

FALMOUTH HOUSING AUTHORITY COMMISSIONERS BOARD MEETING
MINUTES OF GENERAL SESSION MEETING

April 21, 2020 at 4:00 p.m.

115 Scranton Avenue – Community Room, Falmouth, MA 02540

MEMBERS PRESENT: Patricia Favulli
Sari Budrow (*joined meeting at 4:18 p.m.*)
Linda Howard
Robert Mascali
Stephen Patton

STAFF PRESENT: Bobbi Richards, Executive Director
Leslie Pearce, Assistant Director
Kimberly Conn, Fiscal Officer

OTHERS: Laura Bancroft

At 4:01 p.m. Ms. Favulli called the meeting to order. The meeting was held via ZOOM.com.

Approval of Minutes

Special Session of April 7, 2020

Resolution 2020-30

Mr. Patton moved to approve. Ms. Howard seconded.

4-Ayes (Favulli, Howard, Mascali, Patton) 0-Nays

MOTION CARRIED

Public and Tenant Representative Comments

There were no public comments.

Report of the Maintenance Department

Ms. Richards reported that the parking lot project is going well. A concrete slab was discovered when the rhododendron were removed; review was conducted to determine the slab to not effect the apartment building's foundation; slab was removed. Work should be done soon. Work includes more parking spaces and redesign of the admin building's walkway; landscape plans can be shared at a later date as tenant's are curious.

Report of the Executive Director

Ms. Richards requested to remove from the agenda the following item, which was voted upon at the last meeting: "Payment of bills and approval of HAP Payments (VOTE)."

Financial Statements for March – reviewed. Mr. Patton asked if there were any outstanding financials of note. Ms. Richards shared that FHA was expecting additional subsidy monies to be received within the next month due to COVID 19. Ms. Richards also shared that more monies are being spent on outside vendors, as a result of COVID 19, to reduce maintenance interactions, and the piping issue study is underway as FHA prepares to go out to bid for this Harborview

project. The legal expenditures are increased as well – FHA is preparing to submit receipts for any legal issues/reviews related to COVID 19.

Bi-monthly accounts payable processing – VOTE

Ms. Richards correction “Bi-weekly,” not “bi-monthly” accounts payable processing. Ms. Richards requested that due to teleworking schedules with COVID 19, and Commissioner schedules, may FHA change its processing from weekly to bi-weekly. FHA is not seeking to change its weekly payroll schedule. Commissioners would review all weekly payrolls that were processed at the same time that they review the bi-weekly accounts payable. Ms. Richards also requested that the Commissioners approve FHA’s ability to process payments to vendors through the ACH process, per vendor requests. Ms. Favulli commented that processing accounts payable twice per month is reasonable. Mr. Patton shared that reviewing payroll as the accounts payable is processed is acceptable because the payroll does not experience significant fluctuations from week to week. Ms. Favulli suggested that FHA consider discussing bi-weekly payroll and look at the Union Contract separately. Ms. Richards asked the Board to delay the vote on the accounts payable if the payroll must be changed to bi-weekly. As overtime is approved by the Director, Ms. Favulli commented that the current payroll schedule can stay in place for now.

The board discussed the accounts payable schedule, payroll payment schedule and approval of payroll registers, and direct deposit authorizations for requesting vendors.

Resolution 2020-31

Mr. Patton moved to: (1) approve accounts payable to reviewed paid bi-weekly; (2) requesting vendors to be paid via direct deposit/ACH and FHA to develop a payment process policy; and (3) payroll to continue to be paid weekly with the payroll registers reviewed bi-weekly as part of the new accounts payable schedule. Mr. Mascali seconded.

4-Ayes (Favulli, Howard, Mascali, Patton) 0-Nays

MOTION CARRIED

FYE 06/30/19 Independent Audit Report – VOTE

Ms. Richards reviewed the results of the audit as satisfactory. Ms. Richards expressed concern for the next year’s audit based on the challenges being presented currently by COVID 19.

Resolution 2020-32

Ms. Howard moved to approve the results of the FYE 06/30/20 Independent Audit Report by Roy & Associates. Mr. Patton seconded.

