LIHTC & AHDP (FDIC) Housing Complaint Review Process

Understanding What May Be Reported to the State Agency

The Mississippi Home Corporation (MHC) is committed to ensuring that developments participating in the Low-Income Housing Tax Credit (LIHTC) and AHDP (FDIC) affordable housing programs remain in compliance with applicable federal and state program requirements.

MHC receives and reviews complaints concerning LIHTC & AHDP (FDIC) developments; however, **not every resident concern, landlord-tenant dispute, or property-related issue falls within MHC's regulatory authority**. This guidance is intended to help residents, applicants, property owners, management agents, and members of the public understand what types of concerns may be appropriate for submission to MHC and how complaints are reviewed.

What Types of Complaints May Fall Within MHC's Purview?

MHC may review complaints that allege potential violations of LIHTC/AHDP requirements or other requirements that MHC is authorized to monitor. Examples may include, but are not limited to:

Compliance and Eligibility Concerns

- Possible improper income qualification or determination of household eligibility.
- Potential violations involving income limits or rent restrictions.
- Alleged charging rent in excess of applicable LIHTC/AHDP limits.
- Concerns regarding required tenant certifications or recertifications.
- Potential improper application of student eligibility requirements.
- Concerns regarding the availability or designation of required income-restricted units.
- Potential failure to comply with applicable affordability or set-aside requirements.
- Alleged failure to maintain required tenant documentation or records.

Physical Property and Habitability Concerns

Certain physical property concerns may fall within the scope of MHC's **Physical Inspection Division**, particularly when they involve applicable physical condition requirements associated with the LIHTC/FDIC programs.

Examples may include:

- Significant physical deficiencies affecting program compliance.

- Health or safety conditions identified in areas subject to applicable inspection standards.
- Failure to correct deficiencies identified through an applicable MHC inspection or monitoring process.
- Other physical conditions that may constitute noncompliance with applicable program inspection requirements.

Whether a particular concern falls within MHC's authority will depend on the circumstances, the applicable program requirements, and the documentation provided.

Matters Generally Outside MHC's Purview

MHC's compliance authority is limited to matters governed by applicable LIHTC and AHDP (FDIC) related program requirements. MHC is **not a general landlord-tenant enforcement agency** and does not have authority to resolve every dispute between residents and property owners or management agents.

Examples of matters that generally do not fall within MHC's LIHTC compliance purview include:

- General landlord-tenant disputes.
- Lease enforcement disputes that do not involve a LIHTC/FDIC program requirement.
- Eviction proceedings or disputes regarding eviction.
- Security deposit disputes.
- Disputes concerning personal property.
- Claims regarding unauthorized entry into a dwelling that do not involve an applicable LIHTC requirement.
- Individual disagreements regarding management practices that do not constitute a violation of LIHTC/FDIC requirements.
- Complaints concerning customer service, communication, or treatment by management that do not involve a program requirement.
- Criminal allegations or matters requiring law enforcement intervention.
- Civil claims or disputes that must be resolved through the courts or another governmental authority.
- Fair housing, discrimination, or accessibility matters that fall under the jurisdiction of another federal, state, or local enforcement agency, unless the allegation also presents a separate LIHTC or FDIC compliance issue within MHC's authority.

The fact that a complaint involves a LIHTC OR AHDP (FDIC) property **does not automatically make the matter a LIHTC/AHDP (FDIC) program compliance issue**.

How to Submit a Complaint

Individuals wishing to submit a complaint to MHC should complete the **LIHTC/AHDP Complaint Form** [Complaint Form – Mississippi Home Corporation] and provide sufficient information for the Agency to understand and evaluate the allegation(s).

The complaint submission should include, when applicable:

1. **The name and location of the development.**
2. **A detailed description of the complaint**, including the specific conduct or condition being reported.
3. **Relevant dates and timeframes.**
4. **The names or positions of individuals involved**, if known.
5. **Information regarding communications with the property owner or management agent**, when applicable.
6. **Copies of supporting documentation**, such as notices, correspondence, certifications, photographs, statements, or other records that may substantiate the complaint.
7. **Any other information that may assist MHC in determining whether the matter falls within its regulatory authority.**

Complaint submissions should contain as much specific and factual information as possible. General statements or allegations without sufficient information or supporting documentation may limit the Agency's ability to evaluate or investigate the matter.

What Happens After a Complaint Is Submitted?

Step 1 – Complaint Submission

The completed complaint form and any available supporting documentation are submitted to MHC for review.

Step 2 – Initial Scope Review

MHC will conduct an initial review to determine whether the complaint concerns a matter that falls within the Agency's regulatory authority under the LIHTC and/or AHDP/FDIC programs or another program administered or monitored by the Agency.

Submission of a complaint does not automatically result in an investigation, inspection, or finding of noncompliance.

MHC may request additional information or documentation when necessary to determine the nature and scope of the allegation.

Step 3 – Assignment to the Appropriate Division

If the complaint falls within MHC's scope, the matter will be referred to the appropriate division for review and follow-up.

Depending on the nature of the allegation, a staff member within the:

- **Audits & Monitoring Division** may be assigned to review allegations involving tenant eligibility, income and rent restrictions, certifications, tenant files, set-aside requirements, or other LIHTC and/or AHDP (FDIC) compliance matters; and/or
- **Physical Inspection Division** may be assigned to review allegations involving applicable physical condition, health and safety, or property inspection requirements.

Some complaints may involve issues that require coordination between divisions.

Step 4 – Investigation, Review, and/or Inspection

The assigned MHC staff member will determine the appropriate course of action based on the nature of the complaint and applicable program requirements. This may include:

- Reviewing submitted documentation.
- Requesting additional documentation from ownership or management.
- Contacting relevant parties for clarification.
- Reviewing tenant or property records.
- Conducting an on-site inspection when appropriate and authorized.
- Comparing the information provided against applicable LIHTC/AHDP requirements.
- Taking other appropriate compliance-monitoring actions.

Step 5 – Determination and Follow-Up

Upon completion of the applicable review, MHC will determine whether additional action is warranted under its regulatory authority.

If noncompliance is identified, MHC may require corrective action in accordance with applicable program requirements and Agency procedures.

If the matter does not constitute a violation within MHC's jurisdiction, the complaint may be closed without further compliance action by the Agency.

Complaints Outside MHC's Authority

When a complaint involves a matter outside MHC's LIHTC authority, MHC may advise the complainant that the matter should be directed to the appropriate agency, governmental entity, law enforcement agency, court, or other authority with jurisdiction.

MHC cannot provide legal advice or act as an attorney, mediator, landlord, tenant advocate, law enforcement agency, or general dispute-resolution authority.

Important Information for Complainants*

MHC encourages individuals to provide **complete, accurate, and specific information** when submitting a complaint. Supporting documentation is particularly important because it allows the Agency to determine whether the allegation presents a potential violation of applicable program requirements.

***Adding details to a complaint via subsequent submittals is not allowed unless requested by the Agency. ***

MHC will evaluate complaints based on the information provided, applicable federal and state requirements, and the Agency's regulatory authority. **The filing of a complaint does not establish that a violation has occurred.**

MHC also reserves the right to determine the appropriate method of review based on the circumstances of each complaint.

Questions About Whether an Issue Is Reportable?

If you are unsure whether a concern may fall within MHC's oversight and/or regulatory compliance authority, you may review the applicable complaint guidance and submit the complaint form with the information and documentation available. MHC will make the initial determination regarding whether the matter falls within its scope.

Mississippi Home Corporation
Compliance Monitoring Division
WEBSITE: www.mshomecorp.com

Complaint Form – Mississippi Home Corporation