

# NAHMA Government Affairs RoundUp: April 2018

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## ***Department of Housing and Urban Development***

- **April 30: NOFAs for Veterans Housing Rehabilitation, Mainstream Vouchers, and FUP Vouchers**

HUD recently published three Notices of Funding Availability (NOFAs) related to the Veterans Housing Rehabilitation and Modifications ([VHRM](#)) pilot program; Mainstream ([Section 811](#)) Housing Vouchers to assist non-elderly persons with disabilities; and Family Unification Program ([FUP](#)) vouchers to assist families who children may be placed or maintained in out-of-home care due to housing instability, as well as youth aging out of foster care.

- **April 25: HUD Secretary releases Rent Reform Proposal**

HUD Secretary Ben Carson released a rent reform proposal titled “[Making Affordable Housing Work Act of 2018](#).” The proposed legislative text, which requires congressional approval, includes rent increases on certain households and allows PHAs and owners to impose work requirements. The [bill text](#) and a [section-by-section](#) summary are available online, and a NAHMA analysis is forthcoming.

- **April 12: HUD joins Nationwide Initiative to Combat Sexual Harassment in Housing**

HUD and the Department of Justice (DOJ) announced a nationwide [initiative](#) aimed at increasing awareness and reporting of sexual harassment in housing. The joint initiative includes an interagency taskforce, a public awareness campaign, and outreach materials. During successful pilot initiatives, the DOJ developed and tested ways to better connect victims with assistance organizations.

- **April 12: RAD Training for new Participants; Timelines for Closing RAD Conversions; New Mod Rehab Resources**

HUD’s Office of Recapitalization has established CY 2018 [timelines](#) for closing RAD transactions in the fourth quarter of the calendar year when the RAD closing volume is very heavy. Additionally, several new resources on RAD for Mod Rehab owners are now available, including webinar [recordings](#), [fact sheets](#), and one-on-one [sessions](#) with HUD staff (“MOD Rehab Talk”). Additionally, HUD will host a [RAD conference](#) on May 17-18 at HUD Headquarters in Washington, D.C. While the conference is open to all, the content will be particularly geared towards preparing PHAs who are new participants in RAD.

- **April 11: President signs Executive Order to Strengthen Work Requirements**

The President signed an [Executive Order](#) (EO) titled “Reducing Poverty in America by Promoting Opportunity and Economic Mobility.” The EO calls on HUD, USDA, and other federal agencies to

submit reform recommendations to strengthen work requirements, as well as reports on “unqualified” immigrant access to various public assistance programs.

- **April 11: HUD Celebrates 50<sup>th</sup> Anniversary of the Fair Housing Act**

HUD [celebrated](#) 50 years since the enactment of the Fair Housing Act in 1968. NAHMA participated in a ceremony at HUD headquarters with Secretary Ben Carson and Assistant Secretary for Fair Housing and Equal Opportunity Anna Maria Farias. The FHA and its amendments prohibit housing discrimination on race, color, religion, national origin, sex, disability, and familial status.

- **April 10: HUD awards \$28 billion to help States and Territories recover from Disasters**

HUD [awarded](#) nearly \$28 billion to support long-term disaster recovery through the Community Development Block Grant – Disaster Recovery (CDBG-DR) program. The grants include more than \$12 billion to address unmet housing needs from major disasters in 2017, as well as funds to repair and upgrade the electrical grid in Puerto Rico and the U.S. Virgin Islands. The grants also include \$16 billion to support mitigation activities for disasters since 2015, including to protect communities from future disasters.

- **April 5: Annual Factors for CY2018 Admin Fees for PHAs**

HUD announced the monthly per unit fee [rates](#) for use in determining the on-going administrative fees for housing agencies administering the Housing Choice Voucher (HCV), 5 Year Mainstream, and Mod Rehab programs during Calendar Year 2018. For CY 2018, administrative fees will be earned on the basis of vouchers leased as of the first day of each month.

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## ***Department of Agriculture – Rural Development***

- **April 30: Guidance on Credit Alert Verification Reporting System Confirmation**

USDA recently issued an Unnumbered Letter (UL) providing [guidance](#) for Agency staff to document confirmations in Multifamily Housing Direct Loan programs through the Credit Alert Verification Reporting System (CAIVRS).

