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They say to “prepare for the worst but hope for the best”. Considering what a wild and crazy year this has been, the second part of that advice gets difficult while we continue to live in the shadow of a worldwide pandemic, suffering the economic and emotional effects of ongoing restrictions and lockdowns, enduring one of the most bitter elections ever known, while struggling to address widespread racial and social injustice.

2020 has been interesting – in ways we never imagined. But even as working remotely, video conferencing, and virtual events have become the norm for many of us, not just in our professional but often our personal lives, PAHRA has continued to be there for you. As you - our members and our partners - have been there for us. Following our Virtual Conference and the Seminar Series, we are proud to present this Winter Edition of the PAHRA Monitor. The Monitor is meant to provide interesting insights, general guidance, operational tips and tidbits for professionals in the H&CD industry, our affiliates, and associates. We hope that you enjoy this issue and encourage you to share it with your staff, your Board of Directors, or forward to your colleagues who may benefit from its content. We also post an online version to the PAHRA website about two weeks after releasing the hard copy. Scroll down our home page to find archived issues from the past two years.

As we look forward to 2021, we encourage you to help stop the spread, connect with friends and family, but celebrate this holiday season in a safe and responsible way.
PAHRA ELECTS NEW PRESIDENT
& EXECUTIVE BOARD - WELCOMES NEW BOARD MEMBERS

The Pennsylvania Association of Housing & Redevelopment Agencies (PAHRA) proudly announces the election of Daniel J. Kanuch as President of the Board of Directors for a two-year term commencing October 2020 through September 2022.

Mr. Kanuch serves as Executive Director of Johnstown Housing Authority, an agency that manages more than 1,500 public housing and affordable housing units, and administers nearly 1,000 Section 8 Housing Choice Vouchers with an annual budget of over $18 million.

President Kanuch is well known as a strong supporter of PAHRA, having served on the Board of Directors from 2000 through 2009 in various positions, subsequently being re-elected in 2014. Since returning to the PAHRA Board of Directors, Dan was appointed to the Executive Board and advanced to progressively higher offices within the association prior to becoming our current President.

Mr. Kanuch will be supported by Executive Board members:

- First Vice-President Brian Yaworsky
- Second Vice-President Danielle Powell
- Secretary Daniel Farrell
- Treasurer Alicia Zazzera; and
- Executive Members-at-Large Tonya Mitchell-Weston and Barbara Wilson

Rounding out the remainder of the PAHRA Board of Directors are:

- Penny Campbell
- Renee Daly
- Steven Fischer
- William Lisak
- Denise Miller
- Ken Pick
- Martha Robbins
- Mark Yauger; and
- Ex-Officio Affiliate Member Alex Kline

As the presidential gavel is passed, Joe Kohut assumes the position of Immediate Past President. In this role, Joe replaces former President Senghor Manns, who steps down after 10 years' service in many capacities. Senghor plans to remain actively involved on the PAHRA Legislative Committee and to contribute to PAHRA in whatever capacity his skills may best be utilized.

Former PAHRA Treasurer Steve Bucklew also departs the Board of Directors having served the maximum number of (3) three-year terms. PAHRA certainly appreciates Steve’s service and dedication to maintaining our association’s financial health through the years.
PAHRA ELECTS NEW PRESIDENT & EXECUTIVE BOARD - WELCOMES NEW BOARD MEMBERS (continued from page 6)

PAHRA welcomed two newly-elected members to the Board of Directors to begin their initial three-year terms effective September 2020: **Penny Campbell** and **Barbara Wilson**.

Ms. Campbell serves as Executive Director of Clarion County Housing Authority, as well as Acting Executive Director of Elk County Housing Authority. The two agencies combined serve a four-county region. Penny earned her Bachelor of Science in Community Health Science from Slippery Rock University, subsequently pursuing graduate work in Public Health at University of Pittsburgh. She currently serves as a Board Member of the Visiting Nurses Association, Western PA Housing Directors Association, NAHRO Small Agency Advisory Committee, and the Venango Regional Catholic School Board. Penny and her staff implemented the Northwest 9 Program which earned a National NAHRO Award, Regional MARC NAHRO Award, and PAHRA Bellamy Award. Penny resides in Venango County with her husband and three sons who keep her very active.

Ms. Wilson serves as Executive Director of the Lancaster Housing Authority, an agency that manages nearly 600 subsidized housing units and administers more than 1,000 Section 8 Housing Choice Vouchers. Barb is currently active on the Community Action Partnership Board, Lancaster Equity Partnership Board, Crispus Attucks Advisory Committee, and is a member of the Order of Eastern Star. Her civic involvement in a diverse list of other organizations is quite lengthy including among others Lancaster City Council, Lancaster Housing Authority Board of Directors, YMCA Property Committee, Lancaster Osteopathic Health Foundation, and an impressive number of advisory and leadership positions with Franklin & Marshall College. Barbara is a mother of two and grandmother of three, whose passion is to encourage, uplift and empower others.

Please join us in welcoming the fresh perspectives that both Penny and Barbara bring to our PAHRA leadership.
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PAHRA and Vitruvian Leadership, LLC are pleased and excited to announce their partnership to provide our members with an opportunity for professional growth through a series of online Leadership Development workshops. You or members of your team can become L.E.A.D. Certified in a safe virtual environment without the hassle or cost of travel.

**Are you ready to take your career or your business operations to the next level?**
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- **Workshop Two: Improving Your Personal and Professional Style**
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- **Workshop Three: Improving Communication**
  - Culture of Safety • Increased Employee Engagement • The Performance Gap Facilitation • Conflict Resolution
- **Workshop Four: Developing a Team of Leaders**
  - Maxwell’s Level of Leadership • Recognizing Potential Leaders • Assessing Leadership • Mentoring & Coaching Leaders
- **Workshop Five: Purpose Driven Leadership**
  - Advocacy • Visioning & Inspiring • Panoramic & Dynamic Thinking • Cultivating a Winning Team • Putting It All Together

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With over 20 years of experience in the field, Vitruvian Leadership, LLC specializes in the development of dynamic leaders who lead with purpose, allowing their organizations to thrive within their marketplace or communities.

PAHRA and Vitruvian Leadership have collaborated to provide a consistent and measured program, a framework designed to align processes, ideals, and insights into complex and varied issues. The L.E.A.D. curriculum is a well-developed, highly interactive program promoting professional growth for seasoned managers, the newly hired or promoted, or those aspiring to become future leaders.

**Sounds Terrific! Tell Me More**

Each individual workshop will run approximately but no less than 4 hours, for a minimum of 20 hours training. Workshops will be geared for adult learning, conducted in a Zoom environment, including breakout rooms, group discussions, and more to encourage interaction and maximize interest.

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L.E.A.D. Certification including 20 hours of specialized training costs only $1,250 per person. An excellent investment. However, we are offering scaled discounts ranging from 10% - 20% for multiple attendees, and outstanding promotional deals in the form of Bronze, Silver, Gold, or Platinum level packages. In addition, those who register 10 or more participants will be offered the option for the entire workshop series to be delivered privately to your team.

**Contact** [kelly@pahra.org](mailto:kelly@pahra.org) or call 724-676-4446 to learn more about pricing or to reserve your seat.

**Sign Me Up!**

Our L.E.A.D. Certification program will be available in Spring 2021. Registration will begin after the New Year. Workshops will be held mid-March through early September, with sessions scheduled approximately 6 weeks apart. **Watch your email inbox for additional details and registration information.**
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ARE YOU SEEKING TO LEARN, DISCOVER & EXPLORE IDEAS & CONCEPTS BEYOND YOUR WORKSPACE & WORKPLACE?

ARE YOU INTENTIONALLY BUILDING & MOTIVATING A COHESIVE LEADERSHIP TEAM?

DOES YOUR 2021 VISION HAVE CLARITY, REINFORCING IMPROVED RELATIONSHIPS & TEAM PERFORMANCE?

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“The leadership workshops were great for our front-line supervisors. The material and content were perfect for our supervisory group and their level of engagement. Communication and cooperation inside that group have noticeably improved already. They have gained insight and ability in recognizing the diversity in other employees and their subordinates and how to best communicate and motivate them.”
Eric Reinert, Comptroller, Allentown Housing Authority

“Brian makes the atmosphere comfortable for open discussions and easy to ask questions. His enthusiasm is contagious and welcoming! He did an excellent job helping our team come together and feel strong as a team to lead our organization.”
Jamie Drawbaugh, Housing Director, Lancaster City Housing Authority

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PAHRA
Pennsylvania Association of Housing & Redevelopment Agencies
COVID Impact on the Natural Gas & Electric Markets

COVID has impacted the way we live our lives today in every way and the energy sector is no different. With more businesses and governmental agencies having their employees work from home or have temporary shutdowns the demand for energy dropped significantly from April through June. This was about a 20% reduction in energy consumption across the United States. Recently the reduction from 2019 figures are only down about 5% but this has caused Utilities & Energy Suppliers to re-evaluate their contracts and pricing models.

