



The Housing Conference
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UPCS-V Update

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Uniform Physical Condition Standards for Vouchers (UPCS-V) Protocol

Version 2.5

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Purpose

- The U.S. Department of Housing and Urban Development (HUD) developed the Uniform Physical Conditions Standards for Vouchers (UPCS-V) Protocol to provide Public Housing Agency (PHA) staff, Inspectors, Owners, and Tenants with an improved method for the inspection for the inspection of Housing Choice Voucher(HCV) program Units. Additionally, HUD intended for the UPCS-V Protocol to provide HUD, Owners and Tenants a deeper insight to the condition of HCV Units.

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Purpose (cont.)

- The UPCS-V Protocol establishes a set of standards and procedures for the Inspector to follow when conducting an inspection of an HCV Unit utilizing the UPCS-V Protocol. These standards reduce subjectivity and create an objective approach for thorough and effective inspections. Additionally, the application of an electronic inspection platform with data sharing capabilities increase HUD's ability to adequately assess the physical condition of HCV Units.

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Roles and Responsibilities

- The PHA is responsible for adopting the UPCS-V Protocol and enforcing all UPCS-V Protocol processes, procedures, and requirements
 - Administrative Plans
 - Tenancy Approval
 - Incorporate Amenities in Calculating Rent Reasonableness
 - Local Variances

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Roles and Responsibilities

- The PHA is responsible for adopting the UPCS-V Protocol and enforcing all UPCS-V Protocol processes, procedures, and requirements
 - Schedule Inspections
 - Devices and equipment
 - Deficiency Repair Verification
 - Abatement Procedures

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Roles and Responsibilities

- The **PHA** is responsible for adopting the UPCS-V Protocol and enforcing all UPCS-V Protocol processes, procedures, and requirements
 - Termination of HAP Assistance
 - Enforce Administration Procedures
 - Maintain Confidentiality
 - Maintain Records

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Roles and Responsibilities

The **Inspector** is responsible for participating in any HUD-required training on or related to the UPCS-V Protocol, and may volunteer to participate in any such optional training opportunities

- Conduct Inspections in accordance with the UPCS-V Protocol, to include recording all defects, regardless of pass or fail status. The inspector must perform objective, factual visual assessments to ensure consistency of inspections by utilizing the UPCS-V Protocol. The Inspector must use an electronic handheld device such as a tablet or smartphone to conduct the inspection

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Roles and Responsibilities

The **Owner** is responsible for maintaining the HCV Unit in accordance with the UPCS-V Protocol or higher. The Owner will receive a detailed report of inspection results. The Owner must also:

- Comply with the terms of the lease throughout the duration of the lease
- Cooperate with the Tenant by responding promptly to requests for needed repairs or maintenance
- Cooperate with the PHA on Initial, Biennial, and Special Inspections, including correcting deficiencies within the prescribed timeframe

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Roles and Responsibilities

The **Tenant** is responsible for complying with the terms of the lease and helping to keep the HCV Unit safe and sanitary. The tenant will receive a detailed inspection report of inspection results. The Tenant must also:

- Cooperate with the PHA on Initial, Biennial, and Special Inspections, including correcting deficiencies attributed to the Tenant within the prescribed timeframe
- Correct UPCS-V deficiencies within the timeframe established by HUD that are a result of:
 - Failure to pay for Tenant-supplied utilities
 - Failure to supply appliances(s) required by the lease
- Damage to the HCV Unit caused by the Tenant or the Tenant's guests

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Types of Inspections

Initial Inspections

- HCV unit must pass the UPCS-V before the execution of the assisted lease and HAP contract
- Inspection must be conducted within 15 days

