

Section 8 Project-Based Voucher Assistance

Introduction

The Newton Housing Authority ("NHA" or the "Authority") was established in 1959, for the purpose of engaging in the development, acquisition and administrative activities of the Low-Income Housing Program (LIPH) and other programs with similar objectives. The United States Department of Housing and Urban Development ("HUD") has direct responsibility for administering LIPH under the United States Housing Act of 1937, as amended. HUD is authorized to enter into contracts with local housing authorities to make grants to assist the local housing authorities in financing the acquisition, construction and/or leasing of housing units and to make annual contributions (subsidies) to the local housing authorities for the purpose of maintaining the low rent character of the local housing program.

The Newton Housing Authority is a medium sized housing authority in the state of Massachusetts. A governmental organization with over 60 years of experience, the Newton Housing Authority is committed to developing and maintaining decent, safe and sanitary housing to address the economic and social needs of Newton residents.

The Authority currently owns and manages over 840 units of low-income public housing. The PHA also administers over 441 units under the Housing Choice Voucher Program. The Authority expended over \$12.8 Million in support of Public Housing and Section 8 operations for the benefit of low-income households receiving subsidy from the Newton Housing Authority in FY 2020. The Authority is a significant provider of much needed housing, housing services and social programs.

Section 8 Project-Based Voucher Assistance

The project-based voucher (PBV) program allows Public Housing Authorities that already administer a tenant-based voucher program under an annual contributions contract (ACC) with the Department of Housing and Urban Development (HUD) to take up to 20 percent of its authorized voucher units, with some exceptions, and attach the funding to specific units rather than using it for tenant-based assistance [24 CFR 983.6]. Under the PBV program, a housing authority enters into a Housing Assistance Payments ("HAP") Contract with a property owner to pay rental subsidy on behalf of eligible tenants (defined as households earning 50% of Area Median Income or lower), subject to certain exceptions) of specified rental units, for a specified initial term of up to twenty (20) years, and possible renewal term(s), subject to funding availability under the PBV program.

The PHA may attach PBV assistance for units in existing housing or for newly constructed or rehabilitated housing developed under and in accordance with an agreement to enter into a housing assistance payments contract (Agreement or AHAP) that was executed prior to the start of construction. A housing unit is considered an existing unit for purposes of the PBV program, if, at the time of notice of PHA selection, the unit already exists and substantially complies with Housing Quality Standards (HQS). For existing housing, the units must also fully comply with HQS before execution of the HAP contract. Units for which new construction or rehabilitation began after the owner's proposal submission but prior to the execution of the

HAP do not subsequently qualify as existing housing [24 CFR 983.52].

The subsidy is subject to all applicable HUD regulations governing the PBV program. The Code of Federal Regulations Title 24, Part 983, which outlines the primary governing regulations of the PBV program, is available for review online at www.gpoaccess.gov. Much of the tenant-based voucher program regulations also apply to the PBV program. Consequently, many of the PHA policies related to tenant-based assistance also apply to PBV assistance. The provisions of the tenant-based voucher regulations that do not apply to the PBV program are listed at 24 CFR 983.2. Partners with units selected under this RFP will be required to follow the PHA's Approved Administrative Plan policies for all units under the HAP Contract and comply with all PBV requirements. The Housing Authority's Administrative Plan and PHA Plans are available for review at www.newtonhousing.org.

PBV Limitations and Exceptions

In general, the PHA may not select a proposal to provide PBV assistance for units in a project or enter into an agreement to enter into a HAP or a HAP contract to provide PBV assistance for units in a project, if the total number of dwelling units in the project that will receive PBV assistance during the term of the PBV HAP contract is more than the greater of 25 units or 25 percent of the number of dwelling units (assisted or unassisted) in the project. [24 CFR 983.56]

Exceptions are allowed and PBV units are not counted against the 25 percent or 25-unit per project cap if [FR Notice 1/18/17]:

- The units are exclusively for elderly families
- The units are occupied by households eligible for supportive services available to all families receiving PBV assistance in the project
- The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates
 - For these projects, the project cap is the greater of 25 units or 40 percent (instead of 25 percent) of the units in the project [FR Notice 7/14/17].

