

# HOUSING MATTERS

SUMMER 2017

## A Message from CVR New York's Executive Director



Summer is a busy season at CVR New York. Many families prefer to wait until the school year is over to move, meaning that both you, as our business partners, and CVR are working hard just as temperatures rise. In spite of the high number of moves, my focus remains on ensuring that CVR always provides excellent customer service.

In an effort to improve customer service and accuracy, CVR has taken the initiative to ensure that all Housing Specialists and Supervisors receive certification from the National Association of Housing & Redevelopment Officials (NAHRO). To do so, staff participated in a week-long intensive course covering all aspects of the Housing Choice Voucher (HCV) Program and were tested on what they learned. I'm proud of

the CVR staff who obtained this certification so that we can continue to provide the high-quality service you deserve.

As of May 1, 2017, CVR has assumed administration of the Family Self-Sufficiency (FSS) program in Westchester County. FSS directs families with Housing Choice Vouchers to resources such as job training, GED, credit repair, higher education and homeownership counseling programs.

Finally, we are currently in the process of upgrading our Owner Portal to include more features. If you have any Owner Portal or customer service improvement ideas you'd like to share, please contact us at [info@cvrnewyork.com](mailto:info@cvrnewyork.com). Your feedback is highly valued.

Kind Regards,

Felicia Ramos  
HCV Executive Director

## Program Update – HUD Issues New Guidance Protection of People with Limited English Proficiency

On September 15, 2016 the U.S Department of Housing and Urban Development issued “Limited English Proficiency” (LEP) guidance (HUD No. 16-135) that addresses how the Fair Housing Act applies to claims of housing discrimination against people who do not speak, read or write English proficiently. The guidance is available to the public on HUD's website at [www.hud.gov](http://www.hud.gov). The Fair Housing Act prohibits both intentional housing discrimination and housing practices that have an unjustifiable discriminatory effect.

This guidance explains that a housing provider cannot use a person's LEP to discriminate intentionally because of their race, national origin or other protected characteristic.

According to HUD, lack of English proficiency is often used as a proxy for national origin discrimination. Various courts have even claimed that any language-related restrictions are “worthy of close scrutiny” and should be taken with great cause and diligence.

This guidance also states that any property owner who intends to provide housing may not use a language barrier as a reason for denial. Practices that can be in violation of fair housing include posting advertisements that state “all tenants must speak English” or the refusal to lease to a tenant because they do not speak English.

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## How CVR Handles Complaints

Please notify CVR if your tenant:

- Has not paid their portion of the rent
- Had their utilities shut off
- Has moved out of their unit
- Has violated their lease agreement

The tenant's portion of the rent is calculated by a CVR Housing Specialist, based on the tenant's income and expenses. In order for the tenant to continue receiving assistance, they must not only pay their portion of the rent but keep their utilities turned on as well.

If it is determined that a tenant has violated the Family Obligations under our Program, we will take the appropriate action. For example, if they do not pay their share of the rent or abide by the terms of the lease agreement. Depending on the violation and strength of the supporting documentation, we may issue the tenant a warning or move forward with terminating their housing assistance.

The more specific a complaint is, the quicker we can act on it. We investigate all complaints, even those that are anonymous, and handle them confidentially. However, it is imperative that the complainant understand that the Public Housing Authority (PHA) only has the ability to remove a family's housing assistance. We cannot remove the offender from the household or evict a family from a residence.

Nonetheless, families who are at risk for losing their assistance have the legal right to plead their case before an independent hearing officer. During the hearing, we will also defend the decision to terminate the family's assistance and then wait for the final decision to be made by the hearing officer. Based on this decision, we will either continue the tenant's assistance or terminate them from the HCV Program.

## Limited English Proficiency (Continued from Page 1)

Although people with limited English proficiency are not a protected class under the Fair Housing Act, the act does prohibit discrimination based on national origin, which is closely related to the ability to communicate English proficiently. If a person makes a complaint of intentional discrimination based off of LEP, HUD will designate the Office of Fair Housing and Equal Opportunity to review a Public Housing Authority or property owner's policies to determine if they violated any aspect of the Fair Housing Act based on national origin.

## Housing Assistance Payment (HAP) Overpayments

Subsidy overpayments are payments that were made in excess of the amount owed to the landlord or housing payments that were paid to the landlord in error. Overpayments of housing assistance can occur in many different situations. The two most popular are when a tenant moves into a new unit with a different owner and payments are sent to the owner of the previous unit in error, and when there is a change in ownership and the previous owner continues to receive payment. When this occurs, CVR sends out a HAP Overpayment letter to inform the landlord of the overpayment and notify them that we will recoup the monies owed from their current tenants on the Program. If they do not have tenants on the Program, we will send them a notice informing them of the overpayment and include details as to how to send the monies back. A landlord who has received overpayment has 30 days to return the monies owed. If CVR does not receive the monies within the allotted time frame, we have the right to pursue other modes of collection for the full amount owed.

### By the Numbers...

Did you know that there are 564,708 people experiencing homelessness on any given night in the United States? 36,907 (6.38%) are children, 47,725 (8.33%) are veterans, and 269,991 (47.6%) are disabled and unable to work.

