

**CHOICE**  
**Mississippi Olmstead**  
**Initiative**  
**Documenting Development**  
**Commitment**  
**2016 LIHTC Cycle**

Ben Mokry  
Mississippi Home Corporation  
February 4, 2016



- Ben Mokry
  - How to document in the LIHTC application your intent to serve Olmstead-eligible population
- Veronica Vaughan
  - Department of Mental Health role in supporting community mental health services
- Stephanie Berry/Nena Williams
  - Region 8 Mental Health Center role in providing services to community residents
- Questions

## Agenda

- *“Creating Housing Options in Communities for Everyone”*
- Olmstead v. L.C 1999
  - **unjustified segregation** of persons with disabilities constitutes discrimination in violation of title II of the Americans with Disabilities Act
  - **public entities must provide** community-based services to persons with disabilities when
    - (1) such services are appropriate;
    - (2) the affected persons do not oppose community-based treatment; and
    - (3) community-based services can be reasonably accommodated, taking into account the resources available to the public entity and the needs of others who are receiving disability services from the entity.

**CHOICE**

- MS Attorney General and US Department of Justice – August 2014 Letter Agreement
- Priorities for Olmstead Plan
  - Individuals with disabilities or individuals with serious mental illnesses who:
    - Priority 1: Are being discharged from a State psychiatric hospital or intermediate care facility or nursing home after stays >90 days
    - Priority 2: Discharged from state hospital last 2 years and:
      - Multiple hospital visits
      - Arrested or incarcerated due to conduct related to mental illness
      - Homeless 1 year or multiple bouts of homelessness in last 3 years
    - Priority 3: Are chronically homeless by HUD definition (Hearth Act)

**Mississippi Actions**

- MHC-DMH-Community Mental Health Centers - “The referral network”
  - Responsible for identifying eligible individuals
  - Making referrals to properties with vacancies
- LIHTC
  - Encourage development of units targeting 30% AMI households
  - \$2m HOME 2015 and 2016 funds to LIHTC developments serving Olmstead-eligible population

**Mississippi Actions**

#### ◆ Private Owner Deeper Targeting Rental Assistance

Developments may receive points for providing rental assistance to at least 10% of the total development units for persons targeted in the Mississippi Affirmative Olmstead Initiative. Applicants that select this scoring component must commit to providing the rental assistance for a minimum of ten years.

To qualify, the development must meet all of the following criteria:

- 1 • The rental subsidy to be provided must be no less than what is necessary to bring the Tenant Paid Rent (TPR) down to no more than \$235.00 per month.
- 2 • The tenant households receiving the rental assistance must have an income of 30% or less of the area median income.
- 3 • The owner must agree to accept referrals from the Mississippi Olmstead Initiative referral network and execute a memorandum of understanding between the owner, property manager, and the Community Mental Health Center serving the area under the Mississippi Affirmative Olmstead Initiative\* for the period of the targeting agreement.
- 4 • The development must meet all the requirements of the Housing for Disabled Persons Targeted by Mississippi Affirmative Olmstead Initiative scoring component #15.
- 5 • The development's Pro Forma must demonstrate the ability to provide the rental assistance and continue to have a positive cash flow throughout the Compliance Period.
- 6

# Selection Criteria p 63 - Private Owner Deeper Targeting Rental Assistance

- At Application
  - Items 1 & 2 - Elect to provide units pp A10, A11, A21 of LIHTC application
  - Item 6 - Show subsidy to be provided on unit information section, p A22
- At Reservation
  - Item 4 - Provide copy of executed Memorandum of Understanding between designated representatives of: Developer, Property Management Agent, and Community Mental Health Center (CMHC)
- Before Rent Up
  - Item 3 – List with MS HousingSearch.org
  - Reach out to area CMHC

**Documentation  
Required**

MISSISSIPPI HOME CORPORATION  
HOUSING TAX CREDIT  
2016 APPLICATION

VII. DEVELOPMENT INFORMATION (Page 1 of 2)

A. Structure Type:

1.  Multi Family:  
 1 - Story Apartments    2 - Story Apartments    3 - Story Apartments    Other   If Other, specify here: \_\_\_\_\_
2.  Single Family:  
 Duplex    4 - Plex Units    Townhouses    Single Family Houses    Other   If Other, specify here: \_\_\_\_\_

B. Special Housing Types

(Check all that may apply for the proposed development.)