3-Ayes (Favulli, Howard, Patton) 0-Nays

MOTION CARRIED

(Note: No response received from Mr. Mascali)

FYE 06/30/19 Agreed Upon Procedures – VOTE

The Commissioners presented no questions about the review.

Resolution 2020-33

Mr. Patton moved to approve the results of the FYE 06/30/19 Agreed Upon Procedures Report by Roy & Associates. Ms. Howard seconded.

3-Ayes (Favulli, Howard, Patton) 0-Nays
(Note: No response received from Mr. Mascali)

MOTION CARRIED

Constellation: Fixed Price Solution for term 12/2021 – 12/2023 - VOTE

The Board discussed the rate. Ms. Favulli asked that the matter be tabled to the next regular session Board meeting.

DHCD: Waivers for 667 units – VOTE

Ms. Pearce shared that there are three state units that are currently vacant due to tenants have passed away, maintenance have not yet turned the units and the state coordinator has been out of the office due to illness for over a month. Tenant selection may take another month and it is recommended by Ms. Pearce to take the waiver from DHCD, which allows us to delay move ins to state units under COVID 19. Ms. Favulli asked if the units would be available for rental after May 4th, Ms. Richards responded that the units to be placed under the waiver need to be reviewed to determine how long the unit turn will take. Ms. Budrow asked if this is a matter can be reviewed on a monthly basis, rather than at the 90-day mark. Ms. Richards also shared that viewing and accepting units by applicants have been challenging under COVID.

Resolution 2020-34

Ms. Budrow moved to approve the Waivers for 667 units and to review the status of these units monthly. Mr. Patton seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays

MOTION CARRIED

HUD: Short-term waivers (through 7/31/20 or 12/31/20) to provide FHA with essential flexibilities when normal operations are severely interrupted for public housing and housing choice voucher programs – VOTE

Ms. Richards explained that HUD is allowing housing authorities to accept waivers, that expire either July 31st or December 31st.

Ms. Richards has asked that the Board not approve the following waiver: Family income and composition: Delayed annual examinations – FHA will not delay annual reexaminations through 7/31/20. Ms. Richards explained that recertifications are being conducted monthly via mail as FHA is not meeting with tenants at this time.

- Family income and composition: Annual examination – Income verification requirement:

Resolution 2020-35 Ms. Howard moved to approve that FHA will forego third-party income verification requirements for annual reexaminations, including the use of EIV, to conduct the annual recertification through 7/31/20. Mr. Patton seconded.

4-Ayes (Favulli, Budrow, Howard, Patton) 0-Nays 1-Abstain (Mascali) MOTION CARRIED

- Family income and composition: Interim examinations

Resolution 2020-36 Mr. Patton moved to approve that FHA will forego third-party income verification requirements for interim reexaminations, including the use of EIV, to conduct the interim recertification through 7/31/20. Ms. Howard seconded.

4-Ayes (Favulli, Budrow, Howard, Patton) 0-Nays 1-Abstain (Mascali) MOTION CARRIED

- Enterprise Income Verification (EIV) monitoring

Resolution 2020-37 Ms. Howard moved to approve that FHA will not monitor required EIV reports (Deceased Tenant, Identity Verification, Immigration, IVT, Multiple Subsidy and New Hires Report) on a monthly basis through 7/31/20. Mr. Patton seconded.

4-Ayes (Favulli, Budrow, Howard, Patton) 0-Nays 1-Abstain (Mascali) MOTION CARRIED

- Waiting List: Opening and Closing: Public notice

Resolution 2020-38 Ms. Howard moved to approve that should FHA open or close a waiting list, FHA will use, in the event public notice is not able to be published in a local newspaper of general circulation and also by minority media and other suitable means, FHA will provide public notice in a voicemail message on its main or general information telephone number and through its website (www.falmouthhousing.org) (in compliance with fair housing and other civil rights requirements through 7/31/20). Mr. Patton seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- HQS: Initial Inspection Requirements

Ms. Richards noted that most 3rd party inspection companies are not conducting inspections at this time due to COVID 19. FHA has been sending its Admin plan section that applies to inspections to owners so that they can review the approved list of life-threatening conditions. Ms. Richards reviewed the approved list of life-threatening conditions as posted on the FHA website.

