

# **HOUSING AUTHORITY OF THE CITY OF AUSTIN**

## **BOARD OF COMMISSIONERS**

**Chairperson - Carl S. Richie, Jr.**

**Charles Bailey**

**Tyra Duncan-Hall**

**Isaac Robinson**

**Edwina Carrington**

**Michael G. Gerber, President & CEO**



## **BOARD OF COMMISSIONERS Regular Meeting**

**Wednesday, October 18, 2017  
at 12:00 noon**

**Shadowbend Apartments  
6328 Shadowbend  
Austin, Texas 78745**



**PUBLIC NOTICE OF A MEETING  
TAKE NOTICE OF A BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING  
OF**

**THE HOUSING AUTHORITY OF THE CITY OF AUSTIN**

**TO BE HELD AT  
Shadowbend Apartments  
6328 Shadowbend  
Austin, Texas 78745  
(512.477.4488 x 4017)**

**COMMENCING AT 12:00 NOON ON WEDNESDAY, OCTOBER 18, 2017, TO CONDUCT BUSINESS AS FOLLOWS:**

**CALL TO ORDER, ROLL CALL  
CERTIFICATION OF QUORUM**

**Carl S. Richie, Jr., Chairperson**

*Pledge of Allegiance*

*Citizens Communication - (Note: There will be a three-minute time limitation)*

*Citywide Advisory Board Update*

*Report on the Property by the Property Management Team*

**CONSENT AGENDA**

Items on the Consent Agenda may be removed at the request of any Commissioner and considered at another appropriate time on this agenda. Placement on the Consent Agenda does not limit the possibility of any presentation, discussion, or action at this meeting. Under no circumstances does the Consent Agenda alter any requirements under Chapter 551 of the Texas Government Code, Texas Open Meetings Act.

**CONSENT AGENDA**

**APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**ITEM 1:** Presentation, Discussion, and Possible Action regarding the Approval of a Board Minutes Summary for the Board Meeting held on September 21, 2017

**Michael Gerber**  
President & CEO

**ACTION ITEMS**

**APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**ITEM 2:** Presentation and Discussion of Independent Auditor's Report for Fiscal Year Ending March 31, 2017

**Martha Ross**  
Chief Financial Officer

**ITEM 3:** Presentation and Discussion of Proposed Changes to the Admissions and Continued Occupancy Policy (ACOP)

**Michael Roth**  
Director of Housing Operations  
& Policy

**ITEM 4:** Presentation and Discussion of the Proposed Changes to the Housing Choice Voucher Administrative Plan

**Lisa Garcia**  
Vice President of Assisted  
Housing

**ITEM 5:** Presentation and Discussion of the Draft 2018 Public Housing Authority (PHA) Annual Plan

**Judy Paciocco**  
Senior Director of Operations

**ITEM 6:** Update on HACA's Rental Assistance Demonstration Program

**Angie Towne**  
RAD Coordinator

**ITEM 7:** Presentation and Update on the Jobs Plus Demonstration Workforce Program

**Barbara Jackson**  
Jobs Plus Project  
Director/Acting Community  
Development Director

**EXECUTIVE SESSION**

**Carl S. Richie, Jr., Chairperson**

The Board may go into Executive Session (close its meeting to the public) Pursuant to:

- a.* § 551.071, Texas Gov't Code, consultations with Attorney regarding legal advice, pending or contemplated litigation; or a settlement offer;
- b.* §551.072, Texas Gov't Code, discussion about the purchase, exchange, lease or value of real property;

\*The Housing Authority of the City of Austin (HACA) Board of Commissioners reserves the right to discuss and consider items out of order on the agenda on an as needed basis.

The Housing Authority of the City of Austin is committed to compliance with the Americans with Disability Act. Reasonable modifications and equal access to the communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Please call Judy Paciocco or Nidia Hiroms at HACA at 512.477.4488, for additional information; TTY users route through Relay Texas at 711. For more information on HACA, please contact Nidia Hiroms at 512.477.4488 x 2104.

- c. §551.074, Texas Gov't Code, discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee, including but not limited to evaluation of the President/CEO.
- d. §551.087, Texas Gov't Code, discuss certain economic development negotiations.

## **OPEN SESSION**

If there is an Executive Session, the Board will return to Open Session for discussion, consideration and possible action of matters discussed in Executive Session.

## **REPORTS**

The Board accepts the following reports:

- President's Report
- Other Staff Reports
- Commissioners' Reports/Questions to the Department Staff

## **ADJOURNMENT**

**"Pursuant to § 30.06, Penal Code, (trespass by holder of license with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a concealed handgun."**

**"Pursuant to § 30.07, Penal Code (trespass by holder of license with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a handgun that is carried openly."**

**"En virtud del § 30.06, Código Penal, (traspaso titular de licencia con una pistola), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en este reunión con una arma o pistola."**

**"En virtud del § 30.07, Código Penal (prevaricación por titular de la licencia con un arma o pistola abiertamente llevado), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en esta reunión con un arma o pistola que lleva abiertamente."**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**CONSENT AGENDA**

**AGENDA ITEM NO. 1**

**Presentation, Discussion, and Possible Action regarding the  
Approval of a Board Minutes Summary for the Board  
Meeting held on September 21, 2017**



# HOUSING AUTHORITY OF THE CITY OF AUSTIN BOARD OF COMMISSIONERS REGULAR BOARD MEETING

SEPTEMBER 21, 2017

## SUMMARY OF MINUTES

**THE HOUSING AUTHORITY OF THE CITY OF AUSTIN (HACA) BOARD OF COMMISSIONERS PUBLIC MEETING NOTICE WAS POSTED FOR 12:00 NOON ON THURSDAY, SEPTEMBER 21, 2017, AND WAS HELD AT HACA'S CENTRAL OFFICE, 1124 S. IH 35, AUSTIN, TEXAS**

### **CALL TO ORDER, ROLL CALL, CERTIFICATION OF QUORUM**

The Board of Commissioners Regular Board Meeting of the Housing Authority of the City of Austin, of September 21, 2017, was called to order by Carl S. Richie, Jr., Chairperson, at 12:20 p.m. The meeting was held at HACA's Central Office, 1124 S. IH 35, Austin, Texas

Roll call certified a quorum was present.

#### **MEMBERS PRESENT:**

Carl S. Richie, Jr., Chairperson  
Edwina Carrington, Commissioner  
Isaac Robinson, Commissioner

#### **MEMBER(S) ABSENT:**

Charles Bailey, Vice Chairperson  
Tyra Duncan-Hall, 2<sup>nd</sup> Vice Chairperson

#### **STAFF PRESENT:**

Ann Gass, Andrea Galloway, Barbara Jackson, Catherine Crago, Gloria Morgan, Kelly Crawford, Martha Ross, Michael Cummings, Michael Gerber, Michael Roth, Ron Kowal.

#### **ALSO IN ATTENDANCE:**

Jim Ewbank, Cokinos Young  
Jim Walter, Coats Rose  
Arthur Troilo, Troilo Law Firm

### **PUBLIC HEARING ON HARRIS RIDGE**

- **Greg Varady**, former President of the Harris Williams Homeowner's Association, and current resident of the Harris Williams subdivision, expressed opposition to the proposed Harris Ridge project.
- **Ken Saathoff**, President of the Dessau Lutheran Cemetery Association, expressed concern over the increased chances of vandalism and destruction of the church and cemetery, which are historical properties. Mr. Saathoff wants to be assured that there will be barriers or security that will protect the church and cemetery from vandalism. **Mr. Gerber** stated that he would have **Mr. Kowal**, Vice President of Austin Affordable Housing Corporation, and the developer, NRP Group, work with Mr. Saathoff during the building process to ensure that these concerns are addressed.
- **Melody Caldwell**, former Harris Ridge resident and current "Enclave" subdivision resident, expressed concern over the decline in property values, potential vandalism issues, and increased traffic that will come along with the Harris Ridge complex.

**Mr. Gerber** thanked the citizens for their comments and reassured them that HACA is always sensitive to security and other community issues involving the placement of HACA and Austin Affordable Housing Corporation properties. The intent is to create communities that are an asset to surrounding areas.

The Public Hearing adjourned at 12:43 p.m..

### **CITIZENS COMMUNICATION – None.**

**CITYWIDE ADVISORY BOARD (CWAB) REPORT – • CITYWIDE ADVISORY BOARD (CWAB) REPORT – •Rachel Martinez**, CWAB President, reported on behalf of the CWAB. **•Ms. Martinez** announced that they are working on new processes as a Board. The processes include condensing the CWAB meetings, and a new format for sharing ideas and suggestions. These processes are the result of the outcomes from their Strategic Planning process. **•Ms. Martinez** indicated that their National Night Out will be Tuesday, October 3rd, and everyone is invited.

### **CONSENT AGENDA**

#### **APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**ITEM 1: Presentation, Discussion, and Possible Action regarding the Approval of a Board Minutes Summary for the Board Meeting held on August 17, 2017**

**Commissioner Carrington** moved to approve the Board Minutes Summary for the Board Meeting held on August 17, 2017 as presented. **Commissioner Robinson** seconded the motion. The motion passed. (3-Ayes and 0-Nays).

#### **ACTION ITEMS**

##### **APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

##### **ITEM 2: Presentation, Discussion, and Possible Action regarding the Approval Resolution No. 2520: Approving Write-off of the Uncollectible Accounts of Vacated Tenants**

The regulations of the U.S. Department of Housing and Urban Development require the Commissioners of the Housing Authority of the City of Austin to approve the write-off of the uncollectible accounts of vacated tenants. The attached list represents amounts due by tenants who moved from the developments, and covers the four-month period ending July 31, 2017. The Finance Department sent notification to the former tenants by certified mail of the amounts due and informed them that they will be reported to the credit bureau. None of the tenants listed have responded. The total amount of the Write-off is \$24,716.04.

**Commissioner Robinson** moved to approve Resolution No. 2520: Approving Write-off of the Uncollectible Accounts of Vacated Tenants in the amount of \$24,716.04. **Commissioner Carrington** seconded the motion. The motion passed. (3-Ayes and 0-Nays).

##### **ITEMS WERE TAKEN OUT OF ORDER.**

##### **ITEM 4: Update on RAD Activities – Ann Gass, HACA Director of Strategic Housing Initiatives** updated the Board on HACA's Rental Assistance Demonstration program progress.

**Ann Gass**, HACA Director of Strategic Housing Initiatives, gave an update on RAD.

**Julie Parlato**, HACA Resident Protection Project Manager, explained her role in the RAD process. **Ms. Parlato** oversees the relocation of every resident of HACA during the reconstruction and remodeling and also gathers external partners every month to talk over the challenges that the residents and HACA faced during the previous month.

**Bessie Hawkins**, Northloop resident and community organizer, expressed how she felt during her RAD relocation from Northloop to Thurmond Heights. **Ms. Hawkins** is extremely happy with her new apartment and appreciates HACA for this opportunity.

**Mary Apostolou**, Chalmers Courts Resident Council president, spoke about reaching out to community neighbors to keep them informed and help ease stresses.

**Ruby Roa**, tenant rights advocate and contractor for HACA, reported that overall the project is going very well and most residents are very happy.

**Mr. Gerber** shared with the Board that there had been some challenges with the contractors during construction, and that a few delays, although minor, had occurred.

##### **ITEM 3: Presentation, Discussion, and Possible Action of Resolution No. 2521: Resolution Approving Resolution Of Austin Affordable PFC, Inc. Providing For The Issuance Of Its Multifamily Housing Governmental Note (Harris Ridge Apartments), Series 2017 And To Take Such Other Actions Necessary Or Convenient To Facilitate The Development of The Harris Ridge Apartments**

HACA's subsidiary, Austin Affordable Housing Corporation (AAHC), will partner with the NRP Group, LLC to develop a 24+/- acre tract of land located at the intersection of Howard Lane and Dessau Road. The project (Harris Ridge Apartments) will consist of 324 family units serving tenants at or below 60% of median family income. The development will use a mixture of 4% tax credits and bonds to finance the development with a total project cost of approximately \$51,000,000. The planned development will consist of 12 one bedroom and one bath units, 132 two bedroom and two bath units, 144 three bedroom and two bath units, and 36 four bedroom and two bath units. All units will be marketed to HACA's Housing Choice Voucher residents. HACA, through its Public Facility Corporation is requesting the approval of an issuance of tax-exempt bonds in an amount not to exceed \$38,000,000. This approval will begin the initial process to submit applications for tax credits and bond approval, and staff will be presenting back to the Board in future months on the progress and specifically any and all agreements and approvals. Staff will bring this matter fully back to the Board for final approval to proceed, likely mid-year 2017. The development will be financed using 4% tax credits through the Texas Department of Housing and Community Affairs and Tax Exempt Bond proceeds from bonds, the issued by the Austin Affordable PFC, Inc. The Housing Authority of the City of Austin created the Austin Affordable PFC, Inc. in November of 2012. And as a subsidiary of the Housing Authority, all actions require board approval by the Housing Authority.

**Commissioner Robinson** moved to approve Resolution No. 2521: Resolution Approving Resolution of Austin Affordable PFC, Inc. providing for the Issuance of its Multifamily Housing Governmental Note (Harris Ridge Apartments), Series 2017 and to Take Such Other Actions Necessary or Convenient to Facilitate the Development of The Harris Ridge Apartments in the amount of \$51,000,000. **Commissioner Carrington** seconded the motion. The motion passed. (3-Ayes and 0-Nays).

##### **THE BOARD DID NOT RECESS INTO EXECUTIVE SESSION.**

#### **REPORTS**

The Board accepts the following reports from the President:

- October Board Meeting will be October 18, 2017 at noon.
- The NAHRO election for President will be happening in Pittsburgh in October

- Carl S. Richie, will be hosting a Leadership Retreat in Austin, January 21-23, 2018
- Harris Branch Seniors Grand Opening on September 27th

**ADJOURNMENT**

**Commissioner Carrington** moved to adjourn the meeting. **Commissioner Robinson** seconded the motion. The Motion passed unanimously. The meeting adjourned at 2:18 p.m.

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Carl S. Richie, Jr., Chairperson

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Michael G. Gerber, Secretary

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**ACTION ITEMS**

**ITEM NO. 2**

**Presentation and Discussion of Independent Auditor's  
Report for Fiscal Year Ending March 31, 2017**

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## BOARD ACTION REQUEST

### ITEM 2

### FINANCE

**MEETING DATE:** October 18, 2017

**STAFF CONTACT:** Martha Ross, CPA, Chief Financial Officer

**ITEM TITLE:** Presentation and Discussion of Independent Auditor's Report for Fiscal Year Ending March 31, 2017

**BUDGETED ITEM:** No

**TOTAL COST:** N/A

### ACTION

Motion to Approve Item 2, accepting the Independent Auditor's Report for the Fiscal Year ending March 31, 2017.

### SUMMARY

***Background:***

The Fiscal Year 2017 audited financial report for the Housing Authority of the City of Austin is presented for approval. The audit firm of Berman, Hopkins, Wright and LaHam performed the audit. Audit Partner, Brian Nemeroff, CPA, will brief the Board and address any audit questions.

***Process:***

As noted on the last page of the audit report (presented as Exhibit 1), there are no findings. In the firm's opinion, the financial statements "present fairly, in all material respects, the respective financial position of the Authority's business-type activities as of March 31, 2017, and the respective changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America."

***Staff Recommendation:***

Approval is recommended.

### EXHIBITS

Exhibit 1: FY2017 Housing Authority of the City of Austin audited statements

# EXHIBIT 1

**HOUSING AUTHORITY OF  
THE CITY OF AUSTIN**



**Basic  
Financial Statements and  
Supplemental Information**

**Year ended  
March 31, 2017**

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## INDEPENDENT AUDITOR'S REPORT

Board of Commissioners  
Housing Authority of the City of Austin  
Austin, Texas

### Report on the Financial Statements

We have audited the accompanying financial statements of the business-type activities of the Housing Authority of the City of Austin (the "Authority"), as of and for the year ended March 31, 2017, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## **Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Authority's business-type activities as of March 31, 2017, and the respective changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

## **Other Matters**

### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### *Other Information*

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Authority's financial statements as a whole. The accompanying financial data schedule and schedule of actual capital fund program costs and advances are presented for purposes of additional analysis as required by U.S. Department of Housing and Urban Development, and are not a required part of the financial statements of the Authority. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and is not a required part of the financial statements of the Authority. The other information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements taken as a whole.

## Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated September 22, 2017 on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control over financial reporting and compliance.

September 22, 2017  
Melbourne, Florida

*Berman Hopkins Wright & LaHam*  
*CPAs and Associates, LLP*

**Housing Authority of the City of Austin  
“Bringing Opportunity Home”**

**Management’s Discussion and Analysis  
March 31, 2017**



This section of the Housing Authority of the City of Austin (HACA)’s annual financial report presents management’s discussion and analysis (MD&A) of HACA’s financial performance during the fiscal year (FY) ended March 31, 2017 as compared to the FY ended March 31, 2016. The MD&A is designed to assist the reader in focusing on significant financial issues, provide an overview of HACA’s financial activity, identify changes in the financial position and identify any issues or concerns.

Since the MD&A is designed to focus on the current year’s activities, resulting changes, and currently known facts, we encourage readers to consider the information presented here in conjunction with HACA’s financial statements, which follow this section.

**OVERVIEW OF HACA**

HACA is a political subdivision organized under the laws of the State of Texas (now Chapter 392 of the Texas Local Government Code) and by a resolution of the City Council of the City of Austin, Texas adopted on December 23, 1937. HACA is governed by a five-member Board of Commissioners appointed by the Mayor of the City of Austin.

The Mission of HACA and its blended component unit subsidiaries is to cultivate sustainable affordable housing communities and partnerships that inspire self-reliance, growth and optimism. We envision neighborhoods where poverty is alleviated, communities are healthy and safe, and all people can achieve their full potential.

The guiding principles of HACA include commitments to:

**Affordable Housing-** We will revitalize our public housing assets, seek additional rental assistance vouchers and advance innovative affordable housing solutions.

**Resident Self-Sufficiency and Quality of Life-** We will promote individual responsibility and high expectations and foster results-based community partnerships and programs focused on workforce development, wellness, safety and education.

**Exceptional Service-** We will ensure a resident, partner and customer-focused environment where all are treated with dignity and respect.

**Employee Engagement-** We will invest in our staff, ensure accountability and effective communication and promote an innovative, healthy and safe work environment, with training and leadership development opportunities.

**Corporate and Environmental Sustainability-** We will pursue new funding sources and entrepreneurial opportunities, ensure responsible stewardship, maximize efficiency and promote environmentally friendly initiatives.

**Housing Authority of the City of Austin**  
**“Bringing Opportunity Home”**

**Management’s Discussion and Analysis**  
**March 31, 2017**

**AGENCY HIGHLIGHTS**

When our doors opened in 1937, we were a pioneer in public housing, the first in the nation. In our 80th year, our core values remain constant as we serve the neediest in our community while continuing to develop innovative housing solutions to help meet Austin’s considerable need.