- **April 19: USDA announces Rural Housing Service Administrator**

USDA [announced](#) the selection of Joel Baxley as Rural Housing Service Administrator. Mr. Baxley comes to USDA with 23 years of real estate finance experience and most recently served as a real estate technical consultant.

- **April 13: USDA announces Availability of Section 515 Funds for Disaster Assistance**

USDA [announced](#) the availability of funds to assist existing MFH projects with repairs from damage caused by Hurricanes Harvey, Irma, and Maria. Congress appropriated funds for the cost of direct

loans to rehabilitate Section 515 rental housing in disaster-impacted areas where owners were not required to carry National Flood Insurance. Funding is also available to projects where the insurance proceeds did not cover all costs to repair the damage. The deadline for application submission is May 31, 2019.

- **April 6: USDA presents Results of 2017 MFH Annual Fair Housing Occupancy Report**

USDA presented the 2017 Rural Development Multi-Family Housing Annual Occupancy Report. The [report](#) presents data from the past three years. Highlights of the data include a 1.94% decrease in total number of rental properties since last year; a continued decline in the white population, and a 1.71% increase in average household income.

- **April 4: RHS publishes Guidance for MFH Non-Profit Asset Management Fee**

The Rural Housing Service published [guidance](#) for the MFH Non-Profit Asset Management Fee enacted by the FY18 Appropriations Act. A Non-Profit Asset Management Fee of up to \$7,500 will now be an allowable expense to be charged on a per property basis (instead of per owner). Eligible borrowers may revise their FY18 budgets to include the \$7,500 on a per property basis.

- **April 4: USDA announces Proposed Changes to Eligibility Maps for Single Family MFH programs**

USDA announced proposed [changes](#) to the maps used to determine eligibility for RHS single-family and multifamily housing programs, effective June 4, 2018. RHS jurisdiction areas are reviewed every five years based on information from the U.S. Census and the American Community Survey.

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## ***Department of the Treasury***

- **April 30: Recommendations for Treasury Department and IRS Priority Guidance Plan**

The Department of the Treasury and the Internal Revenue Service (IRS) invited public comment on recommendations for items that should be included on the 2018-2019 Priority Guidance Plan. The Treasury Department's Office of Tax Policy and the IRS use the Priority Guidance Plan each year to identify and prioritize tax issues to be addressed through administrative guidance. Please send NAHMA any comments on administrative guidance priorities for the Treasury Department and the IRS by June 1<sup>st</sup>, 2018.

- **April 13: IRS issues new Housing Credit Volume Caps**

The IRS issued [guidance](#) to increase the state Housing Credit ceiling; the modification is based on the recently-enacted Fiscal Year 2018 Appropriations Act, which increased the LIHTC volume cap by 12.5% for four years. The new volume cap amount is the greater of \$2.70 multiplied by the population, or \$3,105,000. State-by-state population estimates for 2018 have not yet been published by the IRS.

- **April 10: FAQs on Income-Averaging**

The National Council of State Housing Agencies (NCSHA) released a set of [FAQs](#) regarding the new Income-Averaging option, which was permanently authorized for the Housing Credit program by the Fiscal Year 2018 Appropriations Act. This third minimum set-aside election for new Housing Credit developments allows owners to elect to serve households earning up to 80% of Area Median Income (AMI), as long as the average for the property is 60% or less, providing more flexibility while offsetting a deeper level of affordability. The document will continue to be refined as updates become available.

- **April 10: CRA Recommendations Released**

The Treasury Department released [recommendations](#) to modernize the Community Reinvestment Act (CRA). The CRA's investment criteria incentivize banks to invest in the communities they serve, and affordable housing is a core component of community development under CRA regulations. The Treasury Department's review aimed to reflect developments in the banking industry and reduce burdens on banks and regulators. Recommendations included changes to the program's administrative framework, eligible activities, and criteria for eligibility and ratings.

- **April 9: Treasury Department designates first qualified Opportunity Zones**

The Treasury Department designated the first qualified Opportunity Zones in 20 states and territories. The new Opportunity Zones program, which was enacted as part of tax reform legislation late last year, leverages private infrastructure and housing investment through tax-preferred treatment of capital gains that are reinvested in certain low-income census tracts.