As clients and customers, we need to be aware of our contracts and how our change in energy consumption impacts both our current agreements and potential future contracts. Some suppliers put energy consumption bandwidths or swing language in their agreements to help protect them from client’s potential drops in usage or unexpected increases. This can cause you to pay for energy that you never consumed or overpay for excess energy used.

Chrislynn has pre-negotiated contracts with our network of suppliers in order to help protect our clients. If your current agreements have a bandwidth or swing provision, we can help negotiate with your supplier to protect you in the future months. As a Silver Partner of PAHRA, we would be happy to review any of your existing contracts in order to help.

Chrislynn Energy Services, Inc. has been helping PHAs procure lower natural gas and electricity rates in the Pennsylvania market for over 20 years. As a COSTARS approved Energy Consulting Vendor, CESI makes this process easy for the PHAs. We take the confusion out of the entire process. Chrislynn conducts the energy RFP’s, prepares a detailed pricing and savings analysis, helps negotiate supplier contracts in favor of our clients and manages the contracts throughout the process. Each year we can help the PHAs with HUD reporting in order to obtain the RRI’s.

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• Formed in 1986 as an independent energy consulting and development company.
• Manages natural gas and electric commodity supply for municipal & governmental entities.
• Has a team of Associates with over 100 years of combined energy industry experience.
• Manages a portfolio of annual energy purchases in excess of $1,000,000,000.
• Work directly for our clients, we are not affiliated with any utility or commodity supplier.

How can Chrislynn Energy Services Deliver Results & Energy Savings?
• Electric Generation Shopping Strategies
  We will shop your load with our network of 35+ suppliers, not only getting you the best price but also the right product and contract terms for your unique load profile.

• Natural Gas Procurement and Management
  We help our clients reduce volatility and ensure price stability and cost savings through a managed natural gas buying program.

• Pursue Energy Rebates (Act 129, Senate Bill 221 and HUD RRE)
  Monies are available from local utilities, state and federal funding for energy efficiency projects completed at your facilities. CESI can help you quantify and file for these funds.

• Capacity Cost Mitigation
  CESI can help you mitigate the impact of rising capacity cost charges on your overall electric costs. Capacity costs are calculated based on your contribution to the grid's highest peak demand intervals. We help our clients identify their contribution to those peaks, estimated future capacity costs, and formulate strategies to reduce their exposure.

COSTARS® Approved COSTARS Supplier

CESI has helped its clients maximize savings with the purchase and management of their gas, electric, demand response and rebate programs.

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Fax: 412.202.0294
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FEDERAL LEGISLATION, GUIDANCE & AUTHORIZATIONS

Federal Eviction Ban

On September 1st, the U.S. Center for Disease Control and Prevention (CDC) issued an order titled, Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19. Beginning September 4 through December 31, 2020 evictions are halted for nonpayment of rent. Tenants must sign and provide a declaration to their landlords that they meet the following conditions:

Tenants must attest that they have used all best efforts to obtain all available government assistance for rent on housing; expect to earn less than $99,000 per individual ($198,000 for a joint tax return) in 2020 or received an economic stimulus check; are unable to pay rent due to substantial loss of household income or extraordinary out of pocket medical expenses (more than 7.5% of adjusted gross income); are making best efforts to make timely partial payments; and if evicted, would likely become homeless or move into a crowded housing setting.

The order only halts evictions for nonpayment of rent and does not waive rent due. Tenants are still responsible for rent due and any penalties or fees associated with late rent. This order does not provide for new funding to help pay rent and directs states and HUD grantees to use the CDBG-CV, ESG-CV, and the Coronavirus Relief Funds they were granted as part of the CARES Act in March 2020 to fund rental assistance programs.

STATE LEGISLATION

November marked the end of the two-year legislative cycle in Pennsylvania. Per the PA Constitution, the General Assembly must end at midnight November 30. All bills not passed will need to be re-introduced next year if they are a legislative priority.

STATE HOUSING RELATED LEGISLATION

State Housing Tax Credit (SB 30) – PASSED – SB 30 establishes a State Housing Tax Credit modeled from the federal Low-Income Housing Tax Credit program. This legislation allows corporate or private investors to receive state tax credits on their investment in affordable rental housing. The dollars raised through tax credit investments make it possible to create and preserve low income rental housing. The legislation was passed with the authorization to allocate tax credits. Additional legislation will be needed to authorize the allocation of the tax credits. The passed bill is now Act 107 of 2020.

• PAHRA supported this legislation and participated in an advocacy day in June 2019 to show support.
• SB 30 was introduced March 21, 2019 and was signed by the Governor on November 3, 2020.

Accelerated Eviction (HB 71) – Amends the Landlord Tenant Act of 1951 and reduces (from 21 to 12) the number of days that a landlord must wait to request- and have executed an order of possession for a residential dwelling unit (after the court has ruled in favor of the landlord in an eviction proceeding). This legislation has been previously introduced in various legislative sessions.

• PAHRA is tracking this legislation, which passed out of the House Urban Affairs committee on May 14, 2019 and was set on the tabled calendar for November 2020.

Amendments to the PHFA Cares Rent Relief Program (HB 2868) – HB 2868 includes several amendments to the CARES Rent Relief Program. Legislative changes include an extension of the program deadline, removing the requirement that tenants be at least in arrears for 30 days, tying rental assistance to 130% of each county’s fair market rent, not requiring landlords to waive monies owed over rental assistance, and providing landlords with financial incentives to waive the remaining rent owed over the rental assistance, among other changes. The bill stalled. The Governor used his executive authority to extend the deadline of the program to November 4th, after its original deadline of September 30th passed, and to not require landlords to waive monies owed above the rental assistance of $750 per month. Applications submitted by the November 4th deadline will be processed and rental assistance is required to be paid out by November 30, 2020.

STATE BLIGHT RELATED LEGISLATION

Allowing RDA’s in municipalities under 10,000 (HB 1860) – PASSED – HB 1860 removes the restriction requiring 10,000 residents and lets any borough, township or municipality create a Redevelopment Authority (RDA). The passed bill is Act 58 of 2020.

• PAHRA opposed this legislation and sent a letter of opposition to the full Senate.
• This bill was introduced in the House in September 2019 and passed the House in January 2020.
• HB 1860 passed the Senate on June 30, 2020 and was signed by the Governor on July 14, 2020.

Improving Reporting at Tax Sales (HB 1559 and SB 775) – These bills will require a pre-registration process for all potential bidders prior to the sale. In addition, applicants will have to sign an affidavit stating they have no outstanding tax or municipal utility bills anywhere in the Commonwealth. Tax Claim Bureaus will also be required to provide a list of registered bidders to all municipalities prior to the sale.
• PAHRA testified in support of HB 1559 and SB 775 at a joint hearing of the Senate and House Urban Affairs committee on October 30, 2019.
• HB 1559 was voted out of the House Urban Affairs committee, referred to the Senate Urban Affairs committee, and was set on the House Calendar for November 2020.

Tax Abatement for Blighted Properties (SB 352) – PASSED - For the past decade, the state legislature through the work of the Blight Task Force, has created legislative solutions to address blight in rural and urban communities. The Housing Alliance has been working with communities to help implement these solutions and has seen significant progress. However, blight remains a chronic problem in communities and there is still more that needs to be done. This targeted tax abatement will make revitalizing blighted property more affordable for entities willing to engage in this development. The passed bill is Act 61 of 2020.
• PAHRA supported this legislation, which was introduced March 4, 2019, signed by the Governor July 14, 2020, and effective September 12, 2020.

Supporting Land Banks and Affordable Housing (HB 896 and HB 897) - Both HB 896 and HB 897 make resources available to Land Banks to help them better partner with communities to create more affordable housing and bring properties back into productive use. HB 896 and 897 will:
- Expand the power of existing land banks to enter into partnerships with organizations in the private sector to create local solutions to address the lack of housing for the homeless population within their communities and will exempt all land bank transactions from both state and local realty transfer taxes.
- Expand the eligibility criteria of the Neighborhood Assistance Program to include locations within land bank jurisdictions
• PAHRA is tracking this legislation, which has passed both the House Urban Affairs Committee and Senate Urban Affairs Committee.
• HB 896 was referred to Senate Appropriations June 2020.
• HB 897 was set on the tabled calendar in the House for November 2020.