—National Alliance to End Homelessness

**The CVR Owner Portal and CVR Inspections Portal are available 24 hours a day, 7 days a week. Access them today!**

Housing Choice Voucher Program

# OwnerPortal

[nyowner.hcvportal.org](http://nyowner.hcvportal.org)

Housing Choice Voucher Program

# Inspections Portal

[newyork.cvrinspections.com](http://newyork.cvrinspections.com)

## How to be a Successful Landlord with CVR

### Inspect Your Property before CVR Arrives for the Annual Inspection

Conducting annual inspections of your property will give you a better understanding of what needs to be repaired or fixed within your property. Inspecting your unit on an annual or, better yet, quarterly basis gives you more time to complete any necessary repairs or maintenance issues. To help our landlords protect their investment, we offer various tools on our Owner Portal to help with the inspection process, such as our HQS Checklist.

### Be a Proactive Landlord

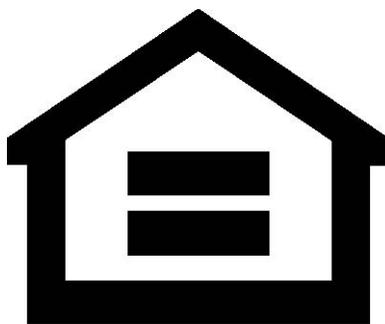
Through our Owner Portal and Inspections Management System, we have made it easier for landlords to check their inspections and payment statements online. Logging in on a regular basis it is a good way to keep track of your tenants and units. Also, if a tenant informs you of something that needs to be repaired or fixed in the unit, have them submit the request in writing. This will help you keep track of your repairs and expenses to the unit.

### Notice to Vacate Procedures

When a tenant requests to move, they must complete a Notice to Vacate form and submit it 45 days prior to the effective move date. As such, it is the landlord's responsibility to make sure the tenant does the following:

1. Vacates the unit on the move-out date. If the tenant does not vacate the unit on the date indicated on the form, the landlord can choose to give the tenant a lease renewal or go forward with terminating the tenancy.
2. Pays all outstanding rent (tenant portion only). Any unpaid rent is the responsibility of the tenant and not the PHA. If the landlord informs us that the tenant has unpaid rent prior to signing the Notice to Vacate, we will not allow the tenant to move forward with the moving process until all outstanding tenant portion of the rent is paid. The landlord must inform us in writing of the amounts owed and inform us prior to signing the Notice to Vacate form, or within 10 days of receiving the Acknowledgement to Vacate form. The Acknowledgement to Vacate form is a document CVR sends to landlords after we receive the Notice to Vacate form from the tenant. This form is intended to notify the landlord that the tenant wishes to move and that they have 10 days to respond to us if there is an issue with the tenant vacating the unit.
3. Keeps the unit in good condition. It is the responsibility of the landlord to conduct a move-out inspection when their tenants are moving. If the unit has minor damages that are beyond normal wear and tear, the landlord can deduct repair expenses from the security deposit. If the unit is severely damaged, please let us know in writing and include supporting documentation so that we can conduct a complaint inspection. Also, make sure to report these damages within five days of receiving the Acknowledgement to Vacate form so we can assess the damages based off your complaint. Finally, you can take the tenant to court to pay for damages in the unit.

It can even help prevent any issues between you and your tenants as both parties will be aware of the repairs.



### Understand Fair Housing Laws

In order to prevent a discrimination case from a tenant or applicant, make sure you understand the Fair Housing Act. This law “protects people from discrimination when renting, buying or securing financing for any housing. It prohibits the discrimination in any housing related transactions based on color, national origin, religion, sex, familial status and disability.” To avoid violating fair housing laws, ensure that your screening process is the same for every applicant that may be interested in your property.

### Understand Source of Income Laws

Sometimes property owners do not want to accept applicants who receive a subsidy because of the various stereotypes about housing assistance programs. In June 2013, the Westchester County Board of Legislators approved “source of income” legislation that bars landlords from discriminating against tenants based on their income, including Housing Choice Vouchers and other housing subsidies. The law exempts cooperatives, condos and buildings with six units or fewer.

### Make Sure Your Information is Current

If you have a change of address or a new phone number, let us know so we can make those necessary changes in our system. We want to make sure we are sending information regarding inspections (i.e. failure and/or deficiencies needing repair), tenant issue, etc. to the correct address. Keeping your information current will help prevent notification issues of any important matters.



112 E. Post Rd. Ste. 102  
White Plains, NY 10601

Housing Choice Voucher Program

# OwnerPortal

*Sign up for our Owner Portal and get anytime, anywhere access to inspections, rent share and other important information about your Housing Choice Voucher Program tenants — 24 hours a day, 7 days a week. It's as easy as...*

- 1** *Send an email to [info@cvrnewyork.com](mailto:info@cvrnewyork.com). Include the property address, landlord/company name and the email address you would like to associate with the account. To protect your privacy, we will verify this information.*
- 2** *Within 48 hours, a CVR representative will contact you with instructions on how you can set up your Owner Portal account. They will provide you with the landlord ID you need in order to register.*
- 3** *Go to [nyowner.hcvportal.org](http://nyowner.hcvportal.org) and register. Once registered, you will receive a confirmation email that will allow you to log in to your account.*



**Housing Matters** is a semi-annual publication for CVR New York's participating landlords. Help us **Go Green** by requesting future issues electronically at [addmyemail@cvrnewyork.com](mailto:addmyemail@cvrnewyork.com).

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