



PROGRAM BULLETIN

To: Owners and Managers of Low Income Housing Tax Credit (LIHTC) Properties

From: Michael DiChiaro, Assistant Director of Leased Housing and Rental Services / Asset Management & Compliance

Date: January 19, 2021

Subject: LIHTC Compliance Monitoring Regulations
Bulletin # 2021-01

DocuSigned by:
Michael DiChiaro
6111AD701DCE4FB...

On January 15, 2021 The Internal Revenue Service published [Notice 2021-12](#), providing temporary relief from certain requirements under § 42 of the Internal Revenue Code for qualified low-income housing projects.

RIHousing is adopting much of the relief provided in the IRS notice and has temporarily modified its LIHTC monitoring policy through September 30, 2021. The following are relevant compliance related provisions contained in the IRS Notice and RIHousing's applicable temporary policy changes:

INCOME RECERTIFICATIONS

An Owner of a low-income building is not required to perform income recertifications for the period beginning on April 1, 2020 and ending on September 30, 2021. The Owner must resume the income recertifications as due after September 30, 2021 or as required by the Agency.

RIHousing will adopt the IRS guidance and will not require income recertifications, when a household's annual recertification date is between April 1, 2020 and September 30, 2021. Please note that this waiver is applicable to income recertifications only; student status certifications must be completed and all new move-ins will still require a full Tenant Income Certification.

Annual income recertification is not required; however, an entry into WTC is mandatory for HUD reporting requirements. In the absence of an annual income recertification, the previous year's household income may be carried over into the waived recertification.



COMPLIANCE MONITORING

While RIHousing is not required to conduct compliance monitoring inspections or file reviews in the period beginning on April 1, 2020 and ending on September 30, 2021, we have decided to continue compliance monitoring under a modified format.

- Until further notice, RIHousing will not conduct on site physical inspections of LIHTC developments or units for the purpose of routine compliance monitoring. We retain the right to inspect properties and units with proper notice in order to investigate resident complaints or physical needs.
- All LIHTC file audits will be performed remotely and files shall be delivered to your asset manager via SharePoint; you will receive instructions if your property is selected for review.
- The number of LIHTC files subject to review will be at the discretion of RIHousing and typically less than the former IRS requirement of 20%.

COMMON AREAS AND AMMENITIES

RIHousing will require that all laundry and computer rooms remain open. If other amenities or common areas are temporarily unavailable or closed during some or all of the period from April 1, 2020 to September 30, 2021, in response to the COVID-19 pandemic, and not because of other noncompliance for § 42 purposes, this temporary closure will not result in a reduction of the eligible basis of the building.

Should you have any questions, kindly contact your assigned Asset Manager or Lenore Coughlin, Multifamily Housing Compliance Manager, at (401) 457-1258 or lcoughlin@rihousing.com.