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HUD Contract Administration Section

www.ohcs.oregon.gov

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HAPPY NEW YEAR

SECTION 8 PROGRAM UPDATES

USE OF MARIJUANA IN MULTIFAMILY ASSISTED PROPERTIES

With several states, including Oregon, making the use of marijuana legal, HUD issued a memorandum that provides clarification regarding the use of marijuana in Multifamily assisted properties. Ben Metcalf, Deputy Assistant Secretary, summarized the memo in the following statement:

“Owners must deny admission to assisted housing for any household with a member determined to be illegally using a controlled substance (such as marijuana). Owners may not establish lease provisions or policies that affirmatively permit occupancy by any member of a household who uses marijuana. Owners must establish policies which allow the termination of tenancy of any household with a member who is illegally using marijuana or whose use interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. Owners have the *discretion* to evict or not evict current tenants for their use of marijuana.”

The memo is posted on the HUD Multifamily Housing website:

<http://portal.hud.gov/hudportal/documents/huddoc?id=useofmarijinmfassistpropty.pdf>. If you have questions regarding this memorandum, contact Kate Brennan at Catherine.M.Brennan@hud.gov.

WAITING LIST ADMINISTRATION

November 28, 2014, HUD issued Housing Notice H 2014-16 to provide further guidance on opening a closed waiting list, placing applicants on the waiting list, and

outreach to those that are most unlikely to apply. The notice was effective upon publication. Highlights of the notice are:

- Guidance regarding the manner in which the waiting list is opened and the outreach that must be done
- Option for owners to use a lottery or random choice technique for placing applicants on the waiting list
- Advertising to groups other than the typical population of the neighborhood in which the property is located
- Having multiple venues, both physical and online, to accept the application

Owners should review federal regulations at 24 C.F.R Part 5 and HUD Handbook 4350.3 REV-1. Advertising and outreach must be done in accordance with the HUD-approved Affirmative Fair Housing Marketing Plan.

Notice H 2014-16 is located at

<http://portal.hud.gov/hudportal/documents/huddoc?id=14-16hsgn.pdf>.

FY 2015 INCOME LIMITS RELEASE DATE CHANGED

Historically HUD released the new income limits around the first day of December each year. The 2014 Consolidated Appropriations Act changed the definition of Extremely Low income to the higher of 30% of median area income or the federal poverty guidelines published by the Department of Health and Human Services (HHS). HHS releases the federal poverty guidelines around February or March each year; so to avoid releasing the income limits in December and correcting them in February or March, HUD will now release the new income limits following the publication by HHS. HUD anticipates publishing the FY 2015 income limits in February 2015.

FAIR HOUSING CHOICE IN OREGON

Please see the informational website at

<http://www.oregon.gov/ohcs/pages/equal-access-to-housing-in-oregon.aspx>

HUD REGION X WEBSITES

The HUD Region X website has lots of good information that pertains to Oregon affordable housing owners. There have been many updates since the last OHCS memo was sent. To keep up on the latest information, click the links below:

<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/mf/whatsnew>

<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/mf/xmfhsgmanageinfo>

INDUSTRY TRAINING OPPORTUNITIES

- Many training opportunities can be found online by using one of the search engines. Examples include, but are not limited to, Oregon AHMA Boot Camps and Conference, Quadel Consulting, and NCHM.
- The following link will take you to a Calendar of Events on the HUD RHIIP website (go to RHIIP Support and Training at the bottom of the page):
http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rhiip/mfhrhiip

If you have problems with any of the links in this memo, try the following:

- 1. First, hold down the Ctrl key and click on the link, or***
- 2. If #1 did not work, highlight the link and copy/paste it into the browser address bar.***
- 3. OHCS Section 8 memos are posted to the OHCS website at:
<http://www.oregon.gov/ohcs/Pages/hca-communication-memos.aspx>
(There is a delay in posting the new memos.)***