Our residents today are proud of the last eight decades. People who have lived and who now live in our public and affordable housing contribute to Austin’s diverse social, cultural and economic tapestry. Today we provide safe, healthy, affordable housing to nearly 19,000 residents. They have greater choice about where they live, and greater opportunity to achieve their dreams of self-sufficiency through education, workforce development and wellness programs.

To better serve our children, seniors and persons with disabilities, this year we:

- Converted 582 public housing units to Project Based Rental Assistance (PBRA) through the Rental Assistance Demonstration program (RAD), enabling us to provide critically needed improvements to ensure people in public housing have the basic modern amenities needed for quality-of-life;
- Launched an online, site-based, public housing waiting list, giving applicants greater housing choice;
- Added close to 600 high-quality, affordable, rental units to help meet our city’s housing needs through our subsidiary Austin Affordable Housing Corporation;
- Secured more than \$400K in new funds and in-kind gifts and established diverse sources of corporate, corporate foundation, charitable and family foundation gifts to support HACA resident scholarships, educational and supportive services, and digital inclusion through our nonprofit Austin Pathways;
- Helped veteran homelessness in Austin reach functional zero by establishing infrastructure to better assist veterans who have served our country, but are now struggling to find permanent housing.

Half of HACA residents are children who participate in youth programs offered through our community partners. We provide a variety of programs through partnerships with Goodwill, Skill Point Alliance, Boys Scouts, Girl Scouts, Boys and Girls Club, Austin Community College, Family Eldercare, Economic Growth Business Incubator, Communities in Schools and many other organizations. HACA has expansive partnerships to advance education, job and skills training, and health and wellness. Our staff works proactively to advance every resident’s opportunity for self-sufficiency. The agency is making a significant, positive impact toward breaking the poverty cycle in Central Texas with stories of homeownership, career advancement and college graduation.

Almost nothing is more important than a good education. That’s why HACA and Austin Pathways have invested over \$1M in renewable resident scholarships since 2001. In July 2016, HACA was proud to award 57 scholarships totaling \$90,250 to deserving public housing and Housing Choice Voucher (HCV) residents at its annual scholarship ceremony.

We are excited to report that in the twelve months ended March 31, 2017, 201 more residents found new jobs; 95 of these residents were Jobs Plus ATX participants and 106 were Resident Opportunities for Self Sufficiency/Family Self- Sufficiency participants. In FY 2016-2017, 56 HCV and public housing residents completed job training and 44 enrolled in job readiness training.

Also in the transition to self-sufficiency, since 2004, 104 homeowners purchased their first house with help from HACA’s down payment assistance program.

**Housing Authority of the City of Austin  
“Bringing Opportunity Home”**

**Management’s Discussion and Analysis  
March 31, 2017**

Looking ahead, HACA will continue to work on offering more housing options in response to Austin’s ever-increasing need for high-quality, affordable and safe housing. While HACA continues to face a tumultuous economic period for the public housing industry, we remain committed to identifying new and creative ways to address the needs of Austin’s most vulnerable residents.

We do everything in collaboration. The impact of what we do is great because we, along with you - our partners, stakeholders and residents - lift up the community together. Thank you for joining us in the first 80 years. In this exciting chapter in HACA’s history, we look forward to building on the foundation that brings opportunity home.

**Who We Serve 2016-2017**

HACA contributes \$45 million to the local economy through its rental assistance and other programs. HACA provides housing opportunities and community programs to nearly 19,000 individuals; demographic highlights are shown below:

- 18,656 residents,
- 14,084 HCV clients,
- 4,572 public housing residents,
- 8,800 children,
- 4,927 persons with disabilities and
- 1,760 seniors.

In 2016-2017, the individuals HACA served averaged annual household income of \$11,074 in public housing and \$14, 189 in Housing Choice Voucher programs.

**Request for Information**

This financial report is designed to provide our citizens, taxpayers, tenants and creditors with a general overview of HACA’s finances and to demonstrate the accountability for the funds it receives. Questions concerning any of the information provided in this report or requests for additional information should be addressed to:

Housing Authority of the City of Austin  
Attn: Chief Financial Officer  
1124 S. IH-35  
Austin, TX 78704.  
Phone (512) 477-4488.

**Financial Highlights**

- The assets of HACA exceeded its liabilities as of March 31, 2017 by \$99,570,955 (net position) representing an increase of \$28,620,082 from March 31, 2016.
- Total Current Assets of HACA as of March 31, 2017 were \$39,474,319 representing an increase of \$5,775,901 from March 31, 2016. The increase in current assets is mainly attributable to the RAD conversions, including market value sales.
- Total Assets of HACA as of March 31, 2017 were \$183,566,625 representing an increase of \$75,652,751 from March 31, 2016.
- HACA had \$13,129,920 in Tenant Revenue and \$81,508,278 of HUD Operating and Capital Grants for the year ended March 31, 2017.

**Housing Authority of the City of Austin  
“Bringing Opportunity Home”**

**Management’s Discussion and Analysis  
March 31, 2017**

**Overview of the Financial Statements**

The financial statements included in this annual report are those of a special purpose government engaged in a business-type activity. The following statements are included:

- Statement of Net Position - reports the current financial resources (short-term spendable resources) with capital assets and long-term debt obligations of HACA.
- Statement of Revenues, Expenses and Changes in Net Position reports the operating and non-operating revenues of HACA by major source along with operating and non-operating expenses and capital contributions.
- Statement of Cash Flows - reports the cash flows from operating, investing, capital and non-capital activities of HACA.

Our analysis of HACA as a whole begins on the next page. The most important question asked about the finances of HACA is whether the agency as a whole is better or worse off as a result of the year’s activities. The management of HACA believes that significant achievements, both in the financial and operational areas, have been made in fiscal year 2017.

The attached analysis of entity-wide net position, revenues and expenses are provided to assist with answering the above question. This analysis includes all assets and liabilities using the accrual basis of accounting, which is similar to the accounting used by most private sector companies. Accrual accounting recognizes revenues and expenses when earned regardless of when cash is received or paid.

Our analysis also presents the net position and changes in them for HACA. You may think of the net position of HACA as the difference between what HACA owns (i.e., assets) to what HACA owes (i.e., liabilities). The change in net position analysis will assist the reader with measuring the health or financial position of HACA.

Over time, for Housing Authorities, significant changes in the net position are an indicator of whether its financial health is improving or deteriorating. To fully assess the financial health of any Housing Authority, the reader must also consider other non-financial factors such as changes in family composition, fluctuations in the local economy, HUD-mandated administrative program changes and the physical condition of its capital assets.

To fully understand the financial statements of HACA, one must start with an understanding of what HACA actually does. Our existence thrives on a constant cycle of housing families and helping them to reach self-sufficiency. Both the Public Housing and Housing Choice Voucher waiting lists consist of more than 8,000 and 1,500 applicants, respectively, in need of housing assistance. The following is a brief description of the major programs and services that HACA provides for the residents of Austin and the State of Texas.

***Low Rent Public Housing***

HACA currently operates 1,838 units of conventional public housing units. During FY17, we converted 582 of those units to PBRA under the RAD program. These units consist of 14 Asset Management Projects (AMP) on 18 developments throughout Austin, providing homes to approximately 4,300 individuals, after conversion through RAD. The staff at HACA works diligently to enhance the image of public housing by providing the best possible living conditions to its tenants. HACA has created unique and innovative initiatives to foster a sense of pride in the lives affected by public housing. This includes a monthly On-Time rent drawing, Yard/Porch of the month, Good Housekeeping awards, New Resident Move-in packets, Resident Councils at each property site and community partnerships with the Austin Police Department (APD) to create safe environments on all HACA properties.

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***Low Rent Public Housing (continued)***

HACA and the APD work in unison to effectively remove any criminal or drug activity and suspend the negative stereotype of public housing. Residents are highly active in safety watch meetings and are regularly informed about their rights as a tenant. Additionally, within many of HACA’s public housing communities, the residents have formed a coalition—Apartment Residents On Watch (AROW)—to conduct safety watch meetings.

HACA’s residents in public and subsidized housing have access to community development programs that provide assistance with education, job training, youth programs, as well as health and wellness. HACA’s goal is to help each resident maximize their potential and move back into the private rental market and off assistance. HUD has recognized HACA as a “high performer” for more than 15 consecutive years for the operations and conditions of its properties.

HACA’s Community Development Department is committed to getting men more involved with their families. Realizing that father-child contact is associated with positive emotional and academic functioning, staff expanded the pilot program called i-DADS (Involved Dads of Action, Development and Success) with a \$45,000 grant from the O’Neill Foundation. i-DADS provides connections to job search, education, mentors and resources. The program provides support for positive family growth, healthy relationships, managing family expectations and positive choices.

Since the program’s inception, 61 men have expressed value in attending the i-DADS program and 35 men successfully completed all five weeks.

In 2017, HACA is continuing a bold new initiative to improve the lives of more than 4,300 Austinites who rely on public housing. In the first phase of RAD, as previously mentioned, we converted 582 units, consisting of eight properties. By participating in the U.S. Department of Housing and Urban Development (HUD) RAD program, HACA will continue its second year of financing critically needed improvements to its aging properties, guaranteeing they will be available to low-income residents for the next 40 years. This program is allowing us to upgrade housing staples including kitchens and bathrooms, playgrounds and roofs. For more information, visit [www.HACARAD.org](http://www.HACARAD.org).

At HACA, HUD’s RAD program equals PIC: Protections, Improvements, and Choices. RAD is helping HACA to preserve affordable housing, to transform its public housing properties and to provide low-income families in Austin with more choices about where to live. Manchaca Village was HACA’s first property to convert to PBRA through RAD. At Manchaca, residents now enjoy modern amenities like a stackable washer/dryer, a dishwasher, new energy-efficient appliances, and a beautiful new kitchen and bathroom.

Though residents are excited about the new choices afforded by RAD, relocation is not always easy for some. Enter HACA’s Resident Protection Team (RPT). The RPT was formed by HACA to provide personalized support and to ease resident anxiety throughout the relocation process. RPT partners, including Communities in Schools, Boys & Girls Clubs, Austin Independent School District, Meals on Wheels, Austin Energy, Google Fiber, the U.S. Postal Service and Austin Energy work together to ensure residents are engaged and feel empowered as HACA moves forward with modernization of its properties.



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***Capital Fund Program***

The Capital Fund Program (CFP) administers capital improvement grants provided by HUD. Each year HACA receives support from HUD to address major modernization projects, management improvements, emergency repair needs, regulatory compliance, security upgrades and other repair needs that are outside the scope of routine maintenance. To partially address these needs, in fiscal year 2016-2017, HACA was awarded \$2.45 million, representing a fraction of the funds needed to address all outstanding capital improvements.

HACA’s public housing portfolio is aging; three properties were constructed in the late 1930’s, three properties were constructed in the early 1950’s, two properties were constructed in the mid 1960’s, 10 properties were constructed during the 1970’s and one was built in the 1980’s.

Based on the varying ages of the properties, styles and construction methods used, each of HACA’s property has different capital improvement needs. Through HUD-funded, CFP grant contributions derived from 2011-2016 modernization programs, Thurmond Heights is undergoing an external and internal modernization of its 144 units.

**Energy Performance Contract (EPC)**

In fiscal year 2015, HACA also kicked off the \$12 million, HUD-approved, Energy Performance Contract (EPC) Phase II. After successfully completing EPC Phase I, HACA was approved to extend the EPC agreement for a total of 20 years. Energy improvements at 10 different family sites, comprising of new electrical load centers, new insulation, new windows, furnace replacements with central air conditioning, and even indoor air quality improvements, are complete. The EPC project is an exciting step forward that allows HACA to provide a better, safer facility for public housing residents. Residents also get the benefit of paying lower utility bills, and receiving training and education on other utility cost saving practices that can help with self-sufficiency goals.

**Housing Choice Vouchers**

HACA manages Central Texas’ largest HCV program (formerly known as Section 8) as well as several other rental assistance programs that provide stable homes to over 700 previously homeless individuals. Each month, the Assisted Housing team provides affordable housing to more than 6,000 households and 14,200 individuals in Austin’s private rental market. The department also provides case management services to 200 HCV families working to achieve economic independence. HACA has received a perfect Section Eight Management Assessment Program (SEMAP) score (100 percent or higher) and has been named a high performer for 20 consecutive years.

HACA administered over 6,000 vouchers through various programs:

- Traditional HCV (5,256),
- Veteran’s Affairs Supportive Housing (VASH) vouchers (426),
- Homeless Assistance (233),
- Family Unification (85),
- Mainstream (59),
- Disabled (36),
- Hurricane Ike (14) and
- Tenant-Based Vouchers (2).

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The Austin housing market is challenging for any house hunter, but homeless veterans and young adults age 18-24 often have additional barriers. Recognizing this need, HACA and its community partners established infrastructure to better assist veterans and youth struggling to find permanent housing.

HACA contributed a \$25K grant to the mayor’s Housing Heroes Fund to seed the risk mitigation pool to inspire landlords to join programs like VASH. HACA’s subsidiary, the Austin Affordable Housing Corporation, pledged 25 units specifically for homeless veterans. HACA also hired a VASH Client/Landlord Liaison and engaged its Continuum of Care Permanent Supportive Housing program to give veterans a preference for rental assistance, and provide resources for people who served in the military, but didn’t qualify for veteran-specific programs.

On the heels of the successful initiative to end veteran’s homelessness, HACA wasted no time partnering with multiple community organizations to house 50 homeless youths in 100 days. HACA leveraged its every resource, including a homeless preference for the HCV program and the HOME-TBRA (Tenant Based Rental Assistance) program. As a result, HACA and its agency partners exceeded their goals, housing 52 youths by December 19, 2016.

***Bringing Opportunity Home***

HACA encourages and supports residents’ goals toward economic independence through self-sufficiency programs. Programs like the Family Self-Sufficiency (FSS), Resident Opportunities for Self Sufficiency (ROSS), and Jobs Plus programs are essential to HACA’s mission to Bring Opportunity Home. Each program allows participants to set and achieve personal goals related to education, employment and financial management. Hundreds of residents have graduated from HACA’s FSS programs and have gone on to buy a car, purchase a home, build a career and live independently from financial assistance.

As an example, supported by the U.S. Department of Housing and Urban Development and private contributions, the FSS program helps families, elderly and persons with disabilities living in public housing (and those in the HCV program) increase earned income and reduce dependency on government assistance. Once enrolled, the head of household executes a 5-year Contract of Participation with one of HACA’s five FSS coordinators and sets time-bound goals and related activities.

FSS participants are connected to child care, transportation, education, job training, employment counseling, financial literacy and home ownership support, among other services. HACA also establishes an interest-bearing escrow account for each family and any increases in rent, as a result of increased earned income, result in a credit to the family’s escrow account. Upon graduation from the program, families receive the escrow.

The FSS and ROSS programs are implemented by HACA staff and supported by numerous community partners. Self-sufficiency programs are critical in that they support resident transition off public assistance which makes space available for a family on the waitlist.

***Southwest Housing Compliance Corporation***

HACA founded Southwest Housing Compliance Corporation (SHCC) in 2000 to serve as HUD’s Performance Based Contract Administrator in Texas. SHCC added Arkansas to its portfolio in 2004 and collectively serves over 145,000 residents in meeting HUD’s goal of providing decent, safe and sanitary housing.

In this highly specialized work, SHCC has built a reputation for excellence, efficiency and integrity in providing compliance service, customer service, and technical assistance to the project based, section 8, multifamily housing industry.

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***Southwest Housing Compliance Corporation (continued)***

In 2016, SHCC administered over \$390 million in subsidy in its two-state portfolio. Revenue generated from SHCC operations supports HACA resident services including dropout prevention, scholarships, after-school programming, workforce development and health and wellness programs.

***Austin Affordable Housing Corporation (AAHC)***

AAHC, HACA’s second nonprofit subsidiary, continues to pursue entrepreneurial endeavors while securing long-term financial support for resident programs. Recent studies underscore that Austin is the most expensive rental market in Texas, making the work of AAHC all the more critical. AAHC builds and preserves quality, affordable housing opportunities for families with children, seniors and persons with disabilities. AAHC oversees HACA’s first-time homebuyer program, residential and commercial real estate portfolio, the Six-Star Resident program and Equity community Land Trust.

AAHC’s real estate portfolio continues to blossom with its current inventory of Eastland Plaza Shopping Center, office buildings, and apartment complexes while creating additional revenue and maintaining affordable housing. AAHC’s current affordable housing portfolio includes: Single Family Homes (18 units), Sterling Village Apartments (207 units), Bent Tree Apartments (126 units), Sweetwater Apartments (152 units), Leisure Time Village (22 units), Lexington Hills Apartments (238 units), a General Partnership Investment at park at Summers Grove (240 units), the Bridge at South Point (176 units) and the Bridge at Volente (208 units).

AAHC and the Community Development Trust (CDT), a real estate investment trust (REIT) that provides capital for the creation and preservation of affordable housing, formed a partnership and acquired two market-rate properties, The Bridge at Center Ridge and The Bridge at Tech Ridge, totaling 642 units in Austin. The unique public-private partnership, between a private, mission-oriented REIT and a public housing authority, created high-quality affordable units in a rapidly growing area of Austin, and without the use of the Low-Income Housing Tax Credit (LIHTC) program. Located in North Central Austin, The Bridge at Center Ridge, with 348 units, and The Bridge at Tech Ridge, with 294 units were built in 2007- 2008 as unregulated market-rate properties with amenities including large resort-style pools, 24-hour fitness centers, and Wi-Fi throughout the common areas. Half of the units across both properties are being converted into long-term affordable housing and reserved for households earning less than 80 percent of the Area Median Income. In addition to the \$21.4 million in equity from CDT and AAHC, Bellwether Enterprise originated two new 10-year Freddie Mac mortgages to finance the acquisition. HACA keeps ownership of the land and leases it to the CDT-AAHC partnership on a long-term basis.

In addition, there are two properties on Ben White Boulevard. The Pointe at Ben White with 250 family units was 100 percent leased in January 2017. The Villages at Ben White with 183 senior units started pre-leasing in December 2016 and were 40 percent leased in March 2017. The Pointe and The Villages at Ben White features apartments for veterans, working families and those 55 and older earning at or below 60 percent of Austin’s area median income. The Villages is coordinating with the VA Outpatient Clinic, while The Pointe is coordinating with area social services. Ceiling fans and window blinds accompany Energy Star appliances, all of which meet Austin’s green building standards.

AAHC is well on its way to surpassing the “4040 by 2020” goal the organization set to increase its portfolio of affordable housing units from the current 3,328 to at least 4,040 in the next three years to help meet Austin’s critical need.

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**Building the Future:**

**Harris Branch Senior** - AAHC partnered with LDG Corporation for a second time on Harris Branch Senior, a 216-unit project located in north Austin on Dessau Road. Harris Branch Senior will house residents age 55 years and up. Harris Branch Senior is now leasing and is expected to open in summer 2017.