Certain additional units that were previously subject to certain federal rent restrictions or receiving certain types of long-term housing subsidy provided by HUD may not count towards the percentage limitation (program cap) or income-mixing requirement (project cap) as set forth in Attachment F of HUD Notice PIH 2017-21.

General Guidelines

The Newton Housing Authority will award Section 8 Project-Based Vouchers to eligible applicants based on the guidelines and ranking criteria as listed below.

To determine eligibility for the program, please carefully read the following information. There will be no exceptions or waivers granted.

Eligible and Ineligible Properties

- Newly constructed and existing structures of various types may be appropriate for attaching assistance to the units, including single-family and multi-family structures. Additional detail on specific properties that may be eligible under this RFP is set forth in the "Threshold Criteria" section contained herein.
- A housing authority may not attach assistance to units in the following types of housing:
 - ✓ Housing for which the new construction is started before an Agreement to Enter into Housing Assistance Payments is executed;
 - ✓ Housing for which the rehabilitation is started before an Agreement to Enter into Housing Assistance Payments is executed;
 - ✓ Shared housing; nursing homes; and facilities providing continual psychiatric, medical, nursing services, board and care or intermediate care;
 - ✓ Units within the grounds of penal, reformatory, medical, mental, and similar public or private institutions;
 - ✓ Units that are owned or controlled by an educational institution or its affiliate and are designated for occupancy by students of the institution;
 - ✓ Manufactured homes;
 - ✓ Transitional housing; and
 - ✓ Units occupied by ineligible families.
- Assistance may not be attached to a unit that is occupied by an owner.
- In no event may any occupant of a unit with project-based assistance receive the benefit of any of the following:
 - ✓ Public housing
 - ✓ Any other form of Section 8 assistance
 - ✓ Rent supplement or other governmental rent subsidy
 - ✓ Section 23 housing assistance
 - ✓ Section 236 "deep subsidy" rental assistance payments-
 - ✓ A unit subsidized with rental assistance payments under Section 521 of the Housing Act of 1949, 42 U.S.C. 1490a (a Rural Housing Service Program) (however, PHA may attach assistance for a unit subsidized with Section 515 interest reduction payment (42 U.S.C. 1485)
 - ✓ Section 202 project for non-elderly persons with disabilities
 - ✓ Section 811 project-based supportive housing for persons with disabilities
 - ✓ Section 202 supportive housing for the elderly
 - ✓ Section 101 rent supplement payment
 - ✓ Units subsidized with any form of tenant-based rental assistance (as defined at 24 C.F.R. 982.1(b)(2))
 - ✓ A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or by the PHA in accordance with HUD requirements

In addition, the PHA may not enter into a HAP contract for any project unless it meets the HUD required Site and Neighborhood Standards for existing and rehabilitated housing (24 CFR 983.57[d]) or for new construction (24 CFR 983.57[e]), depending on which standards apply to the project.

Construction and Rehabilitation

If an Agreement covers the development of nine or more contract units (whether or not completed in stages), the owner and the owner's contractors and subcontractors must pay Davis-Bacon wages to laborers and mechanics employed in the development of housing. The HUD-prescribed form of the Agreement will include the labor standards clauses required by HUD, such as those involving Davis-Bacon wage rates [24 CFR 983.154(b)].

The owner, contractors, and subcontractors must also comply with the Contract Work Hours and Safety Standards Act, Department of Labor regulations in 29 CFR part 5, and other applicable federal labor relations laws and regulations. The PHA must monitor compliance with labor standards.

Environmental Review and Unit Inspections

The owner must be willing to allow the PHA to perform a Housing Quality Standards (HQS) or UPCS-V inspection on assisted units. Once proposed units have passed the inspection, the PHA will move forward in the award process.

In addition to the unit inspection, PHA activities under the PBV program are subject to HUD environmental regulations in 24 CFR parts 50 and 58. The Responsible Entity (RE) is responsible for performing the federal environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). The PHA may not enter into an agreement to enter into a HAP contract nor enter into a HAP contract until it has complied with the environmental review requirements.

Handicap Accessibility

Housing must comply with accessibility requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8 [24 CFR 983.102]. The PHA commits to making accessible units available in a sufficient range of sizes and amenities.

