicate that they are exempt from this requirement

4. Acceptable evidence of an SSN consists of one of the following (document must have the Social Security Number in the document):
  - An original SSN card issued by the SSA or an original SSA-issued document, which contains the name and the SSN of the individual
  - An original document issued by a federal, state, or local government agency, which contains the name and the SSN of the individual (the documentation must identify the number as an SSN)
  - IRS Form 1099 or W-2 Form
  - Benefit award letters from government agencies
  - Unemployment benefit letter
  - Court records such as real estate, tax notices, marriage and divorce judgment, or bankruptcy records
  - Verification of Social Security benefits with the SSA
5. Applicants who have not disclosed and/or provided verification of SSN for all non-exempt household members have 90 days from the date they are first offered an available unit to disclose and/or verify SSNs. During this 90-day period, if the applicant is unable to disclose and/or verify SSNs for all non-exempt household members, the applicant will be determined ineligible and removed from the waiting list.
6. Failure to disclose all SSNs as required or failure to certify that a family member does not have an SSN is cause for denial of admission or termination of assistance, subject to the family's right to an informal review or hearing. If an applicant is denied due to this requirement, or their assistance is terminated, Minnesota Housing will notify them in writing of their right to a hearing.
7. All family members, regardless of age, must disclose and document their SSN prior to admission. The owner/agent may accept and allow the move-in of applicant households that include a family member under the age of six who cannot provide an SSN if the child was added to the household within the six months prior to move-in. The households will have 90 days and one additional 90-day extension to provide the SSN. This extension also applies to in-place households wishing to add a new family member under the age of six to the unit. If the applicant is unable to provide the information, they will be determined ineligible and removed from the waiting list.

## **1.04 Student Eligibility**

The owner/agent must determine a student's eligibility for assistance at move-in, at initial or annual recertification, and at the time of an interim recertification if one of the changes reported reflects a household member who is enrolled as a student.

Assistance will not be provided to any individual in a qualifying household who:

- Is enrolled either as a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate or other program leading to a recognized educational credential, **AND**
- Is under the age of 24, **AND**
- Is not married, **AND**
- Is not a veteran of the United States military, **AND**
- Does not have a dependent child, **AND**
- Is not a Person with Disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C.1437a(b)(3)(E) and was not receiving Section 8 Housing Choice Voucher assistance as of November 30, 2005, **AND**
- Is not living with his or her parents who are receiving tenant-based or project-based Section 8 Housing Choice Voucher assistance, **AND**
- Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 Housing Choice Voucher assistance.

In order for a student to be eligible, independent of his or her parents, the student must meet the following criteria:

- The individual is 24 years of age or older by December 31 of the award year; **AND**
- The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older; **OR**
- The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence; **OR**
- The individual is a veteran of the United States military (as defined in subsection [c](1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes; **OR**
- The individual is a graduate or professional student; **OR**
- The individual is a married individual; **OR**
- The individual has a legal dependent other than a spouse; **OR**
- The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a Homeless child or youth (as such terms are defined in Section 725 of the McKinney-Vento Homeless Assistance Act) (42

U.S.C 1431 et. seq.) or as unaccompanied, At Risk of Homelessness, and self-supporting by:

- (i) A local education agency Homeless liaison, designated pursuant to Section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;
- (ii) The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
- (iii) The director of a program funded under subtitle B of [Title IV of the McKinney-Vento Homeless Assistance Act](#) (relating to emergency shelter grants) or a designee of the director; **OR**
- (iv) A financial administrator (the individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances)

In order to verify a student's independence from parents, the owner/agent must:

- Review and verify previous address information to determine evidence of a separate household from parents or legal guardians, or verify the student meets the U.S. Department of Education's definition of independent student; **AND**
- Review a student's prior year income tax returns to verify if the student is independent or verify the student meets the U.S. Department of Education's definition of independent student; **AND**
- Verify income provided by a parent by requiring a written certification from the individual providing support. Certification is also required if the parent(s) is not providing support to the student. Financial assistance that is provided by people not living in the unit is part of annual income; **AND**
- If the student is determined to be a vulnerable youth, such determination is all that is necessary to determine that only the student's income is used for determining eligibility for Section 8 Housing Choice Voucher assistance.

An individual is considered a vulnerable youth if they meet either of these criteria of the U.S. Department of Education's definition of "independent student":

- The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older; **AND**
- The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence; **AND**
- The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a Homeless child or youth (as such terms are defined in Section 725 of the McKinney-Vento Homeless Assistance Act) (42

U.S.C. 11431 et seq.) or as unaccompanied, At Risk of Homelessness, and self-supporting, by:

- (i) A local education agency Homeless liaison, designated pursuant to Section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;
  - (ii) The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
  - (iii) The director of a program funded under subtitle B of [Title IV of the McKinney-Vento Homeless Assistance Act](#) (relating to emergency shelter grants) or a designee of the director; **OR**
  - (iv) A financial aid administrator (the individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances)
- The full amount of financial assistance paid directly to the student or to the educational institution, and amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs, are excluded from annual income.

## **1.05 Income Limits**

HUD establishes income limits and revises them annually to ensure that federal rental assistance is provided only to eligible low-income families. Income limits are based on family size and the annual income the family receives. The owner/agent will determine income eligibility prior to approving any applicant for tenancy. Applicants must have an income that is not greater than the maximum income limits established by [HUD](#) and as published annually in the Federal Register.

For HUD Section 811 PRA, a family's annual income at the time of admission may not exceed the ELI limits established by HUD for the current year.

## Chapter 2 – Referrals

### 2.01 Outreach to Identify Potential Tenants

This program uses a combination of existing resources for outreach and in-reach services. For persons considered as Long-term Homeless, PATH outreach workers perform extensive outreach and in-reach to connect with people experiencing Homelessness who also have a Serious Mental Illness or other Disability. For persons exiting institutional settings, the MFP transition coordinator or the DHS housing coordinator will identify potential HUD Section 811 PRA tenants. The DHS housing coordinator, the MFP transition coordinator, and PATH outreach workers will assist HUD Section 811 PRA eligible tenants to identify housing needs and help them transition from institutions or Homelessness into the community.

PATH is a federal grant program that helps people who have a Serious Mental Illness (SMI) and are Homeless. The program funds community-based outreach, mental health, Substance Abuse, case management and other supportive services, as well as a limited set of housing services. MFP participants are individuals who are eligible for Medicaid and who have resided for 60 or more consecutive days in one or more Qualified Institutions, including hospitals, nursing facilities, intermediate care facilities for persons with developmental disabilities, and institutions for mental diseases for individuals. Individuals may have developmental, physical, or psychiatric disabilities and will have a history of institutional placement.