Biennial Inspections

- Every two years

Special Inspections

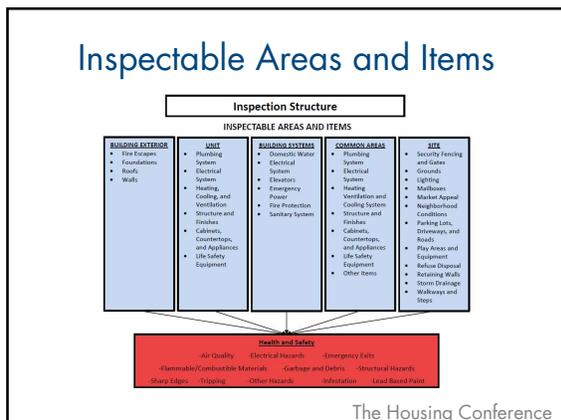
- Complaint
- Quality Control

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Inspection Structure

- Building Exterior
- Unit
- Building Systems
- Common Areas
- Site

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- ## Health and Safety
- Air Quality
 - Electrical Hazards
 - Emergency Exits
 - Flammable/Combustible Materials
 - Garbage and Debris
 - Structure Hazards
 - Sharp Edges
 - Tripping
 - Other Hazards
 - Infestation
 - Lead-Based Paint
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- ## Types of Defects
- Recordable defects are categorized into levels of severity: Level 1 (L1) Minor Defect, Level 2 (L2) Major Defect, and Level 3(L3) Significant Defect. Based on the Inspectable item and severity, defects are classified in two ways:
 - Observations-Defects that are noted but do not result in a fail status
 - Deficiencies-Defects that are noted and result in a fail status
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Life Threatening (LTE) or Emergency Deficiencies

- Depending on the number of the condition, Deficiencies can also be classified as LTE. If a Deficiency is classified as LTE, it **MUST** be addressed within 24 hours
- Emergency Deficiencies are defined as conditions that do present an imminent probability of serious injury, but if left unchecked for 24 hours, the condition would likely lead to a health and safety hazard directly affecting the Tenant. Emergency Deficiencies may also cause undue burden on the tenant if the Deficiency is not repaired or mitigated for 30 days
- All LTE Deficiencies **MUST** be reported to the Owner and Tenant immediately for all inspections. The responsible party **MUST** mitigate all Deficiencies within 24 hours. The PHA **MUST** then verify all LTE Deficiencies have been corrected within the required timeframe. All other defects should be noted and included on the final report once the PHA is able to return to the HCV Unit and complete the inspection

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Common LTE Deficiencies

Common LTE Deficiencies
Life-Threatening Deficiencies
Gas (natural or liquid petroleum) leak or fumes
Electrical hazards which could result in shock or fire
Inoperable or missing smoke detector
Inoperable or missing carbon monoxide detector
Gas/oil-fired water heater/HVAC with missing or misaligned chimney
Missing or expired fire extinguishers (where required)
Lack of alternate means of exit in the event of fire or blocked egress
Emergency Deficiencies
Missing entry door
HVAC system fails to meet established criteria for emergency heating or cooling with consideration for ambient temperature range and ventilation
Absence of at least one functioning sink and toilet in unit
No working refrigerator
No working stove/oven or other method of heating/preparing food
Major plumbing leaks or flooding
Utilities not in service (e.g., electricity, gas (LP/natural), water or oil)
No running hot water
Structural integrity condition where the building, or a component of the building, is in imminent danger of potential collapse

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Local Variances

- HUD can approve the PHA's use of Local Variances to the UPCS-V Protocol. These variances usually consider local code, climatic, and geographic conditions.
- The PHA's use of Local Variances may only be approved by HUD, and only if the variance meets or exceeds UPCS-V without unduly limiting the amount and types of rental housing available. HUD will not approve the PHA's use of a Local Variance if the change is likely to adversely affect the health or safety of the Tenant or severely restrict housing choice

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Inspection Outcomes

Pass

- An HCV Unit is considered to be in "Pass" status when an inspection is completed and the following conditions are met:
 - The HCV Unit does not present any unresolved UPCS-V Deficiencies

Fail

- The HCV Unit presents one or more unresolved UPCS-V Deficiencies (section 5.4 Fundamental Requirements)
- An inspection remains incomplete for more than 72 hours

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Inspection Outcomes

Unsuccessful

- An inspection is "Unsuccessful" when an inspection cannot start because either: The responsible party is not available for the inspection; or Unsafe conditions prevent the Inspector from starting an inspection

Incomplete

- An inspection is "Incomplete" when an Inspector arrives on site and begins the inspection but the inspection is interrupted. Examples of interruptions include, but are not limited to: Malfunction of the electronic Data Collection Device (DCD) software; Inspectable Areas not accessible; or A disconnected utility does not allow the Inspector to verify if one or more Inspectable Items are functioning properly

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Pre-Inspection

Scheduling Inspections

- The PHA must schedule each of the three types of inspections: Initial, Biennial, and Special (Quality Control and Complaint Inspections). All three types of inspections may result in re-inspections if the Inspector identifies Deficiencies
- The PHA must schedule Initial Inspections in accordance with HUD's HCV program requirements. The PHA must schedule Biennial Inspections, Special Inspections, and all resulting re-inspections in accordance with SEMAP requirements
- When scheduling Complaint Inspections, the PHA must schedule inspections for ITE Deficiencies as quickly as possible after receipt of a complaint, and cannot delay scheduling beyond the next business day

