



Special Claims
with
Tara Appleby, INQ



Indiana Quadel Consulting 

**Owner Agent Update
Conference**
April 18-19, 2017


Indiana Quadel Consulting, LLC
10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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Special Claims

*Offset Financial Loss and
Maximize Your Approvals*

Indiana Quadel Consulting, LLC
10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885


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Today's Topics

- Resources
- 515/8 Project Eligibility
- Submission & Reimbursement Requirements
- Common Causes for Adjustments and/or Rejections

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885




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Special Claims Resources

- Special Claims Processing Guide, HSG-06-01
https://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/guidebooks/HSG-06-01
- Special Claims Processing Guide FAQ
<https://portal.hud.gov/hudportal/documents/huddoc?id=DOC-14970.pdf>
- Original HAP Contract & Related 24 CFR Section


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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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General Resources cont.

- INQ Special Claims Checklists
- HUD form 52670-A Part 2, Schedule of Special Claims
- HUD form 52671-C, Section 8 Special Claims for Regular Vacancy
- HUD form 52671-A, Special Claims for Unpaid Rent & Damages

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885


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More Special Claims Resources

<p><u>VACANCY</u></p> <ul style="list-style-type: none"> • Affirmative Fair Housing Marketing Plan (AFHMP) • Tenant Selection Plan 	<p><u>DAMAGES</u></p> <ul style="list-style-type: none"> • HSG-06-01 App. 5C Tenant Damage vs. "Normal Wear & Tear" • HSG-06-01 App. 5D Life Expectancy Chart
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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885




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Initial Eligibility Tests

- Guidelines provided at top of each INQ Special Claims Checklist
- Submit only those that pass
- If no eligible claim, do not include on HUD forms

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 Fax: 317-656-8885

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Special Case: 515/8 Projects

- HUD Headquarters confirmation October 2015
515/8 Projects *may* be eligible for all vacancy and debt service claims under certain conditions.

YES, to all below? Contract is eligible

- Original loan paid in full
- Section 1.6 of original HAP Contract indicates eligibility
- Property meets all requirements in 24 CFR 884.106 (found on HUDClips)

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Indianapolis, IN 46204
Tel: 317-656-8808 Fax: 317-656-8885


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Submission Requirements

<p>VACANCY</p> <ul style="list-style-type: none"> • HSG-06-01, Chapter 3, Section 3-3 • HSG-06-01, Chapter 3, Section 3-5 • HSG-06-01 citations from HH 4350.3 Rev-1 • INQ Checklist, and all referenced items 	<p>UNPAID RENT & DAMAGES</p> <ul style="list-style-type: none"> • HSG-06-01, Chapter 5, Section 5-3 • HSG-06-01, Chapter 5, Section 5-5 • INQ Checklists, and all referenced items
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Indiana Quadel Consulting, LLC
10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 Fax: 317-656-8885




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More Submission Requirements

<p><u>VACANCY</u></p> <ul style="list-style-type: none"> • All feasible actions taken to fill vacancy • Applicants processed timely* <p><i>*Includes follow-up on initial contacts & applicant responses</i></p>	<p><u>UNPAID RENT & DAMAGES</u></p> <ul style="list-style-type: none"> • Reasonable time allowed for Collection Agency to work account • Damages are itemized & reasonable • Rent & other charges identified by type, period, and amount
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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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Reimbursement Requirements

Request for reimbursement of approved/adjusted Special Claims should occur on the first available voucher

MUST be submitted within 90 *calendar* days of approval date*

**Failure results in denial of claim without option for appeal*


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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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Avoiding Adjustments & Rejections

Indiana Quadel Consulting, LLC
10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885




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Submission Deadlines

Submission, resubmission, and appeal deadlines based on calendar days, not business days

Indiana Quadel Consulting, LLC
10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885


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Ready for Occupancy (RFO) Date

HSG-06-01 Chapter 3, Section 3-4 (B) example:

RFO date = day *after* last work was performed to prepare the unit


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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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Regular Vacancy Claims

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885




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Waiting Lists

- HSG-06-01, Chapter 3, Section 3-3, C(6)
- HSG-06-01, Chapter 3, Section 3-5, E*
- HSG-06-01, Chapter 3, Section 3-2, B (5) & (6)
- HUD Special Claims FAQ, Section 3-5, E, Q/A 19
- HH 4350.3 REV-1, Change 4, Chapter 4, Section 3

**Keep in mind not only Owner/Agent submission requirements, but PBCA review requirements as well*

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
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Waiting List Notations


4-18 Documenting Changes to Waiting Lists

A. Overview
Whenever a change is made in the waiting list, an action is taken, or an activity specific to an applicant occurs, a notation must be made on the waiting list.

B. Providing an Auditable Record of Changes to Waiting Lists
The goal of the annotation is to provide an auditable record of applicant additions, selections, withdrawals, and rejections. Independent reviewers looking at the waiting list should be able to:

1. Find an applicant on the waiting list;
2. Readily confirm that an applicant was housed at the appropriate time based on unit size needs, preferences, and income-targeting; and
3. Trace various actions taken with respect to a family's application for tenancy.

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 Fax: 317-656-8885

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Waiting List Documentation

- Many Waiting List formats do not accommodate all notations required
- Applicant "contact logs" commonly used to support activity for each applicant
- Documentation must support entire applicant process*, and all related actions/contacts

**Date added to the WL through their removal*

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 Fax: 317-656-8885




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Waiting List Reminders

- Includes all requirements from HH 4350.3, Rev-1, 4-16 D(3), per applicant
- Waiting List submitted in Applicant Order
- Notations also include specific unit(s) offered and taken

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885


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Additional Waiting List Reminder

Follow Guidelines in HSG-06-01, Appendix 2C

Includes pre-certifying top applicants for each unit size to allow move-in at the earliest possible time after notification

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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Affirmative Fair Housing Marketing Plan

Reference Source for AFHMP:

HH 4350.3 REV-1 Change 4, Chapter 4, Section 2: 4-10 through 4-12

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
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AFHMP Review & Approval

HUD HQ Memo dated 9/22/14
 DAS Multifamily Housing Programs, Benjamin T. Metcalf

OWNER/AGENT MUST REVIEW WHEN:

1. 5 years have passed since last review; OR
2. Local jurisdiction's Consolidated Plan has been updated; OR
3. Significant demographic changes have occurred in industry

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 10 W. Market Street, Suite 750
 Indianapolis, IN 46204
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Owner/Agent AFHMP Review cont.

If analysis shows plan remains satisfactory, and continues to fulfill all requirements

- No further action needed
- Retain copy of analysis
- Include summary statement re: review requirements have been fulfilled with Special Claim submission

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 10 W. Market Street, Suite 750
 Indianapolis, IN 46204
 Tel: 317-656-8808 | Fax: 317-656-8885

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AFHMP Update Requirements

If any of preceding circumstances exist **AND**

1. Owner/Agent analysis determines population least likely to apply is not identified in current AFHMP, or existing protocol no longer appropriate; **OR**
2. Owner/Agent adopts "HUD approved" residency preference for those in a specific geographic area that furthers the goal of the AFHMP and adopts new "HUD approved" admissions preference

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 10 W. Market Street, Suite 750
 Indianapolis, IN 46204
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Marketing & Outreach

When unit not filled from the Waiting List


- Marketing, Advertising, Outreach must be consistent with HUD-approved AFHMP
- From date property learned of the vacancy through end of claim period

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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Damages & Unpaid Rent Claims

Indiana Quadel Consulting, LLC
10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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Collection Agency
Time to Collect the Debt


Property must allow sufficient time for Collection Agency to work the account **before** submitting Special Claim

HSG-06-01, Section 5-2: Owner/Agent has taken all feasible steps to collect the debt