**Eligible Sources to Refer Potential Tenants to the HUD Section 811 PRA Program:** The two programs that may provide referrals to the HUD Section 811 PRA program include: **Projects for Assistance in Transition from Homelessness (PATH)** and **Money Follows the Person (MFP)**.

Property owners and other organizations **will not** be able to directly refer people to HUD Section 811 PRA Assisted Units.

**Housing Referral Coordination of Eligible Tenants to HUD Section 811 PRA Assisted Units:** The DHS housing coordinator will coordinate referrals from MFP transition coordinators and PATH outreach workers. The DHS housing coordinator will work with referring providers to screen the applicant for HUD Section 811 PRA eligibility and place them on the waiting list based on the referral date. The DHS housing coordinator will coordinate the referral to available HUD Section 811 PRA Assisted Units and maintain a centralized waiting list. The DHS housing coordinator will also work proactively with owners of HUD Section 811 PRA Assisted Units to identify anticipated vacancies and minimize the time it takes to fill units by helping ensure a well-matched HUD Section 811 PRA participant is ready to move in.

**Service Menu:** The MFP transition coordinators and PATH outreach workers are the referring providers and service coordinators for the HUD Section 811 PRA program. Tenants served through the HUD Section 811 PRA program will have access to an array of services funded by DHS. Individualized service packages will be designed on a case-by-case basis according to the tenant's specific needs and desires. Each tenant in the program will be matched with their own

service coordinator. Service coordinators will help ensure that tenants have access to at least one service designed to provide longer-term support and stability for living in the community. These supports can include case management, transportation, employment supports, independent living skills, mental health services, connection to Community-Based Long-term Services Fund through Medicaid or other state-funded sources (Medicaid services, including access to home and community-based services), as well as helping ensure access to appropriate medical care.

DHS and Minnesota Housing will monitor implementation and administration processes outlined in the Program Operations Manual and as outlined in the Interagency Agreement and revise them as needed to help ensure effective program delivery. Minnesota Housing and DHS will have regular meetings with housing and service providers to provide training, exchange information, and share progress reports.

## **2.02 Referral Process**

Upon identification of a potential HUD Section 811 PRA participant, the referring worker completes and submits to the DHS housing coordinator a HUD Section 811 PRA pre-application and an informed consent form. PATH outreach workers must also verify that the applicant meets the criteria of LTH. The referring worker also completes and submits verification of Disability. The pre-application can be found at <https://edocs.dhs.state.mn.us/lfsrver/Public/DHS-7102-ENG> on the DHS public EDocs website. The HUD Section 811 PRA pre-application and other forms must be sent to DHS by secure email or fax.

Upon receiving the referral, the DHS housing coordinator reviews the referral materials and contacts the referring worker with any requests for additional information.

The DHS housing coordinator determines if basic eligibility criteria has been met. The DHS housing coordinator screens the applicant for drug abuse and other criminal activity on the Dru Sjodin National Sex Offender Database and the Minnesota Courts website. The DHS housing coordinator notifies the referring worker within five business days of receiving all referral materials about the applicant's eligibility for HUD Section 811 PRA.

It is the responsibility of the owner/agent to screen the applicants using the existing tenant search within HUD's Enterprise Income Verification (EIV) to determine if the applicant or any members of the applicant's household are being assisted under a HUD rental assistance program at another location.

The DHS housing coordinator places the applicant's name and location preferences on the waiting list. Electronic verification of each application's date and time of submission is maintained in the applicant's file.

The DHS housing coordinator reviews available HUD Section 811 PRA units (if any) and determines if any units match the location preferences of the applicant. When a unit becomes available:

- The DHS housing coordinator selects the next applicant on the waiting list for that area. If the unit is accessible, the DHS housing coordinator selects the next applicant for that area who has identified a need for an accessible unit. If there are no applicants who need an accessible unit, the DHS housing coordinator will contact the referral sources to identify applicants who do not need an accessible unit.
- The DHS housing coordinator selects applicants on an alternating basis between MFP participants and PATH participants to try to maintain a 50% balance of each population. The DHS housing coordinator may give preference to an applicant to maintain a 50% balance of each population.
- If there are no MFP or PATH participants on the waiting list for a site location, and a unit becomes available at that location, the DHS housing coordinator offers that unit to applicants experiencing LTH and SMI and who have no PATH outreach program available in their county but who have Long-term Services or to applicants who are At Risk of Institutionalization and have Long-term Services.
- The DHS housing coordinator notifies the referring worker to verify that the applicant is still interested and has maintained eligibility for HUD Section 811 PRA and informs the referring worker to contact the owner/agent for a housing application.
- If the applicant is not likely to meet the property's tenant selection criteria, and whose barriers to these criteria are related to the applicant's Disability, the DHS housing coordinator will explain to the referring worker about the option of submitting a Reasonable Accommodations request and will provide resources for the Reasonable Accommodations request and information about how to file a complaint if the Reasonable Accommodation is denied.

If the applicant accepts the offer:

- The DHS housing coordinator sends the property pre-application to the referring worker. Once the referring worker helps the applicant complete and sign the pre-application and returns it to the DHS housing coordinator, the DHS housing coordinator will send a referral to the property, including the pre-application and verification of the applicant's Disability.
- If the property accepts the application, the DHS housing coordinator contacts the owner/agent within five days of notification of the unit offer to start the application process and assists the applicant with completing the full application and verification process. If needed, the DHS housing coordinator will provide to the property manager verification of SSN, date of birth, and income. If the property denied the applicant, the DHS housing coordinator will discuss the options of filing an appeal or filing a Reasonable Accommodation with the referring worker. The owner/agent must provide the referring worker the appeals process.

- If unforeseen circumstances prevent the applicant from completing the application in a timely manner, the DHS housing coordinator works with the owner/agent and referring worker to try to extend the offer timeline.
- The referring worker coordinates a tour of the apartment for the applicant.

