



OFFICE OF HOUSING

2023 RAD Supplemental Notice: Changes for Resident Engagement and Protections

OFFICE OF MULTIFAMILY HOUSING PROGRAMS

September 11, 2023

Agenda

- Background
 - RAD Notice Rev-4B
 - RAD Process Timeline
- RAD Resident Engagement
 - Resident Meetings
 - Required Documentation of Engagement
 - Additional Monitoring
 - Substantial Changes
 - Meeting Participation and Accessibility
 - HUD Participation

Background

RAD Supplemental Notice (4B)

HUD released a supplement to the RAD Notice on July 27th, 2023.

HUD has posted clean and blacklined versions of the Notice with the edits embedded for ease of use: “RAD Notice Rev. 4-B.”

This supplements and in some cases replaces previous RAD Notice Revision 4 (Housing 2019-09/PIH 2019-23).

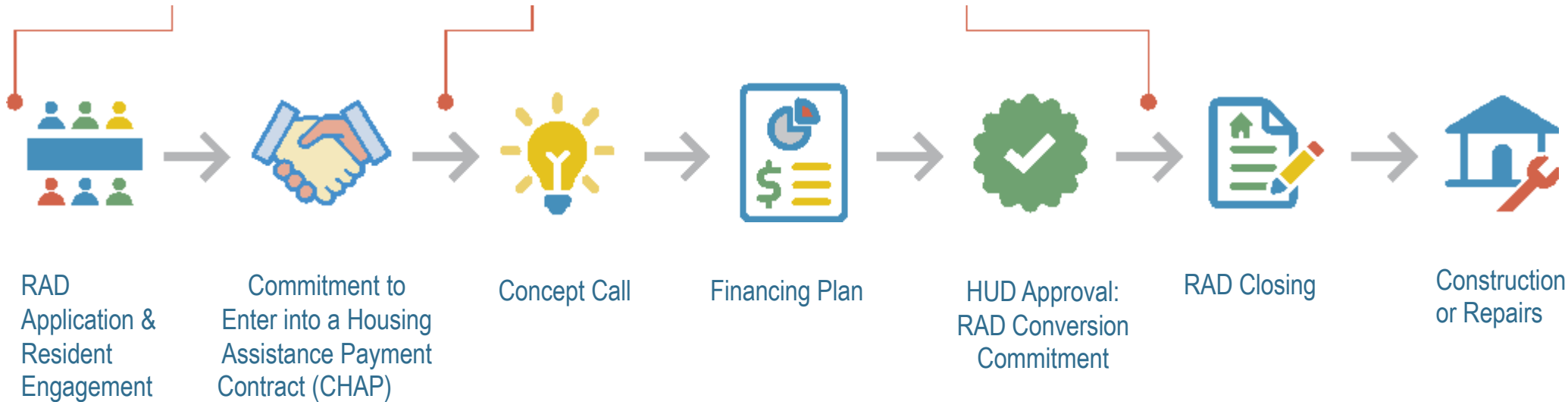
RAD Conversion Process & Resident Engagement

REQUIRED PHA MEETINGS DURING THE RAD CONVERSION PROCESS

Two meetings before submitting an application to HUD to convert to RAD. The PHA must explain RAD, the general plans, and receive resident feedback.

At least two meetings with residents after HUD has accepted the PHA into RAD (CHAP) and before the PHA has a concept call with HUD

One meeting after issuance of the RCC and prior to closing. PHA must review the conversion timing, work, changes to the lease and house rules, and any anticipated relocation, and choice mobility.



Resident Notification Before RAD Application

RAD Notice Rev 4

- Provide written notification to legitimate resident organizations of the PHA's intent to pursue a conversion
- Provide written notification in the form of a RAD Information Notice (RIN) to the residents of the proposed projects and of their rights in connection to RAD conversion
- Issuance of a General Information Notice (GIN) when required by the Uniform Relocation Act (URA)

2023 Supplemental Notice Additions

- PHA encouraged to partner with resident leaders



Resident Meetings Before RAD Application

RAD Notice Rev 4

- Two meetings with residents are required prior to RAD application submission.
- PHA must provide written responses to comments received in connection with the required meeting on the proposed conversion to be submitted with the RAD Application



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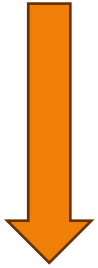
- Requires that meetings must be held within 6 months of the application submission
- Requires additional content to be covered at meetings - an overview and projected timeline of the conversion process, and primary differences for residents between public housing and the Section 8 platform (PBV or PBRA) of the conversion
- Additional documentation required to submit with the RAD application.

Documents to be Submitted with RAD Application

✓ Certification that the RIN and resident meeting notices have been provided to all tenants

? A summary of questions and comments from residents and the response provided by the PHA

New!



👥 A summary of meeting attendees and participation by residents (in person and virtual)

👥 A description of the PHA's efforts to promote tenant participation in meetings

📄 Meeting agendas and copies of any handouts or presentation materials

👥 How meeting materials and comments were made accessible to residents who could not join

📄 Description of docs that were distributed to residents communicating resident protections

📄 Contact information for at least one elected leader of such organization.