HUD's Section 504 regulations define an accessible dwelling unit as a unit that is located on an accessible route and can be approached, entered, and used by individuals with physical disabilities. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in 24 C.F.R. 8.32 is accessible. In addition, the Section 504 regulations impose specific accessibility requirements for new construction and alteration of housing and non-housing facilities in HUD assisted programs. Section 8.32 of the regulations states that compliance with the appropriate technical criteria in the Uniform Federal Accessibility Standards (UFAS) or HUD's Deeming Notice, or a standard that is equivalent to or stricter than the UFAS, is an acceptable means of meeting the technical accessibility requirements in Sections 8.21, 8.22, 8.23 and 8.25 of the Section 504 regulations. However, most units are covered by multiple federal accessibility laws and multiple federal accessibility standards. Compliance with all applicable accessibility laws is necessary.

Displacement and Relocation

An eligible family residing in a proposed PBV contract unit on the date the proposal is selected by the PHA is considered an "in-place family." These families are afforded protection from displacement under the PBV rule. If a unit to be placed under contract (either an existing unit or a unit requiring rehabilitation) is occupied by an eligible family on the date the proposal is selected, the in-place family must be placed on the PHA's waiting list. Once the family's continued eligibility is determined (the PHA may deny assistance to an in-place family for the grounds specified in 24 CFR 982.552 and 982.553), the family must be given an absolute selection preference and the PHA must refer these families to the project owner for an appropriately sized PBV unit in the project. Admission of eligible in-place families is not subject to income targeting requirements [24 CFR 983.251 (b)]. This regulatory protection from displacement does not apply to families that are not eligible to participate in the program on the proposal selection date.

Any persons displaced as a result of implementation of the PBV program must be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)[42 U.S.C. 4201-4655] and implementing regulations at 49 CFR part 24.

Tenant Selection and Wait List

Applicants who will occupy units with PBV assistance must be selected from the PHA's waiting list. The PHA may establish selection criteria or preferences for occupancy of particular PBV units. The PHA may place families referred by the PBV owner on its PBV waiting list [24 CFR 983.251 (c)]. All current PHA wait listed families must be given the first opportunity to apply for available units and the PBV wait list before all other families, except for in-place families. The housing authority establishes applicant eligibility for the PBV program; however, the owner determines the suitability of the applicant according to the screening criteria indicated on their tenant selection plan. If approved, the applicant may enter into a lease with the owner. The household generally pays 30 percent of its adjusted income towards rent and the housing authority generally pays the Owner the difference between the family's portion and the gross rent of the unit in accordance with the terms of the HAP contract.

Project owners will be responsible for ensuring all conditions of occupancy and tenant leases for the PBV units comply with the PHA's Administrative Plan and the applicable PBV requirements, including but not limited to use of HUD's required Tenancy Addendum Section 8 Project-Based Voucher Program to be attached to the lease (Form HUD 52530.c), or such successor form as required by HUD. All tenant leases will be subject to review by the PHA. The PBV units are required to meet program requirements throughout the term of the HAP contract.

At least 75 percent of the families admitted to the PHA's tenant-based and project-based voucher programs during the PHA fiscal year from the waiting list must be extremely-low income families (earning at or below 30% of area median income). The income targeting requirement applies to the total of admissions to both programs [24 CFR 983.251 (c)(6)].

Defining Supportive Services

The PHA may consider exceptions to the per-project unit cap for projects that offer Supportive Services to all residents. In addition, points will be given under this RFP for developments offering Supportive Services based on the quality and level of services being offered, the alignment of those services to the needs of the population being served, and the experience of the owner, management company or partner providing the services. The PHA considers following types of services as supportive services:

- **Developments offering Comprehensive Life Skill Training and Support** such as Housekeeping/homemaking, nutrition, budgeting, parenting skills, active case management, referrals to local community agencies that offer additional services need by the participating resident/household.
- **Developments that offer Care to Elderly and/or Disabled Individuals** such as mental health services and/or case management along with supervised taking of medications and transportation.
- **Developments that offer On-Site Treatment and Case Management for Drug and/or Alcohol Rehabilitation** for current abusers
- **Developments that offer Educational and Job Training Opportunities** such as on-site childcare, GED or ESL classes, assistance with obtaining citizenship or citizenship classes, computer classes/training, work skills development and job training, college level or similar classes.
- **Developments that offer Self-Sufficiency and Homeownership Programs** to their residents.

