



Commonwealth of Massachusetts

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

Memorandum

To: DMHRSP Administering Agencies & Service Providers
From: Cecilia Woodworth, Assistant Director of State Programs
Subject: **DMHRSP Inspection Policy**
Date: July 28, 2022
cc: Tara O'Neill-Rosales, Director, Division of Rental Assistance
Maryssa Schneider McLean, Deputy Director
Stephanie Kan, AHVP & DMHRSP Coordinator
Thomas Timms, State Rental Assistance Programs Assistant
DMH Central Office & Area Offices

This memo provides clarification and modifications to the Inspections section of the Department of Mental Health Rental Subsidy Program (DMHRSP) Guidance (p42, Section VII. E). *These updates are in italics below.*

For Tenant based units:

- Regarding p43, *only Board of Health (BOH) inspections or HQS inspections performed by an AA (or by a vendor contracted by an AA) are acceptable. Inspections completed by another third party inspection company and DMH Community Licensing cannot be accepted. HQS performed by another AA (or by a vendor contracted by another AA) can be accepted.*
- Regarding p43, the AA (or its contracted vendor) may offer to perform an HQS inspection at its discretion, such as when it is not possible for the Property Owner (PO) to obtain a BOH inspection promptly. *The AA may charge the PO a comparable fee for performing the HQS inspection.*
- Inspections are only required prior to occupancy.
 - Regarding p44, although compliance with the State Sanitary Code continues to be required for the entire duration of occupancy, *subsequent inspections and the confirmation of continued valid inspection for the duration of occupancy are no longer required*, except in cases of complaint or violation.
 - Once initial inspection of a new unit is passed, *AAs are no longer expected to check with the inspecting agency and document in file* so that it is clear at any given time whether a valid inspection is still in place, including when a certificate or report indicates a specific expiration or reinspection date.
 - For example, if a new Tenant based unit passes an initial HQS inspection performed by the AA, then subsequent inspections are not required (regardless of any specific expiration or reinspection date listed on the initial report), except as warranted by a complaint or violation.
 - Per the Voucher Payment Contract (Section 4(d)(i)), the PO confirms that the unit continues to meet State Sanitary Code, etc. by the acceptance of each month's payment.
- The Lead Certificate and all other policies in the Inspections section of the DMHRSP Guidance (except for those outlined above) continue to apply to all units.

For Sponsor based to Tenant based Conversion units in certain situations:

- Regarding p43, for new Clients entering the program directly into Tenant based participation or if transitioning from Sponsor based to Tenant based participation but in a different unit, a new inspection is required and *only Board of Health (BOH) inspections or HQS inspections performed by an AA (or by a*

vendor contracted by an AA) are acceptable. Inspections completed by another third party inspection company and DMH Community Licensing cannot be accepted. HQS performed by another AA (or by a vendor contracted by another AA) can be accepted.

- Regarding p43, for new Clients entering the program directly into Tenant based participation or if transitioning from Sponsor based to Tenant based participation but in a different unit, the AA (or its contracted vendor) may offer to perform an HQS inspection at its discretion, such as when it is not possible for the Property Owner (PO) to obtain a BOH inspection promptly. *The AA may charge the PO a comparable fee for performing the HQS inspection.*
- Inspections are only required prior to occupancy.
 - Regarding p44, although compliance with the State Sanitary Code continues to be required for the entire duration of occupancy, *subsequent inspections and the confirmation of continued valid inspection for the duration of occupancy are no longer required*, except in cases of complaint or violation.
 - Once initial inspection of a new unit is passed, *AAs are no longer expected to check with the inspecting agency and document in file* so that it is clear at any given time whether a valid inspection is still in place, including when a certificate or report indicates a specific expiration or reinspection date.
 - For example, when a client is transitioning from Sponsor based to Tenant based participation but in a different unit and the new unit passes an initial HQS inspection performed by the AA, then subsequent inspections are not required (regardless of any specific expiration or reinspection date listed on the initial report), except as warranted by a complaint or violation.
 - Per the Voucher Payment Contract (Section 4(d)(i)), the PO confirms that the unit continues to meet State Sanitary Code, etc. by the acceptance of each month's payment.
- There is no change to the inspection requirements for when a Sponsor based client transitions to the Tenant based program while remaining in the same unit (p42-43).
- The Lead Certificate and all other policies in the Inspections section of the DMHRSP Guidance (except for those outlined above) continue to apply to all units.

For Sponsor based units:

- There is no change to the inspection requirements for Sponsor based DMHRSP units (p42). New unit inspections prior to occupancy as well as annual inspections by DMH Community Licensing continue to be required and AAs must continue to confirm valid inspection in place and document in file. The Lead Certificate and all other policies in the Inspections section of the DMHRSP Guidance continue to apply to all units.

Please contact Stephanie Kan, AHVP & DMHRSP Coordinator, at Stephanie.Kan@mass.gov or 617-573-1222 with any questions or concerns.