

Welcome to the **MULTIFAMILY HOUSING RENTAL HOUSING INTEGRITY IMPROVEMENT PROJECT (RHIP) LISTSERV** that brings you up-to-date RHIP related publications, news, information and occupancy tips in an effort to help reduce errors in rent determinations and subsidy calculations.

RHIP TIP ON OCCUPANCY STANDARDS

Assigning a Smaller Unit Than Required:

An owner may assign a family to a smaller unit size than suggested by the owners' occupancy policies if the family requests the smaller unit and if all of the following apply:

- The family is eligible for the smaller unit based upon the number of family members, and occupancy of the smaller unit will not cause serious overcrowding;
- Assigning a smaller unit results in a lower rent payment for the occupant in a Section 236 or BMIR (Below Market Interest Rate) property; and
- The assignment will not conflict with local codes.

Assigning Units Larger Than Required:

An owner may assign a family to a larger unit than suggested by the owner's occupancy standards if one of the following conditions exists:

- No eligible family in need of the larger unit is available to move into the unit within 60 days, the property has the proper size unit for the family but it is not currently available, and the family agrees in writing to move at its own expense when a property size unit becomes available.
- A family needs a larger unit as a reasonable accommodation for a family member who is a person with a disability.

However, a single person must not be permitted to occupy a unit with two or more bedrooms, except for the following persons:

- A person with a disability who needs the larger unit as a reasonable accommodation.
- A displaced person when no appropriately sized unit is available.
- An elderly person who has a verifiable need for a larger unit.
- A remaining family member of a resident family when no appropriately sized unit is available.

Please reference Chapter 3 Paragraph **3-23 F & G** of *HUD Handbook 4350.3 REV-1 Occupancy Requirements of Subsidized Multifamily Housing Programs*.

ITEMS OF INTEREST

The Department of Health and Human Services recently sent HUD an email with the following information:

On Thursday, July 6, 2006, the Centers for Medicare & Medicaid Services (CMS) announced the publication of an Extra Help/Low Income Subsidy (LIS) Outreach Toolkit. The outreach and education initiatives outlined in this plan are designed to identify all remaining likely LIS eligible beneficiaries who have not yet applied for the LIS or joined a plan; ensure that these beneficiaries complete the LIS application process; and encourage them to make an active choice of Medicare drug plans. CMS will strive to coordinate to the fullest extent possible with relevant federal, state and local partners to maximize the effectiveness and return on investment of all outreach efforts.

Estimates show that approximately 3 million Medicare beneficiaries remain who are likely to qualify for the LIS, but have not yet applied for the LIS or enrolled in a Medicare drug plan. These beneficiaries are scattered throughout the country and are more likely to be less educated, more isolated from their communities, and members of minority groups. Because of these factors, they are traditionally hard to reach due to barriers posed by literacy, geography, mobility, language, or culture. Identifying, qualifying and enrolling these remaining eligible beneficiaries in Medicare prescription drug coverage is a priority.

There is a Special Enrollment Period (SEP) for people who qualify for the LIS. **Those who qualify will be able to join a Medicare drug plan immediately without paying a penalty, and will not have to wait for the next open enrollment period.** This SEP for people who qualify for the LIS began on May 16, 2006, and will continue through November 15, 2006.

The Toolkit is available at the following website address:

<http://www.cms.hhs.gov/center/partner.asp>.

Please encourage others to sign-up for the Listserv, so they too can receive current RHIIP related information from HUD <http://www.hud.gov/subscribe/maillinglist.cfm>

You can view the RHIIP Tips Archives: issues 11-20, under "Listserv-Multifamily RHIIP Tips" at <http://www.hud.gov/offices/hsg/mfh/rhiip/mfhrhiip.cfm>.