Granting Land Banks Protections from Liability in order to Redevelop Brownfields (HB 1737) - This legislation would grant the same protections to land banks that are presently given to redevelopment authorities when they are dealing with brownfields. There are numerous former industrial or commercial sites such as gas stations, dry cleaners, junkyards and landfills throughout the state where the future use is clouded by environmental concerns. This change in law would allow land banks to own these properties and develop a re-use plan for them without worrying that it would have to take on the liability of enforcement action from the DEP.
• PAHRA is tracking this legislation, which passed unanimously in the House on January 22, 2020.
• HB 1737 was voted favorably out of the Senate Environmental Resources and Energy committee on September 3, 2020.
• First consideration in the Senate was held on September 3, 2020, and the legislation was laid on the table October 21, 2020.

Recording and Filing of Condemnation Orders by Municipalities (SB 940) – PASSED – A municipality that issues a condemnation order may record the order with the recorder of deeds. If recorded, the condemnation order shall be constructive notice to all purchasers and others who are responsible for the property. A municipality may recover the cost of recording a condemnation order for the tax sale proceeds or directly from the purchaser of the property. A properly recorded condemnation order shall be a lien on the property and shall not be affected by an upset sale, judicial sale or a repository sale of the property. The passed bill is Act 101 of 2020.
• Introduced November 18, 2019.
• SB 940 was signed by the governor on October 29, 2020. Earliest effective date is December 28, 2020.
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Harrisburg, PA 17101

PML.org
PHFA Provides Data about CARES Relief to Renters and Homeowners

The latest month showed a marked increase in the level of participation by landlords

After four months of administering CARES financial assistance for renters and homeowners, the Pennsylvania Housing Finance Agency is providing data about the performance of both programs, which started accepting applications on July 6. Both programs were extended by an executive order from Governor Tom Wolf on Oct. 5; the programs stopped accepting applications on Nov. 4.

Renters’ Relief

For the CARES Rent Relief Program (RRP), all 67 participating county organizations are asked to provide monthly data summaries, and the data from October are now available. A summary of key points from the data, current as of Nov. 1, provides these insights:

<table>
<thead>
<tr>
<th></th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications from Renters</td>
<td>10,073</td>
<td>16,886</td>
<td>20,926</td>
<td>20,453</td>
<td>68,338</td>
</tr>
<tr>
<td>Applications from Landlords</td>
<td>5,833</td>
<td>7,107</td>
<td>10,743</td>
<td>13,591</td>
<td>37,274</td>
</tr>
<tr>
<td>Renters Assisted</td>
<td>977</td>
<td>1,937</td>
<td>2,843</td>
<td>4,494</td>
<td>10,251</td>
</tr>
<tr>
<td>Landlords Assisted</td>
<td>289</td>
<td>1,356</td>
<td>1,986</td>
<td>3,334</td>
<td>6,965</td>
</tr>
<tr>
<td>CARES RRP Assistance Requested</td>
<td>$21,271,721</td>
<td>$32,232,047</td>
<td>$49,365,569</td>
<td>$66,667,448</td>
<td>$169,536,785</td>
</tr>
<tr>
<td>CARES RRP Assistance Disbursed</td>
<td>$712,006</td>
<td>$3,612,610</td>
<td>$5,534,330</td>
<td>$10,125,716</td>
<td>$19,984,662</td>
</tr>
<tr>
<td>CARES Funding Distributed to Counties by PHFA</td>
<td>$32,301,500</td>
<td>$17,223,000</td>
<td>$400,000</td>
<td>$2,100,000</td>
<td>$52,024,500</td>
</tr>
</tbody>
</table>

*The counties oversee the evaluation of all renters’ applications*

Homeowners’ Relief

PHFA is overseeing the processing of all homeowner applications for CARES assistance. A summary of the monthly data, current as of Nov. 1, provides these insights:

<table>
<thead>
<tr>
<th></th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications submitted</td>
<td>1,052</td>
<td>615</td>
<td>962</td>
<td>651</td>
<td>3,280</td>
</tr>
<tr>
<td>Assistance requested</td>
<td>$4,363,901</td>
<td>$2,584,413</td>
<td>$4,217,120</td>
<td>$3,062,860</td>
<td>$14,228,294</td>
</tr>
<tr>
<td>Assistance disbursed</td>
<td>$0</td>
<td>$0</td>
<td>$548,634</td>
<td>$1,377,829</td>
<td>$1,926,463</td>
</tr>
</tbody>
</table>

Of the PMAP application review decisions made to date, the approval percentage rate is 75%.

“The October data show a marked increase in the level of participation by landlords in the Rent Relief Program, so the extra month extension for CARES assistance did provide a considerable benefit,” said PHFA Executive Director and CEO Robin Wiesemann. “We’re grateful that extra time was provided to help more renters and homeowners apply for financial assistance. Stable housing is absolutely essential to help Pennsylvania families during this time of a slower economy and national health crisis.”

Background Information

The federal Coronavirus Aid, Relief and Economic Security (CARES) Act, passed in March, provided $3.9 billion for Pennsylvania. In late May, the General Assembly directed $1.75 million of these CARES dollars to PHFA to provide assistance for struggling renters and homeowners. The portion for rent assistance is at least $150 million, and $25 million was set aside for mortgage assistance.
PHFA PROVIDES DATA ABOUT CARES RELIEF TO RENTERS AND HOMEOWNERS (continued from page 18)

During June, PHFA quickly developed two detailed, statewide programs for distributing this financial assistance expeditiously to renters and homeowners in need, following legislative requirements. This effort included extensive coordination with the organizations in all 67 counties that are processing the renters’ applications. The CARES Rent Relief Program and the Pandemic Mortgage Assistance Program were both launched on schedule on June 29, as was required in the state CARES Act.

Resources for Applicants
Applicants with questions about the status of their request for rent relief should reach out to the organization in their county that is processing applications. A county contact list with phone numbers, emails and street addresses is available on the PHFA website at: https://www.phfa.org/pacares/rent.aspx.

Questions from homeowners about their PMAP application should be directed to PHFA. The agency’s webpage for PMAP advises applicants to respond quickly if they have been asked to provide supplemental information. Delays in submitting requested information may jeopardize assistance if enough time isn’t allowed for processing before the end of November. Learn more at: https://www.phfa.org/pacares/mortgage.aspx. The agency’s call center is available weekdays from 8 a.m. to 5 p.m. to assist the public and help with questions about PMAP. The toll-free number is 1-855-U-Are-Home (827-3466). Of course, PHFA is also getting calls from renters and is assisting them, too.

In accordance with the state CARES Act, this funding for renters and homeowners was required to be completely distributed by Nov. 30, 2020.
By the time you read this, the election will be over. But the COVID-19 pandemic - and all the illness, financial difficulty, and misery it has caused - will still be ongoing. You’ve all had to adapt, and keep on adapting, to these circumstances – whether by working remotely, creating additional cleaning and sanitation procedures to keep your workers and your residents safe, or finding partners to provide additional food resources for your families, WiFi and laptops for your children...the list goes on. For the past few months, NAHRO has been highlighting these stories of your dedication and creativity with our #HousersAtWork campaign – we hope to not only shine a light on the vital work you do, but also give your fellow agencies some ideas for other programs and initiatives.

But while we need to keep reacting and adapting, we also need to look ahead, and think strategically about what happens next. We've been thinking hard about both the current and future state of affordable housing, and about what Congress and HUD can do to stem the long-term impact of this public health crisis. We made some bold recommendations in a policy document called What Happens Next – Housing Beyond the Pandemic. The full document is available on NAHRO’s website, but I’ll outline some of the most important ideas below.

We Need New Housing Construction

Our nation’s already significant affordable housing crisis has been exacerbated by COVID-19. Permanently affordable housing must be a part of the solution. Since 1999, almost 300,000 permanently affordable units have been removed from the public housing inventory. NAHRO recommends that Congress fund the construction of 300,000 new replacement units across the country. PHAs can make these homes available at affordable local rents, and subsidize them with public housing subsidies, project- or tenant-based rental assistance, or state/local subsidies.

We Need New Permanent Voucher Assistance

Even before the pandemic, the Housing Choice Voucher program has been vastly underfunded. And now, with rising unemployment, the need is even greater. NAHRO recommends that the HCV program be expanded to cover every qualified individual – an estimated 8.2 million new vouchers -- and that funding should also be provided for program services such as search assistance, increased landlord engagement, and short-term financial assistance.

We Need Sufficient Public Housing Capital Funds

Chronic underfunding has placed the public housing inventory at risk, and Capital Fund appropriations lag dangerously behind accruing repair and modernization needs. NAHRO is asking Congress to fund the entire Capital Fund backlog, which we estimate at $70 billion.