- Single-Family Lease Purchase
- Scattered Housing
- Endangered Housing
- National Green Building Certification (Bronze Level)
- Historic Development
- Special Needs Development

C. Target Population:

(Select which population(s) the development will target.)

- 1.  Large Families: a minimum of 25% of the units will be three or more bedrooms
- 2.  Elderly (62+): 100% of the units will be set aside for elderly tenants aged 62 years and older
- 3.  Elderly (55+): 80% of the units will be set aside for elderly tenants aged 55 years and older
- 4.  Disabled: a minimum of 10% (up to a maximum of 20%) of the units will be set aside for Disabled Persons targeted by MAOI
- 5.  Veterans: a minimum of 10% of the units will be set aside for veterans

D. Occupancy:

(Indicate the number of units designated for each use)

- 1. Elderly (62+): \_\_\_\_\_
- 2. Elderly (55+): \_\_\_\_\_
- 3. Disabled Persons targeted by MAOI: \_\_\_\_\_
- 4. Homeless: \_\_\_\_\_
- 5. Veterans: \_\_\_\_\_
- 6. Family: \_\_\_\_\_

0%

Documentation p A10

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HOUSING TAX CREDIT  
2016 APPLICATION

VII. DEVELOPMENT INFORMATION (Page 2 of 2)

F. Value of Development: \$ - (Appraised Value)

G. Building Code Utilized:

H. Certified Healthcare Zone

If the development will be located in a Certified Healthcare Zone, select one of the following:

1.  The development is located in a county (Lee, Lauderdale, Rankin, Hinds, Forrest, Jackson, Harrison, DeSoto) which has certificates of need of more than 375 acute care hospital beds.
2.  The development is located in a county that has less than 375 acute care hospital beds, but has a health care zone master plan from the American Institute of Certified Planners (AICP) as approved by the Governor's office.

I. Set-Aside Election:

Minimum Set-Aside (Required)

1. The owner irrevocably elects one of the Minimum Set-Aside Requirements:
- (a)  At least 20% of the rental residential units in this development are rent restricted and to be occupied by individuals whose income is 50% or less of the area median gross income.
  - (b)  At least 40% of the rental residential units in this development are rent restricted and to be occupied by individuals whose income is 60% or less of the area median gross income.
  - (c)  Deep Rent Skewing option as defined in Section 42.

Deeper Targeting Set-Aside (Optional)

2. Owner further agrees to do one of the following?
- (a)  Set-aside at least fifteen percent (15%) of the units for persons at or below thirty percent (30%) of the area median gross income for 40 years or longer, or
  - (b)  Set-aside at least twenty percent (20%) of the units for persons at or below fifty percent (50%) of the area median gross income for 40 years or longer, or
  - (c)  Set-aside at least forty percent (40%) of the units for persons whose income is sixty percent (60%) or less of the area median gross income for 40 years or longer.

HOME Developments (Optional)

3. Check if applicable:
- (a)  For HOME developments, forty percent (40%) of the units set-aside for persons whose income is fifty percent (50%) or less of the area median gross income.

Deeper Targeting Set-Aside for Disabled Persons targeted by Mississippi Affirmative Olmstead Initiative (Optional)

4. Check if applicable:
- (a)  Set-aside at least ten percent (10%) of the units for persons at or below thirty percent (30%) of the area median gross income throughout the compliance period.

