



FAMILY INDEPENDENCE ADMINISTRATION

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POLICY BULLETIN #11-94-OPE (This Policy Bulletin Replaces PB #11-25-OPE)

SECURING NYCHA PUBLIC HOUSING

<p>Date: October 13, 2011</p>	<p>Subtopic(s): NYCHA</p>
<p> This procedure can now be accessed on the FIAweb.</p> <p>Form W-147E has been renamed.</p> <p>See PD #11-18-ELI for the security voucher issuance process.</p>	<p>The purpose of this policy bulletin is to inform Job Center staff of the process of securing New York City Housing Authority (NYCHA) public housing for Cash Assistance (CA) applicants and participants who are moving into a NYCHA public housing development.</p> <p>Except for a limited group of NYCHA Section 8 Project Based Developments, CA applicants or participants who seek assistance in obtaining an apartment within a NYCHA public housing development must be issued a NYCHA Rent Security Voucher (W-147E) in lieu of a cash security deposit. Form W-147E is an agreement which guarantees that the Human Resources Administration (HRA) will pay the NYCHA up to one month's rent if the CA applicant or participant fails to pay his/her rent and/or damages the apartment.</p> <p><u>Form W-147E also applies to applicants or participants who use a NYCHA Section 8 voucher to move into a NYCHA public housing development (see list of 21 NYCHA developments on Attachment B). Applicants or participants using a NYCHA Section 8 voucher with a private landlord must use the Security Voucher (W-147N).</u></p> <p>Form W-147E which was previously named the NYCHA Security Agreement was renamed and redesigned to more closely resemble Form W-147N that is issued to CA applicants/participants to secure an apartment that is <u>not</u> in a NYCHA public housing development.</p> <p><u>NYCHA developments that still require cash security deposits</u></p> <p>CA applicants or participants, who seek assistance in moving into an apartment in one of the six NYCHA Section 8 Project Based Developments (Multi-Family) that are listed on Attachment A are still eligible to receive a cash security deposit.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 3 at the prompt followed by 1 or
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

When issuing a cash security deposit, the Assignment of Security Deposit (**FIA-1037 [E]**) and the Acknowledgement of Assignment of Security Deposit (**FIA-1038 [E]**) forms must be completed. The Job Opportunity Specialist (JOS)/Worker must mail Form **FIA-1037 (E)** and two copies of Form **FIA-1038 (E)** to the NYCHA development office. Forms **FIA-1037 (E)** and **FIA-1038 (E)** replace the previously obsoleted **W-163** and **W-163D** forms and must be scanned and indexed into the case record.

Processing NYCHA Voucher Claims

If NYCHA submits a claim for payment of the Security Voucher, they must complete the Landlord's (NYCHA's) Claim for Rent Security Voucher Payment section of Form **W-147E** and send it along with verification of unpaid rent and/or damages to the HRA Office of Central Processing, PO Box 02-9121, Brooklyn GPO, Brooklyn, NY 11202-9914. NYCHA will enclose the Vacating Tenant Final Refund/Balance Due (**NYCHA 132.039**) that will serve as verification of any unpaid rent and/or damages to the apartment.

Upon receipt of Form **W-147E** and the **NYCHA 132.039**, Office of Central Processing (OCP) staff must check WMS to confirm that information on the **W-147E** form submitted by NYCHA matches the information on the **W-147E** available in the HRA OneViewer and that a cash security deposit was not previously issued for the same apartment for the same tenant before issuing a voucher payment.

Rent restriction instructions

Form **W-147E** is used to secure housing in these 21 NYCHA developments.

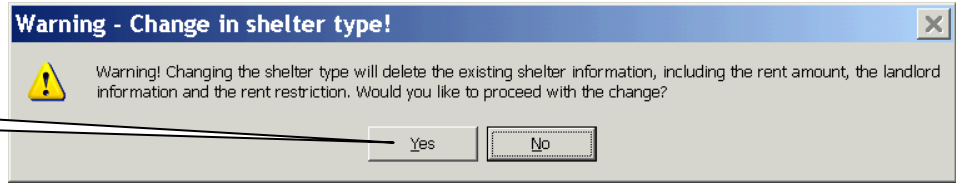
For CA applicants/participants in receipt of Section 8 who move into one of the 21 NYCHA developments listed on **Attachment B**, JOS/Workers should restrict the rent according to Section 8 subsidized housing requirements (not according to NYCHA restriction requirements) in POS as follows:

Select Section 8 subsidized housing

Click OK

- Click **Yes** on the **Warning – Change in shelter type!**

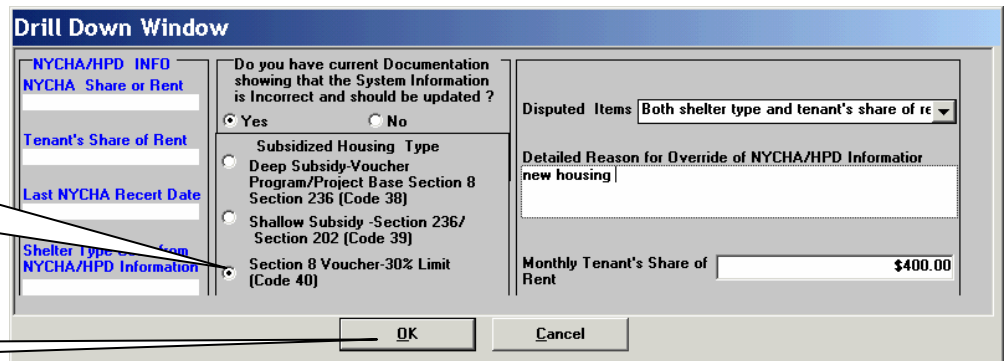
Click **Yes.**



The **Drill Down** window will appear. The JOS/Worker must then:

- Select **“Section 8 Voucher - 30% Limit (Code 40)”** on the **Drill Down** window;
- Enter the words **“Both shelter type and tenant’s share of rent”** in the **Disputed Items** section;
- Enter the words **“new housing”** in the **“Detailed reason for Override of NYCHA/HPD Information”** section; and
- Enter the tenant’s share of rent in the **Monthly Tenant’s Share of Rent** section and click **OK**.

Click **Section 8 Voucher – 30% Limit (Code 40)**



Click **OK**

Effective Immediately

References:

24 CFR 880.608
18 NYCRR 352.6

Attachments:

- Attachment A** NYCHA Section 8 Project Based Developments (Multi-Family) Requiring Cash Security Deposits
- Attachment B** NYCHA Developments Chart
- W-147E** NYCHA Rent Security Voucher (Rev. 10/13/11)
- FIA-1037 (E)** Assignment of Security Deposit
- FIA-1037 (S)** Assignment of Security Deposit (Spanish)
- FIA-1038 (E)** Acknowledgement of Assignment of Security Deposit

☞ Please use Print on Demand to obtain copies of forms.

Attachment A

NYCHA Section 8 Project Based Developments (Multi-Family)
Requiring Cash Security Deposits

BOROUGH	DEVELOPMENT NAME	ADDRESS	ZIP CODE
Bronx	Bronxchester	510 East 156th Street	10455
		512 East 156th Street	10455
		516 East 156th Street	10455
		514 East 156th Street	10455
		520 East 156th Street	10455
		522 East 156th Street	10455
		727 Saint Anns Avenue	10455
Manhattan	Campos Plaza I	631 East 12th Street	10009
		635 East 12th Street	10009
		637 East 12th Street	10009
		205 Avenue C	10009
		207 Avenue C	10009
		209 Avenue C	10009
		211 Avenue C	10009
Manhattan	East 120th Street Rehab	438 East 120th Street	10035
		444 East 120th Street	10035
Manhattan	East 4th Street Rehab	277 East 4th Street	10009
		279 East 4th Street	10009
Manhattan	Milbank - Frawley	1772 Madison Avenue	10035
		1780 Madison Avenue	10035
		1782 Madison Avenue	10035
		4-20 East 117th Street	10035
Brooklyn	Saratoga Square	51 Saratoga Avenue	11233
		55 Saratoga Avenue	11233
		930 Halsey Street	11233
		940 Halsey Street	11233
		950 Halsey Street	11233

Attachment B

NYCHA Developments Chart

BOROUGH	DEVELOPMENT NAME	ADDRESS	ZIP CODE
Bronx	Baychester	1860 Schieffelin Avenue	10466
	Castle Hill	645 Castle Hill Avenue	10473
	Marble Hill	5220 Broadway	10463
	Murphy	1805 Crotona Avenue	10457
	St. Mary's Park	649 Westchester Avenue	10455
Brooklyn	Bayview	9820 Seaview Avenue	11236
	Boulevard	812 Ashford Street	11207
	Bushwick	372 Bushwick Avenue	11206
	Independence	119 Taylor Street	11211
	Linden	914 Van Siclen Avenue	11207
	Marlboro	2740 86th Street	11223
	Williams Plaza	227 Division Avenue	11211
Manhattan	344 East 28th Street	228 East 28th Street	10016
	Amsterdam Edition	205 West 61st Street	10023
	Chelsea	430 West 26th Street	10001
	Drew-Hamilton	210 West 142nd Street	10030
	Manhattanville	549 West 126th Street	10027
	Rutgers	61 Pike Street	10002
	Samuel	103-05 West 143rd Street	10030
	Wise Towers	124 West 91st Street	10024
Staten Island	Stapleton	210 Broad Street	10301