Resolution 2020-39 Mr. Patton moved to approve that FHA will provide an alternative requirement to initial HCV unit inspections through 7/31/20 by relying on the owner's certification that the owner has no reasonable basis to have knowledge that life threatening conditions exist in the unit or units in question instead of conducting an initial inspection. An initial inspection will be conducted as soon as is reasonably possible but no later than July 31, 2020 (not October 31, 2020 as proposed by HUD). Mr. Mascali seconded.

3-Ayes (Favulli, Budrow, Mascali, Patton) 0-Nays 1-Abstain (Howard) MOTION CARRIED

- HQS: Project-based voucher pre-HAP contract inspections, PHA Acceptance of completed units

Mr. Patton asked about the steps FHA takes if a unit fails the inspection once it is conducted. Ms. Richards shared that in all cases where an inspection fails, the unit may be subject to non-funding if matters are not corrected and the tenant is offered the opportunity to move.

Resolution 2020-40 Ms. Budrow moved to approve that FHA will provide an alternative requirement to project-based unit inspections through 7/31/20 by relying on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question instead of conducting an initial inspection. An initial inspection will be conducted as soon as is reasonably possible but no later than July 31, 2020 (not October 31, 2020 as proposed by HUD). Mr. Patton seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- HQS: Initial Inspection: Non-life threatening deficiencies (NLT) option

Resolution 2020-41 Ms. Budrow moved to approve that FHA will not withhold payment to owners if a tenant-based or project-based unit has a non-life threatening (NLT) repair and the repair is not corrected within 30 days by 7/31/20. Instead, FHA will provide an extension of up to an additional 30 days to the owner to make NLT repairs and continue to make payments to the owners during the period of that maximum 30-day extension. If the owner has not made the NLT repairs by the end of the FHA extension period, FHA will withhold payments. Mr. Patton seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- HQS Interim Inspections

Resolution 2020-42 Ms. Budrow moved to approve that in the event FHA is contacted by a family or government official that the assisted unit does not comply with housing quality standards, FHA will not inspect the unit within 24 hours of receiving the complaint if the condition is life-threatening. FHA will provide an alternative method for owners to report the corrected life-threatening deficiency. Corrections must be completed within 24 hours of FHA's initial notification or the owner must provide documentation that the correction does not exist (i.e. text or email a photo to FHA).

In the case of a reported non-life threatening deficiency, FHA must notify the owner of the reported deficiency within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the PHA notification or any approved FHA extension. FHA will not be required to conduct an on-site inspection to verify the repairs have been made but may rely on alternative verification methods (i.e. photos submitted by the owner, tenant certification, etc.). The period of availability ends on July 31, 2020. After 7/31/20, FHA must conduct the HQS inspection in accordance with the applicable time periods upon notification by a family or government official that the assisted unit does not comply with the HQS. Mr. Patton seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- HQS Quality Control Inspections

Resolution 2020-43 Mr. Patton moved to approve that FHA will not conduct supervisory quality control inspections of a sampling of units under contract through October 31, 2020. Ms. Howard seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- Housing Quality Standards; space and security

Resolution 2020-44 Mr. Patton moved to not approve that FHA will assist a current participant that need to add a member or members to the assisted household as a result of the COVID-19 emergency, and the additional family members would result in the unit not meeting the space and security standards. This allowance does not apply to an initial or new lease as a participant must not enter into a new lease for a unit that does not comply with the space and security standards. The waiver will be in effect for the duration of the current lease term or through April 10, 2021, whichever period of time is longer. Ms. Budrow seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- Administrative plan

Resolution 2020-45 Ms. Budrow moved to approve that FHA may revise the administrative plan on a temporary basis without Board approval. As an alternative requirement, FHA will present the changes to its board for adoption as soon as practicable following June 30, 2020 but not later than July 31, 2020. Mr. Patton seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- Information when a family is selected – PHA oral briefing