If the applicant declines the offer:

- The DHS housing coordinator documents the offer and keeps the applicant on the waiting list until the next preferred unit becomes available.
- The DHS housing coordinator verifies with the referring worker that the applicant's location preferences are correct.
- If the applicant declines two offers for reasons other than the applicant is not ready to move, the unit does not meet the applicant's accessibility needs, or it does not meet the applicant's location preference, the DHS housing coordinator notifies the referring worker and removes the applicant from the waiting list.
- If an applicant declines an available unit based on location preferences, the DHS housing coordinator offers units from the waiting list to other applicants based on date of application and not location preference. Rejection of these offers will not be considered a formal denial of a unit.
- Applicants will also be removed from the waiting list if they are denied a unit two times, or if the referring worker is unable to locate them when a unit becomes available. If the applicant did not respond to information or updates because of a Disability, the applicant will be reinstated at the original place on the waiting list. The referring worker must provide a written statement to the DHS housing coordinator verifying that the applicant did not respond because of a Disability.

### **2.03 Waiting List Policies and Referrals to Owner/Agent**

The DHS housing coordinator will develop an electronic waiting list that lists the client's name, housing status, Disability type, need for an accessible unit, size preference, location preference, referring worker and other data required by HUD for quarterly reporting purposes. Any changes to the waiting list will be documented.

When the DHS housing coordinator determines the applicant is eligible for HUD Section 811 PRA, the DHS housing coordinator places the applicant on the waiting list in chronological order by date of application. Electronic verification of each application's date and time of submission is maintained in the applicant's file.

The DHS housing coordinator sends the next applicant's referral information to the owner/agent, including the referring worker's contact information and the order of priority.

If the DHS housing coordinator cannot identify an applicant within the HUD vacancy payment period or cannot secure funding to hold the apartment beyond the HUD vacancy payment period, the owner/agent may fill the unit through his/her usual process.

Owner/agents should accept or deny housing applications within five business days of receiving them and must provide a decision in writing to both the DHS housing coordinator and the referring worker, listing any reasons for denial. If the owner/agent denies the application, the DHS housing coordinator will discuss the options of filing an appeal or filing a Reasonable Accommodation with the referring worker. The owner/agent must provide the referring worker the appeals process. The referring worker assists the applicant with the appeals process if the applicant wishes to appeal the decision.

## **2.04           Opening and Closing the Waiting List**

The waiting list will open upon email notifications to referring agencies, which include counties, MFP transition coordinators and PATH outreach workers. Email notices will be sent as additional properties participate in the program or if there are other program updates.

The DHS housing coordinator will determine if the waiting list for any or all locations should be closed due to a projected time estimate of three months for the availability of a unit, based on the number of applicants and the turnover rate.

The DHS housing coordinator will email referring agencies to announce the closing of part or all of the waiting list.

## Chapter 3 – Standards and Policies

### 3.01 Occupancy Standards

A unit is assigned to a participant based on their family size and composition. Reference the written policies for the site’s specific standards. To prevent underutilization, the following minimum standards for occupancy apply:

Bedrooms	Minimum Persons
0	1
1	1
2	2
3	3

One person will not be permitted to occupy a unit with two or more bedrooms unless that person is:

- A person with a Disability who needs the larger unit as a Reasonable Accommodation; **OR**
- A displaced person who has a verifiable need for a larger unit; **OR**
- A remaining family member of a tenant family when no appropriately sized unit is available

### 3.02 Security Deposit

The security deposit amount will be the greater of \$50 or the total tenant payment determined at move-in. The tenant may pay the security deposit in an installment basis from his/her own resources and/or other public sources. The security deposit must be placed in a segregated, interest-bearing account. The balance of this account must at all times be equal to the total amount collected from the tenant, plus any accrued interest. The owner must comply with any applicable state and local laws concerning interest payments on security deposits and return the security deposit to the tenant following the requirements stated in [HUD Handbook 4350.3 REV-1, CHG 4; pp 6-18.](#)

### 3.03 Unit Transfer Policies

A change in the number of household members or the composition of a tenant family may change the size of the unit for which the family is eligible. The owner/agent is responsible for management of in-house waiting lists, overcrowded and under occupied units, and will determine if the family is in the appropriately sized unit. The owner/agent will adhere to the minimum occupancy standards indicated in the above table.

Tenants may request transfers to other units in accordance with the owner/agent’s occupancy policies. The owner/agent must notify the DHS housing coordinator of the transfer.

### **3.04 Identifying Applicant Needs for Accessible Units or Reasonable Accommodations**

Tenants wishing to relocate to another HUD Section 811 PRA property must submit a written or verbal request to the DHS housing coordinator. They also must comply with the terms of their Lease Agreement. Their name will be placed on the waiting list as of the date of their request. Tenants requesting a transfer due to an accessibility need or an emergency situation will get priority on the list.

The DHS housing coordinator will work with the owner/agent if a tenant requests relocation due to a need for handicapped accessibility.

### **3.05 Unit Inspections**

Prior to the initial lease execution, a move-in inspection must be completed and certified by both the owner/agent and the eligible tenant. The certified form must determine if the unit is in decent, safe and sanitary condition. The form will become an attachment to the lease. If the eligible tenant is unable to attend the move-in inspection, he/she must certify that they have waived the right to be present for the move-in inspection.

Each Assisted Unit will be inspected annually to determine if all appliances and equipment in the unit are functioning properly and to assess whether a component needs to be replaced or repaired.

A move-out inspection will be conducted when the eligible tenant vacates the unit. This will determine if any damages to the unit have occurred and will assist in determining the amount of the security deposit to be reimbursed to the tenant. The tenant does not need to be present at the time of the move-out inspection.

Additionally, each Assisted Unit will be subject to inspection based upon the property's other existing federal or state housing programs pursuant to Uniform Physical Conditions Standards (UPCS). Minimally, these inspections occur every three years; however, reference the individual site's written policies for the frequency and purpose of the inspections.

### **3.06 Annual Recertification Policy**

Owner/agents will conduct a recertification of family income and composition annually. All family members must supply the information requested by the owner/agent and/or HUD. Tenants must sign the required consent forms, and the owner/agent will obtain third party verification of the required documentation, including annual income, the value of assets, authorized deductions from annual income and other factors that affect the determination of adjusted income. Owner/agents will then calculate the rent and assistance payments based on the information gathered. Failure by the tenant to comply with the recertification process may result in eviction for noncompliance with the lease requirement to recertify annually.

Owner/agents may request income verification from the DHS housing coordinator if the tenant signs a Release of Information.