Terms and Conditions

Through the PBV program, the PHA will enter into a housing assistance payment (HAP) contract with select property owner(s) for an initial term of no less than one year and no more than 20 years. The term of all PBV HAP contracts will be negotiated with the owner on a case-by-case basis. Any time before the expiration of the initial HAP contract term, the PHA may extend the term of the contract for an additional term of up to 20 years if the PHA determines an extension is appropriate, in accordance with the PBV requirements, and sufficient funding is available.

For each unit type and size, the proposed contract rent must be provided as well as a breakdown of the utilities to be paid by the tenant and by the owner.

The rent to owner including utility allowances must not exceed the lowest of:

- 110% of the HUD Published Fair Market Rents (FMR);
- The reasonable rent (set by the PHA); or
- The rent requested by the owner.

Request for Proposals

The Newton Housing Authority issues this Request for Proposals (RFP) to seek proposals from partners, and/or owners interested in applying for up to twenty-five (25) Project Based Vouchers (PBV) to be used in existing multi-family housing of affordable housing rental project(s) in the city of Newton that serve very low-income and extremely low-income households and are at risk of losing their current subsidy and/or affordability. The PHA is looking for experienced partners capable of delivering high quality affordable housing and knowledgeable about the Housing Choice Voucher PBV program. At this time, the PHA will only consider applications for existing housing; new construction projects or substantial rehabilitation projects are not being considered for PBV funding.

As a result of this RFP, awards will be funded to either single or multiple projects depending on available resources. The PHA reserves the right as the result of our review to determine the best mix of resources for a proposed project. The PHA may award all or none of the vouchers applied for or referenced in this RFP.

Instructions

Proposers must submit one (1) copy of their response to this request for proposal electronically by the due date. Brevity is strongly encouraged. Respond only to items listed and include only relevant information. Hard copies can either be mailed or hand delivered to:

Newton Housing Authority
Attention: Amy Zarechian
82 Lincoln Street
Newton Highlands, Massachusetts 02461

Electronic copy should be emailed to Amy Zarechian, Executive Director at AZarechian@newtonhousing.org with the subject: RFP for Project Based Vouchers. All hard copy proposals and electronic copies must be received by 4:00pm on Wednesday, December 22, 2021. All material submitted in the proposal becomes the property of the PHA and will not be returned.

The proposals must be typed. To be considered responsive, each submittal should:

- a) Be presented in an 8.5" X 11" format, either vertical or horizontal; and
- b) Be typed with a font size no smaller than 11 points.
- c) Have no more than 20 pages of narrative and non-required attachments.

All information submitted by respondents may be public record and subject to disclosure pursuant to Massachusetts and Federal Law, except such portions of the Proposal for which respondent requests exception from disclosure consistent with Massachusetts and Federal Law. All requests shall be in writing, noting specifically which portion of the proposal the respondent requests exception from disclosure.

PHA may request additional information to evaluate the viability of the project sponsor

and/or the project. This may include but is not limited to; previous audits, certified financial statements and additional project information.

Up to twenty-five (25) units may be made available under the Competitive Selection process afforded by this Request for Proposals. Projects applying under the Competitive Selection process must meet all Project-Based Voucher requirements and compete successfully against other applicants responding to this Request for Proposals using the evaluation criteria.

The Newton Housing Authority retains the right to adjust the number of project units funded under this competitive process, however, the total number of assisted units cannot exceed twenty-five (25) under this Request for Proposals.