**Reserve at Springdale** - Ryan Companies, Inc. is AAHC’s partner on the Reserve at Springdale, a 292-unit development on Springdale Road. This project will be affordable to families with incomes at 60 percent median family income. The property is now leasing and is expected to be complete mid-summer 2017. The Reserve is a proposed workforce housing development.

**thinkEAST** - Coming soon with 182 apartments units, this property was purchased in November 2016 and is located north of Airport Road off Shady Lane in Austin. Construction of thinkEAST affordable apartment units is a result of a public-private partnership between local affordable housing developer, Madhouse Development, national affordable housing developer, Atlantic Pacific Management, and AAHC. Qualifying families will be at 60% of the Austin Area Median Income

**Urban Oaks** - Located near the intersection of Circle S Road and William Cannon, The Austin Affordable Housing Corporation and Ryan Companies U.S. Inc. recently began construction on Urban Oaks, a new affordable multi-family development with 194 units. The property is pre-leasing now for qualifying families at 60% of the Austin Area Median Income. Urban Oaks is an environmentally responsible project.

AAHC continued its success with its Down Payment Assistance Program, helping an overall total of 103 homeowners since the inception of the program in 2004. A down payment assistance loan of \$10,000 is provided to qualified first-time homebuyers who are residents of Public Housing or the Housing Choice Voucher Program. The loan is forgiven after five years if the homeowner is not in default and does not sell, transfer, refinance or convert the home to a rental property during that time. As of March 31, 2017, 60 homeowners have successfully completed their agreements and their down payment assistance loans were forgiven as agreed.

***Austin Pathways***

Austin Pathways is a HACA-directed nonprofit organization that supports HACA’s scholarship and self-sufficiency programs. Austin Pathways provides digital inclusion services to about 450 HACA households. In March 2017, the nonprofit participated in the 24-hour Amplify Austin online giving campaign. Donors gave more than \$37K to support scholarships and other life-changing assistance programs.

**Yes We Can!**

HACA gives kids the tools they need to stay in school and grow into successful adults. About 1,987 children under 18 live at HACA properties and participate in youth programs.

**Early Head Start Center**

HACA in partnership with Child Inc., and Mainspring Schools, opened a new Early Head Start Center in south Austin to provide children with fundamental educational building blocks. The center is designed to increase the accessibility of high-quality childcare services to 32 underserved infants, toddlers and working parents at HACA’s Meadowbrook Apartments and nearby public housing communities.

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Youth Educational Success (YES) Incentive Program

HACA’s Youth Educational Success (YES) programs are designed to reduce the dropout rate, increase academic performance, and result in more youth pursuing higher education. It is a critical element in breaking the cycle of poverty for HACA families, as more than half of HACA residents are under age 18. HACA’s YES Program coordinates with local providers of quality after-school and enrichment programs to ensure public housing youth are engaged in healthy, safe and meaningful activities outside of school. Partners include Communities in Schools, Boys and Girls Clubs, Boy Scouts, Girl Scouts, Lifeworks, Any Baby Can, Phoenix House and Mainspring Schools.

HACA students who have made the A/B honor roll and/or have perfect attendance were eligible to earn an incentive-based, gift card each grading period. In FY 2016-2017, 99 percent of case-managed youth stayed in school, and 514 achieved perfect attendance and/or earned a spot on the A/B honor roll (38 percent of HACA school-age youth).

Over \$1M in Scholarships

Almost nothing is more important than a good education. That’s why HACA and Austin Pathways have invested over \$1M in renewable resident scholarships since 2001. In July 2016, HACA was proud to award 57 scholarships totaling \$90,250 to deserving public housing and HCV residents at its annual scholarship ceremony.

Closing the Digital Divide

HACA is improving quality of life for low-income families by using technology to support economic independence. Digital equality directly enables workforce development, education, social inclusion and health and civic engagement opportunities.

Geek Squad Academy

HACA transported 63 kids from Austin to San Antonio last summer for Best Buy’s Geek Squad Academy. The “junior agents” participated in classes taught by Geek Squad experts on topics like 3D printing, digital music, video production, digital citizenship and circuit boards.

Unlocking the Connection

This program celebrated its two-year anniversary in November 2016. Since the first-of-its-kind digital literacy model began, about 80 percent of residents across three connected HACA properties have signed up for free gigabit Google Fiber internet service. To date, 650 donated refurbished devices have been deployed to HACA families.

Mobility Equity

HACA is working to ensure mobility equity for its residents through the Smart Work, Learn, and Play initiative funded by Next Century Cities’ Charles Benton Next Generation Engagement Award. Mobility Ambassadors receive training on digital tools for workforce, education and quality of life applications that they then pass on to their peers.

**Blueprint Housing Solutions**

Blueprint Housing Solution (Blueprint), a national consulting and services organization, is a non-profit and wholly-owned subsidiary of HACA. Blueprint was formed in 2014, under Section 115 of the Internal Revenue Code, as an affiliate of a governmental unit.

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**Blueprint Housing Solutions (continued)**

Blueprint partners with clients and delivers exceptional affordable housing programs. Blueprint assembles customized project teams of skilled and experienced senior level administrators to provide a full range of services to public housing authorities, HUD multifamily owners and agents, affordable housing agencies and industry groups. Blueprint has provided services to 72 clients in over 20 states across the country.

Services:

- Pre and Post MOR consulting and response services
- Tenant file compliance reviews and auditing services
- Pre and Post REAC consulting
- Annual, UPCS and HQS inspections
- Service Bureau- 50059/voucher processing
- EIV monitoring services
- Customized compliance forms
- Customized policies and procedures
- Customized technical assistance and training

**Employee Recognition Committee**

The Employee Recognition Committee (ERC) recognizes employees for exemplary work ethic through the Employee of the Quarter and Employee of the Year Awards. Twice a year, ERC hosts a Blood Drive for the benefit of the Blood Center of Central Texas. At the beginning of the winter season, ERC collected coats for Coats for Kids that benefits Austin area children (and adults) who are in need of warm coats. Employees also donated blankets and gently used clothing to homeless citizens in the Austin area.

**Analysis of Entity Wide Net Position (Statement of Net Position)**

	<u>3/31/2017</u>	<u>3/31/2016</u>	<u>Variance</u>	<u>% Change</u>
Cash and Investments	\$ 33,334,873	\$ 30,178,082	\$ 3,156,791	10%
Other Current Assets	6,139,446	3,520,336	2,619,110	74%
Noncurrent Assets	144,092,306	74,215,456	69,876,850	94%
<b>Total Assets</b>	<u>183,566,625</u>	<u>107,913,874</u>	<u>75,652,751</u>	<u>70%</u>
Current Liabilities	15,807,700	6,460,938	9,346,762	145%
Noncurrent Liabilities	68,187,970	30,502,063	37,685,907	124%
<b>Total liabilities</b>	<u>83,995,670</u>	<u>36,963,001</u>	<u>47,032,669</u>	<u>127%</u>
Net Investment in Capital Assets	61,920,714	46,194,181	15,726,533	34%
Restricted Net Position	6,269,146	803,418	5,465,728	680%
Unrestricted Net Position	31,381,095	23,953,274	7,427,821	31%
<b>Total Net Position</b>	<u>\$ 99,570,955</u>	<u>\$ 70,950,873</u>	<u>\$ 28,620,082</u>	<u>40%</u>

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Cash and Investments increased by \$3.2M primarily due to the infusion of restricted cash (from loan proceeds) for the rehabilitation of three Public Housing properties that were converted to PBRA through RAD. As part of the RAD conversion, loans were taken to perform repairs and to establish replacement reserves at these properties.

Other Current Assets increased by \$2.6M, primarily due to an increase in funds due to AAHC from partnership ventures, an increase in pre-development costs and accrued interest on the notes receivable.

Non-Current Assets increased by \$69.9M mainly due to new Investments in Joint Ventures (including the value of HACA’s land), Notes Receivable on conversion of properties to PBRA through RAD, property purchases and various capitalized improvements, including energy efficiency upgrades.

Total Assets for FYE 3/31/2017 increased to \$183.6M from \$107.9M for FYE 3/31/2016. This represents a net increase of 70 percent.

Total Liabilities for FYE 3/31/17 increased to \$84.0M from \$37.0M for FYE 3/31/2016. This represents a net increase of 127 percent, primarily due to loans on new properties, properties converted to PBRA through RAD, and deferred revenues on low income housing tax credit properties and Joint Ventures.

**The following table illustrates the changes in the Revenues and Expenses:**

	<u><b>3/31/2017</b></u>	<u><b>3/31/2016</b></u>	<u><b>Variance</b></u>	<u><b>% Change</b></u>
<b>Operating Revenue</b>				
Tenant Rental Revenue	\$ 13,129,920	\$ 11,132,691	\$ 1,997,229	18%
HUD PHA Operating Grants	79,032,843	73,980,916	5,051,927	7%
Other Revenue	11,796,021	5,893,253	5,902,768	100%
<b>Total Operating Revenue</b>	<b>103,958,784</b>	<b>91,006,860</b>	<b>12,951,924</b>	<b>14%</b>
<b>Operating Expenses</b>				
Administrative	21,626,098	18,086,786	3,539,312	20%
Tenant Services	2,880,333	2,159,323	721,010	33%
Utilities	3,804,577	3,828,923	(24,346)	-1%
Maintenance	7,002,123	6,600,672	401,451	6%
Housing Assistance Payments	52,092,618	48,803,678	3,288,940	7%
Other Operating Expenses	2,408,298	2,451,771	(43,473)	-2%
Depreciation	6,443,167	6,130,812	312,355	5%
<b>Total Operating Expenses</b>	<b>96,257,214</b>	<b>88,061,965</b>	<b>8,195,249</b>	<b>9%</b>
<b>Operating Income (Loss)</b>	<b>7,701,570</b>	<b>2,944,895</b>	<b>4,756,675</b>	<b>162%</b>
Non Operating Revenues (Expenses)	18,443,077	(1,482,710)	19,925,787	-1344%
Capital Contributions	2,475,435	1,216,001	1,259,434	104%
<b>Change in Net Position</b>	<b>\$ 28,620,082</b>	<b>\$ 2,678,186</b>	<b>\$ 25,941,896</b>	<b>969%</b>

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In FYE 03/31/2017 and FYE 03/31/2016, total revenues were \$104M and \$91M respectively. FYE 2017 revenues increased from FYE2016 by \$13M or 14%. The increases were in all categories. Tenant rental revenues increased primarily from additional tenant rental revenues generated by AAHC. HUD PHA Operating Grants increased due to increases in HUD Housing Assistance Payments in the Housing Choice Voucher Program, and a slight increase in the administrative fees generated by the Section Eight Project Based Contract Administration for Texas and Arkansas. Other Revenues also increased primarily from developer fees and related party partnership distributions generated during the fiscal year.

FYE 2017 Operating Expenses including depreciation increased from FYE 2016 by \$8M or 9%. Expenses increased slightly in all categories except for (1) utilities (with savings from Energy Performance Contract improvements) and (2) items previously shown as Other Operating Expenses but reflected as Tenant Services expenses. Additionally, the award and inclusion of the Jobs Plus grant expenditures also contributed to increases in Tenant Services.

**Overview of Budgets**

HACA Board of Commissioners approves a consolidated annual operating budget for all programs. Low Rent Public Housing Operating Subsidy calculation and Housing Choice Voucher Program funding are approved by the U.S. Department of Housing and Urban Development. All budgets were prepared in accordance with the accounting procedures, if any, prescribed by the applicable funding agency. Expenditures are monitored against the budget on a regular basis by the appropriate departments. A financial report with budgets to actual comparison by program is presented to the Board on a monthly basis.

**Capital Assets and Debt Administration**

The following table illustrates our Capital Assets:

	<b>3/31/2017</b>	<b>3/31/2016</b>	<b>Variance</b>	<b>% Change</b>
Land	\$ 36,996,689	\$ 14,078,894	\$ 22,917,795	163%
Buildings	147,899,505	147,398,665	500,840	0%
Improvements	14,713,330	17,954,164	(3,240,834)	-18%
Furniture and Equipment	3,273,911	5,260,887	(1,986,976)	-38%
Construction in Progress	11,459,310	7,226,691	4,232,619	59%
<b>Total Capital Assets</b>	<b>214,342,745</b>	<b>191,919,301</b>	<b>22,423,444</b>	<b>12%</b>
Less Accumulated Depreciation	110,089,243	123,801,878	(13,712,635)	-11%
<b>Net Capital Assets</b>	<b>\$ 104,253,502</b>	<b>\$68,117,423</b>	<b>\$36,136,079</b>	<b>53%</b>

Net Capital Assets increased primarily due to the inclusion of land purchased by the Authority that is leased to related parties and the purchase of Bridge at South Point (Oslo). The remaining additions are for improvements made to the Public Housing units through the Capital Fund program. The authority’s disposals consist of cost and accumulated depreciation of buildings, improvements and equipment that were sold to the related party partnerships as part of the RAD conversion.



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The following table summarizes our outstanding debt:

	<u>3/31/2017</u>	<u>3/31/2016</u>
Mortgage Note - Sterling Village	\$ 4,053,587	\$ 4,208,780
Mortgage Note - Bent Tree	1,453,993	1,515,382
Mortgage Note - Office Building	3,249,173	4,073,132
Mortgage Note - Sweetwater	3,442,231	3,517,011
Mortgage Note - Lexington Hills	8,476,973	8,608,937
Mortgage Note - Coronado Hills	1,095,316	-
Mortgage Note - Bouldin	6,375,731	-
Mortgage Note - Manchaca II	985,784	-
Mortgage Note - Oslo	13,200,000	-
Capital Lease-Performance Contracting	7,564,613	9,573,915
<b>Total Outstanding Debt</b>	<b><u>\$ 49,897,401</u></b>	<b><u>\$ 31,497,157</u></b>

All debt payments were made as scheduled during the fiscal year.

Additional information on HACA’s debt can be found in Note B-7 of the basic financial statements.

**Factors Affecting Next Year’s Budget**

The Authority is primarily dependent upon HUD for the funding of its Low Rent Public Housing, Housing Choice Voucher and Capital Fund programs; therefore, the Authority is affected more by the federal budget than by local economic conditions. The funding of those programs could be significantly affected by the 2018 and 2019 federal budgets. HACA’s budget and staffing level also will be impacted in the coming year by restarting the Management and Occupancy Reviews in SHCC.

In the coming year, the RAD conversion currently underway will have a major positive impact on HACA’s budget. Also, several AAHC partnerships and properties will be placed in service, with leasing starting this coming year.

**Economic Factors**

Significant economic factors affecting the Authority are as follows:

- Federal funding provided by Congress to the Department of Housing and Urban Development.
- Local labor supply and demand, which can affect salary and wage rates.
- Local inflationary, recessionary and employment trends, which can affect resident income and therefore the amount of rental income.
- Inflationary pressure on utility rates, housing costs, supply availability and other costs.
- Current trends in the housing market.

Housing Authority of the City of Austin

STATEMENT OF NET POSITION

March 31, 2017

**ASSETS**

**CURRENT ASSETS**

Cash - unrestricted	\$ 12,689,682
Cash - restricted	19,948,686
Investments - unrestricted	297,164
Receivables, net	2,810,727
Due from HUD	2,908,048
Prepaid expenses	398,649
Inventory	22,022
Total current assets	39,074,978

**NONCURRENT ASSETS**

Cash - restricted	399,341
Capital assets, net	104,253,502
Notes receivable - tenants	18,286
Notes and loans receivable - property	25,901,244
Investment in joint ventures	13,919,274
Total assets	183,566,625

**LIABILITIES**

**CURRENT LIABILITIES**

Current portion of long-term debt	10,891,241
Accounts payable	515,494
Due to HUD	5,505
Accrued interest payable	134,592
Accrued salaries	728,336
Accrued compensated absences	128,964
Accrued liabilities	1,937,814
Tenant security deposits	464,919
Unearned revenue	260,012
Unearned revenue - ground leases	296,730
Family self sufficiency escrow	257,716
Other current liabilities	186,377
Total current liabilities	15,807,700

**NONCURRENT LIABILITIES**

Long-term debt	39,006,160
Accrued compensated absences	1,972,214
Family self sufficiency escrow	399,341
Unearned revenue - ground leases	26,810,255
Total liabilities	83,995,670

**NET POSITION**

Net investment in capital assets	61,920,714
Restricted	6,269,146
Unrestricted	31,381,095
Total net position	\$ 99,570,955

The accompanying notes are an integral part of these financial statements.

# Housing Authority of the City of Austin

## STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION

March 31, 2017

### OPERATING REVENUES

HUD operating revenues	\$ 79,032,843
Tenant revenue, net	13,129,920
Other government operating grants	562,934
Other operating revenue	<u>11,233,087</u>
Total operating revenues	<u>103,958,784</u>

### OPERATING EXPENSES

Administrative	21,626,098
Tenant services	2,880,333
Utilities	3,804,577
Maintenance	7,002,123
Protective services	781,338
General	1,626,960
Depreciation	6,443,167
Housing assistance payments	<u>52,092,618</u>
Total operating expenses	<u>96,257,214</u>

### OPERATING INCOME

7,701,570

### NONOPERATING REVENUES (EXPENSES)

Mortgage interest income	100,088
Gain on sale of capital assets	20,307,525
Interest income - unrestricted	26,058
Interest expense	<u>(1,990,594)</u>
Total nonoperating revenues (expenses)	<u>18,443,077</u>
Change in net position before capital contributions	26,144,647

### CAPITAL CONTRIBUTIONS

HUD capital grants	<u>2,475,435</u>
Change in net position	28,620,082
Total net position - beginning	<u>70,950,873</u>
Total net position - ending	<u>\$ 99,570,955</u>

The accompanying notes are an integral part of these financial statements.

# Housing Authority of the City of Austin

## STATEMENT OF CASH FLOWS

March 31, 2017

### CASH FLOWS FROM OPERATING ACTIVITIES

HUD operating grants received	\$ 78,512,446
Collections from tenants	12,919,689
Other government grants received	517,752
Collections from other sources	8,991,524
Payments to employees	(21,117,148)
Payments to suppliers	(15,382,101)
Housing assistance payments	(51,854,945)
Net cash provided by operating activities	<u>12,587,217</u>

### CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES

HUD capital grants received	2,473,894
Payments on long-term debt	(3,292,756)
Proceeds from long-term debt	8,493,000
Payments of interest	(1,941,450)
Investments in joint ventures	(2,894,926)
Purchase of property and equipment	(14,455,810)
Proceeds from sale of property and equipment	<u>2,154,325</u>
Net cash used in capital and related financing activities	<u>(9,463,723)</u>

### CASH FLOWS FROM INVESTING ACTIVITIES

Collection of note receivable	2,232
Interest received	<u>145,960</u>
Net cash provided by investing activities	<u>148,192</u>

### NET INCREASE IN CASH

Cash at beginning of year	<u>3,271,686</u>
Cash at end of year	<u><u>29,766,023</u></u>
	<u><u>\$ 33,037,709</u></u>

### AS PRESENTED IN THE ACCOMPANYING STATEMENT OF NET POSITION:

Cash - unrestricted	\$ 12,689,682
Cash - restricted	19,948,686
Cash - restricted noncurrent	<u>399,341</u>
	<u><u>\$ 33,037,709</u></u>

The accompanying notes are an integral part of these financial statements.