We Need Funding for and Strengthening of Opportunity and Economic Mobility Programs

The pandemic has exposed the need for more resiliency in communities across the country. Housing and community development agencies are well-equipped to help make this happen. The Family Self-Sufficiency (FSS), Jobs Plus, Resident Opportunity and Self Sufficiency (ROSS) programs and Section 3 help public housing agencies provide residents with important supportive services, resident empowerment activities, and economic upward mobility. As the country reopens and residents who lost their employment due to the pandemic look to reenter the job market or explore new paths for themselves, these programs will provide welcomed assistance. Congress must provide additional program streamlining and funding to FSS, ROSS, Jobs Plus, and CDBG programs so that PHAs and CDAs can strengthen the programs and serve more residents.

We Need Permanent Program Flexibilities

The CARES Act has provided HUD with broad and sweeping statutory and regulatory waiver authority to allow PHAs to quickly meet the changing conditions on the ground. Re-imagined inspection protocols, document requirements for tenants, and reporting needs will help agencies in the future, just as they are helping them now during the pandemic. Congress and HUD must provide streamlined program oversight that allows PHAs and CDAs to be nimble and responsive to their community while diligently protecting precious federal funds.

NAHRO will be promoting these ideas, and others, with whomever is elected to serve the American people next year. This is an important moment for our country, and NAHRO will be there to help you navigate it.
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COURT OF COMMON PLEAS IN BEAVER COUNTY
RULES NO LIABILITY FOR HOUSING AUTHORITIES

Richard J. DeBlasio, Esq., In-house Counsel, HARIE

The purpose of this article is to briefly discuss the Opinion and Order of Judge Tocci in the Court of Common Pleas in Beaver County granting the Housing Authority of Beaver County’s Motion for Judgement on the Pleadings in relation to a lawsuit that was filed by a tenant (Plaintiff) alleging that the Housing Authority was at fault for having “bed bugs” on its property. The lawsuit was based on several legal theories.

As noted, in this matter, Plaintiff filed a Complaint alleging damages as a result of a bed bug manifestation at one of the properties owned and maintained by the Housing Authority of Beaver County. The Counts included:

1. Negligence;
2. Breach of the Implied Warranty of Habitability; and
3. Intentional Infliction of Emotional Distress (IIED)

One of the specific allegations included that a housing facility owned by the Housing Authority was infested with bed bugs, and despite treatment, the residences were “riddled” with bed bugs. Plaintiff further alleged that the Housing Authority “failed to adequately and promptly address” the bed bug manifestation “thereby enabling bed bugs to spread throughout the premises and causing [Plaintiff] personal, emotional and physical harm.”

Most importantly, Plaintiff alleged the Housing Authority “failed to take reasonable measures to accommodate the tenants with regard to the bed bugs.”

The Housing Authority filed a timely and responsive Answer/New Matter denying the material allegations and averring that the Counts listed above should be dismissed based on the Housing Authority’s sovereign immunity under the Political Subdivision Tort Claims Act in Pennsylvania as well as other legal basis. Additionally, the Housing Authority filed a Motion for Judgement on the Pleadings and Brief in Support of. Oral Argument was held on April 14, 2020 before Judge Tocci.

Specifically in its Brief, the Housing Authority argued that Pennsylvania’s state and federal courts have consistently held that Commonwealth housing authorities are among the Commonwealth agencies that are entitled to sovereign immunity. Further, unless the General Assembly has specifically waived sovereign immunity, the Commonwealth and its agencies are immune from suit. Additionally, the Housing Authority argued that because the “concept of warranty of habitability was adopted to address inequalities in the marketplace and public housing is anything but marketplace housing,” Pennsylvania courts have determined that there is no policy rationale to extend the warranty of habitability to public housing. Finally, the Housing Authority argued that a main element of IIED is “extreme and outrageous conduct.” At the very least, the Housing Authority hired a third party expert to treat the alleged manifestation; thus, this could hardly be considered “extreme and outrageous conduct.”

In her Opinion and Order, Judge Tocci granted the Motion for Judgment on the Pleadings agreeing with the Housing Authority’s arguments set forth in the Brief in Support of the Motion. Specifically, Judge Tocci agreed that injuries caused by bed bugs do not fall within any exception to sovereign immunity under the Political Subdivision Tort Claims Act. Thus, she found that Plaintiff’s negligence cause of action was barred. Next, she
found that the Implied Warranty of Habitation cause of action was waived as the Implied Warranty of Habitation is not available against a public housing entity due to the fact that housing authorities are limited in their negotiating due to the federal government “controlling” the contract. Finally, Judge Tocci dismissed Plaintiff’s IIED claim for failing to satisfy the “extreme and outrageous conduct” element. Here, Judge Tocci found that the Housing Authority did, at the very least, attempt to eliminate the bed bug manifestation at the property in question and that cannot be considered extreme or outrageous in any reasonable context. Thus, this Count was dismissed as well. Therefore, all Counts were dismissed against the Housing Authority of Beaver County.

Moving forward, HARIE and Excalibur believe we have a road map to defeat claims involving “bed bugs,” or any other transient insect or the like. It is important for housing authorities to provide this information to their solicitors. Further, HARIE and Excalibur, including myself, are available to discuss any potential issues you may have as housing authority.

This Opinion is a substantial victory for housing authorities across Pennsylvania given that “bed bug” claims have recently been filed against several housing authorities in Pennsylvania. HARIE and Excalibur continue to monitor and litigate these claims in order to stop burdensome litigation. Judge’s Tocci’s opinion is a great step in the right direction.

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**Note:** Bed bugs take 3-10 minutes to complete feeding

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**Life Cycle of the Bed Bug**

*Cimex lectularius*

- **Egg**
  - (1mm long)
  - Takes a blood meal then molts.

- **First Stage Larva**
  - (1.5 mm long)
  - Takes a blood meal then molts.

- **Second Stage Larva**
  - (2 mm long)
  - Takes a blood meal then molts.

- **Third Stage Larva**
  - (2.5 mm long)
  - Takes a blood meal then molts.

- **Fourth Stage Larva**
  - (3 mm long)
  - Takes a blood meal then molts.

- **Fifth Stage Larva**
  - (4.5 mm long)
  - Takes a blood meal then molts.

- **Adult**
  - (5.5 mm long)
  - Take repeated blood meals over several weeks. Females lay up to 5 eggs per day, continuously.
The Future of Fair Housing

Through two administrations, over 12 years, HUD has endeavored to change its approach to enforcing the Fair Housing Act (FHA) and its requirement for HUD and its grantees to affirmatively further fair housing (AFFH). During that time, regulations enshrined the Department’s interpretation of disparate impact in fair housing matters; the U.S. Supreme Court issued a decision upholding the use of a disparate impact standard in fair housing; and HUD issued a final AFFH rule, very complex instruments for grantees to use to assess fair housing issues, and established a web based data tool to use in assessing those issues and disparate impacts in their jurisdictions and regions. In the last 4 years, HUD suspended implementation of its new AFFH rule, withdrew the forms for grantees to use to assess fair housing issues, and made significant revisions to the latest final AFFH rule and the disparate impact rule. Ostensibly, these last changes were intended to eliminate burdens of the revised AFFH rule imposed on HUD and its grantees, and to conform HUD’s interpretation of disparate impact to the Supreme Court’s decision. Actually, these final revisions represented significant retreats in federal efforts to enforce the FHA, to apply a disparate impact standard in fair housing matters, and to make the pursuit of fair housing complaints much more difficult.

With the imminent installation of a new Democratic administration on January 20, 2021, retention of Democratic control of the U.S. House of Representatives, and control of the U.S. Senate in doubt until January 5, 2021, the state of fair housing regulations will likely remain in flux. At the moment, HUD’s final disparate impact rule published on September 24, and its final Affirmatively Furthering Fair Housing rule published on August 7 will both remain in effect, but it also seems very likely that those final rules will face further amendments as a new administration proceeds to implement its policy preferences. Although the Biden administration could choose to suspend implementation of existing final rules and publish new amended final rules without the notice and comment required by the Administrative Procedure Act, those steps would tend to institutionalize processes that many, including PHADA, consider illegitimate exercises of executive authority. Much more likely would be the amendment of existing regulations using the usual processes.

Democratic Party Platform Position

The published Democratic Party platform will inform positions the party takes under a new administration, with a new Congress seated. That document (https://bit.ly/3kyt45V) explicitly includes aggressive language that heralds an intention to take active steps to monitor and enforce FHA...

Article Highlights

- It is very likely that more assertive disparate impact and AFFH rules will emerge to replace the current rules.
  - The Democratic Party platform endorses a more aggressive approach to fair housing monitoring and enforcement.
  - The Biden-Harris policy position endorses reestablishing the Obama-Biden fair housing regulatory approach.