Documentation p A11

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HOUSING TAX CREDIT  
2016 APPLICATION

XIV. RENTAL ASSISTANCE INFORMATION

A. Do or will any affordable income housing units receive Rental Assistance?

If yes, choose the base of Rental Assistance:

If development-based, select the type of Rental Assistance received below:

Section 8 Project-Based Rental Assistance

Project-Based Vouchers

Rental Assistance Demonstration Program (RAD)

Private Owner-Based Deeper Targeting Rental Assistance

RD 515 Rental Assistance

Other

If other, identify here:

Documentation pA21

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**XV. AFFORDABLE HOUSING INCOME RESIDENTIAL UNIT INFORMATION**

Note: (1) Unit Size is in Square Footage. (2) TPR - Tenant Paid Rent

Unit Type	Number of Units	Unit Size	Rent Subsidy	30% Level TPR/Unit	50% Level TPR/Unit	60% Level TPR/Unit	Utility Allowance/Unit	Total Income
Efficiency								\$0.00
								\$0.00
								\$0.00
1-Bedroom								\$0.00
								\$0.00
								\$0.00
2-Bedrooms								\$0.00
								\$0.00
								\$0.00
3-Bedrooms								\$0.00
								\$0.00
								\$0.00
4-Bedrooms								\$0.00
								\$0.00
								\$0.00
5-Bedrooms								\$0.00
								\$0.00
								\$0.00
Other:							\$0.00	
Other:								\$0.00
Other:								\$0.00
<b>Total Units:</b>								\$0.00

Source

Amount

Total Rental Units Income(Monthly)  \$0.00

Other Income(Monthly)  \$0.00

Gross Annual Income  \$0.00

**A. Utilities Type (Gas or Electric):**

Heat:  No  No  
 Laundry:  No  No  
 Cooking:  No  No  
 Hot Water:  No  No  
 Air Conditioning:  No  No

**B. Utilities**

Indicate whether paid by Development(D) or Tenant(T):

Electricity:  Sewage:  Garbage Removal:   
 Water:  Gas:  Other:

**Documentation p A22**

## 15. SPECIAL NEEDS HOUSING

UP TO 17 PTS

Points will be awarded to developments that target one of the Special Needs categories listed below. All Owners and Management Entities of Special Needs Housing Developments are required to demonstrate continuous marketing efforts to serve the targeted special need population elected. The application

- 1 package must include (a) a market study that addresses the housing priority for the specialized need; (b) a marketing plan that identifies how the development will market to the targeted population; and (c) a comprehensive service plan that identifies each supportive service to be provided, the location of the services, the anticipated service provider for each service and their experience in providing service to the targeted population.

- 2
- 3
- 4 To qualify for this incentive, the owner must agree to accept referrals from the Mississippi Olmstead initiative referral network and execute a memorandum of understanding between the owner, property manager, and the Community Mental Health Center serving the area under the Mississippi Olmstead Initiative for the period of the targeting agreement.

- 5 In addition, applicants must commit to listing vacant units on MSHousingSearch.org (<http://www.mshousingsearch.org/>) and identify any special accommodative features of the units for the population they intend to serve. When registering the property in MSHousingSearch.com, the development must complete the section "Special Needs Populations: (private) page", and check the "Mental Health Consumer" option.

- 6 Owners and Management Entities must demonstrate continuous marketing efforts by adhering to its marketing plan, utilizing the above referenced agencies for referrals, and listing units on MSHousingSearch.org. If after exhausting all of these efforts, the Owner/Management Entity is still unable to find a qualified tenant that meet the requirements of the Mississippi Affirmative Olmstead Initiative, the unit may be rented to other qualified tenants. However, the Owner/Management Entity must put forth the same marketing efforts towards the next available unit. Documentation of the marketing efforts must be kept on file with the site manager.

# Item 15 – Special Needs Housing (p 70-71 Addendum A)

- At Application - Market Study, Marketing Plan, Service Delivery Plan
- Contact area Community Mental Health Center
  - What is need for housing for clients in proposed site
  - Unit size needs
  - Income opportunity to grow as stability strengthens
  - Development's ability to offer rental assistance internal cash, HUD PBV, PBRA, etc.
  - What services should the complex offer
  - Other...