# Housing Authority of the City of Austin

## STATEMENT OF CASH FLOWS (continued)

March 31, 2017

### RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES

Operating income	\$ 7,701,570
Adjustments to reconcile operating income to net cash provided by operating activities	
Depreciation	6,443,167
Provision for bad debt, net of recoveries	129,204
(Increase) decrease in assets:	
Receivables, net	(2,101,395)
Due from HUD	(524,965)
Prepaid expenses	22,139
Inventory	(10,270)
Investment in joint venture	(150,278)
Increase (decrease) in liabilities:	
Accounts payable	(279,821)
Due to HUD	4,568
Accrued salaries	53,326
Accrued compensated absences	267,241
Accrued liabilities	1,422,940
Tenant security deposits	(50,532)
Unearned revenue	(379,554)
Family self sufficiency escrow	47,008
Unearned revenue - ground leases	(283,588)
Other current liabilities	276,457
Net cash provided by operating activities	<u>\$ 12,587,217</u>

### SUPPLEMENTAL DISCLOSURE OF NON-CASH TRANSACTIONS:

Prepaid ground lease for investment in joint ventures	<u>\$ 4,900,000</u>
Prepaid ground lease for capital assets	<u>\$ 22,490,573</u>
Long-term debt for capital assets	<u>\$ 13,200,000</u>
Capital assets for notes receivable	<u>\$ 25,835,000</u>

The accompanying notes are an integral part of these financial statements.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

1. Reporting entity

The Housing Authority of the City of Austin (the "Authority") was established for the purpose of engaging in the development, acquisition and administration of the low-income housing program and other programs with similar objectives. The United States Department of Housing and Urban Development ("HUD") has direct responsibility for administering the low-income housing program under the United States Housing Act of 1937, as amended. The primary purpose of the Authority is to develop, acquire and operate safe, decent, sanitary and affordable housing for low-income families in the City of Austin, Texas in accordance with federal legislation and regulations.

The Authority's governing board consists of a five member Board of Commissioners (the "Board"), which is appointed by the Mayor of the City. The Authority is not a component unit of the City, as defined in Governmental Accounting Standards Board Statement No. 61, *The Financial Reporting Entity: Omnibus*, ("GASB No. 61") since the Board independently oversees the Authority's operations.

The definition of the reporting entity as defined by GASB No. 61 is based primarily on the notion of financial accountability. A primary government is financially accountable for the organizations that make up its legal entity. It is also financially accountable for legally separate organizations if its officials appoint a voting majority of an organization's governing body and either it is able to impose its will on that organization or there is a potential for the organization to provide specific financial benefits to, or to impose specific financial burdens on, the primary government. The Authority's reporting entity is comprised of an enterprise fund which includes the activities of several housing programs and blended component units.

***Blended component units***

Some component units, despite being legally separate from the primary government, are so integrated with the primary government that they are in substance part of the primary government. These component units are blended with the primary government. The Authority's financials include the following blended component units:

- Austin Affordable Housing Corporation ("AAHC") - a nonprofit organization that purchases and leases homes and other rental properties.
- Southwest Housing Compliance Corporation ("SHCC") - a nonprofit organization that administers HUD Performance Based Contracts for Section 8 Project Based units throughout Texas and Arkansas.
- Austin Pathways - a nonprofit organization that supports HACA's scholarship and self-sufficiency programs, previously named the HACA Scholarship Foundation, Inc.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

1. Reporting entity (continued)

***Blended component units (continued)***

- Blueprint Housing Solutions - a nonprofit organization that consults on affordable housing operations and community development programs.
- Austin Affordable Public Facility Corporation ("PFC") - a nonprofit organization created in accordance with Chapter 303 of the Texas Local Government Code to further the purpose of the Authority.
- Equity Community Land Trust ("CLT") - a nonprofit organization that provides homeownership opportunities through long-term leasing of land to homeowners.

In addition to the above, the Authority has created entities whose sole purpose is to assist in the development of affordable housing. The following blended component units are organized under AAHC and have an ownership interest in developments owned by related party entities (see Note B-13):

- PASG, LLC
- AAHC-CDT Parmer, LLC
- AAHC Lexington Hills, LLC
- Ben White Development GP, LLC
- Villages of Ben White GP, LLC
- Springdale Community Development, LLC
- Harris AAHCLDG, LLC

2. Government-wide and fund financial statements

The government-wide financial statements report information about the reporting government as a whole excluding fiduciary activities. The statements distinguish between governmental and business-type activities. Governmental activities generally are financed through taxes, intergovernmental revenues and other nonexchange revenues. Business-type activities rely to a significant extent on user fees and charges for support.

Governments use fund accounting whereby funds are organized into three major categories: governmental, proprietary and fiduciary. Each fund is accounted for by providing a separate set of self-balancing accounts that constitute its assets, deferred outflows of resources, liabilities, deferred inflows of resources, net position, revenues and expenditures/expenses.

For financial reporting purposes, the Authority reports all of its operations as a single business activity in a single enterprise fund. Therefore, the government-wide and the fund financial statements are the same.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

2. Government-wide and fund financial statements (continued)

Enterprise funds are proprietary funds. Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating activities generally arise from providing services in connection with a proprietary fund's principal activity. The operating revenues of the Authority consist primarily of rental charges to tenants, management fees, development fees, government grants and operating grants from the U.S. Department of Housing and Urban Development ("HUD") and include, to a lesser extent, certain operating amounts of capital grants that offset operating expenses.

Operating expenses for the Authority include the cost of tenant services, general, administrative, maintenance, utilities, protective services, depreciation and housing assistance payments. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses, except for capital contributions, which are presented separately.

When restricted resources meet the criteria to be available for use and unrestricted resources are also available for use, it is the Authority's policy to use restricted resources first, and then unrestricted resources, as needed.

3. Measurement focus and basis of accounting

Measurement focus is a term used to describe which transactions are recorded within the various financial statements. The proprietary fund utilizes an economic resources measurement focus. The accounting objectives of this measurement focus are the determination of operating income, changes in net position (or cost recovery), financial position and cash flows. All assets and liabilities (whether current or noncurrent) associated with their activities are reported. Proprietary fund equity is classified as net position.

Basis of accounting refers to when transactions are recorded regardless of the measurement focus applied. The basis of accounting used is similar to businesses in the private sector, thus, these funds are maintained on the accrual basis of accounting. Revenues are recognized when earned and expenses are recorded when the liability is incurred or economic asset used.

For financial reporting purposes, the Authority considers its HUD and certain other government grants associated with operations as operating revenue because these funds more closely represent revenues generated from operating activities rather than nonoperating activities. HUD and other grants associated with capital acquisition and improvements are considered capital contributions and are presented after nonoperating activity on the accompanying statement of revenues, expenses and changes in net position.

As provided by GASB No. 34 and related guidance, tenant revenue is reported net of \$129,204 in accounts written off.



**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

4. Summary of programs

The accompanying basic financial statements include the activities of several housing programs of the Authority. A summary of each significant program is provided below.

*Low Rent Public Housing Programs*

The Low Rent Public Housing Programs include asset management projects ("AMPs"), which collect both operating and capital fund subsidy and various other related HUD grants.

The purpose of these programs is to provide decent and affordable housing to low-income families at reduced rents. The properties are owned, maintained and managed by the Authority. The properties are acquired, developed and modernized under HUD's Development and Capital Fund programs. Funding of operations and development is provided by federal annual contributions, operating subsidies and tenant rentals (determined as a percentage of family income, adjusted for family composition and other allowances).

*Central Office Cost Center*

The Central Office Cost Center ("COCC") is a business unit within the Authority that generates revenue through fees for service from other Authority programs and activities.

*Housing Assistance Payments Programs*

The Housing Assistance Payments Programs utilize existing privately owned family rental housing units to provide decent and affordable housing to low-income families. The Section 8 Housing Choice Voucher ("HCV"), Section 8 Moderate Rehabilitation Single Room Occupancy, and Veterans Affairs Supportive Housing ("VASH") programs are funded through federal housing assistance contributions from HUD for the difference between the approved landlord contract rent and the rent paid by the tenants.

*Continuum of Care Program*

The Continuum of Care program is designed to promote community-wide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, states, and local governments to quickly re-house homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effective utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

4. Summary of programs (continued)

*Project Based Section 8 Contract Administration Program*

The Project Based Section 8 Contract Administration Program is operated by the SHCC, a blended component unit of the Authority, pursuant to an annual contributions contracts with HUD. HUD has outsourced oversight responsibilities of project based Section 8 to SHCC for the States of Texas and Arkansas.

*Other programs*

In addition to the programs above, the Authority also administers Family Self-Sufficiency, HOME Investment Partnerships, Shelter Plus Care, Supportive Housing for Persons with Disabilities, and Capital Fund Education and Training and Community Facilities Programs.

*Other rental activities*

Activities are conducted by AAHC and include the operation of sixteen rental houses, Eastland Plaza Shopping Center, Sterling Village Apartments, Bent Tree Apartments, Sweetwater Apartments, Lexington Hills Apartments and Leisure Time Village. Some of the sixteen houses are occupied with tenants possessing Section 8 Vouchers issued by the Authority. The shopping center and the apartments were purchased primarily with unrestricted funds from SHCC. The shopping center and apartments collect fair market rent from commercial entities and residents, respectively.

5. Assets, liabilities and net position

a. *Cash*

For financial statement purposes cash is considered to be cash in banks and highly liquid investments with original maturities of three months or less.

b. *Investments*

Investments are reported at fair value and consist only of items specifically approved for public housing agencies by HUD. Investments are either insured or collateralized with securities held by the Authority's agent in the Authority's name. It is the Authority's policy that all funds on deposit are collateralized in accordance with both HUD requirements and requirements of the State of Texas.

c. *Receivables*

Receivables consist of revenues earned and not yet collected. Amounts presented as due from HUD principally result from grant revenue being accrued for allowable program expenses not yet funded. Other receivables consist of tenant receivables, fraud recovery receivables for the housing assistance payments programs and reimbursement receivables from various parties in the normal course of business. An allowance for uncollectible amounts is estimated by management based on account composition and prior experience (see Note B-2).

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

5. Assets, liabilities and net position (continued)

*d. Due from other governments*

Due from other governments consists of revenue earned for related costs incurred from government grants that have not yet been collected.

*e. Inventory*

Inventory consists principally of materials held for use or consumption and is recorded on the average cost method. If inventory falls below cost due to damage, deterioration or obsolescence, the Authority establishes an allowance for obsolete inventory. Based on management's experience with the types of items in inventory and related usage plans, there is no allowance for obsolescence recorded as of March 31, 2017.

*f. Capital assets*

The Authority's policy is to capitalize assets with a value in excess of \$2,500 and a useful life in excess of two years. The Authority capitalizes the costs of site acquisition and improvement, structures, infrastructure, equipment and direct development costs meeting the capitalization policy. Assets are valued at historical cost, or estimated historical cost if actual historical cost is not available, and contributed assets are valued at fair value on the date contributed.

Depreciation has been provided using the straight-line method over the estimated useful lives, which range as follows:

Buildings and improvements	5 - 40 years
Equipment	3 - 5 years

*g. Investment in joint ventures*

The Authority's blended component unit, AAHC, accounts for its ownership in Partnerships using the equity method. Under the equity method, the initial investment is recorded at cost, and then increased or decreased by the Authority's share of income or losses and decreased by distributions (see Note B-5). These entities are considered to be related parties of the Authority (see Note B-13).

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

5. Assets, liabilities and net position (continued)

*h. Tenant security deposits*

Tenant security deposits are deposits held by the Authority that are required of tenants before they are allowed to move into an Authority owned site. The Authority records this cash as restricted, with an offsetting liability, as these funds may be reimbursable to the tenant when they move out.

*i. Accrued compensated absences*

Permanent employees are granted paid time off at varying rates depending on tenure with the Authority and can accrue a maximum of 240 hours of vacation time. Employees are entitled to 100% of any remaining accrued vacation upon termination. Employees with vacation time in excess of 240 hours must take time off to stay under the maximum. Sick leave is accrued and is eligible to be paid out on a vesting basis after a minimum of five years employment. The amount of compensated absences earned in the current period is expensed with the cumulative amount owed per the policy reflected as a liability in the basic financial statements.

*j. Unearned revenues*

Unearned revenues include amounts collected before revenue recognition criteria are met. The unearned revenues consist of \$140,447 of prepaid rents, \$119,565 of unspent grant funds and \$27,106,985 of prepaid ground lease rents associated with related parties (see Note B-6).

*k. Eliminations*

For financial reporting purposes, certain amounts are internal and are therefore eliminated in the accompanying financial statements. The following have been eliminated from the financial statements:

*i.) Interprogram due to/from*

In the normal course of operations, certain programs may pay for common costs or advance funds for operations that create interprogram receivables or payables. As of March 31, 2017, interprogram receivables and payables of \$1,151,035 are eliminated for the presentation of the Authority as a whole.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

5. Assets, liabilities and net position (continued)

k. *Eliminations (continued)*

ii.) *EPC reimbursable costs*

As part of the Energy Performance Contract, the Authority's AMPs are owed \$1,068,968 from PFC which relates to the energy savings loan (see Note B-7) and PFC is owed \$3,855,804 from the COCC. As of March 31, 2017, \$4,924,772 of accounts receivable and other current liabilities are eliminated for the presentation of the Authority as a whole.

iii.) *Internal notes receivable and payable*

The Authority's blended component unit, AAHC, borrowed \$4,900,000 of unrestricted funds from the Business Activities program to fund the investment in HACA Pathways I, LP (see Note B-5). As of March 31, 2017, \$4,900,000 of notes receivable and notes payable are eliminated for the presentation of the Authority as a whole. .

iv.) *Fee for service*

The Authority's COCC internally charges fees to the AMPs and programs of the Authority. These charges include management fees, bookkeeping fees, and asset management fees. For financial reporting purposes \$12,748,707 of fee for service charges have been eliminated for the year ended March 31, 2017.

v.) *Internal rent*

The Authority internally charges rent to other programs within the Authority. For financial reporting purposes \$216,288 of internal rent charges have been eliminated for the year ended March 31, 2017.

vi.) *Rental Assistance Demonstration*

The Authority received Public Housing operating subsidy for AMPs that were converted through the Rental Assistance Demonstration Program ("RAD"). In accordance with HUD guidance, the subsidy is reported as HAP expense in the AMPs and as government grant revenue in AAHC, the receiving entity. For financial reporting purposes, \$101,027 of HAP expense and grant revenue have been eliminated for the year ended March 31, 2017.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

5. Assets, liabilities and net position (continued)

*I. Net position*

In accordance with GASB Statement No. 34, as amended, total equity as of March 31, 2017, is classified into three components of net position:

*i.) Net investment in capital assets*

This category consists of capital assets (including restricted capital assets), net of accumulated depreciation and reduced by any outstanding balances of bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction, and improvements of those assets.

*ii.) Restricted component of net position*

This category consists of restricted assets and deferred outflows of resources by related liabilities and deferred inflows of resources restricted in their use by (1) external groups such as grantors, creditors or laws and regulations of other governments; or (2) law through constitutional provisions or enabling legislation. The statement of net position of the Authority reports the following in restricted net position:

Modernization and development	\$ 5,618,216
Voucher HAP reserves	18,406
Scholarships and other	<u>632,524</u>
Total restricted net position	<u><u>\$ 6,269,146</u></u>

*iii.) Unrestricted component of net position*

This category includes all of the remaining net position that does not meet the definition of the other two components.

6. Leasing activities

The Authority is the lessor of dwelling units mainly to low-income residents. The rents under the leases are determined generally by the resident's income as adjusted for eligible deductions regulated by HUD, although the resident may opt for a flat rent. Leases may be cancelled by the lessee at any time or renewed every year. The Authority may cancel the lease only for cause. In addition, other than the administrative offices, a significant portion of the capital assets are used in these leasing activities. Revenues associated with these leases are recorded in the accompanying basic financial statements and related schedules within tenant revenue.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

**7. Budgets**

Budgets are prepared on an annual basis for each major program and are used as a management tool throughout the accounting cycle. Budgets are not, however, legally adopted nor required in the basic financial statement presentation.

**8. Income taxes**

The Authority is a governmental entity and is exempt from federal and state income taxes. Accordingly, no provision for income taxes has been made in the financial statements. The Authority's nonprofit blended component units are also not subject to federal or state income taxes.

The Authority's remaining blended component units, as described in Note A-1, account for income taxes in accordance with Financial Accounting Standards Board Accounting Standards Codification ("FASB ASC") 740, *Income Taxes*, which clarifies the accounting and disclosure requirements for uncertainty in tax positions. It requires a two-step approach to evaluate tax positions and determine if they should be recognized in the financial statements. The two-step approach involves recognizing any tax positions that are "more likely than not" to occur and then measuring those positions to determine if they are recognizable in the financial statements. Management regularly reviews and analyzes all tax positions and has determined no aggressive tax positions have been taken.

For the fiscal year ended March 31, 2017, no provision or liability for federal income taxes has been included in the financial statements for the Authority's blended component units. The Authority's blended component units income tax filings are subject to audit by various taxing authorities. The open audit periods for these entities are 2013 through 2017.

**9. Use of estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**10. Impairment of long-lived assets**

The Authority evaluates events or changes in circumstances affecting long-lived assets to determine whether an impairment of its assets has occurred. If the Authority determines that a capital asset is impaired, and that impairment is other-than-temporary, then an impairment loss will be recorded in the Authority's financial statements. Management has determined that there were no impairments as of March 31, 2017.

Housing Authority of the City of Austin

NOTES TO BASIC FINANCIAL STATEMENTS

March 31, 2017

**NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)**

11. Impact of recently issued accounting principles

In June 2015, the GASB issued Statement No. 73, *Accounting and Financial Reporting for Pensions and Related Assets that are not within the Scope of GASB Statement 68 and Amendments to Certain Provisions of GASB Statements 67 and 68*, which clarifies certain provisions of GASB No. 68, *Accounting and Financial Reporting for Pensions*, and it establishes requirements for defined contribution pensions that was not within the scope of GASB No. 68. This statement is effective for the Authority's March 31, 2018 fiscal year end. Management is currently evaluating the impact of the adoption of this statement on the Authority's financial statements.

In January 2016, the GASB issued Statement No. 80, *Blending Requirements for Certain Component Units - An Amendment of GASB Statement No. 14*, which amends GASB Statement No. 14, *The Financial Reporting Entity*, as amended, by addressing the blending of a component unit incorporated as a not-for-profit corporation in which the primary government is the sole corporate member. This statement is effective for the Authority's March 31, 2018 fiscal year end. Management is currently evaluating the impact of the adoption of this statement on the Authority's financial statements.