- In 2021, if HUD proceeds to amend disparate impact and AFFH rules using standard procedures:
  - There should be opportunities for public input on rules through Administrative Procedure Act processes.
  - There should be opportunities for public input on forms through the Paperwork Reduction Act process managed by the Office of Management and Budget.

- These procedures will consume significant time.

- PHADA will continue to advocate for:
  - Robust monitoring and enforcement of FHA and AFFH standards,
  - More effective implementation of AFFH obligations than occurred through HUD’s Analysis of Impediments approach,
  - HA participation in political jurisdictions’ development of local assessments of fair housing rather than preparation of their own individual assessments,
  - Elimination of requirements for regional fair housing analyses, and
  - Continued administrative support for HUD’s existing AFFH data and mapping tool.
requirements reaching beyond the scope of final rules published by HUD this fall.

**Biden-Harris Published Positions**
The campaign published a Plan For Investing In Our Communities Through Housing (https://joebiden.com/housing) that committed to:
- Ending redlining and other discriminatory and unfair practices.
- Providing financial assistance to help people buy or rent safe, quality housing.
- Increasing the supply, lowering the cost, and improving the quality of housing, and
- Pursuing a comprehensive approach to ending homelessness.

Concerning its fair housing commitment, the plan commits to, “Roll back Trump Administration policies gutting fair lending and fair housing protections,” among other things. The campaign has committed to, “implement the Obama-Biden Administration’s Affirmatively Furthering Fair Housing Rule,” as well as ensuring, “effective and rigorous enforcement of the Fair Housing Act....”

**What to Look Forward To**
Given the party platform and positions announced by the campaign, it seems inevitable that the final AFFH rule published in 2015 will likely be reinstated. It seems less clear what course a new administration may take concerning the disparate impact rule, but it certainly will include a more robust use of that standard than the approach announced in the September 24 final disparate impact rule. The details of these steps are not yet clear.

**PHADA’s AFFH Position**
Throughout the past decade of rulemaking and amendment, PHADA has (1) strongly supported a more robust approach to AFFH implementation to address critiques such as those included in a 2010 GAO report concerning HUD’s use of Assessments of Impediments, (2) argued that in significant details, the Obama Administration’s implementation of an AFFH rule was more administratively burdensome than necessary for both HUD and for its grantees and should be substantially simplified and streamlined, (3) argued that HUD’s inclusion of a requirement for a regional analysis of fair housing issues reaching beyond grantees’ jurisdictional influence was a fruitless exercise, and (4) argued that HAs, with little or no influence over many matters (school quality, transportation infrastructure, employment center location) HUD considered potential fair housing issues, should not be required to prepare an independent assessment of fair housing issues, but should participate in any analysis of fair housing issues within their jurisdiction(s) prepared by the appropriate unit of government. Although PHADA strongly objected to the disparate impact and AFFH final rules published since August, those final rules did successfully address several of PHADA’s longstanding concerns.

**Procedural Concerns**
Although HAs will see a resurrection of an earlier version of the AFFH final rule and may also see a revised disparate impact final rule, the processes for implementing such changes seem complicated. Reinstatement of the earlier AFFH rule should require rulemaking consistent with the Administrative Procedure Act, including publication of proposed changes; receipt, consideration, and reaction to public comments; and publication of a final rule that incorporates amendments resulting from those comments. Since HUD withdrew all of the forms related to implementation of the earlier AFFH rule, the Department must comply with the Paperwork Reduction Act procedure, publishing proposed forms, receiving public comments concerning those forms, amending proposed forms based on comments, and publication of amended final forms. Amended final rules published in 2020 represent the conclusion of an effort started in 2016, and so HAs and HUD may face another time consuming endeavor to accomplish “reinstatement of the “Obama-Biden administration’s Affirmatively Furthering Fair Housing Rule,” along with forms and data associated with that rule.

**Next Steps**
PHADA will remain engaged with HUD as the Department develops a third iteration of AFFH regulations, forms, procedures, and data, and possibly a third iteration of the disparate impact rule, and the association will keep its membership informed of potential changes. As the Department proceeds to reinstate earlier AFFH approaches, hopefully it will give PHADA’s concerns more serious consideration than it did in the past. PHADA remains committed to:
- Robust enforcement of the FHA,
- Implementation of AFFH procedures and standards that promise better outcomes than the earlier Analysis of Impediments approach,
- Development of an approach that does not burden HUD or HAs with tasks that divert vital resources away from core housing and fair housing work.
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Tom Wolf, Governor | Robin Wiessmann, Executive Director & CEO
PHFA Applauds Creation of Pennsylvania Low-Income Housing Tax Credit Program

Bipartisan support, and support from the governor, reflect awareness of the tremendous need for more affordable housing and its potential as an economic driver.

The Pennsylvania Housing Finance Agency applauds the passage of Senate Bill 30 and its signature into law, creating the Pennsylvania low-income housing tax credit (LIHTC) program.

The legislation was written by Senator Tom Killion and received strong bipartisan support in the General Assembly. It will mirror the federal LIHTC program established in 1986. That program allocates tax credits to the states that developers then use to raise capital for the construction of affordable rental housing. In exchange for receiving the tax credits, developers agree to keep rents affordable for a number of years in the apartments that are built. The federal program has been the main vehicle for financially supporting the construction of affordable housing for the last 34 years. The state program will operate in a similar fashion.

“I cannot emphasize enough how much a state tax credit program is needed to deliver affordable housing in Pennsylvania,” said PHFA executive director and CEO Robin Wiessmann. “Whenever we allocate federal tax credits, the demand always far exceeds the supply of tax credits we have available. At a time when a growing number of Pennsylvanians have to spend too much for stable housing, these state tax credits will be greatly appreciated.”

The Pennsylvania Housing Tax Credit Act (Act 107 of 2020) provides the framework for the Pennsylvania housing tax credit. It directs PHFA to establish guidelines and procedures for administration of the state tax credit to qualified affordable housing projects in conjunction with the agency’s current federal LIHTC program. While it does not provide an initial allocation of tax credit authority, it assures that the program will be ready when credits are made available.

“We want to thank all the housing advocates and affordable housing groups who came together in support for this important legislation,” Wiessmann added. “Federal tax credits have proven their worth for more than three decades by financing the construction of tens of thousands of affordable rental units here in Pennsylvania. Our thanks go out to state legislators and the governor for creating a similar program on the state level that will help us fulfill our ongoing housing mission.”
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REDEVELOPMENT AUTHORITY SERVES AS PIONEER FOR DOWNTOWN REVITALIZATION, ATTRACTING FUNDING SOURCES AT FHLBANK PITTSBURGH

By Fred Bañuelos, Community Investment Business Development Manager

The newly renovated Declaration House, formerly known as the Denver House, resides in the center of town on Main Street in Denver, Pennsylvania, where it’s home to 10 affordable housing units, social service offices, retail space and a medical center.

The new Declaration House, however, has come a long way from what it used to be.

Built in 1863, the iconic Denver House served as a welcoming venue for food and a clean place to stay for more than 150 years. In recent years, the property had become blighted to the point of condemnation. With the highest crime rate in the borough, it became an economic drag and hindered further downtown development.

That’s when the Lancaster County Redevelopment Authority (LCRA) stepped in. After the land was secured by REAL Life Community Services (REAL) and the Lancaster Housing Opportunity Partnership (LHOP), LCRA provided $600,000 in funding to jumpstart the project. Even with this initial investment and all the right partners at the table, the project was short $750,000 in funding to complete the $2.2 million renovation.

To close the funding gap, REAL partnered with Ephrata National Bank to apply for an Affordable Housing Program (AHP) grant from the Federal Home Loan Bank of Pittsburgh (FHLBank). The project was awarded the grant in 2018 and the Declaration House opened their doors to tenants on Sept. 1, 2019.

Not only did LCRA jumpstart the project through their initial funding; they also took the initiative and were successful in obtaining a grant on behalf of the project to fund on-site services for low- to moderate-income area residents. These funds were necessary to purchase medical and dental equipment, set up a two-year operating reserve and cover case management costs.

Now that the Declaration House is up and running, LCRA is leading another renovation project nearby which will turn the second and third floors of a Mexican restaurant into affordable townhomes. LCRA is confident more projects like this will take place in the years to come.

"The Lancaster County Redevelopment Authority was proud to partner with FHLBank Pittsburgh and many others to bring this exciting project to reality," said Justin Eby, Deputy Executive Director at LCRA. "The Affordable Housing Program was instrumental in not only creating needed housing units, but also helped kickstart other development projects in Denver's downtown."