- Acknowledgement of Account, **and**
- Agency's 1st demand letter to former resident

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Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885





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Life Expectancy

- Determine useful life expectancy of replaceable items damaged by the tenant.
- Adjust claim calculation accordingly

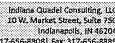
HSG-06-01, Appendix 5D for sample chart


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Routine Costs of Unit Prep

Billing Resident vs. Special Claim Reimbursement

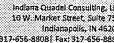
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Charges *NOT* Allowed in Damage Claims

- Normal costs of unit prep for reoccupancy (*not extraordinary*)
- Includes basic/customary cleaning, painting, unit repairs for bedroom size

Guidebook says = "costs of doing business"
HSG-06-01, Section 5-2,E(2), Section 5-5, F, and Appendix 5C

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Damage Charges that *ARE* Allowed

- Extraordinary, specific tenant damage/abuse
- Amounts *exceeding* customary charges for unit prep

All clearly supported and fully documented

HSG-06-01, Section 5-2,E(2), Section 5-5, F, and Appendix 5C


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Indianapolis, IN 46204
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Documenting Damage Charges

- MI/MO Inspection Sheets fully notated and signed
- RFO documentation fully notated when extraordinary work required to turn unit
- Invoices/receipts include date(s), unit address, and summary of item or work
- Pictures to support charges and unit condition. Should include identifiable unit address
- Charges to repair damages are reasonable for work described (HSG-06-01, Section 5-5, E)

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885


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Documenting Charges, *cont.*

- Charges for routine/customary unit preparation identified and supported by unit size/floor plan type and scope of work
- In-house labor:
 - Identification of unit number, start/stop time (or cumulative total) for completion of work, number of staff required, and hourly rate or established charge per task
 - Detailed service tickets, maintenance logs, or other documentation confirming scope of work

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885




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Tenant Damage vs. Normal Wear & Tear

Distinguishing an Eligible Charge

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Distinguishing an Eligible Charge

Floors require cursory clean and/or coat of varnish
May *not* be included in claim

Floors require additional cleaning and/or stripping
Eligible for *amount that exceeds customary charge*

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Distinguishing an Eligible Charge

Kitchen or bathroom are dirty with heavy buildup throughout

Eligible for *amount that exceeds routine/customary charge*
Example: if customary charge for bathroom cleaning is \$50 and total charge was \$75, only the additional \$25 is eligible
Or if cleaning is performed in-house and typically takes 1 person 30 minutes, but took 60 minutes to complete, only the additional 30 minutes is eligible

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Distinguishing an Eligible Charge

Walls have small chips in plaster, nail holes, and/or require a coat of paint

May not be included in claim


Walls are tainted by markers, crayons or stickers, nicotine stained, painted unauthorized color or require drywall repair

Eligible only for additional costs exceeding customary paint job

Example: cost of Kilz or 2nd coat of paint to cover nicotine, accent wall or unauthorized color is eligible

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Owner/Agent Appeals

- Right to appeal any reduced or denied claim, *provided* the initial submission or resubmission deadline(s) was not missed
- Must be submitted within 30 calendar days of HUD/PBCA claim determination
- Must include brief explanation why claim should be paid, and any new or additional supporting information

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If Submitting an Appeal

- Must delay requesting voucher reimbursement until appeals process is complete and final determination has been received
- HUD requires unique Special Claim ID numbers; may be reported to TRACS only once

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Indianapolis, IN 46204
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Appeals – What to Expect


- HUD/PBCA must respond to appeal within 30 calendar days of receipt
- Will include details of decision and revised approval letter, if appropriate
- Owner/Agent should request any approval on next scheduled voucher
- Owner/Agent must request within 90 calendar days of HUD/PBCA Appeal determination

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10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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Questions

Indiana Quadel Consulting, LLC
10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

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How to Reach Me

Tara Appleby
Payment Processing Manager, Voucher Department
Indiana Quadel Consulting, LLC
(317) 656-8805
tappleby@inquadel.com