In June 2017, the GASB issued Statement No. 87, *Leases*, which establishes a single model for lease accounting. This statement is effective for the Authority's March 31, 2021 fiscal year end. Management is currently evaluating the impact of the adoption of this statement on the Authority's financial statements.

**NOTE B - DETAILED NOTES**

1. Deposits and investments

As of March 31, 2017, the Authority's cash balance consists of cash in banks in the amount of \$33,037,709. The Authority's investments consist of certificates of deposit in the amount of \$297,164.

In accordance with GASB No. 40, the Authority's exposure to deposit and investment risk is disclosed as follows:

*Interest Rate Risk.* Interest rate risk is the risk that the relative value of a security will decline due to a change in interest rates. The Authority's policy to limit its exposure to declines in fair values of its investment portfolio is to only invest in HUD allowed investments and to monitor investments. As of March 31, 2017, the Authority's investment balance solely consisted of certificates of deposit, and therefore was not exposed to interest rate risk.

*Credit Risk.* Credit risk is the risk that a counterparty will fail to meet its obligations in accordance with agreed terms. It is the Authority's policy to follow the HUD regulations by only having direct investments and investments through mutual funds to direct obligations, guaranteed obligations, or obligations of the agencies in the United States of America. As of March 31, 2017, the Authority mitigated their exposure to credit risk by following HUD regulations.



**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

1. Deposits and investments (continued)

*Custodial Credit Risk.* Custodial credit risk is the risk that in the event of a bank failure, the Authority's deposits may not be returned. The Authority's policy regarding types of deposits allowed and collateral requirements are as follows: deposits and investments of the Authority and its component units, other than direct purchases of United States Treasury instruments or its agencies, is secured by pledged collateral. Collateralization levels of the Authority and component units are pledged at market value deposits and investments less an amount insured by the Federal Deposit Insurance Corporation (FDIC) or Federal Savings and Loan Insurance Corporation (FSLIC). Acceptable collateral, exclusive of FDIC and FSLIC coverage, is (1) A bond, certificate of indebtedness, or Treasury Note of the United States, or other evidence of indebtedness of the United States, its agencies or instrumentalities, (2) Obligations, the principal and interest on which, are unconditionally guaranteed or insured by the State of Texas, or (3) A bond of the State of Texas or of a county, city or other political subdivision of the State of Texas rated as investment grade (no less than "A" or its equivalent) by a nationally recognized rating agency with a remaining maturity of ten (10) years or less. As of March 31, 2017, none of the Authority's total bank balance of \$33,699,560 was exposed to custodial credit risk.

*Concentration of Credit Risk.* Concentration of credit risk is the risk of loss attributed to the Authority's investment in a single issuer. To limit the risk of loss attributed to the magnitude of the Authority's investment in a single issuer, the Authority limits its investments to a diversified portfolio and limits investments to those instruments allowed by Texas State Law and its investment policy.

Cash was restricted for the following purposes at March 31, 2017:

Current:	
EPC reserves	\$ 4,118,407
Debt service	8,715,038
Modernization and development	5,618,216
Tenant security deposits	464,919
Scholarships and other	752,089
Voucher HAP reserves	18,406
Family self-sufficiency escrow	257,716
Amounts due to HUD	<u>3,895</u>
Subtotal current	19,948,686
Noncurrent:	
Family self-sufficiency escrow	<u>399,341</u>
Total restricted cash	<u><u>\$ 20,348,027</u></u>

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

**2. Receivables, net**

As of March 31, 2017, receivables, net consist of:

Predevelopment costs	\$ 2,409,351
Due from other governments	114,545
Tenant receivables	64,144
Accrued interest receivable	96,103
Other receivables	<u>129,122</u>
Total receivables	2,813,265
Allowance for doubtful accounts - tenants	<u>(2,538)</u>
Total receivables, net	<u><u>\$ 2,810,727</u></u>

**3. Capital assets**

A summary of changes in capital assets is as follows:

	Balance at April 1, 2016	Transfers in/ Additions	Transfers out/ Deletions	Balance at March 31, 2017
Non-depreciable:				
Land	\$ 14,078,894	\$ 25,082,306	\$ (2,164,511)	\$ 36,996,689
Construction in progress	<u>7,226,691</u>	<u>7,406,136</u>	<u>(3,173,517)</u>	<u>11,459,310</u>
Total non-depreciable	<u>21,305,585</u>	<u>32,488,442</u>	<u>(5,338,028)</u>	<u>48,455,999</u>
Depreciated:				
Buildings and improvements	147,398,665	17,262,514	(16,761,674)	147,899,505
Equipment - administrative	4,204,861	263,004	(2,085,054)	2,382,811
Equipment - dwelling	1,056,026	32,651	(197,577)	891,100
Leasehold improvements	<u>17,954,164</u>	<u>308,967</u>	<u>(3,549,801)</u>	<u>14,713,330</u>
Total depreciated	<u>170,613,716</u>	<u>17,867,136</u>	<u>(22,594,106)</u>	<u>165,886,746</u>
Total capital assets	<u>191,919,301</u>	<u>50,355,578</u>	<u>(27,932,134)</u>	<u>214,342,745</u>
Less accumulated depreciation				
Buildings and improvements	(103,640,275)	(5,673,780)	15,104,108	(94,209,947)
Equipment - administrative	(2,632,159)	(266,441)	1,029,968	(1,868,632)
Equipment - dwelling	(524,497)	(101,909)	124,129	(502,277)
Leasehold improvements	<u>(17,004,947)</u>	<u>(401,037)</u>	<u>3,897,597</u>	<u>(13,508,387)</u>
Total accumulated depreciation	<u>(123,801,878)</u>	<u>(6,443,167)</u>	<u>20,155,802</u>	<u>(110,089,243)</u>
Capital assets, net	<u><u>\$ 68,117,423</u></u>	<u><u>\$ 43,912,411</u></u>	<u><u>\$ (7,776,332)</u></u>	<u><u>\$ 104,253,502</u></u>

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

3. Capital assets (continued)

During the year, the Authority purchased \$22,490,573 of land that is leased to related parties (see Note B-6). The additions to buildings mainly consist of \$14,725,894 for the purchase of Bridge at South Point ("Olso"). The remaining additions are primarily from improvements made to the Public Housing units through the Capital Fund program. The Authority's disposals consist mainly of cost and accumulated depreciation of buildings that were sold to the related party partnerships as part of the RAD conversion.

4. Notes and loans receivable - property

A summary of changes in notes receivable for the year ended March 31, 2017 is as follows:

	Payable at April 1, 2016	Additions	Reductions	Payable at March 31, 2017	Due within one year
CLT Home Loan A	\$ 71,357	\$ -	\$ (1,468)	\$ 69,889	\$ 1,528
CLT Home Loan B	-	75,000	(764)	74,236	1,353
HACA Pathways I, LP Note A	-	820,000	-	820,000	-
HACA Pathways I, LP Note B	-	24,940,000	-	24,940,000	-
Total	<u>\$ 71,357</u>	<u>\$ 25,835,000</u>	<u>\$ (2,232)</u>	<u>\$ 25,904,125</u>	<u>\$ 2,881</u>

*CLT Home Loans*

On June 28, 2013, the Authority's blended component unit, CLT, entered into a loan agreement with a tenant in the amount of \$75,000. The note has a maturity date of July 1, 2043. All interest is compounded monthly at a rate of 4.00%, with payments of \$358 due on the 1<sup>st</sup> of each month. The loan is secured by the property. As of March 31, 2017, the balance is \$69,889, of which \$1,528 is presented as current.

On August 1, 2016, the Authority's blended component unit, CLT, entered into a loan agreement with a tenant in the amount of \$75,000. The note has a maturity date of August 1, 2046. All interest is compounded monthly at a rate of 4.00%, with payments of \$358 due on the 1<sup>st</sup> of each month. The loan is secured by the property. As of March 31, 2017, the balance is \$74,236, of which \$1,353 is presented as current.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

4. Notes and loans receivable - property (continued)

*HACA Pathways I, LP Notes*

During 2017, the Authority's blended component unit, AAHC entered into a loan agreement with HACA Pathways I, LP in the amount of \$820,000. The note does not bear interest. The note is payable from surplus cash and is due and payable in full on its maturity date of November 1, 2066. As of March 31, 2017, the balance is \$820,000.

During 2017, the Authority entered into a loan agreement with HACA Pathways I, LP in the amount of \$24,940,000. All interest is compounded annually at a rate of 2.07%. The note is payable from surplus cash and is due and payable in full on its maturity date of November 1, 2066. As of March 31, 2017, the balance is \$24,940,000.

The HACA Pathways I, LP notes are secured by the real property.

5. Investment in joint venture

As of March 31, 2017, the Authority's investment in joint venture ownership interest percent and equity balance are as follows:

	Ownership interest	Balance at March 31, 2017
Related Party Partnership		
Century Park Apartments, LP	0.01%	\$ 1,698,909
HACA Pathways I, LP	0.01%	4,900,000
AAHC-CDT Center Ridge, LLC	20.00%	2,692,488
AAHC-CDT Tech Ridge, LLC	20.00%	1,732,951
Bridge at Volente, LLC	47.22%	2,894,926
Total investment in joint venture		<u>\$ 13,919,274</u>

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

6. Ground leases

A summary of changes in unearned revenue associated with the following entities as of March 31, 2017, is as follows:

	Balance at April 1, 2016	Additions	Reductions	Balance at March 31, 2017	Due within one year
Harris AAHCLDG, LP	\$ -	\$ 1,599,000	\$ -	\$ 1,599,000	\$ -
AAHC-CDT Tech Ridge, LLC	-	3,058,482	(40,780)	3,017,702	40,780
AAHC-CDT Center Ridge, LLC	-	4,026,569	(53,688)	3,972,881	53,688
6725 Urban Oaks Partnership, LP	-	1,400,000	-	1,400,000	-
Ben White Development, LP	-	2,500,000	(80,555)	2,419,445	33,333
Reserve at Springdale, LP	-	1,907,979	(38,160)	1,869,819	38,160
Village at Ben White, LP	-	1,500,000	(48,333)	1,451,667	20,000
Think East Apartments, Ltd.	-	2,000,543	-	2,000,543	-
Bridge at Volente, LLC	-	4,498,000	(11,359)	4,486,641	45,436
HACA Pathways I, LP	-	4,900,000	(10,713)	4,889,287	65,333
Total	<u>\$ -</u>	<u>\$ 27,390,573</u>	<u>\$ (283,588)</u>	<u>\$ 27,106,985</u>	<u>\$ 296,730</u>

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

6. Ground leases (continued)

In May of 2016, the Authority entered into a 99-year ground lease agreement with Harris AAHCLDG, LP. As of March 31, 2017, the lease had not yet commenced. Harris AAHCLDG, LP prepaid rent in the amount of \$1,599,000 which is included in unearned revenues as of March 31, 2017.

On September 16, 2015, the Authority entered into a 75-year ground lease agreement with AAHC-CDT Tech Ridge, LLC. AAHC-CDT Tech Ridge, LLC prepaid rent in the amount of \$3,058,482, of which \$3,017,702 is included in unearned revenues as of March 31, 2017 and \$40,780 has been recognized as rental income for the year ended March 31, 2017.

On September 16, 2015, the Authority entered into a 75-year ground lease agreement with AAHC-CDT Center Ridge, LLC. CDT Center Ridge, LLC prepaid rent in the amount of \$4,026,569, of which \$3,972,881 is included in unearned revenues as of March 31, 2017 and \$53,688 has been recognized as rental income for the year ended March 31, 2017.

On September 16, 2015, the Authority entered into a 75-year ground lease agreement with 6725 Urban Oaks Partnership, LP. As of March 31, 2017, the lease had not yet commenced. 6725 Urban Oaks Partnership, LP prepaid rent in the amount of \$1,400,000 which is included in unearned revenues as of March 31, 2017.

On August 1, 2014, the Authority entered into a 75-year ground lease agreement with Ben White Development, LP. Ben White Development, LP prepaid rent in the amount of \$2,500,000, of which \$2,419,445 is included in unearned revenues as of March 31, 2017 and \$80,555 has been recognized as rental income for the year ended March 31, 2017.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

6. Ground leases (continued)

On September 16, 2015, the Authority entered into a 75-year ground lease agreement with Reserves at Springdale, LP. Reserves at Springdale, LP prepaid rent in the amount of \$1,907,979, of which \$1,869,819 is included in unearned revenues as of March 31, 2017 and \$38,160 has been recognized as rental income for the year ended March 31, 2017.

On August 1, 2014, the Authority entered into a 75-year ground lease agreement with Village at Ben White, LP. Village at Ben White, LP prepaid rent in the amount of \$1,500,000, of which \$1,451,667 is included in unearned revenues as of March 31, 2017 and \$48,333 has been recognized as rental income for the year ended March 31, 2017.

On October 19, 2015, the Authority entered into a 75-year ground lease agreement with Think East Apartments, Ltd. As of March 31, 2017, the lease had not yet commenced. Think East Apartments, Ltd. prepaid rent in the amount of \$2,000,543 which is included in unearned revenues as of March 31, 2017.

On September 16, 2016, the Authority entered into a 99-year ground lease agreement with Bridge at Volente, LLC. Bridge at Volente, LLC prepaid rent in the amount of \$4,498,000, of which \$4,486,641 is included in unearned revenues as of March 31, 2017 and \$11,359 has been recognized as rental income for the year ended March 31, 2017.

On November 1, 2016, the Authority entered into a 75-year ground lease agreement with HACA Pathways I, LP. HACA Pathways I, LP prepaid rent in the amount of \$4,900,000, of which \$4,889,287 is included in unearned revenues as of March 31, 2017 and \$10,713 has been recognized as rental income for the year ended March 31, 2017.

For all of the Authority's ground leases, the total lease revenue will be amortized over the term of the lease using the straight-line method. Upon expiration of the lease, the ownership of all property improvements reverts to the Authority.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

**7. Noncurrent liabilities**

A summary of changes in noncurrent liabilities for the year ended March 31, 2017 is as follows:

	Balance at April 1, 2016	Additions	Reductions	Balance at March 31, 2017	Due within one year
Long Term Debt:					
Sweetwater	\$ 3,517,011	\$ -	\$ (74,780)	\$ 3,442,231	\$ 3,442,231
Bent Tree Apartments	1,515,381	-	(61,388)	1,453,993	63,770
Sterling Village Apartments Mortgage	3,345,306	-	(121,025)	3,224,281	3,224,281
HACA Building	4,073,132	-	(823,959)	3,249,173	872,537
Lexington Hills	8,608,939	-	(131,966)	8,476,973	139,345
Sterling Village Apartments Loan	863,473	-	(34,167)	829,306	829,306
Bridge at South Point (OSLO)	-	13,200,000	-	13,200,000	-
Bouldin Oaks	-	6,403,000	(27,269)	6,375,731	108,238
Coronado Hills	-	1,100,000	(4,684)	1,095,316	18,595
Manchaca II	-	990,000	(4,216)	985,784	16,735
Texas Capital EPC	9,573,915	-	(2,009,302)	7,564,613	2,176,203
Total Long term debt	31,497,157	21,693,000	(3,292,756)	49,897,401	10,891,241
Other Noncurrent Liabilities:					
Compensated absences	1,833,937	385,185	(117,944)	2,101,178	128,964
FSS Escrow	610,049	851,756	(804,748)	657,057	257,716
Ground leases	-	27,390,573	(283,588)	27,106,985	296,730
Total	<u>\$ 33,941,143</u>	<u>\$ 50,320,514</u>	<u>\$ (4,499,036)</u>	<u>\$ 79,762,621</u>	<u>\$ 11,574,651</u>

**Sweetwater Apartments**

On September 28, 2007, the Authority entered into a mortgage agreement payable to JPMorgan Chase Bank in the original amount of \$3,992,000 for the financing of Sweetwater Apartments. The debt was issued at a rate of 6.11% per annum with monthly payments of \$24,217. The loan matures October 1, 2017 and is secured by the real property. As of March 31, 2017, the outstanding principal balance of \$3,442,231 is all classified as current. The loan was refinanced on June 6, 2017 with the maturity date extended to July 1, 2027.



**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

7. Noncurrent liabilities (continued)

Bent Tree Apartments

On November 14, 2013, the Authority entered into a mortgage agreement in the amount of \$1,650,000 for the financing of Bent Tree Apartments. The annual interest rate on the mortgage is calculated using the applicable index rate plus one percent. As of March 31, 2017, the applicable interest rate on the mortgage was 3.75% per annum with monthly payments of \$9,830. The loan matures November 14, 2033 and is secured by the real property. As of March 31, 2017, the future principal and interest maturities are as follows for the years ending March 31:

	Principal	Interest
2018	\$ 63,770	\$ 53,984
2019	66,238	51,508
2020	68,669	49,069
2021	71,457	46,272
2022	74,222	43,498
2023-2027	416,360	172,095
2028-2032	503,402	84,772
2033-2034	189,875	5,775
	\$ 1,453,993	\$ 506,973

Sterling Village Apartments mortgage

On November 14, 2013, the Authority entered into a mortgage agreement in the amount of \$3,500,000 for the financing of Sterling Village Apartments. Monthly interest is being calculated based on the net outstanding balance using the applicable index rate plus one percent. As of March 31, 2017, the applicable interest rate on the mortgage was 3.75% per annum with monthly payments of \$20,514. The loan matures May 14, 2033 and is secured by the real property. During fiscal year 2018, this mortgage was refinanced and as a result as of March 31, 2017, the outstanding principal balance of \$3,224,281 is all classified as current.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

7. Noncurrent liabilities (continued)

HACA Building

On August 9, 2010, the Authority entered into a mortgage agreement in the amount of \$7,900,000 for the financing of the administrative office building. The debt was issued at a rate of 5.65% per annum with monthly payments of \$86,344. The loan matures on August 9, 2020 and is secured by the real property. As of March 31, 2017, the future principal and interest maturities are as follows for the years ending March 31:

	Principal	Interest
2018	\$ 872,537	\$ 163,588
2019	923,854	112,271
2020	978,100	58,024
2021	474,682	7,327
	\$ 3,249,173	\$ 341,210

Lexington Hills

On September 20, 2013, the Authority entered into a mortgage agreement in the amount of \$8,900,000 for the financing of Lexington Hills. The debt was issued at a rate of 5.38% per annum with monthly payments of \$49,865. The loan matures on October 1, 2023 and is secured by the real property. As of March 31, 2017, the future principal and interest maturities are as follows for the years ending March 31:

	Principal	Interest
2018	\$ 139,345	\$ 459,037
2019	147,139	451,243
2020	154,165	444,217
2021	163,991	434,391
2022	173,164	425,219
2023-2024	7,699,169	654,420
	\$ 8,476,973	\$ 2,868,527

Sterling Village Apartments loan

On October 1, 2014, the Authority entered into a debt agreement in the amount of \$900,000 for building improvements. The debt was issued at a rate of 3.75% per annum. The loan matures on May 14, 2034 and is secured by the real property. During fiscal year 2018, this mortgage was refinanced and as a result as of March 31, 2017, the outstanding principal balance of \$829,306 is all classified as current.