LCRA has historically relied on HUD funding as their primary funding source. In the past few years, however, they’ve focused on other funding sources through nonprofit partnerships and foundations, such as FHLBank. Their presence has gained the trust of local governments, and has positioned them as the leader of affordable housing developments in downtown Denver and across Lancaster County.

FHLBank Pittsburgh’s AHP provides grants and subsidized advances for the acquisition, construction and rehabilitation of affordable housing for households with incomes at or below 80% of the area median income (AMI). Housing developers partner with FHLBank members to apply for AHP funding, which is offered through a competitive funding round each year. Grants are awarded to the highest scoring projects until the round’s funds are exhausted.

"Ephrata National Bank’s focus on reinvesting in the local community is also modeled by FHLBank through its Affordable Housing Program and other programs designed to bridge the gap in allowing individuals to obtain affordable housing or enter their very first home," said Scott E. Lied, Executive Vice President and Chief Financial Officer at Ephrata National Bank.
Lied continues, “The opportunity to personally serve as Chairman of the Capital Funds Committee for the Declaration House was a natural fit, which allowed Ephrata National Bank to use its resources and membership with FHLBank to benefit the local community. The pursuit of the AHP grant occurred during the height of fundraising, when things appeared the most difficult. The possibility of garnering the grant provided a second wind to this challenging effort. It truly was the AHP grant that ensured the completion of the project and was the highlight of the fundraising efforts. We thank FHLBank for their commitment to affordable housing and the lives that have been positively changed as result of their efforts.”

Today, the Denver House has a new name, a new look, and a tenant with a new start on life. When Patricia Dean saw her apartment for the very first time, she was full of emotions. "It's been a struggle on the family," Dean said. "It's been a struggle on our relationships, especially on the kids, so this was just a fresh start."

Dean, who has been staying with different family members, is excited for a stable environment for her kids and her own place to call home. "It just feels like a weight has been lifted off my shoulders," Dean said.

Out of the 10 affordable rental units, six are reserved for individuals or families with incomes at or below 50% of the AMI, with four other units designated for families with incomes between 51% and 60% of the AMI. Two units accommodate individuals with special needs.

"Real Life Community Service's mission statement is connecting the community to hope," said Rod Redcay, Executive Director of REAL Life Community Services. "And let me tell you there's nothing better than actually helping someone who is in need."

The FHLBank community investment team is ready to assist Redevelopment Agencies interested in AHP by helping them understand the application process and how AHP requirements can be incorporated into their rehabilitation workflow. Learn more about AHP at www.fhlb-pgh.com/ahp.
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UNCERTAINTY ABOUNDS REGARDING WHAT TO EXPECT IN THE NEW YEAR

As this issue goes to print, we cannot predict what 2021 may bring. Will we be facing a “dark winter ahead” as suggested by President-Elect Biden? Or will we finally be on the “road to recovery” as the new year begins?

Because we cannot forecast the future, PAHRA is moving forward with planning for the Capitol Conference, to be held at the Harrisburg Hilton on the scheduled dates of February 21-24, 2021. All the while keeping in mind that we may once again need to quickly transition to a virtual event, as was the case with our 2020 Annual Conference.

Following is an outline of our preliminary agenda as of December 1st. Please note that this schedule is subject to change as circumstances dictate. If we must transition to an online format, PAHRA plans to provide two days of condensed conference content followed by a scheduled series of webinars similar to the manner in which our 2020 Annual Conference and Seminar Series was presented this fall, which has been very well received.

Registration fees for a live event remain at our established rates. If it becomes necessary to move to an online platform, registration will be set at $100 per person, which will provide access to the virtual conference and all related materials, as well as the Seminar Series. Virtual conference registrations will be password protected.

Happy Holidays – and as you celebrate the season with family and friends, please stay safe and stay well.

MONDAY, FEBRUARY 22, 2021 CONCURRENT EDUCATIONAL SESSIONS INCLUDE:

- **What’s Happening in Washington?** – *Multi-Sessions*
  Join our NAHRO and PHADA leaders as they present their perspectives on current events in Washington, priorities of the incoming administration and how those may affect HUD, your agency, and the future of our industry. A second breakout session will provide the opportunity to get a bit more in-depth as to how we can work together to maximize positive legislative and regulatory impacts

- **Annual Legal Workshop** – *Multi-Sessions* – CLEs Available
  Focused on the ever-evolving and challenging field of Human Relations. Tentative topics include:
  - The Challenges of Managing Multi-Generational Workforces
  - The HR Life Cycle: Recruiting, Onboarding, & Succession Planning
  - Achieving an Acceptable Work-Life Balance

- **Repositioning Public Housing** – *Multi-Sessions*
  - Is Repositioning Right for You: Weighing Available Options & Making the Big Decision
  - Transitioning: The Effects on Your Finances & Your Residents

- **Pennsylvania’s Lead & Asbestos Hazard Initiative**
  PHFA, PA DCED and the Housing Alliance are partnering to develop and administer this program to reduce risks of lead and asbestos, and address toxins in schools, daycare facilities, homes, and public water systems

- **Diversity, Equity, Inclusion & Social Justice**
  An opportunity to engage openly, share experiences and personal perspectives on identifying and eliminating barriers, promoting social justice for all, and inspiring positive change in our communities

- **Adding to the Blight Fight Toolbox: Act 61 of 2020**
  This new legislation allows for the phase in of taxes on improvements to blighted properties. Reviewing how this and other blight fighting resources can be utilized successfully
TUESDAY, FEBRUARY 23, 2021 CONCURRENT EDUCATIONAL SESSIONS INCLUDE:

- **Coffee Talk: State Programs, Resources, Legislative & Budgetary Updates**
  Pennsylvania’s leaders in the H&CD industry discuss state policies, programs, and available resources, including their thoughts on current legislative and budgetary issues, how those may affect your agency and those you serve

- **HUD Capital Fund Program, CARES Act & Supplemental Funds – Multi-Sessions**
  Providing a comprehensive overview of practical knowledge, procedures, and other detailed guidance regarding the administration, obligation, expenditure and reporting requirements of CFP, CARES Act, and other supplemental funds

- **Virtual Reality: A PHA Case Study**
  Hear how a small housing authority located in a rural area went high tech. Learn how their use of available technology throughout their operations for contactless appointments, inspections, website interfacing, communication portals, is working for their staff and their residents

- **PA DCED Programs & Resources**
  Representatives from the Pennsylvania Department of Community and Economic Development will discuss available resources such as various supplemental funds provided through the CARES Act, CDBG-CV funds, Commonwealth Finance Authority Greenway, Trails and Recreation, and more

- **PREP: Prepared Renter Education Program – Multi-Sessions**
  A “train the trainer” format for those who work with consumers to help them prepare to rent and maintain suitable housing. PREP participants can bring the curriculum back to their agency to share with colleagues, residents, or prospective renters. Topics covered include:
  - assessing housing needs
  - navigating housing issues
  - budgeting for housing
  - locating affordable housing
  - understanding the leasing process
  - communicating with landlords
  - becoming a successful tenant

- **Redevelopment & Revitalization in PA**
  Our panel will discuss the legislative work of the Blight Task Force and House Urban Affairs Committee in their continuing efforts to provide resources that can assist with revitalization of struggling downtowns and older industrial neighborhoods

- **Redevelopment Roundtable**
  Join us to talk about all things redevelopment. Share experiences, discuss issues of the day, bring your war stories, consult on current challenges. Designed to be an open forum where nothing is off the table

WEDNESDAY, FEBRUARY 24, 2021 CLOSING PLENARY & BREAKFAST

- **Contact Tracing: Privacy vs. Protection**
  In the ongoing efforts to stop the spread of COVID-19 infections, contact tracing has become a hot issue. Learn more about exactly what it is, how it is used, amid concerns regarding personal privacy and security
This registration form applies to a live Capitol Conference only. Please note that PAHRA now accepts payments online. Email your registration form to kelly@pahra.org, then visit www.pahra.org and click the MAKE A PAYMENT button. (MasterCard not accepted)

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Cancellation: Please note that if circumstances dictate a cancellation of the in-person conference, PAHRA will transition to an online platform offering a Virtual Conference and a scheduled Seminar Series, for which registration will be set at a flat $100 per person, providing access to the Virtual Conference and all related materials, as well as the Seminar Series. Virtual conference registrations will be password protected.

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Reserve before February 1, 2021 to receive the PAHRA Group Room Rate of $180 per night single; $100 per night double. PAHRA Group Room Rate includes our “Grab & Go” breakfast Monday-Tuesday and full breakfast buffet Wednesday. Room reservations may be canceled through February 15, 2021 without penalty.

