

## **Statement of Principles and Practices Regarding Recertification and Business Practices**

The Boards of Directors of Boston Tremont HDFC and Phipps Houses Services, Inc., hereby agree that Boston Tremont HDFC and Phipps Houses Services, Inc. (collectively, “Phipps”) will conduct Section 8 recertifications for tenants residing in the Lambert Houses<sup>1</sup>, consistent with the following principles and practices, for the two-year period beginning February 3, 2025 (the “Effective Period”):

### *Statement of Principles*

1. Notwithstanding anything to the contrary in this document, Phipps will continue to adhere to applicable federal, state, and local laws, rules, regulations, and practices (collectively, “Applicable Law”), including but not limited to the U.S. Department of Housing and Urban Development (“HUD”) Handbook and the Low-Income Housing Tax Credit (“LIHTC”) program. None of the commitments expressed in this document shall be construed to require Phipps to take any action that Phipps reasonably and in good faith understands would contravene Applicable Law, or to limit Phipps’s rights or obligations under Applicable Law.
2. Phipps is committed to pursuing the successful recertification of all Lambert Houses tenants. Phipps agrees that it is in the best interests of both Phipps and Lambert Houses tenants that all tenants successfully recertify, if eligible, to retain stable housing in the Lambert Houses.
3. Phipps will work to make the recertification process as accessible as reasonably possible to all Lambert Houses tenants, including those with limited English proficiency and/or disabilities.
4. Phipps will work cooperatively with Lambert Houses tenants and HUD to apply for retroactive recertification and subsidy reinstatement, and to seek retroactive arrears from HUD, to the maximum extent reasonably possible.
5. Phipps reaffirms its commitment to, in good faith, helping Lambert Houses tenants successfully recertify without resort to Housing Court. In instances where Housing Court proceedings arising from a tenant’s failure to recertify are required by Applicable Law, or when Phipps has determined it must commence such proceedings because it has engaged in comprehensive, good faith efforts to secure recertification and those efforts have failed, Phipps reaffirms that it will, in good faith, seek to resolve such proceedings without serving an eviction warrant.
6. Phipps will make its policies and practices with respect to recertification as transparent to Lambert Houses tenants as reasonably possible, and will consider feedback on those policies and practices provided by the tenants.

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<sup>1</sup> Lambert Houses are located in Bronx, New York 10460 at:

- i. 994 E. 180th Street;
- ii. 997 E. 179th Street;
- iii. 1026 E. 180th Street;
- iv. 2075 Boston Road;
- v. 1015 E. 179th Street;
- vi. 1005 E. 179th Street;
- vii. 1016 Bronx Park South;
- viii. 2123 Boston Road;
- ix. 1013 E. 180th Street;
- x. 2114 Bryant Avenue; and
- xi. 2080-2082 Boston Road.

7. Phipps will provide robust training of its staff that is consistent with the principles and practices outlined in this document, which serves the best interests of both Phipps and Lambert Houses tenants.

*Recertification Procedures:*

1. Except to the extent that the Recertification Procedures in this section relate to the on-site Lambert Houses Management Office, these Recertification Procedures may be carried out by Phipps and/or any third-party recertification vendor, notwithstanding any reference to “Phipps” in any particular Recertification Procedure. To the extent any such Recertification Procedures are carried out by such a third-party recertification vendor, Phipps will provide that vendor with a copy of, and/or training on the content of, this document.
2. The Lambert Houses Management Office will hold and publicize reasonable hours during which it will provide in-person assistance to tenants, and will make appointments for in-person assistance reasonably available.
3. Phipps’s recertification-related notices will comply with applicable HUD requirements with respect to both content and timing.
4. Recertification and other notices will provide a contact number or email address that will be responded to promptly during business hours (and in no event later than two business days after the call or email).
5. Phipps’s written communications to tenants about documents that are missing from recertification submissions will be consistently rigorous in identifying, in good faith and in Phipps’s reasonable judgment, the documents that remain outstanding. Where a tenant is recertifying for multiple years, Phipps’s written communications will break down the documents year by year.
6. Phipps will continue to track the tenant documents that it receives, and will instruct any recertification vendor to continue to do the same.
7. Phipps will instruct any recertification vendor to provide a list of all documents that remain outstanding to any tenant whose request is received by the vendor. Tenants may also request a list of outstanding documents in person at the Lambert Houses Management Office, or by making a request using the contact information provided in recertification notices. If a tenant makes such a request to Phipps through other channels, and Phipps learns of the request, Phipps will use best efforts to steer the request to the appropriate channel for a response.
8. Phipps will request in the first instance no more than the bare minimum of documents that are required, in Phipps’s reasonable, good-faith judgment, by Applicable Law, and will instruct its recertification vendor to do the same. To the extent additional documents are, in Phipps’s or its recertification vendor’s reasonable, good-faith judgment, needed under Applicable Law, Phipps or its recertification vendor will request such documents in writing. When additional documents are needed for multiple recertification years, the request will specify for which year each document is required.
9. Phipps will not require that documents be notarized except where notarization is required by Applicable Law.
10. For income verification for tenants whose only source of income is federal benefits, the federal award letter suffices.
11. Phipps will make a tenant’s files (including all recertification documents that have already been submitted) available to that tenant for review or copying by appointment, which tenants may

request to schedule. Phipps will provide a tenant-friendly version of the tenant's rent ledger upon request.