### **3.07 Interim Recertification Policy**

To help ensure that rents of assisted tenants are based on their ability to pay, applicants must understand and agree to HUD's requirements that they are required to supply interim information to the owner/agent when any of the following occurs between annually schedule recertifications:

- A family member moves in/out of the unit; **OR**
- An adult member of the family who was reported as unemployed on the most recent certification obtains employment; **OR**
- The family's income cumulatively increases by \$200 or more per month; **OR**
- The student status changes

### **3.08 Termination of Assistance/Initial Certification Policy**

If it is determined at recertification that the tenant's income has increased where they are able to pay the full Contract Rent, the assistance will be terminated. The tenant may remain in the unit and pay the Contract Rent. If the tenant later becomes eligible for assistance, they can request to be placed at the top of the waiting list for the property in which they live. If the tenant moves out of the property, they will be removed from the waiting list.

When assistance is terminated for a tenant that is over income, assistance will be offered to the next applicant on the waiting list.

### **3.09 Implementation of House Rule Changes**

Owner/agents must provide tenants written notice 30 days prior to implementing new house rules.

### **3.10 Tenant Complaint Resolution Procedure**

DHS and Minnesota Housing have worked together to develop the following procedures to help owner/agents, service providers, and tenants in the HUD Section 811 PRA program better understand the process for resolving tenancy related issue that arise for HUD Section 811 PRA tenants. **NOTE:** Owner/agent may also be referred to as property manager.

It is important for owners/agents to work with case managers (or other listed support worker) and/or the DHS housing coordinator before any issue becomes serious enough to become a reason for termination. If the owner/agent does not know who the case manager is, the DHS housing coordinator should be contacted to find out if someone is working with the tenant. If no one is working with the tenant, the DHS housing coordinator may be able to make a referral

for tenancy supports.

### **Release of Information/Informed Consent**

At the time of lease signing and recertification, owner/agents request from the tenant information regarding their case manager. Owner/agents also ask the tenant to complete and sign a Release of Information. This form can be drafted by the owner/agent. An informed consent will allow the owner/agent to speak with both the case manager and the DHS housing coordinator. It will also allow the DHS housing coordinator to look up any income verifications needed for the initial lease.

### **Concerns from Owner/Property Management**

Examples: Lease violations, complaints about the tenant, late rent, or issue with recertification.

The owner/agent contacts the tenant and case manager to discuss and try to resolve the issue. If the issue continues and the owner/agent is unable to resolve the issue with the tenant and case manager, the owner/agent should contact the DHS housing coordinator.

### **Concerns from Tenant**

Examples: Maintenance concerns, neighbor concerns, questions regarding rent or recertification.

The tenant should report the concern to the owner/agent and try to resolve the issue.

If the issue goes unresolved, the tenant should contact their case manager. If the tenant does not know who their case manager is, or does not have a case manager, they should contact the DHS housing coordinator.

The DHS housing coordinator will attempt to put the tenant in contact with a case manager or will help deal with the tenant's concern. The DHS housing coordinator will direct the case manager to develop an action plan that outlines how services will be modified and intensified to address issues.

### **Escalated Program Concerns**

This policy assumes that minor lease issues would be resolved between the tenant and owner/agent, potentially with the assistance of the case manager or the DHS housing coordinator. If there is a significant grievance either from the tenant or the owner/agent that cannot be resolved by involving the case manager, the following protocol would be implemented:

Once the issue is elevated to the DHS housing coordinator, and the DHS housing coordinator is unable to resolve issue, the DHS housing coordinator will make contact with the Minnesota Housing contract administrator.

Minnesota Housing will advise on the issue and clear up any misunderstandings of program regulations.

If the issue remains unresolved, the DHS housing coordinator organizes a case conference with the owner/agent, case manager, case manager supervisor, Minnesota Housing, and tenant, as appropriate. Resolutions may include changes to services for tenants, locating alternative housing for tenants, and/or transfer requests.

If the issue remains unresolved, the owner/agent may choose to proceed with eviction.

## **Chapter 4 – Compliance with Section 504, Fair Housing and Other Relevant Civil Rights Laws and Statutes**

It is policy to full comply with all fair housing and civil right requirements, including, but not limited to, the following.

### **4.01 The Fair Housing Act**

[The Fair Housing Act](#) prohibits discrimination with respect to race, color, religion, sex, Disability, family status or national origin. To ensure compliance with this act, an applicant will not be:

- Denied the opportunity to apply for housing or lease housing suitable to their needs
- Provided housing that is different from housing provided to others
- Subjected to segregation or disparate treatment
- Restricted to any benefit enjoyed by others in connection with the housing program
- Treated differently in determining eligibility or other requirements for admission
- Denied access to the same level of services as others
- Denied the opportunity to participate in a planning or advisory group that is an integral part of the housing program

Additionally, advertising materials will not contain any exclusionary language, discrimination based on relation to another person will not take place, nor will retaliation or intimidation in any manner if someone exercises his/her right under the Fair Housing Act.

### **4.02 Title VI of the Civil Rights Act of 1964**

[Title VI of the Civil Rights Act of 1964](#) prohibits discrimination based on race, color or national origin. To ensure compliance with this act, regular review of policies and procedures will be done so that such policies can be updated to remove any discriminatory practice that subjects individuals to discrimination based on race, color or national origin.

### **4.03 Section 504 of the Rehabilitation Act of 1973**

[Section 504 of the Rehabilitation Act of 1973](#) prohibits discrimination based upon Disability. To help ensure compliance with this act, the following obligations must be met:

- Reasonable structural modification to units and/or common areas that are needed by applicants and tenants with disabilities will be provided unless such changes would result in a fundamental alteration of the project or result in an undue financial or administrative burden
- Housing units will not be segregated based on Disability or type of Disability

- Auxiliary aids and services will be provided in order to promote effective communication with people with disabilities

The housing site's written policies should include the following:

- **Reasonable Accommodations:** Adjustments to the method of administering policies, procedures or services at the property so that individuals with disabilities can enjoy full access to the property.
- **Reasonable Modifications:** Some structural changes create an undue financial burden to the owner/agent; in such cases, tenants may be allowed to make reasonable modifications to their individual units at the expense of the tenant with an Agreement that the tenant will restore the unit to its original state upon vacating.
- **Assistance Animals:** Allowed on the property with proper verification of the need for the assistance animal.
- **Auxiliary Aids:** Every effort will be made to effectively communicate with individuals who have a Disability. Auxiliary aids may include visual alarms, tactile signs, visual doorbells and other communication aids.

#### 4.04 Applying Violence Against Women Act (VAWA) Protections

The owner/agent must provide notice to tenants of their rights and obligations under [VAWA](#). Status as a victim of domestic violence, dating violence, sexual assault or stalking cannot be a basis for denial of rental assistance or admission if the applicant otherwise qualifies.