Resident Meetings Between CHAP and Financing Plan

HUD Notice REV 4

- PHA was required to meet with residents to discuss updated conversion plans:
 - At least once between CHAP and Concept Call
 - At least once between Concept Call and Financing Plan



2023 Supplement Notice

- PHA must have at least two meetings with residents prior to Concept Call
- Meeting between Concept Call and Financing Plan is no longer required
- Meetings should be spaced to provide meaningful updates to residents on the progress of the conversion, to offer opportunities for residents to provide input, and to permit residents to raise questions and concerns.
- PHAs are encouraged to meet with residents each calendar quarter and to provide access to written materials describing the conversion prior to each meeting.

Additional RAD Meetings

HUD Notice Rev 4

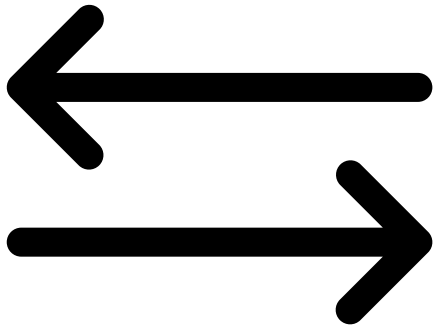
- Additional resident meetings may be required if the PHA requests extension to the submission of the Financing Plan
- Additional meetings with residents are required when there is any substantial change to the conversion plans

2023 Supplemental Notice

- Additional resident meetings must occur **within three months** following a substantial change to the conversion plan.



What is a Substantial Change?



- Introduction or abandonment of transfer of assistance (TOA) or the projected location of the TOA
- Plans to partner with an entity other than an affiliate or instrumentality of the PHA if such partner will have a general partner or managing member ownership interest in the proposed Project Owner
- Change in the number or configuration of assisted units or any other change that may impact a household's ability to re-occupy the property following repairs or construction
- De minimis reduction of units which had been vacant for more than 24 months at the time of RAD Application
- A substantial change in the proposed scope of the work
- A material change in the utility allowance

PHA Plan

Reminder:

- Requirements for notifications and meeting with residents of a converting property are separate and complementary to public notification and consultation requirements under 24 CFR part 903.
- Conversion of assistance under the Demonstration is considered a significant action by the PHA and must be included in the PHA Plan

Financing Plan Submission

Previously Required: Date(s) of the resident meeting (or meetings, where applicable) held following the issuance of the CHAP and a record of the responses (written or oral, or in subsequent actions) to resident comments on the proposed conversion and scope of work that were received in connection with such meetings.

Now Required

1. A summary of meeting attendees and participation by residents, PHA staff, and other attendees;
2. A description of the PHA's efforts to promote tenant participation in meetings - Meeting agenda(s) and copies of handouts or presentation materials;
3. Summary of questions and comments asked in the meeting or submitted by residents and the PHA responses;
4. Identification of how residents who were unable to attend meetings could access materials or submit questions or comments and receive responses;
5. Identification of materials that were shared with residents to communicate resident protections,
6. Where there is a duly elected resident organization, contact information for at least one elected leader of such organization.

Resident Meetings Before Conversion

HUD Notice REV 4

- After issuance of RCC, the PHA must notify residents that conversion of the project has been approved
- Possible opportunity to move to other public housing owned by the PHA



2023 Supplement Notice

- An additional resident meeting must be held before closing
- PHA must also provide copies of the new lease and house rules
- HUD will require evidence of the notice and meeting(s) prior to closing through a certification from the PHA

New Guidance on Resident Participation At Meetings



PHAs must provide adequate notice of meetings and consider practices to reduce barriers to resident participation in meetings.



Meetings should be conducted in a place and time that fosters participation with a variety of preferences and schedules.



PHAs must make meeting notifications and materials available in an accessible format.



Meetings can be offered in various formats (in-person or virtually)



PHAs may not restrict attendance at the meetings unless it's necessary for the effective conduct of the meeting such as the meeting venue.

At HUD's request, the PHA must provide an opportunity for a HUD representative to attend resident meetings (live or virtual).

Accessibility Requirements: A Refresher

Effective Communication

PHA must use effective communication for persons with hearing, physical and other communication related disabilities when providing resident notification and meetings consistent with Section 504 and the Americans with Disabilities Act.



Accessibility Requirements: A Refresher



Language Assistance

- PHA must provide meaningful access to its programs and activities for persons who have a limited ability to read, speak, or understand English
- PHA must provide language assistance to residents of the project who are Limited English Proficient (LEP) to ensure meaningful access to RAD resident notifications and meetings
- Language assistance may include providing written translation of notices regarding plans for the project and relocation and oral interpretation of meetings.

Accessibility Requirements

- Effective communication includes:
 - providing written materials in appropriate alternative formats (Braille, large type, accessible email, etc.)
 - providing sign language interpreters and assistive listening devices at meeting as needed
- Resident meetings must be held in a venue that is physically accessible to persons with disabilities or offer in-home meetings
 - Such meetings must be held in the most integrated setting appropriate for the needs of the person(s) with disabilities which enables individuals with disabilities to fully interact with nondisabled persons



Relocation

RAD Supplemental Notice does not alter relocation requirements and the resident consultation and notification requirements in the RAD Fair Housing, Civil Rights, and Relocation Notice (H/PIH 2016-17)



Contacting RAD

Should residents or advocates have concerns, require clarification on RAD guidelines, including resident engagement or protections, or additional support not provided by the PHA, email questions to:

rad@hud.gov

We're here to help!



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Thank You!

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