Email registration forms to kelly@pahra.org. Please copy and complete a separate form for each attendee. If not paying online, checks made payable to PAHRA should be mailed to:

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As the novel coronavirus (COVID-19) pandemic began making its way across the country in the Spring of 2020, Congress enacted the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act") to provide economic assistance to struggling individuals, companies, and state and local governments. Accordingly, the U.S. Department of Housing and Urban Development ("HUD") began offering CARES Act funds appropriated by Congress to public housing authorities ("PHAs") in the form of additional public housing and Section 8 funds to provide PHAs with support to mitigate the effects of the pandemic on their operations.

While HUD has issued guidance on eligible uses of the supplemental CARES Act funding for PHAs' traditional Housing Choice Voucher and public housing programs, how such funds can be used at former public housing properties that have converted to project-based assistance under the Rental Assistance Demonstration ("RAD") program is not as straightforward. The following is an overview of how CARES Act funds can be used at RAD converted project-based voucher properties, in the initial year of conversion and beyond.

(1) RAD-Converted Properties in the Initial Year

Under the RAD program, public housing units that convert to RAD continue to receive Operating Fund and Capital Fund Program grant funding under the public housing program as subsidy to RAD-converted units for the remainder of the calendar year in which conversion occurs. Section 8 funding under the RAD Housing Assistance Payments contract begins January 1 of the following year. Accordingly, HUD Notice PIH-2020-26 issued on September 18, 2020 gives PHAs discretion to provide any additional CARES Act money received from HUD as public housing Operating Fund to RAD-converted properties for the remainder of their initial year of conversion.

This additional CARES Act money provided as public housing Operating Fund must be expended by December 31, 2020 and must go toward an immediate need at the RAD property. Such funds can be used for operating expenses, capital expenses identified in the property's development budget and certain costs related to combatting COVID-19. To receive the funds, the owner of the RAD property must provide the PHA with a request for funds for an eligible project expenditure and, upon receipt, immediately expend those funds for that use, then report to the PHA on the expenditure of those funds.

(2) RAD-Converted Properties after the Initial Year

But what about properties that converted to RAD in previous years—are they also entitled to CARES Act funding support to address COVID-19-related issues that may arise? Unfortunately, HUD has not issued guidance that addresses in detail whether RAD-converted properties after the initial year of conversion are entitled to CARES Act funding and what sorts of expenses at such properties would be eligible for CARES Act money. HUD Notice PIH-2020-04 (April 28, 2020) provides that properties receiving project-based vouchers that are "PHA-owned" may receive CARES Act funding from PHAs in the form of additional Section 8 administrative fees for cleaning supplies or services to maintain safe and sanitary units and common areas and for public health-related security costs to enforce stay-at-home orders or visitor restriction policies due to the COVID-19 pandemic. But other uses of CARES Act funds received as additional Section 8 administrative fees at such PHA-owned properties require HUD's permission.

HUD Notice PIH-2020-04 does not define what it means for a property to be "PHA-owned", though it is reasonable to assume that HUD intended to reference the definition of "PHA-owned units" under HUD's project-based voucher regulations issued at 24 CFR Part 983. By that definition, not all RAD properties are PHA-owned, even where a PHA provides subsidy to units at the property and maintains some ownership stake in the property. For example, HUD would not consider a RAD property to be PHA-owned where a PHA has ground leased the property to an entity that the PHA does not own or control even though the PHA continues to own the ground through the ground lease. HUD Notice PIH-2020-04 does not address whether CARES Act funding can be provided to RAD properties that are not PHA-owned after the initial year of conversion.
The upshot is that RAD properties that are not PHA-owned and that are beyond the initial year of conversion must first seek HUD permission prior to expending any CARES Act funds. Without further published guidance from HUD on whether CARES Act funding may be spent at such RAD properties beyond the initial year in which the property converted to RAD, owners will find it difficult to budget for COVID-19 related expenses and PHAs will be forced to seek and await HUD permission before providing these properties with CARES Act funds. This inefficient case-by-case approach only compounds the chaos that RAD properties and PHAs face from the COVID-19 pandemic.

If you are interested in learning more about how CARES Act funding may be used by PHAs at RAD properties, please contact Alec Stone (email: ajstone@foxrothschild.com; phone: 412-391-2523) or Michael Syme (email: msyme@foxrothschild.com; phone: 412-391-2450).

Michael H. Syme is a partner in the Real Estate Department of Fox Rothschild LLP and focuses his practice on affordable housing and mixed-finance development.

Alec J. Stone is an associate in the Real Estate Department and centers his practice on low-income housing and complex development financing.

Fox Rothschild LLP (www.foxrothschild.com) is a full-service law firm of more than 900 lawyers in 27 offices coast to coast.
Joe Kohut
In the Spotlight

By Leo A. Murray, HARIE Media Consultant

HARIE Board of Directors’ Vice-President Joseph Kohut has the unique distinction of having served two terms as president of the Pennsylvania Association of Housing and Redevelopment Agencies (PAHRA) – 16 years apart.

He also has the distinction of being the only one to be able to make that claim.

In October, Mr. Kohut relinquished the reigns on his second presidential term to fellow HARIE Board member and Treasurer Daniel Kanuch. Numerous HARIE Board members past and present have served as president of PAHRA, including current HARIE Board President Ed Christiano, and Altoona Housing Authority Executive Director Cheryl Johns. This speaks well for HARIE’s belief in and long-term support of the PAHRA association.

Mr. Kohut has had a long and successful career in housing. Over his four decades in housing, Mr. Kohut has been an administrative assistant and a Section 8 Coordinator, culminating in his appointment in 1991 as the executive director of the Wayne County Housing Authority, where he currently oversees the overall day-to-day operations of that agency which covers both Wayne County and Pike County.

As Mr. Kohut reflected back over his two terms as PAHRA president, he noted that he has seen substantial growth and diversity in PAHRA, both of which he said bode well for the organization and its members. "It's much bigger than it was 18 years ago," he said. "There's more involvement."

But Mr. Kohut's second term was no walk in the park. The second half of his 2020 term was a logistic nightmare, having been forced to cancel both the spring and the fall PAHRA conferences because of the ongoing coronavirus pandemic.

The organization itself became a virtual staging area as members around the state were looking for guidance while the pandemic caught nearly everyone flatfooted. Regular meetings were held virtually, Mr. Kohut said. Of course, members were sharing information on how to handle the coronavirus within the housing projects they oversee, passing information on as it became available.

"We came through it with flying colors," said the former president. He was very quick to point out that PAHRA Executive Director Kelly Hicks was a very good point person, having frequently dispensed information and updates to members as it became available. "She did a great job," Mr. Kohut said.

Left to Right: Ed Christiano, HARIE Board President; Chuck Volpe, Excalibur Insurance Management Services CEO; HARIE Attorney-in-Fact; Joe Kohut, PAHRA Immediate Past President
The strength of any organization comes from its sponsors. And that is generally the case with PAHRA.

Mr. Kohut specifically cited PAHRA partners for their unwavering support, especially in the wake of the pandemic. These partnerships and sponsor support are the foundation for many PAHRA operations, especially the training conferences and their Monitor publications. Their financial support makes these important member benefits possible.

He thanked PAHRA’s Platinum Partner, HARIE, and Gold Partner, Chrislynn Energy, Inc., for their commitment to continue their support in spite of the two cancelled conferences. "They supported us 100 percent when we needed it most," Mr. Kohut said.

There’s not likely to be a third term for the former high school basketball standout from Carbondale, for he said he is eying retirement so he can spend more time with his grandson, Freddie, whom he called his “savior”. In addition to Freddie, Mr. Kohut has a daughter, Megan, and a son Jason. Mr. Kohut tragically lost a son, Joe, four years ago. He and his wife Donna reside in Carbondale.
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Cyber Security, the Dark Web, & You

Did You Know?

*The Dark Web is a hub for illegal activity where cyber criminals go to buy and sell stolen credentials. In fact:*

- Dark Web use has increased by more than 300% in the last 3 years
- More than 75% of the dark web consists of ID theft forums and black market sites
- In Q1 of 2020 over 73.2 million user records hit the Dark Web

The World Wide Web:

The World Wide Web, at its core, is the very fabric through which we conduct business in today’s society. From sending emails to handling sensitive data on a daily basis, modern companies leverage web-enabled tools to service their communities. That being said, the World Wide Web is just as expansive and intricate as it sounds – with many corners often unexplored by the average user.