The owner/agent will not assume that any act is a result of abuse covered under VAWA. In order to receive the protections outlined in VAWA, the applicant/tenant must specify that he/she wishes to exercise these protections.

When the owner/agent responds to a claim of protected status under VAWA, the owner/agent will request, in writing if appropriate, that an individual document the occurrence of the domestic violence, dating violence, sexual assault or stalking. The owner/agent must provide victims the option to complete the Certification of Domestic Violence, Dating Violence or Stalking, [form HUD-5382](#), or, in lieu of the certification form or in addition to it, owners may accept a federal, state, tribal, territorial, or local police record or court record, or documentation signed by an employee, agent or volunteer of a victim service provider, an attorney, or medical professional from whom the victim has sought assistance in addressing domestic violence or the effects of the abuse. If delivery of the certification form places the victim at risk, the owner/agent will work with the applicant/tenant in making acceptable delivery arrangements. The applicant/tenant will have 14 calendar days, or an agreed upon extension date, to submit the form or provide another form of documentation.

An owner/agent is not required to demand that an individual produce official documentation or physical proof of status as a victim in order to receive the protections of VAWA. The

owner/agent, at his/her discretion, may provide assistance to an individual based solely on the individual's statement or other corroborating evidence.

An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as serious or repeated violations of the lease, be it related to the victim or threatened victim of that violence and will not be "good cause" for termination of the assistance, tenancy or occupancy rights of a victim of such violence.

The identity of the victim and all information provided to the owner/agent will be retained in confidence. The owner/agent will retain all documentation relating to an individual's VAWA protections in a separate file that is kept in a separate, secure location from the other tenant files. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is:

- Requested or consented to by the victim in writing
- Required for use in an eviction proceeding or termination of assistance
- Otherwise required by applicable law

The owner/agent must have tenants sign the VAWA lease addendum, [form HUD-91067](#).

The owner/agent must not penalize victims of domestic violence, stalking or dating violence if the incident under review is a direct result of such abuse.

#### **4.05 VAWA Emergency Transfer Plan**

In accordance with VAWA, tenants of VAWA-covered properties who are victims of domestic violence, dating violence, sexual assault, or stalking may request an emergency transfer. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. Emergency transfers depend on a determination that the tenant is eligible pursuant to the VAWA emergency transfer plan and VAWA. Emergency transfers can be internal or external. Owners/agents of VAWA-covered properties are required to follow This VAWA Emergency Transfer Plan.

- **Internal Emergency Transfers:** The emergency transfer plan will allow eligible tenants to request an emergency transfer from the tenant's current unit to another unit within the property when a safe unit immediately becomes available. An internal transfer would allow an eligible tenant to reside in a new unit in the same property without having to undergo an application process. The ability of an owner/agent to honor such a request may depend on whether the property has a safe unit that is available to offer the eligible tenant for temporary or more permanent occupancy. If a safe unit is not immediately available, the owner/agent must provide that, at a minimum, the tenant receives any applicable additional priority that may already be provided for other types of emergency transfer requests.

- **External Emergency Transfers:** An eligible tenant may also request an external transfer. A request for an internal and external transfer may be made concurrently if a safe unit is not immediately available. An external transfer is the emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant for that property; that is, the tenant must undergo an application process in order to reside in the new unit. Eligible tenants who wish to make an external transfer when a safe unit is not immediately available will be placed on the HUD Section 811 PRA waiting list, with a preference over non-VAWA-related applicants, until the next preferred unit becomes available. The eligible tenant is also provided information on victim service providers and advocates.

## Chapter 5 – Minnesota Housing’s Fair Housing Policy

It is the policy of Minnesota Housing to affirmatively further fair housing in all its programs so that individuals of similar income levels have equal access to Minnesota Housing programs, regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, Disability, familial status, gender identity or sexual orientation.

Minnesota Housing's fair housing policy incorporates the requirements of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988, as well as the Minnesota Human Rights Act. Housing providers are expected to comply with the applicable statutes, regulations, and related policy guidance. Housing providers should ensure that admissions, occupancy, marketing and operating procedures comply with non-discrimination requirements.

In part, the Fair Housing Act and the Minnesota Human Rights Act make it unlawful, because of protected class status, to:

- Discriminate in the selection/acceptance of applicants in the rental of housing units;
- Discriminate in terms, conditions or privileges of the rental of a dwelling unit or services or facilities;
- Engage in any conduct relating to the provision of housing that otherwise make unavailable or denies the rental of a dwelling unit;
- Make, print or publish (or cause to make, print or publish) notices, statements or advertisements that indicate preferences or limitations based on protected class status;
- Represent a dwelling is not available when it is in fact available;
- Refuse to grant a Reasonable Accommodation or a reasonable modification to a person with a Disability;
- Deny access to, or membership or participation in, associations or other services organizations or facilities relating to the business of renting a dwelling or discriminate in the terms or conditions of membership or participation; or
- Engage in harassment or quid pro quo negotiations related to the rental of a dwelling unit.

Minnesota Housing has a commitment to affirmatively further fair housing for individuals with disabilities by promoting the accessibility requirements set out in the Fair Housing Act, which establish design and construction mandates for covered multifamily dwellings and requires housing providers to make Reasonable Accommodations and to allow Persons with Disabilities to make reasonable modifications.

Applicants will be required to submit an Affirmative Fair Housing Marketing Plan at the time of application, to update the plan regularly and to use affirmative fair housing marketing practices in soliciting renters, determining eligibility and concluding all transactions.

As a condition of funding through Minnesota Housing, housing providers are not permitted to refuse to lease a unit to, or discriminate against, a prospective resident solely because the prospective resident has a Housing Choice Voucher or other form of tenant-based rental assistance.

### **5.01 Affirmative Fair Housing Marketing Plan (AFHMP) for HUD Section 811 PRA**

All Minnesota Housing programs require owners to market affirmatively, using specific steps geared to the particular program. The HUD Section 811 PRA program is unique in that Minnesota Housing (the HUD Section 811 PRA grantee, Minnesota Housing in partnership with DHS) is required to have an AFHMP approved by HUD. All marketing is done by Minnesota Housing to reach the most unlikely to apply for HUD Section 811 PRA.

Owners are not required to have their own AFHMP for HUD Section 811 PRA but must follow affirmative fair housing practices in determining eligibility and conducting all transactions with prospective tenants.

## **Chapter 6 – Fraud, Misuse of Funds, Conflict of Interest, Suspension, and Disclosure and Reporting**

### **6.01 Fraud**

Fraud is any intentionally deceptive action made for personal gain or to damage another.