Indiana Quadel Consulting, LLC
10 W. Market Street, Suite 750
Indianapolis, IN 46204
Tel: 317-656-8808 | Fax: 317-656-8885

AHAIN Owner Agent Update Conference

April 18, 2017

INQ Voucher Presentation Website Resources

- HUDClips

Handbooks, Guidebooks, Notices, Forms, Income Limits, etc.

https://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips

- TRACS Home Page

MAT Guide & other Documents, TRACS Industry Meeting Presentations, 203A news and documents

https://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/trx/trxsum

- RHIP Listserv (Rental Housing Integrity Improvement Project)

https://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rhiip/mfhrhiip

Not signed up?

<http://portal.hud.gov/hudportal/HUD?src=/subscribe/maillinglist>

INQ Special Claim Presentation Website Resources

- Special Claims Processing Guide, HSG-06-01

https://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/guidebooks/HSG-06-01

- Special Claims Processing Guide FAQ

https://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14970.pdf

Submission address:
Indiana Quadel
 10 West Market Street Ste. 750
 Indianapolis, Indiana 46204
 Attn: Special Claims
specialclaims@inquadel.com
Use Tracking/Delivery-Read Receipts

INQ Special Claim Checklist - Regular Vacancy

Initial eligibility test: Submit only those claims that pass

- 1) INQ's receipt of claim will not exceed 180 calendar day submission deadline
- 2) Household's move-out data viewable in TRACS
- 3) Household was section 8 recipient through vacancy, unless terminated for failure to recertify
- 4) Unit is ready for occupancy with required records to support

CONTRACT	PROJECT NAME
IN36	
TENANT NAME & UNIT NUMBER:	

HUD's Special Claims Processing Guide (HSG-06-01) should be referenced for further guidance and clarification.
http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/guidebooks/HSG-06-01

1	INQ Special Claims Checklist - Regular Vacancy
2	2 copies - Completed & executed HUD 52670-A part 2 (Schedule of Special Claims).
3	2 copies - Completed & executed HUD 52671-C (Section 8 Special Claims for Regular Vacancy).
	NOTE - FOR PARTIALLY ASSISTED PROJECTS: if assistance is terminated or resident moves out of unit & the assistance is given to a tenant in another unit effective the day after the termination or move-out, the owner is not entitled to a special claim. HSG-06-012 Section 3-2, B(3)
4	Copy of signed move-in 50059 for the former tenant.
5	Documentation verifying appropriate security deposit was collected, such as copies of original lease, tenant's ledger card, or receipt(s) for security deposit. (HH 4350.3 Rev-1, Chg4: figure 6-7)
6	Security deposit disposition notice provided to tenant with inclusion requirements in HSG-06-01, Section 3-3, C (4) and HH 4350.3 Rev-1, 6-18, C(2). NOTE: Unit Transfers are not excluded from this requirement.
	7a & 7b - occupancy resulting from Unit Transfer only; otherwise, skip to item 8.
7a	Documentation stating the reason for the Unit Transfer
7b	Evidence the security deposit was transferred, or that a new deposit was secured.
8	Proof of date unit was available for occupancy, showing start and finish dates. i.e.: reconditioning log or maintenance records. *If prep time exceeds Industry standard of 3 - 7 days and delay appears as though it may have impacted the claim period, explanation and/or further details are also required. See Special Claims Processing Guide (HSG-06-01), Section 3-4(B) for guidance on calculating Ready for Occupancy Date.
9	Copy of tenant's Notice to Vacate; if none provided, show evidence of how and when property learned of the vacancy.
10	Waiting list - complete, fully documented copy; including date & time of all removals (ensure compliance per HH 4350.3, Rev-1 chapter 4, section 3). Must include notations for all changes, actions or activities specific to an application, including, but not limited to rejections. (per 4350.3, 4-18, 4-20).
11	If unit not filled from waiting list: proof of diligent marketing efforts for the claim period - such as copies of advertising with corresponding invoices, flyers indicating how & when distributed and fully documented marketing logs. (Showing compliance with HH 4350.3, Rev-1 chp 4 section 2). INQ must have copy of current HUD-approved AFHMP.
12	Unit move-out & subsequent move-in/unit transfer, if applicable, viewable in TRACS. Provide copy of TRACS print out showing activity