**Housing Authority of the City of Austin**

**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

7. Noncurrent liabilities (continued)

Bridge at South Point (OSLO) loan

On May 12, 2016, AAHC entered into a debt agreement with Bellwether Enterprise Real Estate Capital, LLC in the amount of \$13,200,000 for building improvements. The debt was issued at a rate of 3.95% per annum. The loan matures on June 1, 2026 and is secured by the real property. As of March 31, 2017, the future principal and interest maturities are as follows for the years ending March 31:

	Principal	Interest
2018	\$ -	\$ 527,973
2019	-	527,973
2020	-	527,973
2021	170,718	525,769
2022	234,247	516,965
2023-2027	12,795,035	2,088,254
	<u>\$ 13,200,000</u>	<u>\$ 4,714,907</u>

Bouldin Oaks loan

On November 7, 2016, AAHC entered into a debt agreement with Greystone Servicing Corp. in the amount of \$6,403,000 for critical maintenance and renovations for the property. The debt was issued at a rate of 4.10% per annum. The loan matures on December 1, 2034 and is secured by the real property. As of March 31, 2017, the future principal and interest maturities are as follows for the years ending March 31:

	Principal	Interest
2018	\$ 108,238	\$ 218,767
2019	112,824	258,446
2020	116,916	254,355
2021	122,558	248,712
2022	127,751	243,519
2023-2027	723,972	1,132,379
2028-2032	890,483	965,869
2033-2035	4,172,989	446,415
	<u>\$ 6,375,731</u>	<u>\$ 3,768,462</u>

**Housing Authority of the City of Austin**

**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

7. Noncurrent liabilities (continued)

Coronado Hills loan

On November 7, 2016, AAHC entered into a debt agreement with Greystone Servicing Corp. in the amount of \$1,100,000 for critical maintenance and renovations for the property. The debt was issued at a rate of 4.10% per annum. The loan matures on December 1, 2034 and is secured by the real property. As of March 31, 2017, the future principal and interest maturities are as follows for the years ending March 31:

	Principal	Interest
2018	\$ 18,595	\$ 37,583
2019	19,383	44,400
2020	20,085	43,697
2021	21,055	42,727
2022	21,947	41,835
2023-2027	124,374	194,537
2028-2032	152,980	165,931
2033-2035	716,897	76,692
	\$ 1,095,316	\$ 647,402

Manchaca II loan

On November 7, 2016, AAHC entered into a debt agreement with Greystone Servicing Corp. in the amount of \$990,000 for critical maintenance and renovations for the property. The debt was issued at a rate of 4.10% per annum. The loan matures on December 1, 2034 and is secured by the real property. As of March 31, 2017, the future principal and interest maturities are as follows for the years ending March 31:

	Principal	Interest
2018	\$ 16,735	\$ 33,825
2019	17,444	39,960
2020	18,077	39,327
2021	18,949	38,455
2022	19,752	37,652
2023-2027	111,937	175,083
2028-2032	137,682	149,338
2033-2035	645,208	69,023
	\$ 985,784	\$ 582,663

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

7. Noncurrent liabilities (continued)

Texas Capital EPC Loan

On July 1, 2014, the Authority entered into a loan agreement in the amount of \$13,700,000 as part of an Energy Performance Contract. The debt was issued at a rate of 3.40% per annum. The loan matures on June 30, 2020 and is secured by the real property. As of March 31, 2017, the future principal and interest maturities are as follows for the years ending March 31:

	Principal	Interest
2018	\$ 2,176,203	\$ 223,797
2019	2,348,166	147,134
2020	2,451,352	64,779
2021	588,892	3,340
	\$ 7,564,613	\$ 439,050

8. Pension plan

The Authority provides pension benefits for all of its full time regular employees through a defined contribution plan. The plan is administered by Housing Authority Retirement Trust. In a defined contribution plan, benefits depend solely on amounts contributed to the plan plus investment earnings. The Board is authorized to establish and amend plan benefits. Full-time employees are eligible to participate from the first day of employment. The Authority contributes 10% of the total gross wages for up to five years of continuous employment, 15% of the total gross wages for continuous employment above five years, and 20% of total gross wages for continuous employment above 15 years into the pension plan. The Authority's contributions for each employee (and investment earnings allocated to the employee's account) are fully vested after 5 years. Authority contributions for, and interest forfeited by, employees who leave employment before vesting are refunding the Authority and returned to the appropriate program. The amounts contributed by the Authority for the year ended March 31, 2017 was \$1,772,620. The Authority's employees made voluntary contributions of \$19,748.

9. Risk management

The Authority is exposed to various risks of loss related to torts; theft of, damages to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. As part of the Authority's risk management program, certain commercial insurance policies are purchased.

There were no significant reductions of insurance coverage from prior years and actual settlements did not exceed insurance coverage for each of the past three years.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

10. Commitments and contingencies

*a. Legal*

The Authority is party to various pending or threatened legal actions arising in the normal course of operations. Although the outcome of these actions is not presently determinable, it is the Authority's opinion that any ultimate liability is not expected to have a material adverse effect on the Authority's financial position.

*b. Grants and contracts*

The Authority participates in various grant programs that are subject to review and audit by the grantor agencies. Entitlements to these resources are generally conditional upon compliance with the terms and conditions of grant agreements and applicable federal regulations, including the expenditure of resources for allowable purposes. Any disallowance resulting from a grantor audit may become a liability of the Authority. As of the date of this report, management is not aware of any such instances.

The Authority has received cumulative funding in excess of housing assistance payments ("HAP") through the Section 8 Housing Choice Voucher Program in accordance with current regulations. As of March 31, 2017, the remaining Housing Choice Voucher HAP reserve of \$18,406 is presented as restricted net position.

*c. Funds awarded*

The Authority receives funding from HUD through Capital Fund programs to help subsidize the cost of project repairs, improvements and certain operating costs. Unspent funded awards as of March 31, 2017 amounted to \$3,033,332 for the Capital Fund program.

11. Concentrations

For the year ended March 31, 2017, approximately 64% of revenues and 51% of receivables reflected in the financial statements are from HUD.

The Authority operates in a heavily regulated environment. The operations of the Authority are subject to the administrative directives, rules and regulations of federal, state and local regulatory agencies, including, but not limited to HUD. Such administrative directives, rules and regulations are subject to change by an act of Congress or an administrative change mandated by HUD. Such changes may occur with little notice or inadequate funding to pay for the related costs and the additional administrative burden to comply with the changes. In addition, any excess reserves may reduce future funding levels and possibly be subject to recapture.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

12. Financial data schedule

As required by HUD, the Authority prepares its financial data schedule in accordance with HUD requirements in a prescribed format which differs from the presentation of the basic financial statements. The schedule's format presents certain operating items as non-operating such as depreciation expense, housing assistance payments and extraordinary maintenance expense. In addition, the schedule's format includes non-operating items as operating such as investment revenue, HUD capital grants revenue, interest expense and gains and losses on the disposal of capital assets. Furthermore, the schedule reflects tenant revenue and bad debt expense separately.

13. Related parties

The Authority's financial statements include the activities of blended component units that have an ownership interest in various Partnerships that are involved in the development of affordable housing. Due to the relationship of these entities, the Partnerships are considered to be related parties of the Authority.

14. Subsequent events

In preparing these financial statements, the Authority has evaluated events and transactions for potential recognition or disclosure through September 22, 2017, the date the financial statements were available to be issued and noted no additional significant items to be disclosed.

15. Condensed blended component unit information

Condensed component unit information for the Authority's significant blended component units as listed in Note A-1 is on the next page.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

15. Condensed blended component unit information (continued)

Condensed Statement of Net Position

	AAHC	PFC	CLT	SHCC	Austin Pathways	Blueprint Housing Solutions	Total Blended Component Units
<b>Assets:</b>							
Current assets	\$ 4,864,005	\$ 3,855,804	\$ 2,881	\$ 2,996,760	\$ 129,640	\$ 16,589	\$ 11,865,679
Restricted assets	13,797,280	4,118,407	-	3,895	752,089	-	18,671,671
Capital assets, net	52,650,984	-	44,325	-	-	-	52,695,309
Notes receivable	820,000	-	141,244	-	-	-	961,244
Investments in joint ventures	13,919,274	-	-	-	-	-	13,919,274
Total assets	<u>86,051,543</u>	<u>7,974,211</u>	<u>188,450</u>	<u>3,000,655</u>	<u>881,729</u>	<u>16,589</u>	<u>98,113,177</u>
<b>Liabilities:</b>							
Current liabilities	2,671,145	409,598	2,154	182,574	94,078	12,364	3,371,913
Current liabilities payable from restricted assets	8,146,685	2,176,203	-	3,895	119,565	-	10,446,348
Noncurrent liabilities	<u>36,197,238</u>	<u>5,388,410</u>	<u>-</u>	<u>234,154</u>	<u>7,627</u>	<u>4,225</u>	<u>41,831,654</u>
Total liabilities	<u>47,015,068</u>	<u>7,974,211</u>	<u>2,154</u>	<u>420,623</u>	<u>221,270</u>	<u>16,589</u>	<u>55,649,915</u>
<b>Net position:</b>							
Net investment in capital assets	13,567,369	-	44,325	-	-	-	13,611,694
Restricted	5,618,216	-	-	-	632,524	-	6,250,740
Unrestricted	<u>19,850,890</u>	<u>-</u>	<u>141,971</u>	<u>2,580,032</u>	<u>27,935</u>	<u>-</u>	<u>22,600,828</u>
Total net position	<u>\$ 39,036,475</u>	<u>\$ -</u>	<u>\$ 186,296</u>	<u>\$ 2,580,032</u>	<u>\$ 660,459</u>	<u>\$ -</u>	<u>\$ 42,463,262</u>



**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**  
**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

15. Condensed blended component unit information (continued)

Condensed Statement of Revenues, Expenses and Changes in Net Position

	AAHC	PFC	CLT	SHCC	Austin Pathways	Blueprint Housing Solutions	Total Blended Component Units
Operating revenues and (expenses)							
HUD revenue	\$ -	\$ -	\$ -	\$ 13,206,002	\$ -	\$ -	\$ 13,206,002
Tenant revenue, net	8,605,793	-	-	-	-	-	8,605,793
Other government grants	-	-	-	-	25,750	-	25,750
Other revenue	8,515,499	659,370	4,546	110,877	301,050	182,884	9,774,226
Depreciation	(2,696,907)	-	-	-	-	-	(2,696,907)
Other operating expenses	(8,285,533)	-	(9,702)	(13,313,840)	(582,345)	(295,619)	(22,487,039)
Operating income (loss)	6,138,852	659,370	(5,156)	3,039	(255,545)	(112,735)	6,427,825
Nonoperating revenues and (expenses)							
Gain on sale of fixed asset	-	-	32,260	-	-	-	32,260
Interest income	1,536	-	4,570	1,961	359	-	8,426
Interest expense	(1,482,027)	(299,052)	-	-	-	-	(1,781,079)
Transfer from (to) other programs	(150,987)	4,053,386	-	-	340,258	112,735	4,355,392
Change in net position	4,507,374	4,413,704	31,674	5,000	85,072	-	9,042,824
Beginning net position	29,630,309	-	154,622	2,575,032	575,387	-	32,935,350
Equity transfer in (out)	4,898,792	(4,413,704)	-	-	-	-	485,088
Ending net position	<u>\$ 39,036,475</u>	<u>\$ -</u>	<u>\$ 186,296</u>	<u>\$ 2,580,032</u>	<u>\$ 660,459</u>	<u>\$ -</u>	<u>\$ 42,463,262</u>
Check	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

The above financial information for the Southwest Housing Compliance Corporation ("SHCC") excludes pass-through funding. Separately issued financial statements can be obtained from the Authority.

**Housing Authority of the City of Austin**  
**NOTES TO BASIC FINANCIAL STATEMENTS**

**March 31, 2017**

**NOTE B - DETAILED NOTES (continued)**

15. Condensed blended component unit information (continued)

Condensed Statement of Cash Flows

	AAHC	PFC	CLT	SHCC	Austin Pathways	Blueprint Housing Solutions	Total Blended Component Units
Net cash provided by (used in):							
Operating activities	\$ 8,189,320	\$ 659,370	\$ (6,802)	\$ (68,747)	\$ (390,898)	\$ (116,229)	\$ 8,266,014
Capital and related financing activities	866,392	(9,064,506)	-	-	-	-	(8,198,114)
Investing activities	1,536	-	6,802	1,961	359	-	10,658
Transfer (to) from other entities	(150,987)	4,053,386	-	-	419,094	116,229	4,437,722
Net increase (decrease) in cash	8,906,261	(4,351,750)	-	(66,786)	28,555	-	4,516,280
Beginning cash	8,144,207	8,470,157	-	789,782	851,324	15,614	18,271,084
Ending cash	<u>\$ 17,050,468</u>	<u>\$ 4,118,407</u>	<u>\$ -</u>	<u>\$ 722,996</u>	<u>\$ 879,879</u>	<u>\$ 15,614</u>	<u>\$ 22,787,364</u>

## **SUPPLEMENTAL INFORMATION**

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																			
Line Item No.	Account Description	AMP 1 Chalmers Courts Operating	AMP 1 Chalmers Courts Capital	AMP 2 Rosewood Courts Operating	AMP 2 Rosewood Courts Capital	AMP 3 Santa Rita Courts Operating	AMP 3 Santa Rita Courts Capital	AMP 4 Meadowbrook Courts Operating	AMP 4 Meadowbrook Courts Capital	AMP 5 Booker T Washington Ter. Operating	AMP 5 Booker T Washington Ter. Capital	AMP 7 Lakeside Apartments Operating	AMP 7 Lakeside Apartments Capital	AMP 9 Gaston Place Operating	AMP 9 Gaston Place Capital	AMP 10 Bouldin Oaks Operating	AMP 10 Bouldin Oaks Capital	AMP 11 Thurmond Heights Operating	AMP 11 Thurmond Heights Capital
111	Cash - Unrestricted	477,301	-	381,132	-	348,081	-	751,472	-	1,076,082	-	239,619	-	209,147	-	-	-	354,497	-
112	Cash - Restricted - Modernization and Development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
113	Cash - other restricted	7,807	-	5,174	-	12,463	-	35,432	-	15,709	-	-	-	-	-	-	-	24,781	-
114	Cash - Tenant Security Deposits	22,655	-	18,948	-	14,583	-	21,782	-	32,050	-	19,857	-	10,930	-	-	-	12,928	-
115	Cash - Restricted for payment of current liability	2,692	-	34,138	-	3,527	-	13,573	-	22,098	-	-	-	-	-	-	-	35,870	-
100	Total Cash	510,455	-	439,392	-	378,654	-	822,259	-	1,145,939	-	259,476	-	220,077	-	-	-	428,076	-
121	Accounts Receivable - PHA Projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
122	Accounts Receivable - HUD Other Projects	13,854	-	148	-	817	-	21,273	-	371	-	172,517	-	-	-	-	-	35,014	-
124	Accounts Receivable - other government	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
125	Accounts Receivable - Miscellaneous	-	-	-	-	247	-	290,062	-	77,809	-	27,273	-	492	-	-	-	159,241	-
126	Accounts Receivable - Tenants - Dwelling Rents	4,442	-	4,597	-	2,907	-	3,056	-	5,708	-	3,069	-	4,348	-	-	-	694	-
126.1	Allowance for Doubtful Accounts - Dwelling Rents	(1,864)	-	-	-	(579)	-	-	-	-	-	-	-	(95)	-	-	-	-	-
127	Notes, Loans, & Mortgages Receivable - current	1,200	-	-	-	1,512	-	2,732	-	-	-	-	-	-	-	-	-	-	-
128	Fraud recovery	-	-	-	-	-	-	5,885	-	-	-	-	-	-	-	-	-	-	-
129	Accrued interest receivable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
120	Total Receivables, net of allowances for doubtful accounts	17,632	-	4,745	-	4,904	-	323,008	-	83,888	-	202,859	-	4,745	-	-	-	194,949	-
131	Investments - Unrestricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
142	Prepaid Expenses and Other Assets	-	-	-	-	-	-	-	-	-	-	366	-	-	-	-	-	-	-
143	Inventories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
144	Interprogram due from	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
150	Total Current Assets	528,087	-	444,137	-	383,558	-	1,145,267	-	1,229,827	-	462,701	-	224,822	-	-	-	623,025	-
161	Land	39,598	-	74,987	-	23,316	-	74,031	-	471,793	-	230,105	-	132,576	-	-	-	408,923	-
162	Buildings	5,471,825	-	6,243,860	-	3,544,277	-	10,238,546	-	17,646,075	-	5,590,296	-	5,101,957	-	-	-	10,424,366	-
163	Furniture, Equipment and Machinery - Dwellings	104,863	-	109,541	-	19,771	-	217,792	-	61,272	-	50,118	-	66,391	-	-	-	107,806	-
164	Furniture, Equipment and Machinery - Administration	35,282	-	90,782	-	12,781	-	147,001	-	125,881	-	165,731	-	53,625	-	-	-	40,318	-
165	Leasehold Improvements	1,203,463	-	1,189,603	-	1,253,251	-	1,330,649	-	3,942,673	-	1,039,679	-	818,267	-	-	-	1,194,698	-
166	Accumulated Depreciation	(6,491,579)	-	(7,486,824)	-	(4,395,339)	-	(9,140,469)	-	(20,444,737)	-	(6,283,679)	-	(5,494,491)	-	-	-	(8,138,451)	-
167	Construction In Progress	2,224	-	56,000	-	218,590	-	2,000,687	-	2,419,054	-	175,746	-	10,500	-	-	-	1,831,225	-
160	Total Fixed Assets, Net of Accumulated Depreciation	365,676	-	277,949	-	676,637	-	4,868,237	-	4,222,011	-	967,996	-	688,825	-	-	-	5,868,885	-
171	Notes, loans, and mortgages receivable - Noncurrent	18,286	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
176	Investment in joint ventures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
180	Total Non-Current Assets	383,962	-	277,949	-	676,637	-	4,868,237	-	4,222,011	-	967,996	-	688,825	-	-	-	5,868,885	-
190	Total Assets	912,049	-	722,086	-	1,060,195	-	6,013,504	-	5,451,838	-	1,430,697	-	913,647	-	-	-	6,491,910	-

