



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

**Texas Section 811 Project Rental Assistance Program
Request for Damage Reimbursement Policy and Owner/Agent Certification**

This certification must be submitted in order to make a request for reimbursement for expenses associated with repairing damage caused by a tenant participating in the Section 811 Project Rental Assistance Program (Program), in accordance with the Risk Mitigation Fund (RMF) Policy and Procedures. Requests for reimbursement are optional and subject to approval and funding availability.

Damage Reimbursement Policy

1. Properties must have an executed Rental Assistance Contract with the Program to request damage reimbursement.
2. Properties must first cover expenses associated with the repair of damage on the applicable Program Unit by drawing from the tenant's security deposit or other funds provided by or on behalf of the 811 PRA Program tenant (Tenant).
3. The Property must submit their request for reimbursement using the Damage Reimbursement Request Form from the Texas Department of Housing and Community Affairs (Department). All repair expenses must be itemized, and evidence of amounts paid must be submitted with each request for reimbursement.
4. Request for reimbursement must include all of the following:
 - A. Damage Reimbursement Request Form;
 - B. Copy of the original lease and any subsequent leases signed by the Property and the Tenant;
 - C. Evidence security deposit was applied to debt,
 - D. List of itemized damages and cost to repair each;
 - E. Third party invoice for repairs, or property charge sheet if completed in-house;
 - F. Photo documentation:
 - a. For damage incurred February 1, 2021- December 1, 2021: two sets of pictures required: those reflecting the damage taken before repairs were made, and those taken after the damage was repaired; and
 - G. Executed Owner/Agent Certification (see page 4 of this document).
5. Requests for reimbursement must be uploaded to the Property's Section 811 Program Serv-U account (the account used to receive referrals from the TDHCA Point of Contact), and an email must be sent to the Program Waiting List Lead Kaitlin Devlin (kaitlin.devlin@tdhca.state.tx.us) once all items are uploaded notifying that a request for reimbursement has been submitted.
6. Requests for RMF reimbursements by a Property must be received by the Department no later than December 1, 2021 (subject to Department extension) and pertain to expenses



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incurred for the repair of damages during the following time period: February 1, 2021-December 1, 2021. **While this request for reimbursement is under review, the Property agrees to not report a Tenant to a collection agency nor take other adverse action against a Tenant, such as reporting an account as past-due to a credit reporting agency.** For the reimbursements paid by the Department, the Property agrees not to report a Tenant to a collection agency, nor to take other adverse action against a Tenant.

7. Damage Reimbursements are not funded through Section 811 Project Rental Assistance funds, therefore properties should not submit Damage Reimbursements requests as part of their TRACS voucher. Damage Reimbursements are not an allowable cost of the Section 811 Project Rental Assistance funds and any such requests submitted via TRACS will not be authorized or paid.

Eligible Costs

Normal costs of “turning over” a unit after a Tenant vacates are not eligible expenses and may not be included on a damage reimbursement request. The costs an owner incurs for the basic cleaning and repairing of such items necessary to make a unit ready for occupancy by the next tenant are part of the costs of doing business. The following list reflects items typically attributable to routine use or “normal wear and tear” and are therefore not eligible expenses to be reimbursed. Unit damage that are the result of a Tenant’s abuse or negligence that are above and beyond normal wear and tear, are eligible expenses. The list below provides examples, but not an exhaustive list, of eligible expenses.

Normal Wear and Tear on the Unit (Examples of Ineligible Expenses)	Tenant Damage to the Unit (Examples of Eligible Expenses)
<ul style="list-style-type: none"> • Fading, peeling, or cracked paint • Slightly torn or faded wallpaper • Small chips in plaster • Nail holes, pin holes, or cracks in wall • Door sticking from humidity • Cracked window pane from faulty foundation or building settling • Floors needing coat of varnish • Carpet faded or worn thin from walking • Loose grouting and bathroom tiles • Worn enamel in fixtures • Rusty shower rod • Partially clogged sinks caused by aging pipes • Routine replacement of appliances, carpeting, and/or fixtures 	<ul style="list-style-type: none"> • Gaping holes in walls or plaster • Drawings, crayon markings, or wallpaper that owner did not approve • Chipped or gouged wood floors • Doors ripped off hinges • Broken windows • Missing fixtures or other supplied items • Holes in ceiling from removed fixtures • Holes, stains, or burns in carpet • Chipped and broken enamel in bathtubs and sinks • Inoperable plumbing • Excessive damage to appliances, carpeting, and/or fixtures that warrant their replacement outside the normal schedule of replacement.



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Prohibited Costs

1. The following expenses are ineligible:

- A. Tenant's security deposit;
- B. Tenant pet deposit;
- C. Rent Loss – Program does not pay rent from this fund;
- D. Late Fees;
- E. Expenses to enable the return of a deposit to a tenant;
- F. Normal Wear and Tear on the Unit;
- G. Alterations made to the Section 811 PRA Program Unit as part of a reasonable accommodation or modification request;
- H. Expenses that exceed \$3,000;
- I. Expenses submitted for damage incurred outside of the eligible reimbursement period (February 1, 2021- December 1, 2021); and
- J. Requests for RMF reimbursements by a Property received by the Department after the request deadline of December 1, 2021.



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Owner/Agent Certification

The undersigned, representing the Property indicated, hereby certifies, to the best of their knowledge and belief that all statements and representations made in the Damage Reimbursement Request Form and through associated submitted documentation are true. No funds reflected in the request for reimbursement have already been repaid to the Property by payments from the Tenant, a deposit, or another third party.

I understand that fines and imprisonment up to five years are penalties for making a false, fictitious, or fraudulent statement or entry in any matter within the jurisdiction of the federal government. (18 U.S.C. §1001).

Property Name: _____

Property Address: _____

Tenant Name: _____

Unit Number: _____

Name of Signatory: _____

Signatory Title: _____

Signature: _____

Date: _____