Threshold Criteria

Projects must meet the following criteria to be considered:

- A complete application.
- Project may not be an ineligible property for PBV assistance.
- Project must be ready for occupancy and substantially comply with HQS as of the date of proposal selection. All PBV-assisted units in the Project must have passed an HQS inspection on or before the date of the HAP Contract (New construction projects, projects that require substantial rehabilitation, and/or any project requiring the execution of an AHAP will not be considered for this round of funding.)
- Projects must be located in Newton.
- The Projects must currently serve very low-income and extremely low-income households and either: (i) be at risk of losing subsidy or (ii) must require a new funding source to maintain its current level of affordability to very low-income and extremely low-income households.
- Site and Neighborhood must meet applicable HUD standards at 24 CFR 983.57
- The units must be located in a neighborhood with a poverty rate less than 25% or in a "neighborhood of opportunity" [(24 CFR 983.57(b)(1))] such as:
 - A HUD-designated Enterprise Zone, Economic Community, or Renewal Community.
 - A census tract where the concentration of assisted units will or has decreased as a result of public housing demolition;
 - A census tract in which the proposed development will be located in undergoing significant revitalization;
 - An area where state, local or federal dollars have been invested to assist in the achievement of deconcentrating poverty and expanding housing opportunities.
 - A census tract where new market rate units are being developed where such market rate units will positively impact the poverty rate in the area;
 - A census tract where there has been an overall decline in poverty rate within the past five years; or
 - A census tract where there are meaningful opportunities for educational and economic advancement.

Ranking Preferences

- The Newton Housing Authority established ranking preferences for units seeking project-based voucher assistance (See Ranking Preference sheet) that will guide reviewers in the ranking and selection of eligible projects. In case of applications that receive the same ranking, the review team will select those applications that best serve the ranking preferences, as well as other requirements outlined in this package.

Questions

Proposal documents can be viewed and downloaded from the PHA website (www.newtonhousing.org). Proposers are responsible for checking the PHA website for any addendums or updates to the Frequently Asked Questions (FAQ) before submitting their proposals.

Questions concerning the program requirements or application should be submitted in writing and be received no later than December 15, 2021 at 4:00pm. Anyone who submits an email address with their question or sends an email asking for notification will be notified when answers to all questions are posted on the PHA website. Please direct inquiries to:

**Newton Housing Authority, 82 Lincoln Street, Newton, MA 02461 Attn:
Amy Zarechian, Executive Director
Or via email at AZarechian@newtonhousing.org.**

Ranking Preference

Federal regulations require housing authorities to establish policies for the selection of units for Section 8 Project Based Voucher Assistance. The PHA's Department of Leased Housing establishes this policy in its Department of Leased Housing Administrative Plan.

We reserve the right to select projects in part based on their timeline for needing vouchers, the total number of vouchers requested, as well as the total number of vouchers the PHA is able to make available for project basing (estimated 35 units).

The PHA reserves the right to cancel or reject any or all Proposals, and to cancel award of this contract at any time before execution of the contract by both parties if cancellation is deemed to be in the PHA's best interest. In no event shall the PHA have any liability for cancellation of any award.

The PHA will select units for Project-Based Voucher Assistance using the following rating system.

Rating Item	Rating Points	Score	Comments
Preservation of Existing Affordable Housing – Will the development maintain an affordable unit within the City of Newton? Is the project at risk of losing subsidy or in need of a new funding source to maintain its current level of affordability for very low-income and extremely low-income households?	25		
Tenant Rent Burden – Will providing the Project Based assistance prevent tenant evictions? Are the tenants paying more than 50% of their income towards rent and utilities?	15		
Location of Development – Is the development located in the city of Newton?	25		

Experience of Management – What level of experience does the proposed management company have with providing low-income housing and working with HCVP programs? -Successful work with low-income housing programs -Successful work with HCV programs -Successful work with PHA HCV and/or PBV programs -Letter(s) of reference regarding management experience in regards to PBV programs	15		
Poverty Rate – Is the development in a census tract with a poverty level below 20%?	10		
Housing Non-Profit Preference For Non-Profit owners that specialize in providing housing to low income families.	10		
Total Points	100		

Application

Applicant Information

Name of Applicant (owner): _____

Address of Applicant: _____

Contact Person: _____ Title: _____

Email: _____ Phone: _____

Applicant DUNS #: _____

Property Details

Project Name: _____

Address(es) of Development (use an additional page if needed): _____

Census Tract: _____ Block #: _____ Lot #: _____ Poverty Rate of the Census Tract: _____

If the project is located in a census tract with a poverty level above 25%, please explain how the units are in a "neighborhood of opportunity": _____

Total # of units: _____ Proposed # of units for assistance: _____ Proposed Term of Assistance: _____ yrs.