*Please note: additional documentation may be requested to support claim, in accordance with HUD's Special Claims Processing Guide (HSG-06-01) and Handbook 4350.3, Rev-1

CONTACT INFORMATION	Please print name, phone number, fax number & email
Name:	Phone:
Email:	Fax:

Signature & Date _____

Submission address:
Indiana Quadel
 10 West Market Street Ste. 750
 Indianapolis, Indiana 46204
 Attn: Special Claims
specialclaims@inquadel.com
Use Tracking/Delivery-Read Receipts

INQ Special Claim Checklist - Unpaid Rent

Initial eligibility test: Submit only those claims that pass

- 1) INQ's receipt of claim will not exceed 180 calendar day submission deadline
- 2) Household's move-out data viewable in TRACS
- 3) Household was section 8 recipient through vacancy, unless terminated for failure to recertify
- 4) Unit is ready for occupancy with required records to support
- 5) Certified letter, with postmark, sent to tenant including all requirements of HSG-06-01 Section 5-2, D (2a)
- 6) All reasonable steps taken to collect debt, per HSG-06-01 Section 5-2, D (2b)
- 7) *If damages exist for same unit/tenant, must submit on single form HUD-52671-A filed as one claim*

CONTRACT	PROJECT NAME
IN36	
TENANT NAME & UNIT NUMBER:	

HUD's Special Claims Processing Guide (HSG-06-01) should be referenced for further guidance and clarification.
http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/guidebooks/HSG-06-01

1	INQ Special Claims Checklist - Unpaid Rent
2	2 copies - Completed & executed HUD 52670-A part 2 (Schedule of Special Claims).
3	2 copies - Completed & executed HUD 52671-A (Special Claims for Unpaid Rent/Damages).
	NOTE - FOR PARTIALLY ASSISTED PROJECTS: If assistance is terminated or resident moves out of unit & the assistance is given to a tenant in another unit effective the day after the termination or move-out, the owner is not entitled to a special claim. HSG-06-012 Section 3-2, B(3)
4	Copy of signed move-in 50059 for the former tenant.
5	Documentation verifying appropriate security deposit was collected, such as copies of original lease, tenant's ledger card, or receipt(s) for security deposit. (HH 4350.3 Rev-1, Chg4: figure 6-7)
6	Proof of date unit was available for occupancy, showing start and finish dates i.e.: reconditioning log or maintenance records.
7	Security deposit disposition notice provided to tenant with inclusion requirements in HSG-06-01, Section 3-3, C (4) and HH 4350.3 Rev-1, 6-18, C(2). NOTE: Unit Transfers are not excluded from this requirement.
8	Copy of certified letter, with postmark, sent to tenant detailing all balances, per HSG-06-01, Section 5-3, C (2c) and Security Deposit Disposition Notice 3-3.C 4. <i>Ensure all charges are clearly itemized and identified by type, amount and period for which amount is due.</i>
9	Evidence that matter was turned over to a collection agency AND that agency has attempted to collect the debt , per HSG-06-01, Section 5-3, C (2d). Placement with the agency should allow for a minimum of 60 days to work the account before submitting the claim.
10	Documentation for "other charges" that were due under the lease, and that demonstrates the charges were approved by HUD prior to billing. This includes charges for failure to return keys, allowable late fees and damage charges previously billed to resident prior to vacancy. Per HSG-06-01, Section 5-2, D(4a)1-3
11	Unit move-out or unit transfer is viewable in TRACS. Provide copy of TRACS print out showing activity

*Please note: additional documentation may be requested to support claim, in accordance with HUD's Special Claims Processing Guide (HSG-06-01) and Handbook 4350.3, Rev-1