Any person or entity (including its employees and affiliates) that enters into an Agreement with Minnesota Housing and witnesses, discovers evidence of, receives a report from another source, or has other reasonable basis to suspect that fraud or embezzlement has occurred must immediately make a report through one of the ways described in Section 6.05.

### **6.02 Misuse of Funds**

A loan or grant Agreement is a legal contract between Minnesota Housing and the borrower or grantee. The borrower or grantee promises to use the funds to engage in certain activities or procure certain goods or services while Minnesota Housing agrees to provide funds to the borrower or grantee to pay for those activities, goods or services. Regardless of the Minnesota Housing program or funding source, the borrower or grantee must use Minnesota Housing funds as agreed, and the borrower or grantee must maintain appropriate documentation to prove that funds were used for the intended purpose(s).

A misuse of funds shall be deemed to have occurred when: (1) Minnesota Housing funds are not used as agreed by a borrower or grantee; or (2) A borrower or grantee cannot provide adequate documentation to establish that Minnesota Housing funds were used in accordance with the terms and conditions of the loan or grant Agreement.

Any borrower or grantee (including its employees and affiliates) of Minnesota Housing funds that discovers evidence, receives a report from another source, or has other reasonable basis to suspect that a misuse of funds has occurred must immediately make a report through one of the ways described in Section 6.05.

### **6.03 Conflict of Interest**

A conflict of interest, actual, potential, or perceived, occurs when a person has an actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A potential or perceived conflict of interest exists even if no unethical, improper or illegal act results from it.

An individual conflict of interest is any situation in which one's judgment, actions or non-action could be interpreted to be influenced by something that would benefit them directly or through indirect gain to a friend, relative, acquaintance or business or organization with which they are involved.

Organizational conflicts of interest occur when:

- A contracting party is unable or potentially unable to render impartial assistance or advice to Minnesota Housing due to competing duties or loyalties
- A contracting party's objectivity in carrying out the award is or might be otherwise impaired due to competing duties or loyalties
- A contracting party has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors

Once made aware of a conflict of interest, Minnesota Housing will make a determination before disbursing any further funds or processing an award. Determinations could include:

- Revising the contracting party's responsibilities to mitigate the conflict
- Allowing the contracting party to create firewalls that mitigate the conflict
- Asking the contracting party to submit an organizational conflict of interest mitigation plan
- Terminating the contracting party's participation

Any person or entity (including its employees and affiliates) that enters into an Agreement with Minnesota Housing must avoid and immediately disclose to Minnesota Housing any and all actual, perceived or potential conflicts of interest through one of the ways described in Section 6.05.

A contracting party should review its contract Agreement and request for proposals (RFP) material, if applicable, for further requirements.

## **6.04 Suspension**

By entering into any Agreement with Minnesota Housing, a contracting party represents that the contracting party (including its employees or affiliates that will have direct control over the subject of the Agreement) has not been suspended from doing business with Minnesota Housing. Refer to Minnesota Housing's website for a list of [suspended individuals and organizations](#).

## **6.05 Disclosure and Reporting**

Minnesota Housing promotes a "speak-up, see something, say something" culture whereby internal staff, external business partners (e.g., grantees, borrowers) and the general public are encouraged to report instances of fraud, misuse of funds, conflicts of interest, or other concerns without fear of retaliation. You may report wrongdoing or other concerns by contacting:

- Minnesota Housing's Chief Risk Officer at 651.296.7608 or 800.657.3769

- Any member of Minnesota Housing's [Servant Leadership Team](#) (visit [mnhousing.gov](http://mnhousing.gov) and enter **SLT** in the Search box)
- [Report Wrongdoing or Concerns](#) (visit [mnhousing.gov](http://mnhousing.gov) and enter **Wrongdoing** in the Search box)

## Appendix A – Terms

Term	Definition
Adult Mental Health Services: Adult Rehabilitative Mental Health Services (ARMHS)	ARMHS are rehabilitative and enable the recipient to develop and enhance psychiatric stability, social competencies, personal and emotional adjustment, and independent living and community skills. These services instruct, assist and support the recipient in areas such as interpersonal communication skills, community resource utilization and integration skills, crisis assistance, relapse prevention skills, health care directives, budgeting and shopping skills, healthy lifestyle skills and practices, cooking and nutrition skills, transportation skills, medication education and monitoring, mental illness symptom management skills, household management skills, employment-related skills, and transition to community living services.
Assisted Units	Rental units made available to or occupied by eligible tenants in Eligible Multifamily Properties receiving assistance under 42 U.S.C. § 8013(b)(3)(A).
At Risk of Institutionalization	Determined to be At Risk of Institutionalization by a MnCHOICES assessor and eligible for Medicaid Home and Community-Based Services.
Community-Based Long-term Services Fund through Medicaid or state-funded sources (Medicaid services, including access to home and community-based services)	Medicaid Home and Community-Based Services, Adult Mental Health Services, Money Follow the Person (MFP) (also known as Moving Home Minnesota) Demonstration Services and Minnesota’s Long-term Homeless Supportive Services.
Contract Rent	The total amount of rent specified in the Rental Assistance Contract (RAC) as payable to the Owner for the Assisted Units. Contract Rent Adjustment means the Contract Rent that is adjusted at the anniversary of the Rental Assistance Contract (RAC). The Contract Rent Adjustment must be approved in accordance with the RAC and HUD requirements.
Contract Rent Adjustment	Contract Rent Adjustment means the Contract Rent that is adjusted at the anniversary of the Rental Assistance Contract (RAC). The Contract Rent Adjustment must be approved in accordance with the RAC and HUD requirements.
Coordinated Entry System	A centralized or coordinated process designed to coordinate program participant intake, assessment, and provision of referrals.