12. Phipps will provide scanning services in the Lambert Houses Management Office for electronic submission of tenant documents to Phipps's recertification vendor, by appointment, which tenants may request to schedule.
13. For any tenant who has not completed recertification through Phipps's recertification vendor, Phipps will utilize a "Special Intervention Process" ("SIP"). This Special Intervention Process will involve, at a minimum: Individual outreach to each such tenant through all reasonable methods of communication before deeming a tenant unresponsive (including but not limited to, where available, phone call, text message, email, and a knock on their door); repeated offers to assist the tenant with recertification (including remotely and in-person at the Lambert Houses Management Office or in the tenant's home for disabled tenants); providing a list to the tenant of all recertification documents that remain outstanding, broken down by year where applicable, as well as all documents that have already been submitted; providing the tenant a tenant-friendly version of the tenant's rent ledger; reasonable inquiry into whether the tenant requires language translation or disability accommodations and, if so, reasonable provision of those services; reasonable inquiry into whether the tenant requires a case manager or other social services referrals; and identification of a specific individual who will serve as a point of contact for the tenant. Phipps will document steps taken in connection with the Special Intervention Process.

#### *Language Access*

1. Phipps will continue to make Spanish-speaking staff available to assist tenants during business hours.
2. Phipps will provide Spanish-language versions of the following categories of documents:
  - a. first, second, and third recertification reminder notices;
  - b. "additional documents" notices;
  - c. the Model Lease (provided during a tenant's initial lease-signing); and
  - d. Applicant's/Tenant's Consent to the Release of Information.The Spanish-language versions of these documents may include some tenant-specific information in English, and will provide directions, in Spanish, about what tenants should do if they need the English-language material translated to Spanish.
3. Phipps will, in good faith, consider creating Spanish-language versions of additional categories of standardized documents, including, in particular, documents that notify tenants regarding changes to their subsidy or rent amount.
4. Phipps will, in good faith, endeavor to add a standard message to Phipps-generated English-language recertification communications providing directions, in Spanish, about what tenants should do if they need assistance in Spanish.
5. Phipps will provide a language line for tenants who speak a language other than English or Spanish, which tenants can access by calling the Lambert Houses Management Office or going in person to the Lambert Houses Management Office and requesting that Phipps call the language line.
6. Phipps will notify tenants that the language line is available in a manner reasonably calculated to be understood by tenants with limited English proficiency.

### *Disability Access*

1. Phipps will continue to adhere to Applicable Law, and nothing in this section is intended to contravene Applicable Law.
2. Phipps will notify tenants, in a manner reasonably calculated to be understood by the tenants, as to what kinds of disability accommodations are available during the recertification process and how to request them, including by designating a specific email address and/or phone number to which accommodation requests should be directed.
3. Phipps will make accommodations related to the recertification process available for a range of disabilities, including mobility-related, visual, hearing, intellectual/developmental, cognitive, and/or mental health.

### *Publicization to Tenants*

1. Phipps will mail or cause to be mailed this document and the accompanying FAQ to all tenants in the Lambert Houses and to any new Lambert Houses tenants within 60 days of move in. Phipps will also provide copies of these documents to Lambert Houses tenants and attorneys and family members of Lambert Houses tenants, in person at the Lambert Houses Management Office and upon request by email. If these documents are updated, the documents that are distributed will be the updated versions.

### *Filing Lawsuits Against Tenants Who Have Not Successfully Recertified*

1. To the extent that tenants are eligible to, but do not, recertify for any given year, Phipps will avoid commencing Housing Court proceedings arising from such failure to recertify against them without first pursuing in good faith the Special Intervention Process described above, and securing the Phipps general counsel's (or appropriate designee's) determination that the SIP was followed and litigation is authorized.
2. Any Housing Court petition or rent demand prepared by or on behalf of the Phipps Defendants will endeavor to comply with all legal standards, including, where applicable, by appropriately identifying the time period for which arrears were calculated and appropriately applying rent payments, to the extent reasonably possible given Phipps's existing data systems. After serving or filing any such petition or rent demand, the Phipps Defendants will endeavor to make appropriate amendments to conform them to rental payments as needed.

Notwithstanding any of the foregoing points in any of the foregoing sections, any commitment by Phipps to provide in-person services is subject to, and may be suspended or limited by, Applicable Law concerning in-person work and/or gatherings, and to Phipps's reasonable, good-faith judgment concerning the health and safety of its staff and of Lambert Houses tenants.