Resolution 2020-46 Ms. Howard moved to approved that FHA will conduct its briefing by other means such as webcast, video call, or expanded information packet and will ensure that the method of communication for the briefing effectively communicates with, and allows for equal participation of, each family member, including those with vision, hearing and other communication-related disabilities, and ensures meaningful access for persons with limited English proficiency. This action will end on 7/31/20. Mr. Patton seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- Term of voucher

Resolution 2020-47 Ms. Budrow moved to approved that FHA will provide one or more extension(s) of the initial voucher term even though it may not have formally amended its policy in its administrative plan through 7/31/20. Ms. Howard seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- PHA approval of assisted tenancy

Resolution 2020-48 Mr. Patton moved to approve that when HAP contract is executed – FHA will, if required, execute the HAP contract after 60-day deadline has passed and make housing assistance payments back to the beginning of the lease term. FHA and the owner must execute the HAP contract no later than 120 days from the beginning of the lease term. This action will end on 7/31/20. Ms. Howard seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- Absence from the unit

Resolution 2020-49 Ms. Howard moved to approve that FHA will allow a family to be absent from their unit for more than 180 consecutive days to allow for continued housing assistance payments and not terminate the HAP contract due to extenuating circumstances (i.e. hospitalization, extended stays at nursing homes, caring for family members). This action will end on 12/31/20 and the HAP contract will terminate on that date if the family is still absent from the unit. Mr. Mascali seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- When a HCV family's income increases . .

Resolution 2020-50 Mr. Patton moved to approve that when an HCV family's income increases to the extent that the housing assistance payment is reduced to \$0, FHA is required to automatically terminate HAP contracts 180 days after the last housing assistance payment to the owner. As an alternative requirement under the COVID-19 emergency, FHA, upon written notice to the family and owner, may extend the period of time following the last payment to the one that triggers the automatic termination of the HAP contract. The extension beyond the normally applicable 180 days is determined by the PHA but may not extend beyond December 31, 2020. Ms. Howard seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- Fiscal Close Out of Capital Grant Funds

Resolution 2020-51 Mr. Patton moved to approve that FHA will submit the Actual Development Cost Certificate (ADCC) and an Actual Modernization Cost Certificate (AMCC) within six months of its original due date. Ms. Howard seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- ACOP: Adoption of Tenant Selection Policies

Resolution 2020-52 Ms. Howard moved to approve that FHA may revise the federal public housing ACOP plan on a temporary basis without Board approval. As an alternative requirement, FHA will present the changes to its board for adoption as soon as practicable following June 30, 2020 but not later than July 31, 2020. Mr. Patton seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

- When a Public Housing Family's Income . . .

Resolution 2020-53 Ms. Howard moved to approve that when a public housing family's income exceeds the program maximum income for two years, FHA must terminate or charge an alternative rent to those families. FHA is waiving this requirement and is permitting families to remain in their units and to continue to pay the same rental amount until such time that FHA conducts the next annual income recertification that would impact the family. This action ends on 12/31/20. Mr. Patton seconded.

4-Ayes (Favulli, Budrow, Howard, Patton) 0-Nays 1-Abstain (Mascali) MOTION CARRIED
Report of the Executive Director

Report of Correspondence, Activities and Training Opportunities

Ms. Richards provided an overview of the following matters: work from home model progression (laptops, insurance, rotating schedule to work in-house and at the office, other materials and supplies); regular contacts with tenants via email, mail and telephone; accountability and staff payroll time sheets.

Ms. Favulli requested that Ms. Richards update the website to remove data indicating that we are closed. Include information regarding our revised work schedule.

Future agenda items

None

Resolution 2020-54

At 5:24pm Mr. Patton moved to adjourn. Ms. Howard seconded.

5-Ayes (Favulli, Budrow, Howard, Mascali, Patton) 0-Nays MOTION CARRIED

Relevant Documents

General Session Minutes of 4/7/20

HUD Waiver Notice PIH Notice 2020-05

FHA Agreed Upon Procedures FY 6/30/19

FHA Independent Audit Report FY 6/30/19

Constellation Fixed Price Solution Report for 4/7/20

FHA Financial Statements for March 31, 2020