Total # of buildings: _____ Proposed # of units for assistance in each building: _____

# of Units	Unit Size (sqft)	# Bedrooms	# Bathrooms	Handicap Accessible?	Proposed Contract Rent

Will any of the units qualify for an exception? _____ Yes _____ No

If yes, how many? _____

If yes, which exemption would they qualify for? _____ Elderly _____ Supportive Services _____ Low Poverty Census Tract (40% of units allowed)

Are utilities included in the contract rent? _____ Yes _____ No

The owner shall provide or pay for the utilities and appliances indicated below by an "O". The tenant shall provide or pay for the utilities and appliances indicated below by a "T". Unless otherwise specified below, the owner shall pay for all utilities and appliances provided by the owner.

ITEM	FUEL TYPE					Paid By
Heating	<input type="checkbox"/> Natural Gas	<input type="checkbox"/> Oil	<input type="checkbox"/> Bottle Gas	<input type="checkbox"/> Electric	<input type="checkbox"/> Coal or Other	
Cooking	<input type="checkbox"/> Natural Gas	<input type="checkbox"/> Oil	<input type="checkbox"/> Bottle Gas	<input type="checkbox"/> Electric	<input type="checkbox"/> Coal or Other	
Water Heater	<input type="checkbox"/> Natural Gas	<input type="checkbox"/> Oil	<input type="checkbox"/> Bottle Gas	<input type="checkbox"/> Electric	<input type="checkbox"/> Coal or Other	
Other Electric						
Water						
Sewer						
Trash Collection						
Air Conditioning						
Refrigerator						
Range / Microwave						
Other / Specify						

Aside from utilities, describe any other services, equipment or amenities included in the contract rent above (excluding supportive services): _____

Using additional pages as necessary, please describe the supportive services that will be provided (required if proposing to attach assistance to more than 25 units or 25% of the project and recommended if proposing a smaller reservation of units):

Will the property be () constructed or () rehabilitated prior to occupancy? Yes No

Occupancy

How many households currently occupy the property? _____

How many units are currently vacant? _____

Property Management

Name of Property Management Company: _____

Describe property management company's experience managing PBV or like programs:

Certification

The undersigned specifically agrees that the vouchers requested by this application will be secured by a Housing Assistance Payment contract on the property described herein and that Newton Housing Authority, its agents, successors and assigns make no representations or warranties, express or implied, to the Applicant regarding the property, the condition of the property or the value of the property.

Title 18, Section 1001 of the US Code states that a person who knowingly and willingly makes false and fraudulent statements to any department of the US Government including the Dept. Of Housing & Urban Development (HUD) , a public housing authority (PHA) and any owner (or employee of HUD, the PHA, or the owner) may be subject to penalties that include fines and/or imprisonment. I verify that the information in this application is true and correct. I understand that false statements herein are subject to the penalties of Rhode Island Law relating to unsworn falsification to authorities.

Organization Name: _____

By: _____ Title: _____
Print or type name

Signature: _____ Date: _____

Submission Checklist

General

- ☐ Completed Application form.
- ☐ Narrative responses that did not fit within the Application.
- ☐ Unit plans and specs (if any)
- ☐ Evidence of site control.
- ☐ Map of property in relation to neighborhood.
- ☐ Map from <https://geomap.ffiec.gov/FFIECGeocMap/GeocodeMap1.aspx> identifying the census track, median income, and poverty level.
- ☐ List of project owner(s) and other project principals and the name of officers and principal members, shareholders, investors, and other parties having a substantial interest.
- ☐ Evidence of qualifications and experience of the principal participants including but not limited to the owners, principals, and property management team.

Property Management

- ☐ Evidence of supportive services (If any).
- ☐ Letters of reference for property management (optional).

Other

- ☐ Any other documents that you feel would help the PHA in their decision making
(note: any such documents, combined with your narrative, may not exceed 20 pages. Pages beyond 20 combined between narrative and non-required attachments will not be reviewed.

