

Thank you for the opportunity to provide feedback. Yardi Systems provides software for one third of the PHAs in the United States. We have both general and specific feedback regarding the proposed changes as follows:

General Feedback

We are concerned about the timeline for the revisions and the lack of revised sample forms, instructions, list of Fatal errors, and Technical Reference Guide for each form. We need an explanation of the context under which each field and action type will be used so that our software can follow HUD's intended use. These business rules are imperative for PHAs to collect, maintain and provide accurate reporting to HUD.

We need 120 days from finalization of rules and forms to a version that can be delivered to customers and an additional 30 days for delivery, testing and training for our customers. **To ensure that we can meet the deadline for HOTMA and HIP, we need formal documentation no later than May 1, 2023.**

Specific Feedback

Section 1 Proposed Forms: We note that the Section 8 Homeownership is not included in the list of proposed 50058 forms to be updated. Is that intentional?

Section 2: Proposed Action Types and Fields

Action Types

Is there a reason that HUD is adding an action type for PBV to HCV? Can this be handled as a EOP and New Admissions as we do for other program changes? Can there simply be a move-out reason rather than an additional action type?

Since HUD is considering using eVMS to calculate subsidy, it might be beneficial to add action types for the following:

1. HCV Non-EOP/Transfer Tenant Move Out – When families are displaced, but still on the Housing Choice Voucher Program, there is not a way to record that until either the family finally finds a unit, ends participation or is due for a recertification. An “Annual Reexam Searching” is not appropriate because it is not time for a recertification.
2. Project Based Voucher Vacancy Payment Request – Regulations allow agencies to pay Housing Assistance Payments for vacant units in Project Based Voucher properties, but all existing 50058s require a family. It would be ideal to report the vacancy payment “HAP month” via the 50058 to eliminate that as a source of discrepancy.

Alignment between forms

The Moving to Work Expansion 50058 has a Reason for Move-out field with options (11, 12, and 13) for tenant initiated moves. Is there a reason not to use these on the other forms? It would be more straightforward if these reasons could be shared by all 50058s rather than adding an additional reason for tenant-initiated fields specifically for the standard and MTW 50058.

The date the family became Over Income was added to the Moving to Work Expansion 50058 (field 10v). This field is not noted in the notice. Is this a planned addition as well?

Will fields 10u on the standard 50058 and 20a on the MTW 50058 be updated to have the option for Over Income Rent as the MTW Expansion does?

Can field 2m (MTW participation now or in the past year) be changed to field 2v so that it aligns with the Moving to Work Expansion 50058?

Moving to Work 50058 field changes

Can the following fields be removed from the Moving to Work 50058?

- 2e – Date Correction Transmitted
- 2f – Repayment Agreement
- 2g – Monthly Amount of Repayment

We would like to request that 2 fields be relabeled to explicitly state their use for capturing special programs. Most instructions indicate 2p should be used for reporting special programs:

- 2n – Reserved
- 2p – Use if instructed by HUD

Section 3 Proposed Household: It would be ideal if HUD could align the revised gender codes with those states that require these data elements, especially if they are required on the state Low Income Housing Tax Credit (LIHTC) form. “Decline to Report” because is also a LIHTC option. Many agencies have layered LIHTC with Project Based Vouchers, Public Housing and Housing Choice Vouchers.

We object to the suggestion that the gender field should be multiselect. Agencies use the gender field to apply occupancy standards. For example, many agencies have occupancy standards that are based on the gender and age of family members in a household for determining appropriate voucher size. Multiselecting will require many agencies to revise their occupancy standards to accommodate the various combinations and will require significant edits to most software demographic reporting.

We are concerned about the collection of sexual orientation for several reasons:

- Many agencies have a single application for all programs including Multifamily and LIHTC. It will create challenges for agencies to separate applications for the 50058 programs from their other subsidy programs when that isn’t required on those programs.
- We are concerned that displaying these questions on our portals may result in a legal challenge to PHAs and their software vendors. There is no calculation or occupancy related need for the data.

Section 10 Proposed Revisions: Many agencies have Public Housing that is layered with LIHTC. Currently there is no mechanism on the 50058 to indicate a Tax Credit Maximum Rent. In some cases, the Flat Rent exceeds the Tax Credit Max Rent. Under this condition agencies use the Ceiling Rent field to cap the rent of the family by entering the Tax Credit Max Rent in this field. We need either an additional field to capture the LIHTC Maximum Rent (which would act the same as Ceiling Rent) or change the line item to read “Lower of LIHTC Max Rent or Flat Rent.” Please do not remove the Ceiling Rent field

without a mechanism to address this. Exceeding the LIHTC Max Rent will result in a loss of tax credits and potential penalties.

We also recommend the following changes:

1. Version the forms as they change so that we can easily determine why a historical form may be missing information during audit. Example: Form 50058 version 1 is the current form. When HUD adds new fields for homelessness, it is called version 2. When we update the software to version 2, version 1 50058 data will appear to be missing information since those fields did not exist at the time version 1 50058s were added. It will be easier for auditors to note a version number than to try to compare 50058 effective dates with HUD 50058 form change dates.
2. RAD Calculations – Accommodate RAD regulatory requirements and zero HAP families that convert from Public Housing to PBV.
3. Homeownership – Add a field for “Paid to Tenant.” When families have low income, the mortgage may be paid directly to the bank. Other costs that exceed the Utility Reimbursement (such as Maintenance Costs) are paid to the tenant. There is only one Housing Assistance Payment field on the 50058. We would like to be able to differentiate who was paid the mortgage versus other expenses.

Thanks again for the opportunity to provide feedback.

Sincerely,

Yardi Systems