The best way to imagine the structure of this virtual environment is to picture an iceberg floating in the ocean. There are 3 main parts to understand:

- **The Surface Web:** At the tip of the iceberg, above the water, is the surface web. This is what typical people use to access the common search engines like Google, Bing or Yahoo, along with any easily indexed site across the web. Surprisingly enough, the Surface Web only accounts for 4% of the sites on the internet.
- **The Deep Web:** Right below the tip of the “World Wide Web” iceberg, is the largest component of its structure, the Deep Web. The Deep web is the layer most commonly used for government networks, university research groups, and private peer-to-peer networks.
- **The Dark Web:** At the very bottom of the iceberg, lies the Dark Web, or the portion of the internet most commonly used by cyber threat actors for a multitude of criminal activity. Being the final 6% of the internet, the sites on this area of the web are not easily indexed, and often times become the breeding ground for data breaches via ID theft forums and dark marketplaces.

Public Sector Under Attack:

The numbers tell all: local government has seen a 50% increase in cyber-attacks towards the end of Q3 beginning of Q4 of 2020. With the rise in remote teleworking, the attack surface of a network has increased, putting a major strain on the preexisting infrastructure and cyber security protocols. This has left countless administrations vulnerable to the evolving cyber threats skillfully crafted by hacktivists, rogue nation states, and for-profit cyber criminals. For this reason, it is important to be sure that organizations shore up their defenses in the face of unprecedented cyber security risk.
There Is No Silver Bullet:

There is no silver bullet to ensuring that your network will never get breached. While you can invest in the right infrastructure, ensure the proper configurations, and keep up to date on the latest and greatest technologies, the biggest threat to any network will always be the end user – you and your team members!

Right around 98% of all data breaches require an aspect of social engineering at some point in the process. Whether its convincing an financial administrator that money must be wired to a fraudulent account, or sending an email that tricks a user to click on malicious links, these messages are often times carefully targeted and routinely successful at manipulating their way in. With that in mind, the number one action that all administrators should take is to comprehensively train your staff in proper cyber hygiene, and maintain a sense of proactive awareness around your organization’s overall cyber security posture.

Complimentary Dark Web Study:

50% of organizations have had a data breach caused by third party information theft.

To do our part in the community, we are happy to provide any administrators with a complimentary dark web study to detect if any credentials related to your organization’s domain have been compromised or put at risk.

For your free analysis, simply email housingtech@infradapt.com and use the subject line “Dark Web Study”, and we will reply with a full report on anything we are able to find!

Additional Resources for Your Authority:

Infradapt is committed to the professional development of public sector administrators regarding IT best practice. Guided by industry leading organizations such as NIST, CompTIA, CompTIA ISAO, SANS, etc., our team constantly keeps abreast of breaking news, evolving cyber threats, and best practices to engage the public sector community in meaningful ways.

Below is a link to a cyber security training seminar session that Infradapt conducted earlier this month in partnership with PAHRA that goes more in depth on the cyber security “Who What, Where, & Why” that every administrator should know.

Webinar & Resource Link: Infradapt.com/housingtech

We also encourage administrators to maintain a dialogue with us by mailing housingtech@infradapt.com to be included on any breaking news, special offers, and MuniciTech training articles that we release over the year.

About the Author: Nate Kline, Senior Account Executive, 13+ Years in Forming Public Housing IT Partnerships

Mr. Kline brings over thirteen years of industry experience to the table. His background includes all the Company’s core sales functions, including lead cultivation, presales support and engineering, relationship and account management, technology and business reviews, solution design, and solution presentations. Mr. Kline is experienced with serving public sector agencies and has overseen turnkey private cloud transitions and environment remediation for over 100+ organizations to date. Mr. Kline has been recognized as a presenting speaker on multiple occasions regarding cyber security best practices.
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COVID-19, Seniors & Sidewalks

Steve Compo,
General Manager

We were just walking . . .

Let me start by saying, the 1st Quarter of 2020 started out with a BANG!

In southeastern Pennsylvania, at least, our winter was mild, therefore business was good (especially when our work is outdoors), and the rest of the year looked bright. Then, the pandemic we call COVID-19 reared its ugly head.

Let me see a show of hands: who had to alter a birthday, wedding, funeral, graduation party, their anniversary or a vacation due to COVID-19?

Yep, me, too. The BIG 5-0, this past May! My wife planned a trip with friends to Munich for Oktoberfest but had to promptly reschedule for 2021. Fingers crossed, that is.

What did we do instead? Like most everyone else – we sheltered in place, we tried our hand at baking (the oddest ingredients were missing from the grocery shelves, right?)!, even joined ‘conga lines’ of cars (celebrating anything and everyone just to get out of the house), drew on our sidewalks (never did that before), and we took walks (and walks, and more walks. My family and I even hiked part of the Appalachian Trail).

Whether we were walking or hiking, learning to skateboard, riding our bikes or skipping, my three daughters would often reference the condition of the sidewalks in our neighborhood. Ana, who’s six, would point and say, “Dad, you have to fix that one, someone’s going to trip.”

All my girls know what I do and expect that I will fix everyone’s sidewalks - just because. I then had to explain how life works, and although I would love to make everyone’s sidewalks safe, not everyone wants my help.

When my wife and I would set out on our early morning walks, we’d often march through our local housing authority’s senior site (shout out to Bucks County Housing Authority) on our way to neighboring community walking paths. Let me tell you, the seniors at the Grundy House are a pretty active group!

Our discussions would naturally turn to some of the ailments one of us was feeling at that moment, or, more specific, my sore shoulder or heel. Well, it finally hit me. I’m almost a Senior! Geez, how did that happen?!

Becoming a Senior . . .

A quick reference to the National Council on Aging (NCOA), the National Safety Council (NSC) or even the Centers for Disease Control and Prevention (CDC) websites will shed insight on important issues us ‘almost Seniors’ and those a few years older than us should consider:

❖ Be Proactive with your Health
Chronic diseases account for 75% of the money our nation spends on health care, yet only 1% of health dollars are spent on public efforts to improve overall health. Whether you are a 40-something, turning the corner at 50, already retired or somewhere in between, be conscious of your health. Life gave you plenty of curveballs which you overcame. Being a Senior means, “You Got This.”
Stay Physically Fit
Every 11 seconds, an older adult is treated in the emergency room for a fall; every 19 minutes, an older adult dies from a fall. Although I work out with an 80-year-young lady, Marguerite, you don’t have to be a CrossFitter to be fit. Something as simple as going for a walk will help.

Have a Purpose
One in four older adults experiences some mental disorder including depression and anxiety disorders, and dementia. Continue to have a reason why you get up in the morning. Being a Senior means you have abilities and experiences that can help others.

Go for a walk . . .
Initiating a walking routine is something that is quite easy to start, simple to maintain and quite inexpensive. Some benefits of a walking program satisfy the points noted earlier, including:

- Improve Heart Health and Lower Your Blood Sugar
  Taking a walk after eating a meal helps manage the spike in blood sugar. Additionally, if your heart rate is elevated, this reduces the risk for high blood pressure and other heart ailments.

- Strengthen Your Core and Legs
  Start slow and engage your core muscles. It’s obvious, when walking you use many muscles in the legs, however, you are also engaging abdomen and back muscles. As you progress, reducing the time it once took you to walk a designated course boosts your endorphins, too!

- Grab a Friend
  Walking with a friend promotes social interactions, and by encourage others to start you’ve achieved a purpose. Walking groups often schedule events at different sites to curtail their walks from becoming monotonous. Although I didn’t know it at the time, my retired neighbor Jim used to walk with me to push the pace for him.

So I’ll ask, ‘How are your sidewalks?’
When asked to submit an article for the Monitor, I wanted to write about the year that was 2020, how the pandemic impacted us all, and how sidewalk usage has increased.

When I came to grips that I’m creeping towards being a Senior I feel, more than ever, that I need to continue to take care of myself as the statistics are stacked against us as we age - with a compounding effect.

When it comes to the service we provide, I’ve been told by my physical therapist that our repairs save lives. I thought his statement was far-fetched, but after listening to his rationale, and doing a little research I agree, and I’ve tried to share this knowledge today.

In subsequent conversations with our employees, I quickly realized there are more stories supporting the need for better managed walkways, and it starts with you and me.

Over the course of reading this article you’ve probably thought about a resident, co-worker, friend, neighbor, parent or a grandparent who is elderly and may have tripped. I truly hope they simply just skinned a knee or had a bruised ego, and are well today, however, statistics tell us otherwise.

Always Safe Sidewalks better manages walkways by taking a systematic approach to bringing your sidewalks in compliance with the Americans with Disabilities Act (ADA) standards through unparalleled assessments and patented repairs.

On a side note, that’s me with the Fedora celebrating with friends. Fingers still crossed we can make it to Munich next year!
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Learn more about the Affordable Housing Program at www.fhlb-pgh.com/ahp.
PAHRA expresses our sincere appreciation to our PAHRA Partners and Friends of PAHRA for your continued and generous support of our association, our members and our mission. Thank you!

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