## **Items 1-3 Special Needs Housing**

- Before Rent-Up
  - Sign up for MSHousingSearch.org
  - Select “Mental Health Consumers”
  - Contact CMHC in advance of rent-up, establish relationship
- After Rent-Up
  - Property manager keeps vacancy status up to date
  - Property manager will not need to maintain records for this item
    - MSHousingSearch.org will give MHC a report on historical listing activity by the property when needed by MHC compliance review

**Items 4-5-6**




**MSHousingSearch.org**

Step one: Login to **MSHousingSearch.org** or create an account to list properties



Home Find Housing List Housing Info & Links About Us Contact Us

Welcome to **MSHousingSearch.org**, a free resource to help you find a home that fits your needs and budget. Property providers can list apartments or homes for rent any time, which means that our list is always current.

-  Find a Home to Rent
-  List a Home to Rent
-  Info and Links



# Item 5 & 6

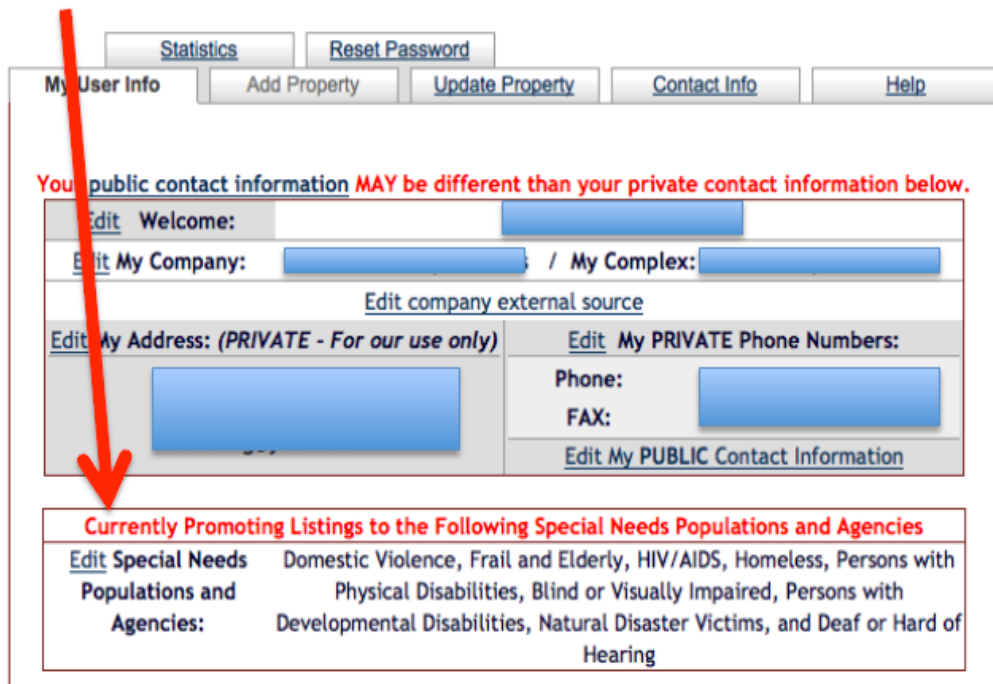
# MSHousingSearch.org

Step Two: Choose **My User Info** tab after landlord has logged into account



The screenshot shows a navigation menu with several tabs: [Statistics](#), [Reset Password](#), [My User Info](#) (circled in red), [Add Property](#), [Update Property](#), [Contact Info](#), and [Help](#). Below the menu is a **Legal Disclaimer** section with the text: "Under the [Federal Fair Housing Act of 1968](#), as amended in 1988, it is illegal to engage in discriminatory advertising based on race, color, religion, sex, familial status, disability, and national origin."

Step Three: Choose **Edit Special Needs Populations and Agencies**



The screenshot shows the user interface after clicking the 'My User Info' tab. A red arrow points to the 'Edit Special Needs Populations and Agencies' section. The interface includes a navigation menu with tabs: [Statistics](#), [Reset Password](#), [My User Info](#) (selected), [Add Property](#), [Update Property](#), [Contact Info](#), and [Help](#). Below the menu is a red warning: "Your public contact information MAY be different than your private contact information below." The main content area contains several sections: **Edit Welcome:** with a text input field; **Edit My Company:** with two text input fields; **Edit company external source** with a text input field; **Edit My Address: (PRIVATE - For our use only)** with a text input field; **Edit My PRIVATE Phone Numbers:** with **Phone:** and **FAX:** text input fields; and **Edit My PUBLIC Contact Information** with a text input field. At the bottom, there is a section titled **Currently Promoting Listings to the Following Special Needs Populations and Agencies** with a table:

<b>Edit Special Needs Populations and Agencies:</b>	Domestic Violence, Frail and Elderly, HIV/AIDS, Homeless, Persons with Physical Disabilities, Blind or Visually Impaired, Persons with Developmental Disabilities, Natural Disaster Victims, and Deaf or Hard of Hearing
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**MSHousingSearch.org**

**Step Four: Select Mental Health Consumers and click link at bottom of page**

**Special Needs Populations: (private)**

Help Your Community - Your Rentals Can Make a Difference

Selecting box(es) below will connect you with local agencies that serve individuals and families who may be facing housing barriers. This information is NOT publicly displayed and will only be available to authorized case workers with special search access.

Although the Fair Housing Act applies to ALL prospective tenants, selecting these categories may help you lease units faster and offer rewarding opportunities to work with area programs and tenants.

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Blind or Visually Impaired | <input checked="" type="checkbox"/> Homeless                                | <input type="checkbox"/> Previous Evictions         |
| <input checked="" type="checkbox"/> Deaf or Hard of Hearing    | <input type="checkbox"/> Homeowners Impacted By Foreclosure                 | <input type="checkbox"/> Refugees                   |
| <input checked="" type="checkbox"/> Domestic Violence          | <input type="checkbox"/> <b>Mental Health Consumers</b>                     | <input type="checkbox"/> Shelter Plus Care [?]      |
| <input type="checkbox"/> Drug and/or Alcohol Recovery          | <input checked="" type="checkbox"/> Natural Disaster Victims                | <input type="checkbox"/> Sponsored Tenants [?]      |
| <input type="checkbox"/> Ex-Offenders                          | <input checked="" type="checkbox"/> Persons with Developmental Disabilities | <input type="checkbox"/> Students                   |
| <input checked="" type="checkbox"/> Frail and Elderly          | <input checked="" type="checkbox"/> Persons with Physical Disabilities      | <input type="checkbox"/> Transitional Age Youth [?] |
| <input checked="" type="checkbox"/> HIV/AIDS                   |   |   |

The below populations may search on their own and see your listings publicly

Veterans

All of the Above

**Optional Information for Tenants or Home-owners: (public)**

- What should a client bring for documentation? For Example:
  - Government issued photo I.D.
  - Pay stub, etc.
- Special Certifications (Ex: Realtor Ⓢ)
- General Company Description
- Special Requirements

We require Government issued ID, birth certificates and social security cards. We are an income based Section 8 property

(a few short sentences - no novels please)

[Click here to continue](#)

# **Example Provisions for MOU between Property and Community Mental Health Center**



*Creating Housing Options in Communities for Everyone*

**Property Owners and Property Managers  
Committing Units to Serve Olmstead Eligible Resident  
Suggested Provisions for Memorandum of Understanding  
With Community Mental Health Center and Mississippi Home Corporation**

Requirements of Landlords

1. Maintain current vacancy information in [www.MSHousingSearch.org](http://www.MSHousingSearch.org). When registering the property in MSHousingSearch.org, the development must complete the section on the “Special Needs Populations: (private) page,” and checking at least the “Mental Health Consumer” option.
2. Identify property Point of Contact (POC) for matters dealing with the local Community Mental Health Center (CMHC) and MHC.
3. Responsibilities of the property’s POC
  - Establish contact with CMHC POC and notify the CMHC of changes in the property POC.
  - Respond to inquiries and requests for assistance received from CMHC regarding prospective or current CHOICE tenants.
  - Incidents/grievances involving CHOICE tenant that risk tenant’s continued occupancy of the unit:
    - Report incident to CMHC POC as soon as possible, but no longer than 24 hours, if the incident cannot be resolved through normal property management procedures
    - If situation cannot be resolved with assistance from CMHC POC, notify POC at Mississippi Department of Mental Health and MHC.
  - Report any occupancy changes of tenant’s unit to CMHC POC, such as number of people living in the unit
  - Rent reasonableness will be conducted to ensure that rents charged by owners to Housing CHOICE Voucher program participants are reasonable.
4. Make reasonable effort to accommodate individuals whose mental illness contributed to incarceration or related events that may bar the individual from renting in the property under the rental policy of the property. Specifically, agree to take into account information provided by the CMHC that treatment and services it is providing the individual will enable the individual to meet occupancy requirements required of any other tenant.
5. Maintain confidentiality regarding individuals renting units designated as serving residents under the Olmstead Initiative.