Date: _____
Case Number: _____
Case Name: _____
Center: _____

NYCHA Rent Security Voucher

The New York City Human Resources Administration (HRA) having its principal offices at **180 Water Street, New York, NY 10038**, is issuing this *NYCHA Rent Security Voucher (Voucher)* instead of a cash security deposit, pursuant to Social Services Law, **Section 143-c, 18 NYCRR 352.6, and 18 NYCRR 381.3**, to secure the landlord (NYCHA) against the non-payment of rent and/or damages as a condition of renting the identified premises to the above named Cash Assistance applicant/participant. HRA will pay NYCHA up to one month's rent for unpaid rent and/or damages incurred by the above named tenant/participant. To claim payment under this *Voucher*, NYCHA must complete and submit the *NYCHA's Claim for Rent Security Voucher Payment* within three months after the tenant has vacated the apartment.

Tenant/Participant Name _____
Premises in a NYCHA Development: _____
City: _____ State: _____ Zip: _____ Apt.#: _____

Security Voucher Amount: \$ _____ (monthly rental amount)

For HRA Use Only: This voucher is not valid until it has been fully completed and authorized below by HRA.

Supervisor Name (Print): _____
Supervisor's Signature: _____ Date: _____
Control Unit Supervisor's Name (Print): _____
Control Unit Supervisor's Signature: _____ Date: _____
Control Unit Authorization # _____

Landlord's (NYCHA's) Claim for Rent Security Voucher Payment

The Tenant/Participant named above vacated the apartment and NYCHA regained possession of the Premises on or about: _____. NYCHA is submitting this claim for payment within three months after this date. The former tenant owes money to NYCHA, as follows (*Attached are documents detailing the claim*).

A) Unpaid Rent	B) Unpaid Damages	C) Unpaid Rent + Unpaid Damages (A+B)	D) Security Voucher Amount (from above)	E) Cash payment requested by NYCHA (Lesser of box C or D)
\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

Certification of Accuracy: The undersigned NYCHA Property Manager or designee affirms that the information contained herein is true and accurate based on personal knowledge or NYCHA's books and records.

NYCHA requests that HRA redeem this Voucher and make a cash payment for the amount listed in Box E.

NYCHA Property Manager or designee (*print & sign name*): _____ Development: _____ Date: _____

Send Completed Claim and Supporting Documents To:
HRA Office of Central Processing, P.O. Box 02 – 9121, Brooklyn GPO, Brooklyn, NY 11202-9914

HRA Office of Central Processing: Authorization of Payment to Landlord (NYCHA) is Granted in the Amount of:

\$ _____ **Print Dollar Amount in Words:** _____

Issuance Code: _____ Date From (*mm/dd/yy*): _____ Date To (*mm/dd/yy*): _____ Restricted Indicator: _____
Pick-Up Code: _____

Authorizing HRA Official(*print & sign name*): _____ Title: _____ Date: _____

OCP Control Clerk: _____ Date: _____

OCP CRT Operator: _____ Date: _____

Date: _____
 Case Number: _____
 Case Name: _____
 Center: _____
 Group/Unit Number: _____

Assignment of Security Deposit

I HEREBY ASSIGN TO THE COMMISSIONER OF THE HUMAN RESOURCES ADMINISTRATION City of New York all my right, title and interest in and to the money deposited with the landlord,

_____ of premises _____, Apartment Number _____, located in the borough of _____, in the City and State of New York, as, and for, a security deposit in order to enable me to obtain housing accommodations in said premises.

I HEREBY AUTHORIZE, empower and direct said landlord, his executors, administrators, agents, successors or assignees, to pay over to said assignee, or his representatives, successors or assignees, the aforesaid security deposit with any interest accruing thereon, and I DO HEREBY release said landlord from any liability by reason of said payments to be said assignee.

SAMPLE

 Witness Signature

 Applicant/Participant Signature

Applicant/Participant's Acknowledgement (must be notarized)

State of New York)
) ss:
 County of _____)

On this _____ day of _____, 20 _____, before me _____

Personally appeared to me known and known to me to be the individual described in and who executed the foregoing instrument and she/he acknowledged that he/she executed the same.

Witness' Acknowledgment
(must be notarized)

State of New York)
) ss:
County of _____)

On this _____ day of _____, 20 _____, before me _____

Personally appeared _____ the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being duly sworn by me, did depose and say the he/she resides at _____; that he/she knows _____ to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw _____ execute the same, and that said witness, at the same time, subscribed his/her name thereto as witness _____.

NOTICE TO LANDLORD: Section 7-103 of General Obligation Law of the State of New York provides that money deposited by tenant with landlord, and any interest thereon, as security under a lease or rental agreement is a trust fund and remains the property of the tenant and must be held separate from the personal monies of the landlord until repaid to the tenant or applied pursuant to the terms of rental agreement. If your property has six or more family dwelling units you must deposit the security in an interest-bearing bank account. Any provision in the lease or agreement where the tenant waives the provisions of **Section 7-103** is absolutely void.