Term	Definition
Disability	<p>For the purpose of eligibility for HUD Section 811 PRA, a Disability is defined as a physical, mental or emotional impairment that:</p> <ul style="list-style-type: none"> <li>• Is expected to be of long-continued and indefinite duration</li> <li>• Substantially impedes a person’s ability to live independently</li> <li>• Is of such a nature that such ability could be improved by more suitable housing conditions.</li> </ul> <p>This includes, but is not limited to:</p> <p><b>Developmental Disability:</b> A severe, chronic Disability that:</p> <ul style="list-style-type: none"> <li>• Is attributable to a mental or physical impairment or a combination of mental and physical impairments</li> <li>• Is manifested before the individual attains age 22</li> <li>• Is likely to continue indefinitely</li> <li>• Results in substantial functional limitations in three or more of the following areas of major life activity (self-care, receptive and expressive language, learning mobility, self-direction, capacity for independent living, economic self-sufficiency)</li> <li>• Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports or other forms of assistance that are lifelong or of extended duration and are individually planned and coordinated</li> </ul> <p><b>Chronic Mental Illness:</b> A severe and persistent mental or emotional impairment that seriously limits the ability to live independently and which impairment could be improved by more suitable housing conditions.</p> <p><b>NOTE:</b> A person whose <b>sole</b> impairment is a diagnosis of HIV positive, alcoholism or drug addiction does not meet the definition of Disability that is required to be eligible for HUD Section 811 PRA.</p>
Eligible Multifamily Properties	Any new or existing property owned by a nonprofit, public, or a private entity with at least five (5) housing units. Financing

Term	Definition
	<p>commitments have been made by the Eligible Applicants or any housing agency currently allocating: LIHTC under Section 42 of the Internal Revenue Service Code of 1986 (IRC) or any state housing or state community development agency allocating and overseeing assistance under the HOME Investment Partnerships Act (HOME); and/or any federal agency or any state or local government program. Development costs, if any, are paid with other public or private resources. HUD Section 811 PRA and Section 202 Capital Advances may not be used. Properties with existing use restrictions for Persons with Disabilities are not eligible, unless such HUD Section 811 PRA funds are being used to support other units in the building without such restrictions. Existing units receiving any form of long-term (longer than six (6) months), project-based operating housing subsidy, such as assistance under Section 8, within a six-month period prior to receiving Rental Assistance Payments are ineligible to receive this assistance. In addition, units with use agreements requiring housing for persons 62 or older would not be eligible to receive Rental Assistance Payments.</p>
Enterprise Income Verification (EIV)	EIV is a web-based computer system containing employment and income information on individuals participating in HUD’s rental assistance programs. This information assists HUD in making sure “the right benefits go to the right persons.”
Extremely Low Income (ELI)	Annual income which does not exceed thirty percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than thirty percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes. HUD’s income exclusions, as defined under 24 CFR § 5.609, apply in determining income eligibility at the time of admission and in calculating the Eligible Tenant’s income during the interim/annual recertification stages.
Federal Register	A daily publication of the U.S. federal government that issues proposed and final administrative regulations of federal agencies.
High Priority Homeless (HPH)	High Priority Homeless households means households prioritized for permanent supportive housing by the Coordinated Entry System.

Term	Definition
Homeless/Homelessness	The State of Minnesota defines as homeless “any individual, unaccompanied youth or family that is without a permanent place to live that is fit for human habitation.” Doubling-up is considered homeless if that arrangement has persisted less than one year
Housing Stabilization Services	Housing Stabilization Services is a Minnesota Medical Assistance benefit to help people with disabilities, including mental illness and substance use disorder, and seniors find and keep housing.
HUD	The United States Department of Housing and Urban Development.
Lease Agreement	A Lease Agreement is an arrangement made between two parties that allows one of those parties to use an asset belonging to the owner.
Long-term Homelessness (LTH)	A household experiencing Homelessness for one continuous year or more or has had four or more episodes of Homelessness in the last three years.
Long-term Homeless Supportive Services	Includes intensive case management, including assessment and individualized service planning; help accessing benefits, income support programs, health care; aid with family relationships, support and reunification; life skills development; support through treatment and recovery, including aftercare; tenant and financial literacy training, including the rights and responsibilities of tenancy; support for self-advocacy with landlords, neighbors, and criminal justice and school systems; and other formal and informal supports.
Long-term Supportive Services	Services funded through Medicaid or state-funded sources, including Home and Community-Based Waivered Services, Housing Stabilization Services, Adult Mental Health Services, Money Follows the Person (MFP) (also known as Moving Home Minnesota) demonstration services, or Long-term Homeless Supportive Services (LTHSS).
McKinney–Vento Homeless Assistance Act	The McKinney–Vento Homeless Assistance Act of 1987 is a United States federal law that provides federal money for homeless shelter programs. It was the first significant federal legislative response to Homelessness and was passed by the 100 <sup>th</sup> United States Congress and signed into law by President Ronald Reagan on July 22, 1987.
Medicaid Home and Community-Based Services 1915(c) Waivers	Minnesota currently administers four waivers for Persons with Disabilities (Developmental Disabilities [DD], Brain Injury [BI], Community Alternatives for Disabled Individuals [CADI],