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Pre-Inspection

Rescheduling Inspections

If an Inspector needs to reschedule an inspection for any reason, the Inspector must do so at the earliest opportunity possible. This allows the other participants in the inspection to adjust their schedules accordingly

The Inspector should not cancel inspections within 72 hours if possible. When an inspection is scheduled to begin within 72 hours, an Inspector should only reschedule an inspection for acceptable reasons. Acceptable reasons include severe weather conditions, incapacitating illness, or other emergencies of a rare and unusual nature

Similarly, if the Owner or Tenant needs to reschedule the inspection, they must contact the PHA at the earliest opportunity possible

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Required Inspector Equipment

- The Inspector must use a DCD to conduct all UPCS-V inspections. A DCD is a stand-alone tablet or smartphone that can be used to record, upload and download data files, and submit conditions of HCV Units into a centralized HUD database using UPCS-V compliant software. The DCD must have a built-in camera to photograph Deficiencies
- To meet HUD guidelines, the PHA must use a software that adheres to the UPCS-V Protocol and HUD's reporting requirements and is compatible with their DCD.
- The Inspector must use certain required devices to conduct a UPCS-V inspection. These required devices include: Distance measuring device (such as a tape measure); Lighting device (such as a flashlight); and Circuit analyzer

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Inspection Sequence

Building Exterior

- Weather-permitting, the Inspector is recommended to inspect the Building Exterior prior to moving inside the Unit. This is important to help the Inspector identify areas on the inside of the Unit that may be negatively impacted by exterior conditions. For example, if an Inspector identifies roof damage, the Inspector knows to inspect for potential water damage on the ceiling of the unit associated with the roof damage

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Inspection Sequence

Unit

- The Inspector is recommended to start on the highest floor of an HCV Unit and navigate through the rest of the HCV Unit while identifying paths of travel for egress. Prior to entering a room for inspection, the Inspector should take a broad perspective of the room and visually examine the entire room from the ceiling to the floor
- The Inspector should record a defect as soon as the Inspector observes it when conducting the inspection. The Inspector should consistently conduct all inspections following the same routine to minimize overlooking defects. For example, when inspecting any room or space, the Inspector starts on the right of the space and/or room entrance and moves in counterclockwise direction to observe all Inspectable Items

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Inspection Sequence

Building Systems

- The Inspector should verify that the Building Systems component to be evaluated is associated with the HCV Unit. The Inspector should only consider Building Systems components associated with the HCV Unit under inspection; the Inspector should not consider Building System components not associated with the HCV Unit

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Inspection Sequence

Common Areas

- The Inspector must stay within the Common Area boundaries of the inspection when evaluating Inspectable Items

Site

- The Inspector must stay within the Site boundaries of the inspection when evaluating Inspectable Items

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Recording Defects

- The Inspector must record all defects on the DCD at the time the Inspector observes the defect. Once the inspection is complete, the Inspector must submit DCD data to a central HUD location where the information is archived, checked, and reviewed for quality assurance

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Photographing Deficiencies

- The Inspector must photograph all Deficiencies. The Inspector may, but is not required to, photograph Observations. The PHA must ensure that photographs: Contain date and time stamps; Clearly depict the cited Deficiency; Include an item for scale, as necessary, such as a ruler to identify the size of the condition; and Omit depictions of any personally identifiable information and depictions of individuals present at the inspection, such as the Inspector, Owner, or Tenant
- In the event a photograph is not taken of a Deficiency or a photograph is not uploaded to the DCD with the Deficiency, the Inspector must indicate the reason for not taking a photograph. Figure 2 depicts a decision-making process flowchart for an Inspector to determine when to take a picture of a Deficiency

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Lead-Based Paint

Roles and Responsibilities

PHA

- The PHA is responsible for ensuring staff are thoroughly trained about the requirements for lead-based paint so inspection activities are properly executed and questions from Owners about processes and requirements can be adequately addressed. Additional responsibilities include the following: Ensuring visual assessments are conducted for deteriorated paint surfaces in target units at initial and biennial inspections; Ensuring that clearance examinations are conducted following stabilization of areas greater than de minimis

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Lead-Based Paint

Roles and Responsibilities

PHA

- Clearance examinations shall include a visual assessment, dust sampling, submission of samples for analysis for lead in dust, interpretation of sampling results, and preparation of a report. Soil sampling is not required under the clearance examination. Carrying out special requirements for children under age six who have environmental intervention blood lead levels as verified by a medical health care provider; Collecting data from the local health department on program participants under age six who have identified environmental intervention blood lead levels; Informing owners of lead-based paint regulations especially those related to prohibited and safe work practices, tenant protection during lead-based paint activities, and notification requirements; and record keeping