SAMPLE

(File one copy in case record)

Fecha: _____
 Número de Caso: _____
 Nombre del Caso: _____
 Centro: _____
 Grupo/Unidad: _____

Consignación de Depósito de Garantía

POR LA PRESENTE ASIGNO AL (A LA) COMISIONADO(A) DE LA ADMINISTRACIÓN DE RECURSOS HUMANOS (HUMAN RESOURCES ADMINISTRATION) de la Ciudad de Nueva York todo mi derecho, título e interés en y al dinero depositado con el casero,

del local _____, Número de Apartamento _____,
 localizado en el condado de _____, en la Ciudad y el Estado de Nueva York, y como depósito de garantía para permitirme obtener alojamiento de vivienda en dicho local,

POR LA PRESENTE AUTORIZO, otorgo poder y dirijo a dicho casero, sus ejecutores, administradores, agentes, derechoahabientes o apoderados, a pagar a dicho asignado, a sus representantes, derechoahabientes o apoderados, el depósito de seguridad antemencionado con cualquier interés acumulado, y POR LA PRESENTE libro al ya mencionado casero de cualquier responsabilidad a raíz de dichos pagos a dicho asignado.

 Firma del Testigo

 Firma del Solicitante/Participante

Afirmación del Solicitante/Participante (a ser notarizado)

Estado de Nueva York)
) ss:
 Condado de _____)

En este día _____ del mes de _____, 20 _____, se presentó ante mi _____, a quien conozco y que me consta se trata de la persona descrita en la escritura precedente y que ejecutó la escritura debidamente me admitió haberlo hecho.

Afirmación del Testigo
(a ser notarizado)

Estado de Nueva York)
)ss:
Condado de _____)

En este día _____ del mes de _____, 20 _____, se presentó ante mi _____ el testigo suscrito en la escritura precedente, al cual conozco personalmente, quien, habiendo sido debidamente juramentado por mi, testificó que reside en _____ ; y que conoce a _____, como la persona descrita en la escritura que precede y quien ejecutó dicha escritura; la que confirma que el ya mencionado testigo suscrito estuvo presente y vio a _____ ejecutar la escritura, y que dicho testigo, al mismo tiempo, suscribió su nombre _____ como testigo.

AVISO AL CASERO: La **Sección 7-103** de la Ley de Obligaciones Generales del Estado de Nueva York dispone que el dinero que es depositado por un inquilino con un casero, y cualquier interés que se acumule, como garantía en un acuerdo de arrendamiento o alquiler, es un fondo fiduciario y permanece como propiedad del inquilino, y debe mantenerse separado del dinero personal del casero hasta que se reembolse al inquilino o se aplique de acuerdo a los términos del acuerdo de alquiler, si su propiedad tiene seis o más unidades de vivienda para familias, usted **tiene la obligación de** depositar el dinero de garantía en una cuenta bancaria de intereses. Cualquier disposición en el arrendamiento o acuerdo conforme a la cual el inquilino abandone las disposiciones de la **Sección 7-103** queda anulada.

SAMPLE

(File one copy in case record)

Date: _____
Case Number: _____
Case Name: _____
Center: _____

Acknowledgment of Assignment of Security Deposit
(Mail two copies to landlord and attach one copy of Form **FIA-1037**)

Dear _____
Landlord's Name

Attached is an Assignment of Security Deposit form (**FIA-1037**) from _____,
Name of Tenant
who resides in your building at _____ Street _____ City _____ Zip Code
apartment number _____, in the amount of \$ _____.

When tenancy is terminated, the security deposit must be returned to the Family Independence Administration in the Human Resources Administration. Unless otherwise notified in writing by the New York City Department of Social Services, said security deposit shall be returned by check, made payable to the commissioner of the NYC Department of Social Services, and mailed to:

SAMPLE
New York City Department of Social Services
Division of Accounts Receivable & Billing
180 Water Street, Room 912
New York, NY 10038
The attached copy of notarized Form FIA-1037 is for your files

A. Please indicate the name and address of the bank where the security deposit will be held in trust:

Name of Bank

Address of Bank

Please acknowledge your receipt of the Assignment of Security Deposit form by signing below and returning **this** form to us at the address above. Please keep a copy for your files.

I, _____
Landlord
acknowledge receipt of the Assignment of the Security Deposit (**FIA-1037**) Form

B. You are required on an annual basis to remit all interest on the deposit to:

**New York City Department of Social Services
Investigation, Revenue and Enforcement Administration (IREA)
P.O. Box 5915
New York, NY 10087-5915**

JOS/Worker Signature Date

Landlord Signature Date