### Requirements of Community Mental Health Center

1. Establish Point of Contact (POC) who will work with landlords and property managers offering units for CHOICE eligible residents.
2. Review background check information on eligible tenants in advance of housing search that may be flagged in property management tenant eligibility criteria. Work with prospective tenant and property management to resolve inaccuracies and develop remediation steps to enable resident to meet occupancy requirements expected of any other tenant.
3. Respond to property managers within mutually agreed timeframe if notified of incidents/grievances involving CHOICE tenant that risk tenant's continued occupancy of the unit.
4. Provide housing search assistance to individual and assist in meeting documentation and other requirements for occupancy.
5. Maintain waiting list of qualified individuals who can be referred to property when vacancy in an Olmstead targeted unit becomes available.

### Requirements of Mississippi Home Corporation

1. Support PHAs and CMHCs in responding to owner/property manager concerns regarding tenant-level events or services offered through the supported housing initiative.
2. Promoted statewide coordinated effort on supported housing by working with state agencies, service providers, and consumer groups.



## Creating Housing Options In Communities for Everyone

***A Partnership between Mississippi Home Corporation, Mississippi Department of Health, Mississippi Division of Medicaid, and Mississippi's Community Mental Health Centers***

CHOICE provides rental assistance to make housing affordable for individuals with serious mental illness. Community Mental Health Centers provide services appropriate to the individual based on their individual needs.



### **Applicants will be assisted in order of the following priority:**

**Priority 1:** Individuals being discharged from a State psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

**Priority 2:** Individuals who have been discharged from a State psychiatric hospital within the last two (2) years and;

- Had multiple hospital visits in the last year due to mental illness; or
- Are known to the mental health or state housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or
- Are known to the mental health or state housing agency to have been homeless for (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years.

**Priority 3:** Individuals who lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that situation.

**For more information contact your local Community Mental Health Center**

### **ASSISTANCE AVAILABLE UNDER CHOICE**

- Rental assistance
  - Tenants pay 15% of income toward rent.
  - If a person is employed and rent is 30% or less of gross income, rent assistance is not available under CHOICE.
  - CHOICE pays 100% of rent if tenant has applied for Supplemental Security Income or Supplemental Security Disability Income but benefits have not started at the time the individual moves into housing.
- Guided assistance to find suitable housing using [www.mshousingsearch.com](http://www.mshousingsearch.com).
- The individual will be reviewed for eligibility for HUD Housing Choice Voucher or Public Housing which may affect the length of time CHOICE assistance will be provided.
- Depending on individual need, CHOICE may also cover:
  - Rental application fee
  - Rental security deposit
  - Rental arrears
  - Utility deposit
  - Utility arrears

