

Recertifications

Prepared By:

Alan Knewstep
MFH Specialist



When to Recertify?

Ref: HB-2-3560 6.28 A. The Annual Recertification Process B. Interim Recertification Process

1. Annual Recert
2. Interim Recert

- If income changes of \$50 or more, must recertify IF tenant requests
- If household size changes during the year, must recertify
 - Co-Tenant to Tenant Recertification
- if income changes by at least \$100 a month you must recertify when change of income occurs

Form RD 3560-8
(Rev. 08-11)

1. Effective Date

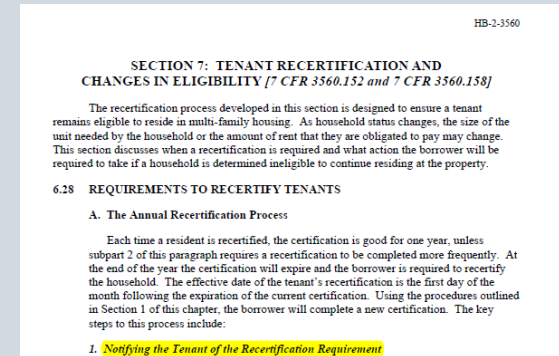
<input type="checkbox"/> Initial Certification	<input type="checkbox"/> Certification Expired & Eviction in Process
<input checked="" type="checkbox"/> Recertification	<input type="checkbox"/> Designate 60 Day Absence
<input type="checkbox"/> Modify Certification	<input type="checkbox"/> End 60 Day Absence
<input type="checkbox"/> Cotenant to Tenant	<input type="checkbox"/> Tenant Transfer
<input type="checkbox"/> Assign/Remove RA	
<input type="checkbox"/> Vacate a Unit	

Recertification Process

Ref: HB-2-3560 Section 7 6.28 1. Notifying the Tenant of the Recertification Requirement

Two Notification Letters May Be Required

- 1st – 75-90 days prior to effective date
- 2nd – 30 days prior to effective date if no response from household
(Recommend sending letter Certified with return receipt, plus regular mail)



NOTE:

A TC can be transmitted via MINC at anytime during the *90 day period prior to the effective date.*



Expired/Late Tenant Certification

An Expired or Late certification is when it is not transmitted via MINC to RD by the 10th of the effective month

Ref: HB-2-3560 7.5 1. Failure to Certify

If tenant does not provide required information to recertify

- Household is no longer eligible
- Household must pay Note Rate Rent
- Lease termination should be started

- If tenant provided information, and borrower is at fault

- Borrower must pay difference between the lesser of the net tenant contribution or basic rent and the note rate rent
 - Example #1 - Basic Rent is \$300, Tenant's Rent is \$325, Note Rent is \$400, Borrower would pay \$75
 - Example #2 – Basic Rent is \$300, Tenant's Rent is \$200, Note Rent is \$400, Borrower would pay \$100
- Borrower must pay the overage amount from non-project funds until recertification is complete.



7 CFR 3560.208 - Rents during Eviction or Failure to Recertify

§ 3560.208 Rents during eviction or failure to recertify. (a) *Rents during eviction.* If a tenant is appealing an eviction and the [borrower](#) refuses to accept [rent](#) payment during the appeal of the eviction, the tenant must escrow required [rent](#) payments to safeguard their occupancy, unless State or local laws specify otherwise.

(b) *Rents when tenants fail to recertify.* If a [borrower](#) can document that a tenant received a notice specifying a tenant recertification date and the tenant fails to comply by the specified date or fails to cooperate with verification or other procedures related to the tenant's recertification so that the tenant recertification cannot be completed by the recertification date, the [borrower](#), within 10 days of the recertification date, shall give the tenant and the [Agency](#) written notification that:

- (1) Termination proceedings are being initiated, in accordance with § [3560.159](#); and
- (2) The tenant will be charged note [rent](#) until the tenant's [lease](#) is terminated.

(c) *Unauthorized assistance due to tenant recertification failure.* Any unauthorized [assistance](#) received because of the tenant's failure to be recertified will be collected in accordance with the provisions of subpart O of this part.

(d) *Rents when borrowers fail to recertify tenants.* If a [borrower](#) cannot document that a tenant received a recertification notice, and a tenant is not recertified within 12 months of the most recently executed tenant certification, tenants shall continue to make net tenant contributions to [rent](#) based on their most recent tenant certification and the [borrower](#) must remit to the [Agency](#) full [overage](#) as if the tenant was paying the note [rent](#) until the tenant is recertified.

(e) *Unauthorized assistance due to borrower recertification failure.* Any unauthorized [assistance](#) received as a result of the [borrower's](#) failure to recertify a tenant will be collected from the [borrower](#) in accordance with the provisions of subpart O of this part and may not be paid from [housing project](#) funds or funds collected from the tenant.