CONTACT INFORMATION	Please print name, phone number, fax number & email
Name:	Phone:
Email:	Fax:

Signature & Date _____

Submission address:
Indiana Quadel
 10 West Market Street Ste. 750
 Indianapolis, Indiana 46204
 Attn: Special Claims
specialclaims@inquadel.com
Use Tracking/Delivery-Read Receipts

INQ Special Claim Checklist - Damages

Initial eligibility test: Submit only those claims that pass

- 1) INQ's receipt of claim will not exceed 180 calendar day submission deadline
- 2) Household's move-out data viewable in TRACS
- 3) Household was section 8 recipient through vacancy, unless terminated for failure to recertify
- 4) Unit is ready for occupancy with required records to support
- 5) Certified letter, with postmark, sent to tenant including all requirements of HSG-06-01 Section 5-2, D (2a)
- 6) All reasonable steps taken to collect debt, per HSG-06-01 Section 5-2, D (2b)
- 7) Damages due to tenant negligence or abuse; not normal wear & tear or routine turn-cost
- 8) *If unpaid rent exists for same unit/tenant, must submit on single form HUD-52671-A filed as one claim*

CONTRACT	PROJECT NAME
IN36	
TENANT NAME & UNIT NUMBER:	

HUD's Special Claims Processing Guide (HSG-06-01) should be referenced for further guidance and clarification.
http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/guidebooks/HSG-06-01

1	INQ Special Claims Checklist - Damages
2	2 copies - Completed & executed HUD 52670-A part 2 (Schedule of Special Claims).
3	2 copies - Completed & executed HUD 52671-A (Special Claims for Unpaid Rent/Damages).
4	NOTE - FOR PARTIALLY ASSISTED PROJECTS: if assistance is terminated or resident moves out of unit & the assistance is given to a tenant in another unit effective the day after the termination or move-out, the owner is not entitled to a special claim. HSG-06-012 Section 3-2, B(3)
5	Copy of signed move-in 50059 for the former tenant.
6	Documentation verifying appropriate security deposit was collected, such as copies or original lease, tenant's ledger card, or receipt(s) for security deposit. (HH 4350.3 Rev-1, Chg4: figure 6-7)
7	Proof of date unit was available for occupancy, showing start and finish dates. i.e.: reconditioning log or maintenance records.
8	Security deposit disposition notice provided to tenant with inclusion requirements in HSG-06-01, Section 3-3, C (4) and HH 4350.3 Rev-1, 6-18, C(2). NOTE: Unit Transfers are not excluded from this requirement.
9	Copy of certified letter, with postmark, sent to tenant detailing all balances, per HSG-06-01, Section 5-3, C (2c) and Security Deposit Disposition Notice 3-3.C 4.
10	Evidence that matter was turned over to a collection agency AND that agency has attempted to collect the debt , per HSG-06-01, Section 5-3, C (2d). Placement with the agency should allow for a minimum of 60 days to work the account before submitting the claim.
11	Unit move-out or unit transfer is viewable in TRACS. Provide copy of TRACS print out showing activity
12	Copies of signed and dated move-in and move-out inspection forms.
13	Itemized repair cost breakdown (such as invoices, receipts, copies of work orders/maintenance records supporting costs, unit, & dates of repair). For major replaceable items: if Reserve for Replacement or Residual Receipts accounts exist, must use these funds before applying for special claim reimbursement, and must provide evidence of account balance. Proof of initial installation date is required. NOTE: Must determine useful life expectancy of replaceable items. See HSG-06-01 Appendix 5D for sample "Life Expectancy Chart".

*Please note: additional documentation may be requested to support claim, in accordance with HUD's Special Claims Processing Guide (HSG-06-01) and Handbook 4350.3, Rev-1

CONTACT INFORMATION	Please print name, phone number, fax number & email
Name:	Phone:
Email:	Fax:

Signature & Date _____