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Lead-Based Paint

Roles and Responsibilities

Owner

- The Owner is responsible for Disclosing known lead-based paint hazards to all potential Tenants prior to execution of a lease. The Owner is also responsible for providing all prospective Tenants with a copy of Protect Your Family from Lead in Your Home or other EPA-approved document (the Owner is to keep the original, the PHA must keep a copy of the disclosure notice executed by the Owner and Tenant in the tenant file)

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Lead-Based Paint

Roles and Responsibilities

Owner

- Additional responsibilities of the Owner include: When necessary, performing paint stabilization to correct deteriorated paint; Notifying tenants about lead hazard reduction activities and if required, clearance examinations, each time paint stabilization is performed; Conducting lead hazard reduction activities when required by the PHA; Performing all work in accordance with HUD-prescribed safe work practices and conducting clearance examinations when required; and Performing ongoing maintenance
- As part of ongoing maintenance, the owner must provide written notice to each assisted family asking occupants to report deteriorated paint. The notice must include the name, address, and phone number of the person responsible for accepting the occupant's complaint

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Lead-Based Paint

Visual Assessment for Deteriorated Paint

- During the conduct of initial and biennial inspections of pre-1978 units that are occupied or will be occupied by families with children under six years of age, the PHA must ensure that a visual inspection for deteriorated paint surfaces is conducted at these locations:
 - All unit interior and exterior painted surfaces associated with the assisted unit; and
 - Common areas associated with the unit such as common hallways, access and egress areas, playgrounds, child-care facilities, or other areas including fences and garages frequented by children under age six.

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Visual Assessment for Deteriorated Paint

- Deteriorated paint surfaces are defined as interior or exterior paint or other coating that is peeling, chipping, flaking, cracking, is otherwise damaged or has separated from the substrate of the surface or fixture. The visual assessment may be conducted by a PHA Inspector or other party designated by the PHA, but all inspectors must be trained in visual assessment in accordance with procedures established by HUD.

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Lead-Based Paint

Stabilization of Deteriorated Paint Surfaces

- When the visual assessment inspector identifies deteriorated paint surfaces, the PHA must notify and require the owner to perform stabilization of the surfaces within thirty (30) days of notification in occupied units, and before commencement of an assisted tenancy. When weather conditions prevent stabilization of deteriorated paint surfaces on exterior surfaces within the 30-day period, stabilization may be delayed for a reasonable time.
- Owner requirements for compliance with a PHA's paint stabilization notice differ, depending upon the amount of deteriorated paint surface to be corrected. The use of lead-safe work practices during paint stabilization activities are required when deteriorated paint surfaces are above de minimis levels.

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Lead-Based Paint (cont.)

De minimis deteriorated paint surfaces are as follows:

- 20 square feet on exterior surfaces
- 2 square feet on an interior surface in a single room or interior space
- 10 percent of individual small components (e.g., window sills) on the interior or exterior
- Owners must perform paint stabilization on all deteriorated paint surfaces regardless of the size of the deteriorated surface. Paint stabilization is defined as: Repair of any physical defect in the substrate of the painted surface or building component; Removal of all loose paint and other loose material from the surface being treated; and Application of a new protective coat of paint to the stabilized surface.
- If the amount of deteriorated paint is below the de minimis level, the owner must perform paint stabilization. Owners are not required to perform lead-safe work practices and clearance.
- Correction of deteriorated paint above de minimis levels requires owners to perform additional activities to gain compliance with HUD lead-based paint requirements, including: Conducting the stabilization activities with trained staff; Employing acceptable methods for preparing the surface to be treated; Protecting the occupants and their belongings from contamination

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Lead-Based Paint

Requirements for Children with Environmental Intervention Blood Lead Level

- HUD has defined environmental intervention blood lead level as a confirmed concentration of lead in whole blood equal or greater than 20 ug/dL (micrograms of lead per deciliter) for a single test or 1519 ug/dL in two tests taken at least three months apart in children under age six
- Ongoing Maintenance

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Upcoming Events

- Two IT Industry Days (only for PHAs that are participating in the beta-testing demonstration)
 - July 26, 2017, Los Angeles, CA Field Office
 - July 28, 2017, Portland, OR Field Office
- Next Conference Call: October 2017

For further information, question or concerns contact:

- HUD / REAC: Oversight and Evaluation Division (OED)
 - OED@hud.gov

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Q & A

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