

NCHFA Handling of Grey Areas in UPCS & Misc Guidance

Effective 1/1/2014

Noncompliance:

1. Stairs with 4 or more steps and no handrails (Note: landing is considered a step)
2. Dryer Vents-Missing slats or flaps, blocked
3. Broken windows or glass
4. Mold & mildew
 - a. Less 1 ft = Level 1
 - b. 1-4 ft = Level 2
 - c. 4+ ft (or Level 2 & wet) = Level 3 LHS
5. Lint or mold/mildew on wall behind washer/dryer (indicates improperly vented dryer or water leak)
6. Condensation, mildew or mold on window sill
7. Rotted trim
 - a. 1-2 instances = Level 1
 - b. 3 or more instances = Level 3
8. Bird nest in exterior light fixture
9. Foliage above exterior window sill or above sidewalk preventing passage
10. Gas can, propane tanks, lighter fluid, match light charcoal in unit or storage area (Note: okay on patio/balcony where air circulates)
11. Car or scooter batteries present in a unit, unless a reasonable accommodation has been granted to a tenant with a scooter because no other place is reasonably available to charge the batteries
12. Graffiti
 - a. 1 instance = Level 1
 - b. 2 or 3 instances = Level 2
 - c. 4 or more instances or 1 instance if gang-related or profanity = Level 3
13. Blocked egress is to be written up regardless of sprinkler inspection
14. Missing crawls space doors or foundation vents
15. No working light in bedroom or living area in the unit – LHS
16. Signs of water or actual water in water heater pan (Instruct mgmt to find cause of leak-repair/replace)
17. Broken water heater pan
18. Missing drain line from water heater pop-off valve
19. Exposed wires on/around water heater (even if wire nuts are used)
20. Cable across floor (trip hazard)
21. Trip hazards in yards, regardless of whether it is on a walkway (for example: missing water meter cover)
22. Control #'s on stove knobs missing
23. Symptoms of hoarding (for example: blocked egress, bugs/rodents/etc., stuff stored in oven)
24. Smoking present in unit where Oxygen is available for use – LHS
25. Unit or room in the unit is not available for inspection, regardless of the reason
26. Foil pans below element or laying on top of element in oven or foil/pan under burners on stovetop (Note: foil pans used on top of oven rack as intended is okay)
27. Hole in siding that allows for water penetration, especially behind electrical shutoff
28. Feces or urine in unit (pet or human)
29. Dark areas under vinyl at toilet (signs of water leak)
30. Toilet loose with evidence of leak (Note: list as a concern if no evidence of a leak)
31. Tub faucet or spout away from wall (allows for water penetration)
32. Damaged security fences (Note: Damaged decorative fences is a concern)
33. Deadbolt or hasp on bedroom door (Note: **MUST** be removed before we leave unit)
34. Drug paraphernalia (Indications of a Meth Lab include: unusual strong odors, windows blacked out, lots of traffic, excessive trash and unusual amounts of clear glass containers)

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35. Sidewalk with exposed drop-off
36. Open sewer line
37. Wasp nests
38. Amenity not used for designated purpose (for example: beauty parlor taken offline to use as storage area) Owner must get NCHFA permission to change one amenity to another amenity.

Concerns:

1. Kitchen grease outside of building (potential fire hazard)
2. Indoor furniture, mattresses, boxes, etc present outdoors, regardless of location – patio, beside dumpster, on curb (Note: This can be considered noncompliance if it presents a LHS situation)
3. Damaged window blinds
4. Tires inside or outside building
5. Oil on parking lot surfaces (will lead to noncompliance if not handled)
6. Algae growth on exterior vinyl siding
7. Abandoned cars
8. Tenant-provided appliances or fire extinguishers that don't work

Additional Guidance:

1. Any noncompliance issue that is corrected during the inspection should be cited as a concern in the letter and you should indicate that it was corrected. The only issues that may be corrected are ones that do not delay the inspector. You are not to extend the inspection time to allow for corrections because this will delay your arrival time at the next property.
2. If an area of noncompliance, such a nonworking GFI, is present in multiple units, you may allow mgmt to fix the first one as a 'freebie'. Additional occurrences represent a pattern and must be written as uncorrected noncompliance.
3. UPCS issues are findings that get reported to the IRS. We have the authority to address other issues outside of UPCS. These findings will generally be considered state violations and will not get reported to the IRS unless they are a building code violation. Building code violations are reportable to the IRS. Here is the excerpt from the 8823 Instructions: "The UPCS does not supersede or preempt local codes. Thus, if a housing credit agency using the UPCS becomes aware of any violation of local codes, the agency must report the violation." While we are not building code experts, areas of building code that are common knowledge would fall into this category.
4. When inspecting a unit that has been vacant for more than 30 days, you must cite each violation. Being vacant for more than 30 days is not a violation. We must have sufficient knowledge of what needs to be corrected that we can determine the appropriate work was completed without having to perform a subsequent inspection.
5. The NCHFA inspector must be the last person to enter the unit and the first person to leave the unit. We do not inspect units unaccompanied. If mgmt refuses to enter the unit, so do we and it is noncompliance. If mgmt leaves us alone in the unit, it is noncompliance.
6. It is our job to inspect the unit. Under UPCS inspector procedures, we are to 'touch' almost everything. Mgmt must enter the unit first, opening all doors including closet doors. They must test the smoke detectors and be responsible for turning the stove on and off. Also, to minimize damage to blinds, we may require mgmt to open windows, but they must leave them open so we can observe that they will open and remain open. We need to observe that they lock properly. All other aspects of the inspection are our responsibility: turning on/off water, flushing toilets, closing doors to make sure they latch, etc.
7. **Wheelchair Damage Policy:** If sharp edges or other LHS situations result for wheelchair damage, this will be considered UPCS noncompliance. If the damage has not yet risen to the level of UPCS noncompliance, it will be cited as a state issue. We will identify a list of damages, regardless of severity. Repairs will be required. We will advise mgmt of the state requirement to protect the unit from future damage. There are several inexpensive ways to handle this, including installation of Plexiglass, laminate, etc. The method chosen to protect the unit from future damage should be easily removable. This should not be considered permanent unless it is in a fully accessible (Type A) unit.