Term	Definition
	<p>Community Alternative Care [CAC]). These waiver programs are provided for Minnesotans with disabilities or chronic illnesses that need certain levels of care and are designed as alternatives to placing Medicaid-eligible persons in hospitals, nursing facilities or Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/DD). Specific services that may be provided include 24-hour emergency assistance, adult companion services, adult day care, assisted living; behavioral programming, caregiver living expenses, caregiver training and education, case management, case management aide, chore services, consumer directed community supports, consumer training and education, crisis respite, day training and habilitation, environmental accessibility adaptations, extended home care services, family training and counseling, foster care, home delivered meals, home health aide, homemaker services, housing access coordination, independent living skills, personal care assistant, pre-vocational services, residential care services, respite services, skilled nurse, specialized supplies and equipment, structured day program, supported employment services, transitional services, and transportation.</p>
<p>Minnesota Department of Human Services (DHS)</p>	<p>DHS provides long-term support programs that help people with disabilities as they live in the community.</p> <p>Disabilities can include:</p> <ul style="list-style-type: none"> <li>• Developmental disabilities</li> <li>• Chronic medical conditions</li> <li>• Acquired or traumatic brain injuries</li> <li>• Physical disabilities</li> </ul> <p>Provides such support services as:</p> <ul style="list-style-type: none"> <li>• Assistive technology training and education</li> <li>• Economic assistance programs – help with housing, nutrition and income</li> <li>• Environmental modifications and provisions</li> <li>• Personal support services – home care services, home delivered meals, personal care assistance</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>• Social Security Advocacy – help to apply or maintain benefits</li> <li>• Health care programs – such as community dental clinics, chemical dependency services</li> <li>• Trainings – providing life skills and employment opportunities</li> </ul>
Minnesota Housing aka Minnesota Housing Finance Agency	The Minnesota Housing Finance Agency.
Money Follows the Person (MFP) (also known as Moving Home Minnesota Demonstration)	Short term supportive services such as home visits, health and wellness checks, problem solving, assisting an individual to establish informal supports in the community, ongoing support in maintaining housing (tenancy support, dispute resolution with landlords and neighbors), and information and education.
Moving Home Minnesota Demonstration	Coordination of the performance of assessments of functional skills and needs; the development, review and revision of individual service plans; informing persons and their legal representatives of service options and providers; assisting the person to access services; coordination of service delivery; and the monitoring and evaluation of the outcomes of services.
Persons/People with Developmental Disabilities	Developmental disability is defined by the Developmental Disabilities Assistance and Bill of Rights Act (DD Act) as a severe, chronic disability of an individual that is: Attributable to a mental or physical impairment or combination of mental and physical. impairments. Manifested before the age of 22
Persons/People with Disabilities (PWD)	<p>Persons/People with Disabilities shall have the same meaning as defined under 42 U.S.C. §8013(k)(2) and shall also include the following, as found in 24 CFR § 891.305:</p> <p>A person who has a developmental disability, as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(5)), i.e., if he or she has a severe chronic disability which:</p> <ul style="list-style-type: none"> <li>(i) Is attributable to a mental or physical impairment or combination of mental and</li> <li>(ii) physical impairments;</li> <li>(iii) Is manifested before the person attains age twenty-two;</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>(iv) Is likely to continue indefinitely;</li> <li>(v) Results in substantial functional limitation in three or more of the following areas</li> <li>(vi) of major life activity:               <ul style="list-style-type: none"> <li>(a) Self-care;</li> <li>(b) Receptive and expressive language;</li> <li>(c) Learning;</li> <li>(d) Mobility;</li> <li>(e) Self-direction;</li> <li>(f) Capacity for independent living;</li> <li>(g) Economic self-sufficiency; and</li> <li>(h) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated; or A person with a chronic mental illness, i.e., a severe and persistent mental or emotional impairment that seriously limits his or her ability to live independently, and which impairment could be improved by more suitable housing conditions; or A person infected with the human acquired immunodeficiency virus (HIV) and a person who suffers from alcoholism or drug addiction, provided they meet the definition of "person with disabilities" in 42 U.S.C. § 8013(k)(2).</li> </ul> </li> </ul> <p>A person whose sole impairment is a diagnosis of HIV positive or alcoholism or drug addiction (i.e., does not meet the qualifying criteria in HUD Section 811 PRA (42 U.S.C. § 8013(k)(2)) will not be eligible for occupancy in an Assisted Unit.</p>
Project-Based Rental Assistance (PRA)	A rental assistance subsidy that is attached to a rental unit and covers the difference between the tenant payment and the approved Contract Rent.

Term	Definition
Projects for Assistance in Transition from Homelessness (PATH)	A state administered federal program that provides outreach, engagement and linking to mainstream services for persons with Serious Mental Illness or Serious Mental Illness with co-occurring Substance Abuse that are Homeless or at imminent risk of becoming Homeless.
Qualified Institution	Hospital or nursing home, with a stay of 60+ days and Medical Assistance (MA) covering at least one day of payment.
Reasonable Accommodations	A Reasonable Accommodation is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with disabilities to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces, or to fulfill their program obligations.
Release of Information	This is sometimes referred to as a “consent,” an “authorization to release,” a “release of information,” or “authorization for disclosure.” The person who signs the release must give informed consent for the information to be disclosed. "Informed consent" means that the person consenting to the disclosure is aware of the confidentiality of the information, the reason for the information request, and how the information will be used.
Rental Assistance Contract (RAC)	The RAC is the contract (form HUD-92235-PRA and form HUD-92237-PRA), as prescribed by HUD, between Minnesota Housing and the owner of the Eligible Multifamily Property which sets forth the rights and duties of the parties with respect to the Assisted Units in the Eligible Multifamily Property.
Rental Assistance Payments	Payment made by the grantee or contract administrator to the owner, as provided in the Rental Assistance Contract. Where the Assisted Unit is leased to an eligible tenant, the payment is the difference between the Contract Rent and the tenant rent. An additional payment is made to or on behalf of the eligible tenant when the utility allowance is greater than the total tenant payment. A vacancy payment may be made to the owner when an Assisted Unit is vacant, in accordance with the Rental Assistance Contract and program requirements.
Runaway and Homeless Youth Act	The Runaway and Homeless Youth Act is a U.S. law originally passed in 1974 as Title III of the Juvenile Justice and Delinquency Prevention Act. The bill sets the federal definition of homeless youth and forms the basis for the Runaway and Homeless Youth Program, administered by the Family and Youth Services Bureau. It has been reauthorized

Term	Definition
	multiple times and is due for re-authorization as of March 2018.
Section 8 Housing Choice Voucher Program	Section 8 is a common name for the Housing Choice Voucher Program, funded by the U.S. Department of Housing and Urban Development. The Section 8 Housing Choice Voucher Program is federally-funded program that helps people with low income pay for privately-owned rental housing. It is run by local Public Housing Authorities (PHAs) or Housing Redevelopment Authorities (HRAs)
Segregated Settings	Segregated Settings: As defined by the Minnesota Olmstead Plan, “often have qualities of an institutional nature. Segregated Settings include, but are not limited to: (1) congregate settings populated exclusively or primarily with individuals with disabilities; (2) congregate settings characterized by regimentation in daily activities, lack of privacy or autonomy, policies limiting visitors, or limits on individuals’ ability to engage freely in community activities and to manage their own activities of daily living; or (3) settings that provide for daytime activities primarily with other individuals with disabilities.” Examples of institutions or Segregated Settings include a regional treatment center (RTC), a community behavioral health hospital, nursing homes, adult foster care, or other hospital or residential treatment center.
Serious Mental Illness (SMI)	SMI is defined as a mental, behavioral, or emotional disorder resulting in serious functional impairment, which substantially interferes with or limits one or more major life activities. The burden of mental illnesses is particularly concentrated among those who experience Disability due to SMI.
Servant Leadership Team	Leadership team at Minnesota Housing.
Social Security Number (SSN)	In the U.S., a number in the format 000-00-0000, unique for each individual, used to track Social Security benefits and for other identification purposes.
Substance Abuse	Overindulgence in or dependence on an addictive substance, especially alcohol or drugs.
Target Population(s)/Priority Population(s)	The specific group or groups of eligible applicants and tenants described in the grantee’s inter-agency partnership agreement who are intended to be solely served or to be prioritized under the grantee’s program.
Uniform Physical Conditions Standards (UPCS)	Standards must ensure that the housing will be decent, safe, sanitary, and in good repair as described in 24 CFR 5.703.