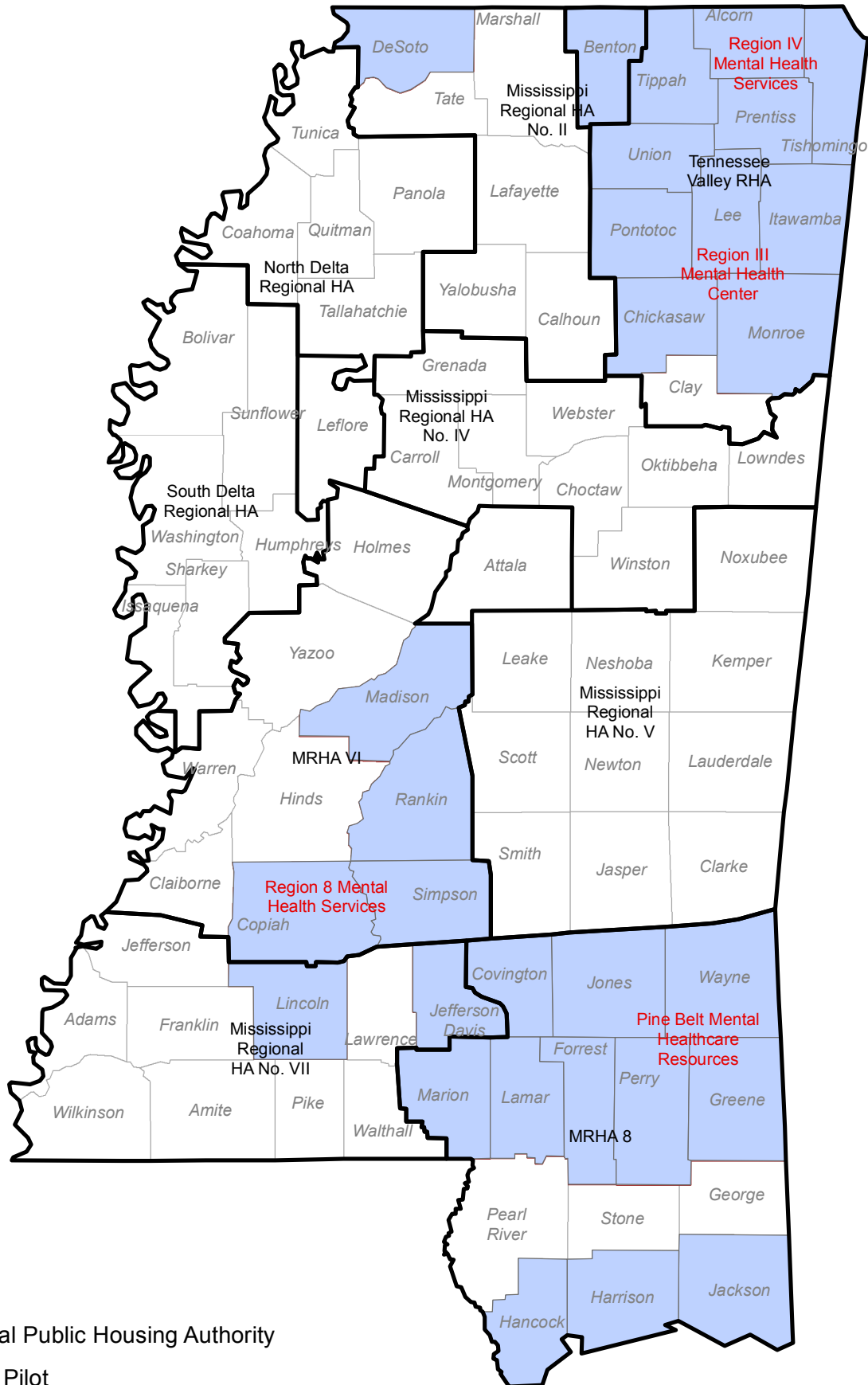
**The individual will be reviewed for eligibility under Emergency Solutions Grant (ESG) program and Housing Opportunities for Persons with AIDS (HOPWA) grant program. Eligibility for these programs may reduce assistance provided under CHOICE. These programs may provide one or more of the following services:**

- Job search assistance
- Financial management
- Negotiations with landlords
- Transportation, if available
- Transition assistance







# CHOICE Pilot Counties

## Community Mental Centers and Regional Public Housing Authorities



### Legend

-  Regional Public Housing Authority
-  Choice Pilot
-  Counties
-  Community Mental Health Center

- Ben Mokry
  - How to document in the LIHTC application your intent to serve Olmstead-eligible population
- Veronica Vaughan
  - Department of Mental Health role in supporting community mental health services
- Stephanie Berry/Nena Williams
  - Region 8 Mental Health Center role in providing services to community residents
- Questions

## Agenda