See Independent Auditor's Report

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																			
Line Item No.	Account Description	AMP 1 Chalmers Courts Operating	AMP 1 Chalmers Courts Capital	AMP 2 Rosewood Courts Operating	AMP 2 Rosewood Courts Capital	AMP 3 Santa Rita Courts Operating	AMP 3 Santa Rita Courts Capital	AMP 4 Meadowbrook Courts Operating	AMP 4 Meadowbrook Courts Capital	AMP 5 Booker T Washington Ter. Operating	AMP 5 Booker T Washington Ter. Capital	AMP 7 Lakeside Apartments Operating	AMP 7 Lakeside Apartments Capital	AMP 9 Gaston Place Operating	AMP 9 Gaston Place Capital	AMP 10 Bouldin Oaks Operating	AMP 10 Bouldin Oaks Capital	AMP 11 Thurmond Heights Operating	AMP 11 Thurmond Heights Capital
312	Accounts Payable <= 90 Days	17,883	-	9,806	-	14,522	-	39,852	-	44,617	-	10,001	-	9,185	-	-	-	9,421	-
321	Accrued Wage/Payroll Taxes Payable	13,706	-	19,921	-	10,916	-	13,466	-	17,747	-	18,560	-	7,569	-	-	-	16,359	-
322	Accrued Compensated Absences	2,370	-	1,429	-	961	-	1,872	-	2,583	-	3,595	-	1,717	-	-	-	1,953	-
325	Accrued interest payable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
331	Accounts Payable - HUD PHA Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
341	Tenant Security Deposits	22,655	-	18,948	-	14,583	-	21,782	-	32,050	-	19,857	-	10,930	-	-	-	12,928	-
342	Unearned Revenues	9,324	-	2,085	-	2,731	-	2,104	-	11,644	-	1,350	-	5,617	-	-	-	1,230	-
343	Current portion of L-T debt - capital projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
344	Current portion of L-T debt - operating borrowings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
345	Other current liabilities	80,109	-	36,324	-	3,527	-	13,647	-	22,359	-	-	-	-	-	-	-	36,098	-
346	Accrued Liabilities - Other	18,501	-	14,854	-	41,848	-	341,875	-	138,532	-	26,523	-	9,656	-	-	-	144,507	-
347	Interprogram due to	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
310	Total Current Liabilities	164,548	-	103,367	-	89,088	-	434,598	-	269,532	-	79,886	-	44,674	-	-	-	222,496	-
351	Long-term debt, net of current - capital projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
352	Long-Term debt, net of current - operating borrowings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
353	Noncurrent Liabilities - Other	7,807	-	5,174	-	12,463	-	35,432	-	15,709	-	-	-	-	-	-	-	24,781	-
354	Accrued compensated Absences - Non Current	16,496	-	9,865	-	5,352	-	14,136	-	14,993	-	80,371	-	13,361	-	-	-	17,557	-
350	Total Noncurrent Liabilities	24,303	-	15,039	-	17,815	-	49,568	-	30,702	-	80,371	-	13,361	-	-	-	42,338	-
300	Total Liabilities	188,851	-	118,406	-	106,903	-	484,166	-	300,234	-	160,257	-	58,035	-	-	-	264,834	-
508.4	Net Investment in Capital Assets	365,676	-	277,949	-	676,637	-	4,868,237	-	4,222,011	-	967,996	-	688,825	-	-	-	5,868,885	-
511.4	Restricted Net Position	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
512.4	Unrestricted Net Position	357,522	-	325,731	-	276,655	-	661,101	-	929,593	-	302,444	-	166,787	-	-	-	358,191	-
513	Total Equity	723,198	-	603,680	-	953,292	-	5,529,338	-	5,151,604	-	1,270,440	-	855,612	-	-	-	6,227,076	-
600	Total Liabilities and Equity	912,049	-	722,086	-	1,060,195	-	6,013,504	-	5,451,838	-	1,430,697	-	913,647	-	-	-	6,491,910	-

See Independent Auditor's Report

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																			
Line Item No.	Account Description	AMP 1 Chalmers Courts Operating	AMP 1 Chalmers Courts Capital	AMP 2 Rosewood Courts Operating	AMP 2 Rosewood Courts Capital	AMP 3 Santa Rita Courts Operating	AMP 3 Santa Rita Courts Capital	AMP 4 Meadowbrook Courts Operating	AMP 4 Meadowbrook Courts Capital	AMP 5 Booker T Washington Ter. Operating	AMP 5 Booker T Washington Ter. Capital	AMP 7 Lakeside Apartments Operating	AMP 7 Lakeside Apartments Capital	AMP 9 Gaston Place Operating	AMP 9 Gaston Place Capital	AMP 10 Bouldin Oaks Operating	AMP 10 Bouldin Oaks Capital	AMP 11 Thurmond Heights Operating	AMP 11 Thurmond Heights Capital
70300	Net Tenant Rental Revenue	387,291	-	393,936	-	251,737	-	474,846	-	578,522	-	460,182	-	287,665	-	234,473	-	310,741	-
70400	Tenant Revenue - Other	41,833	-	22,772	-	21,419	-	25,002	-	32,648	-	29,385	-	6,464	-	9,067	-	11,894	-
70500	Total Tenant Revenue	429,124	-	416,708	-	273,156	-	499,848	-	611,170	-	489,567	-	294,129	-	243,540	-	322,635	-
70600	HUD PHA Grants	788,166	95,159	729,628	37,439	606,349	35,592	1,061,566	101,538	1,562,903	62,169	660,106	24,908	282,813	14,863	575,912	31,649	773,199	103,432
70610	HUD PHA Capital Grants	-	2,396	-	56,170	-	283,761	-	8,424	-	20,070	-	433,321	-	10,610	-	3,971	-	1,477,852
70710	Management Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
70730	Book-Keeping Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
70740	Front Line Service Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
70750	Other Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
70700	Total Fee Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
70800	Other government grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
71100	Investment Income - Unrestricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
71200	Mortgage interest income	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
71300	Proceeds from disposition of assets held for sale	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
71400	Fraud recovery	-	-	-	-	-	-	9,410	-	13,018	-	-	-	-	-	-	-	-	-
71500	Other revenue	2,432	-	9,203	-	5,218	-	29,844	-	25,480	-	49,171	-	82	-	14,374	-	2,144	-
71600	Gain/Loss on Sale of Fixed Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
70000	Total Revenue	1,219,722	97,555	1,155,539	93,609	884,723	319,353	1,600,668	109,962	2,212,571	82,239	1,198,844	458,229	577,024	25,473	833,826	35,620	1,097,978	1,581,284
91100	Administrative salaries	101,087	-	122,409	-	83,668	-	162,407	-	148,265	-	105,135	-	78,688	-	72,157	-	109,208	-
91200	Auditing fees	2,414	-	2,387	-	1,488	-	2,443	-	3,370	-	2,499	-	1,544	-	2,190	-	2,190	-
91300	Management Fee	120,602	20,373	119,383	19,986	74,029	12,508	118,550	20,631	168,779	28,626	75,000	21,147	23,901	12,894	73,067	18,568	108,285	18,568
91310	Book-Keeping Fee	14,100	-	13,957	-	8,655	-	13,859	-	19,733	-	14,655	-	8,640	-	8,543	-	12,660	-
91400	Advertising and Marketing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
91500	Employee benefit contributions - administrative	39,446	-	63,730	-	41,804	-	60,765	-	59,771	-	55,513	-	34,209	-	26,238	-	38,260	-
91600	Office Expenses	20,033	-	20,447	-	14,466	-	77,241	-	79,179	-	23,389	-	16,693	-	45,441	-	22,955	-
91700	Legal Expense	43,044	-	7,110	-	2,098	-	5,493	-	-	-	11,370	-	1,915	-	19,135	-	7,107	-
91800	Travel	787	-	306	-	210	-	310	-	1,626	-	527	-	115	-	341	-	1,293	-
91900	Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
92100	Tenant services - salaries	17,052	-	18,624	-	19,221	-	19,157	-	27,871	-	36,912	-	21,507	-	12,585	-	22,208	-
92200	Relocation Costs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
92300	Employee benefit contributions - tenant services	7,692	-	9,168	-	8,394	-	8,835	-	14,768	-	15,655	-	9,319	-	5,890	-	9,565	-
92400	Tenant Services - Other	143,560	-	65,382	-	107,185	-	237,446	-	272,087	-	44,148	-	25,192	-	90,910	-	81,661	-
93100	Water	138,604	-	80,645	-	99,960	-	166,625	-	321,983	-	142,403	-	67,667	-	110,844	-	157,297	-
93200	Electricity	30,821	-	49,587	-	18,547	-	27,640	-	22,332	-	131,121	-	52,806	-	6,865	-	24,667	-
93300	Gas	57,218	-	53,777	-	40,315	-	56,094	-	77,557	-	26,699	-	7,760	-	28,333	-	45,534	-
93800	Other utilities expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
94100	Ordinary Maintenance and Operations - Labor	128,960	-	123,361	-	72,242	-	146,151	-	188,199	-	141,730	-	60,612	-	59,768	-	86,650	-
94200	OMO - Materials and Other	44,514	-	46,979	-	21,124	-	73,606	-	76,654	-	43,622	-	14,549	-	17,347	-	22,813	-
94300	Ordinary Maintenance and Operations - Contract Costs	94,210	-	91,983	-	106,648	-	122,833	-	151,327	-	115,435	-	49,647	-	35,984	-	72,772	-
94500	Employee Benefit Contributions - Ordinary Maintenance	49,456	-	56,337	-	34,253	-	57,574	-	92,172	-	57,317	-	25,144	-	27,658	-	45,004	-
95100	Protective Services - labor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
95200	Protective Services - Other Contract Costs	39,223	-	34,370	-	22,862	-	35,920	-	32,803	-	65,733	-	30,614	-	19,611	-	35,245	-
95300	Protective Services - Other	1,178	-	1,168	-	1,166	-	1,873	-	3,198	-	-	-	6,458	-	1,574	-	1,577	-
96110	Property Insurance	17,716	-	17,438	-	10,888	-	17,713	-	24,776	-	19,084	-	11,303	-	12,144	-	16,055	-
96120	Liability Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	639	-	5,784	-
96130	Workmen's Compensation	1,647	-	1,877	-	1,263	-	1,832	-	2,331	-	2,044	-	1,005	-	771	-	1,399	-
96140	All other Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
96200	Other General Expenses	6,898	-	12,553	-	8,265	-	11,214	-	13,609	-	-	-	-	-	1,731	-	23,432	-
96210	Compensated Absences	-	-	1,661	-	-	-	3,853	-	1,613	-	9,739	-	1,821	-	1,942	-	-	-
96300	Payments in Lieu of Taxes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
96400	Bad Debt - Tenant Rents	30,282	-	8,509	-	7,815	-	12,614	-	15,011	-	4,305	-	422	-	21,568	-	2,669	-
96710	Interest on Mortgage (or Bonds) Payable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
96720	Interest on Notes Payable (Short and Long Term)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
96900	Total Operating Expenses	1,150,544	20,373	1,023,148	19,986	806,566	12,508	1,442,048	20,631	1,819,014	28,626	1,144,035	21,147	551,531	12,894	703,276	18,568	956,290	18,568

See Independent Auditor's Report

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																			
Line Item No.	Account Description	AMP 1 Chalmers Courts Operating	AMP 1 Chalmers Courts Capital	AMP 2 Rosewood Courts Operating	AMP 2 Rosewood Courts Capital	AMP 3 Santa Rita Courts Operating	AMP 3 Santa Rita Courts Capital	AMP 4 Meadowbrook Courts Operating	AMP 4 Meadowbrook Courts Capital	AMP 5 Booker T Washington Ter. Operating	AMP 5 Booker T Washington Ter. Capital	AMP 7 Lakeside Apartments Operating	AMP 7 Lakeside Apartments Capital	AMP 9 Gaston Place Operating	AMP 9 Gaston Place Capital	AMP 10 Bouldin Oaks Operating	AMP 10 Bouldin Oaks Capital	AMP 11 Thurmond Heights Operating	AMP 11 Thurmond Heights Capital
97000	Excess Operating Revenue over Operating Expenses	69,178	77,182	132,391	73,623	78,157	306,845	158,620	89,331	393,557	53,613	54,809	437,082	25,493	12,579	130,550	17,052	141,688	1,562,716
97100	Extraordinary Maintenance	-	-	-	-	-	-	-	-	10,032	-	-	-	-	-	-	-	-	-
97200	Casualty Losses - Non-Capitalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
97300	Housing Assistance Payments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	67,555	-	-	-
97400	Depreciation Expense	88,621	-	43,344	-	101,044	-	512,286	-	772,312	-	114,043	-	180,006	-	45,451	-	862,870	-
90000	Total Expenses	1,239,165	20,373	1,066,492	19,986	907,610	12,508	1,954,334	20,631	2,601,358	28,626	1,258,078	21,147	731,537	12,894	816,282	18,568	1,819,160	18,568
10010	Operating transfers in	74,786	-	17,453	-	23,084	-	80,907	-	33,543	-	3,761	-	1,969	-	13,081	-	84,864	-
10020	Operating transfers out	-	(74,786)	-	(17,453)	-	(23,084)	-	(80,907)	-	(33,543)	-	(3,761)	-	(1,969)	-	(13,081)	-	(84,864)
10040	Total Operating transfers from/to component unit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10091	Inter-project excess cash transfer in	-	-	-	-	-	-	-	-	-	-	183,081	-	75,000	-	-	-	-	-
10092	Inter-project excess cash transfer out	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(75,000)	-
10093	Transfers between programs and projects in	42,971	-	7,368	-	5,901	-	23,036	-	61,657	-	-	-	-	-	-	-	10,054	-
10094	Transfers between programs and projects out	(198,518)	-	(196,994)	-	(122,343)	-	(200,827)	-	(277,787)	-	(205,444)	-	(126,175)	-	(118,898)	-	(180,052)	-
10100	Total other financing sources (Uses)	(80,761)	(74,786)	(172,173)	(17,453)	(93,358)	(23,084)	(96,884)	(80,907)	(182,587)	(33,543)	(18,602)	(3,761)	(49,206)	(1,969)	(105,817)	(13,081)	(160,134)	(84,864)
10000	Excess (deficiency) of total revenue over (under) total expenses	(100,204)	2,396	(83,126)	56,170	(116,245)	283,761	(450,550)	8,424	(571,374)	20,070	(77,836)	433,321	(203,719)	10,610	(88,273)	3,971	(881,316)	1,477,852
11020	Debt Principal Payments - Enterprise Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11030	Beginning Equity	821,006	-	630,636	-	785,776	-	5,095,598	-	5,559,797	-	914,955	-	1,048,721	-	1,114,164	-	4,944,428	-
11040	Total Prior Period Adjustments, Equity transfer and correction of errors	2,396	(2,396)	56,170	(56,170)	283,761	(283,761)	884,290	(8,424)	163,181	(20,070)	433,321	(433,321)	10,610	(10,610)	(1,025,891)	(3,971)	2,163,964	(1,477,852)
11170	Administrative Fee Equity																		
11180	Housing Assistance Payments Equity																		
11190	Unit Months Available	1,888	-	1,872	-	1,164	-	1,920	-	2,664	-	1,952	-	1,200	-	1,152	-	1,263	-
11210	Number of Unit Months Leased	1,872	-	1,861	-	1,154	-	1,858	-	2,655	-	1,938	-	1,152	-	1,139	-	1,239	-
11270	Excess Cash	259,853		250,334		214,793		555,066		793,002		287,113		134,187		(58,606)		296,057	
11620	Building Purchases	-	2,396	-	56,170	-	283,761	-	8,424	-	20,070	-	433,321	-	10,610	-	3,971	-	1,477,852

See Independent Auditor's Report

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																				
Line Item No.	Account Description	AMP 12 Georgian Manor Operating	AMP 12 Georgian Manor Capital	AMP 15 North Loop Apartments Operating	AMP 15 North Loop Apartments Capital	AMP 16 Northgate West Apartments Operating	AMP 16 Northgate West Apartments Capital	AMP 17 Shadowbend Ridge Operating	AMP 17 Shadowbend Ridge Capital	AMP 20 Rio Lado Apartments Operating	AMP 20 Rio Lado Apartments Capital	AMP Other Operating	Total AMPs 14.850/14.872	Section 8 Housing Choice Voucher Program 14.871	Section 8 Moderate Rehabilitation Single Room Occupancy 14.249	Central Office Cost Center	State and Local	HOME Investment Partnership Program 14.239	Capital Fund Education and Training Community Facilities 14.890	Mainstream Vouchers 14.879
111	Cash - Unrestricted	-	-	-	-	133,934	-	90,695	-	-	-	80,000	4,141,960	573,484	8,142	2,874,673	-	-	-	59,837
112	Cash - Restricted - Modernization and Development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
113	Cash - other restricted	-	-	-	-	-	-	5,416	-	-	-	-	106,782	278,586	-	-	-	-	-	-
114	Cash - Tenant Security Deposits	-	-	-	-	2,413	-	4,589	-	-	-	-	160,735	-	-	-	-	-	-	-
115	Cash - Restricted for payment of current liability	-	-	-	-	-	-	-	-	-	-	-	111,898	145,818	-	872,537	-	-	-	-
100	Total Cash	-	-	-	-	136,347	-	100,700	-	-	-	80,000	4,521,375	997,888	8,142	3,747,210	-	-	-	59,837
121	Accounts Receivable - PHA Projects	-	-	-	-	-	-	-	-	-	-	-	-	2,719	-	-	-	-	-	-
122	Accounts Receivable - HUD Other Projects	-	-	-	-	-	-	1,828	-	-	-	-	245,822	46,450	1,186	-	-	-	-	-
124	Accounts Receivable - other government	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	34,149	78,546	-	-
125	Accounts Receivable - Miscellaneous	-	-	-	-	-	-	44	-	-	-	-	555,168	-	-	1,499,042	-	-	-	-
126	Accounts Receivable - Tenants - Dwelling Rents	-	-	-	-	3,027	-	554	-	-	-	-	32,402	-	-	-	-	-	-	-
126.1	Allowance for Doubtful Accounts - Dwelling Rents	-	-	-	-	-	-	-	-	-	-	-	(2,538)	-	-	-	-	-	-	-
127	Notes, Loans, & Mortgages Receivable - current	-	-	-	-	-	-	-	-	-	-	-	5,444	-	-	-	-	-	-	-
128	Fraud recovery	-	-	-	-	-	-	-	-	-	-	-	5,885	-	-	-	-	-	-	-
129	Accrued interest receivable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	585	-	-	-	-
120	Total Receivables, net of allowances for doubtful accounts	-	-	-	-	3,027	-	2,426	-	-	-	-	842,183	49,169	1,186	1,499,627	34,149	78,546	-	-
131	Investments - Unrestricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	297,164	-	-	-	-
142	Prepaid Expenses and Other Assets	-	-	-	-	-	-	-	-	-	-	-	366	-	-	221,206	-	-	-	-
143	Inventories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	22,022	-	-	-	-
144	Interprogram due from	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,151,035	-	-	-	-
150	Total Current Assets	-	-	-	-	139,374	-	103,126	-	-	-	80,000	5,363,924	1,047,057	9,328	6,938,264	34,149	78,546	-	59,837
161	Land	-	-	-	-	42,678	-	6,001	-	-	-	-	1,504,008	-	-	2,206,977	-	-	-	-
162	Buildings	-	-	-	-	674,275	-	1,183,012	-	-	-	-	66,118,489	-	-	13,026,430	-	-	-	-
163	Furniture, Equipment and Machinery - Dwellings	-	-	-	-	-	-	106,863	-	-	-	-	844,407	-	-	-	-	-	-	-
164	Furniture, Equipment and Machinery - Administration	-	-	-	-	-	-	33,152	-	-	-	-	704,553	160,083	-	1,207,767	-	-	-	-
165	Leasehold Improvements	-	-	-	-	103,035	-	383,795	-	-	-	-	12,459,113	-	-	17,384	-	-	-	-
166	Accumulated Depreciation	-	-	-	-	(755,698)	-	(1,543,487)	-	-	-	-	(70,174,754)	(160,083)	-	(6,493,517)	-	-	-	-
167	Construction In Progress	-	-	-	-	-	-	811	-	-	-	-	6,714,837	-	-	-	-	-	-	-
160	Total Fixed Assets, Net of Accumulated Depreciation	-	-	-	-	64,290	-	170,147	-	-	-	-	18,170,653	-	-	9,965,041	-	-	-	-
171	Notes, loans, and mortgages receivable - Noncurrent	-	-	-	-	-	-	-	-	-	-	-	18,286	-	-	-	-	-	-	-
176	Investment in joint ventures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
180	Total Non-Current Assets	-	-	-	-	64,290	-	170,147	-	-	-	-	18,188,939	-	-	9,965,041	-	-	-	-
190	Total Assets	-	-	-	-	203,664	-	273,273	-	-	-	80,000	23,552,863	1,047,057	9,328	16,903,305	34,149	78,546	-	59,837



Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																				
Line Item No.	Account Description	AMP 12 Georgian Manor Operating	AMP 12 Georgian Manor Capital	AMP 15 North Loop Apartments Operating	AMP 15 North Loop Apartments Capital	AMP 16 Northgate West Apartments Operating	AMP 16 Northgate West Apartments Capital	AMP 17 Shadowbend Ridge Operating	AMP 17 Shadowbend Ridge Capital	AMP 20 Rio Lado Apartments Operating	AMP 20 Rio Lado Apartments Capital	AMP Other Operating	Total AMPs 14.850/14.872	Section 8 Housing Choice Voucher Program 14.871	Section 8 Moderate Rehabilitation Single Room Occupancy 14.249	Central Office Cost Center	State and Local	HOME Investment Partnership Program 14.239	Capital Fund Education and Training Community Facilities 14.890	Mainstream Vouchers 14.879
312	Accounts Payable <= 90 Days	-	-	-	-	1,753	-	3,468	-	-	-	-	160,508	61,849	-	195,223	-	-	-	-
321	Accrued Wage/Payroll Taxes Payable	-	-	-	-	-	-	4,829	-	-	-	-	123,073	126,138	771	254,949	325	3,325	-	735
322	Accrued Compensated Absences	-	-	-	-	-	-	337	-	-	-	-	16,817	21,951	213	55,146	-	-	-	259
325	Accrued interest payable	-	-	-	-	-	-	-	-	-	-	-	-	13	-	11,219	-	-	-	-
331	Accounts Payable - HUD PHA Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,610
341	Tenant Security Deposits	-	-	-	-	2,413	-	4,589	-	-	-	-	160,735	-	-	-	-	-	-	-
342	Unearned Revenues	-	-	-	-	446	-	228	-	-	-	-	36,759	-	-	21,843	-	-	-	-
343	Current portion of L-T debt - capital projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	872,537	-	-	-	-
344	Current portion of L-T debt - operating borrowings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
345	Other current liabilities	-	-	-	-	-	-	-	-	-	-	-	192,064	145,818	-	3,877,573	-	-	-	-
346	Accrued Liabilities - Other	-	-	-	-	-	-	-	-	-	-	-	736,296	-	-	-	-	-	-	-
347	Interprogram due to	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	33,824	75,221	-	-
310	Total Current Liabilities	-	-	-	-	4,612	-	13,451	-	-	-	-	1,426,252	355,769	984	5,288,490	34,149	78,546	-	2,604
351	Long-term debt, net of current - capital projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,376,636	-	-	-	-
352	Long-Term debt, net of current - operating borrowings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
353	Noncurrent Liabilities - Other	-	-	-	-	-	-	5,416	-	-	-	-	106,782	260,180	-	-	-	-	-	-
354	Accrued compensated Absences - Non Current	-	-	-	-	-	-	1,934	-	-	-	-	174,065	412,702	5,582	1,079,991	-	-	-	5,493
350	Total Noncurrent Liabilities	-	-	-	-	-	-	7,350	-	-	-	-	280,847	672,882	5,582	3,456,627	-	-	-	5,493
300	Total Liabilities	-	-	-	-	4,612	-	20,801	-	-	-	-	1,707,099	1,028,651	6,566	8,745,117	34,149	78,546	-	8,097
508.4	Net Investment in Capital Assets	-	-	-	-	64,290	-	170,147	-	-	-	-	18,170,653	-	-	6,715,868	-	-	-	-
511.4	Restricted Net Position	-	-	-	-	-	-	-	-	-	-	-	-	18,406	-	-	-	-	-	-
512.4	Unrestricted Net Position	-	-	-	-	134,762	-	82,325	-	-	-	80,000	3,675,111	-	2,762	1,442,320	-	-	-	51,740
513	Total Equity	-	-	-	-	199,052	-	252,472	-	-	-	80,000	21,845,764	18,406	2,762	8,158,188	-	-	-	51,740
600	Total Liabilities and Equity	-	-	-	-	203,664	-	273,273	-	-	-	80,000	23,552,863	1,047,057	9,328	16,903,305	34,149	78,546	-	59,837

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																				
Line Item No.	Account Description	AMP 12 Georgian Manor Operating	AMP 12 Georgian Manor Capital	AMP 15 North Loop Apartments Operating	AMP 15 North Loop Apartments Capital	AMP 16 Northgate West Apartments Operating	AMP 16 Northgate West Apartments Capital	AMP 17 Shadowbend Ridge Operating	AMP 17 Shadowbend Ridge Capital	AMP 20 Rio Lado Apartments Operating	AMP 20 Rio Lado Apartments Capital	AMP Other Operating	Total AMPs 14.850/14.872	Section 8 Housing Choice Voucher Program 14.871	Section 8 Moderate Rehabilitation Single Room Occupancy 14.249	Central Office Cost Center	State and Local	HOME Investment Partnership Program 14.239	Capital Fund Education and Training Community Facilities 14.890	Mainstream Vouchers 14.879
70300	Net Tenant Rental Revenue	175,806	-	260,932	-	256,401	-	323,875	-	-	-	-	4,396,407	-	-	-	-	-	-	-
70400	Tenant Revenue - Other	9,412	-	19,118	-	10,967	-	12,200	-	-	-	-	252,181	-	-	-	-	-	-	-
70500	Total Tenant Revenue	185,218	-	280,050	-	267,368	-	336,075	-	-	-	-	4,648,588	-	-	-	-	-	-	-
70600	HUD PHA Grants	359,759	23,320	362,799	19,559	474,777	31,742	667,312	46,785	-	57	-	9,533,501	54,075,522	313,998	-	-	-	-	523,256
70610	HUD PHA Capital Grants	-	102	-	3,042	-	173,177	-	2,539	-	-	-	2,475,435	-	-	-	-	-	-	-
70710	Management Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12,514,324	-	-	-	-
70730	Book-Keeping Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	145,920	-	-	-	-
70740	Front Line Service Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	88,463	-	-	-	-
70750	Other Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	37,575	-	-	-	-
70700	Total Fee Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12,786,282	-	-	-	-
70800	Other government grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	207,822	329,362	-	-
71100	Investment Income - Unrestricted	-	-	-	-	-	-	-	-	-	-	-	-	26	-	22,176	-	-	-	-
71200	Mortgage interest income	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
71300	Proceeds from disposition of assets held for sale	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
71400	Fraud recovery	598	-	-	-	2,556	-	-	-	-	-	-	25,582	114,691	-	-	-	-	-	-
71500	Other revenue	11,058	-	52	-	17,391	-	9,149	-	425	-	-	176,023	36,403	-	1,102,314	-	-	-	-
71600	Gain/Loss on Sale of Fixed Assets	-	-	-	-	-	-	-	-	(83,970)	-	-	(83,970)	-	-	-	-	-	-	-
70000	Total Revenue	556,633	23,422	642,901	22,601	762,092	204,919	1,012,536	49,324	(83,545)	57	-	16,775,159	54,226,642	313,998	13,910,772	207,822	329,362	-	523,256
91100	Administrative salaries	50,031	-	62,480	-	61,198	-	135,317	-	-	-	-	1,292,050	2,243,094	27,154	4,878,781	13,772	38,412	-	19,483
91200	Auditing fees	1,432	-	1,994	-	1,713	-	2,415	-	-	-	-	28,079	-	-	24,496	-	-	-	-
91300	Management Fee	47,984	12,121	67,999	16,763	60,214	14,442	90,965	20,373	-	-	-	1,385,758	385,954	-	-	-	-	-	-
91310	Book-Keeping Fee	5,610	-	7,950	-	6,923	-	10,635	-	-	-	-	145,920	-	-	-	-	-	-	-
91400	Advertising and Marketing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
91500	Employee benefit contributions - administrative	28,988	-	30,999	-	36,663	-	60,437	-	-	-	-	576,823	1,089,402	15,396	1,705,774	6,997	18,675	-	7,076
91600	Office Expenses	42,583	-	16,149	-	81,938	-	118,852	-	57	-	-	579,423	250,797	4	1,578,230	-	-	-	-
91700	Legal Expense	5,384	-	20,839	-	467	-	-	-	-	-	-	123,962	4,832	-	146,356	-	-	-	-
91800	Travel	481	-	149	-	500	-	1,104	-	-	-	-	7,749	17,343	-	91,043	-	-	-	-
91900	Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
92100	Tenant services - salaries	10,342	-	21,333	-	13,763	-	19,628	-	-	-	-	260,203	-	-	23,109	-	-	-	-
92200	Relocation Costs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
92300	Employee benefit contributions - tenant services	4,598	-	11,060	-	6,168	-	12,925	-	-	-	-	124,037	-	-	-	-	-	-	-
92400	Tenant Services - Other	13,487	-	23,732	-	17,243	-	23,080	-	-	-	-	1,145,113	3,761	-	203,942	-	-	-	-
93100	Water	84,039	-	63,303	-	68,168	-	126,551	-	8,304	-	-	1,636,393	-	-	43,547	-	-	-	-
93200	Electricity	6,280	-	68,178	-	9,872	-	10,242	-	2,501	-	-	461,459	-	-	207,188	-	-	-	-
93300	Gas	18,128	-	4,628	-	20,372	-	35,504	-	-	-	-	471,919	-	-	7,128	-	-	-	-
93800	Other utilities expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
94100	Ordinary Maintenance and Operations - Labor	45,662	-	49,871	-	55,641	-	86,383	-	-	-	-	1,245,230	-	-	-	-	-	-	-
94200	OMO - Materials and Other	12,179	-	13,943	-	15,094	-	18,818	-	-	-	-	421,242	-	-	84,154	-	-	-	-
94300	Ordinary Maintenance and Operations - Contract Costs	38,053	-	72,406	-	57,361	-	59,775	-	6,649	-	-	1,075,083	-	-	304,586	-	-	-	-
94500	Employee Benefit Contributions - Ordinary Maintenance	19,606	-	25,101	-	34,301	-	50,672	-	-	-	-	574,595	-	-	-	-	-	-	-
95100	Protective Services - labor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
95200	Protective Services - Other Contract Costs	15,922	-	28,781	-	16,501	-	20,353	-	3,500	-	-	401,438	29,929	-	3,110	-	-	-	-
95300	Protective Services - Other	1,118	-	5,352	-	2,500	-	3,366	-	-	-	-	30,528	-	-	92,428	-	-	-	-
96110	Property Insurance	8,289	-	10,067	-	9,750	-	15,151	-	-	-	-	190,374	-	-	21,500	-	-	-	-
96120	Liability Insurance	389	-	530	-	418	-	518	-	-	-	-	8,278	1,359	-	63,826	-	-	-	-
96130	Workmen's Compensation	617	-	859	-	782	-	1,404	-	-	-	-	17,831	16,544	193	32,402	98	289	-	109
96140	All other Insurance	-	-	6,000	-	-	-	-	-	-	-	-	6,000	-	-	8,565	-	-	-	-
96200	Other General Expenses	10,122	-	-	-	17,917	-	14,813	-	-	-	-	120,554	68,848	-	203,977	-	-	-	-
96210	Compensated Absences	5,657	-	6,650	-	6,964	-	-	-	-	-	-	39,900	57,927	4,573	191,610	-	-	-	-
96300	Payments in Lieu of Taxes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
96400	Bad Debt - Tenant Rents	4,178	-	10,937	-	3,701	-	2,450	-	-	-	-	124,461	-	-	-	-	-	-	-
96710	Interest on Mortgage (or Bonds) Payable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	209,515	-	-	-	-
96720	Interest on Notes Payable (Short and Long Term)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
96900	Total Operating Expenses	481,159	12,121	631,290	16,763	606,132	14,442	921,358	20,373	21,011	-	-	12,494,402	4,169,790	47,320	10,125,267	20,867	57,376	-	26,668

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Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																				
		AMP 12 Georgian Manor Operating	AMP 12 Georgian Manor Capital	AMP 15 North Loop Apartments Operating	AMP 15 North Loop Apartments Capital	AMP 16 Northgate West Apartments Operating	AMP 16 Northgate West Apartments Capital	AMP 17 Shadowbend Ridge Operating	AMP 17 Shadowbend Ridge Capital	AMP 20 Rio Lado Apartments Operating	AMP 20 Rio Lado Apartments Capital	AMP Other Operating	Total AMPs 14.850/14.872	Section 8 Housing Choice Voucher Program 14.871	Section 8 Moderate Rehabilitation Single Room Occupancy 14.249	Central Office Cost Center	State and Local	HOME Investment Partnership Program 14.239	Capital Fund Education and Training Community Facilities 14.890	Mainstream Vouchers 14.879
97000	Excess Operating Revenue over Operating Expenses	75,474	11,301	11,611	5,838	155,960	190,477	91,178	28,951	(104,556)	57	-	4,280,757	50,056,852	266,678	3,785,505	186,955	271,986	-	496,588
97100	Extraordinary Maintenance	-	-	-	-	-	-	-	-	-	-	-	10,032	-	-	854,215	-	-	-	-
97200	Casualty Losses - Non-Capitalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
97300	Housing Assistance Payments	42,650	-	42,883	-	40,232	-	48,394	-	-	-	-	241,714	50,089,882	267,151	-	186,955	271,986	-	482,817
97400	Depreciation Expense	18,353	-	236,352	-	104,570	-	123,584	-	-	-	-	3,202,836	-	-	540,242	-	-	-	-
90000	Total Expenses	542,162	12,121	910,525	16,763	750,934	14,442	1,093,336	20,373	21,011	-	-	15,948,984	54,259,672	314,471	11,519,724	207,822	329,362	-	509,485
10010	Operating transfers in	11,199	-	2,796	-	17,300	-	26,412	-	57	-	-	391,212	-	-	-	-	-	-	-
10020	Operating transfers out	-	(11,199)	-	(2,796)	-	(17,300)	-	(26,412)	-	(57)	-	(391,212)	-	-	-	-	-	-	-
10040	Total Operating transfers from/to component unit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(2,444,990)	-	-	-	-
10091	Inter-project excess cash transfer in	-	-	-	-	-	-	-	-	-	-	80,000	338,081	-	-	-	-	-	-	-
10092	Inter-project excess cash transfer out	-	-	-	-	-	-	-	-	(263,081)	-	-	(338,081)	-	-	-	-	-	-	-
10093	Transfers between programs and projects in	-	-	-	-	-	-	-	-	-	-	-	150,987	-	-	-	-	-	-	-
10094	Transfers between programs and projects out	(77,741)	-	(108,228)	-	(99,257)	-	(149,125)	-	-	-	-	(2,061,389)	-	-	-	-	-	-	-
10100	Total other financing sources (Uses)	(66,542)	(11,199)	(105,432)	(2,796)	(81,957)	(17,300)	(122,713)	(26,412)	(263,024)	(57)	80,000	(1,910,402)	-	-	(2,444,990)	-	-	-	-
10000	Excess (deficiency) of total revenue over (under) total expenses	(52,071)	102	(373,056)	3,042	(70,799)	173,177	(203,513)	2,539	(367,580)	-	80,000	(1,084,227)	(33,030)	(473)	(53,942)	-	-	-	13,771
11020	Debt Principal Payments - Enterprise Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11030	Beginning Equity	1,438,396	-	2,593,861	-	2,458,116	-	1,937,719	-	367,580	-	-	29,710,753	51,436	3,235	8,212,130	-	-	-	37,969
11040	Total Prior Period Adjustments, Equity transfer and correction of errors	(1,386,325)	(102)	(2,220,805)	(3,042)	(2,188,265)	(173,177)	(1,481,734)	(2,539)	-	-	-	(6,780,762)	-	-	-	-	-	-	-
11170	Administrative Fee Equity													-						
11180	Housing Assistance Payments Equity													18,406						
11190	Unit Months Available	752	-	1,040	-	952	-	1,429	-	-	-	-	19,248	70,260	600	-	300	318	-	708
11210	Number of Unit Months Leased	748	-	1,036	-	937	-	1,415	-	-	-	-	19,004	64,999	582	-	295	318	-	676
11270	Excess Cash	(40,097)		(52,608)		84,251		7,479		(1,751)		80,000	2,809,074							
11620	Building Purchases	-	102	-	3,042	-	173,177	-	2,539	-	-	-	2,475,435	-	-	-	-	-	-	-

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Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																				
Line Item No.	Account Description	Choice Neighborhoods Planning Grants 14.892	Resident Opportunity and Supportive Services 14.870	Shelter Plus Care 14.238	Continuum of Care Program 14.267	Jobs-Plus Pilot Initiative 14.895	PIH Family Self- Sufficiency Program 14.896	8 Other Federal Program 1	9 Other Federal Program 2	Business Activities	S8 Contract Administration - Texas	S8 Contract Administration - Arkansas	Austin Affordable Housing Corporation	Equity Community Land Trust	Austin Affordable Public Facility Corporation	Blueprint Solutions	Austin Pathways	Total Blended Component Units	Elimination	Total Primary Government
111	Cash - Unrestricted	-	-	-	-	-	-	-	-	915,893	371,401	347,700	3,253,188	-	-	15,614	127,790	4,115,693	-	12,689,682
112	Cash - Restricted - Modernization and Development	-	-	-	-	-	-	-	-	-	-	-	5,618,216	-	-	-	-	5,618,216	-	5,618,216
113	Cash - other restricted	-	-	-	-	-	-	-	-	-	-	-	32,379	-	4,118,407	-	632,524	4,783,310	-	5,168,678
114	Cash - Tenant Security Deposits	-	-	-	-	-	-	-	-	-	-	-	304,184	-	-	-	-	304,184	-	464,919
115	Cash - Restricted for payment of current liability	-	-	-	-	-	-	-	-	-	3,711	184	7,842,501	-	-	-	119,565	7,965,961	-	9,096,214
100	Total Cash	-	-	-	-	-	-	-	-	915,893	375,112	347,884	17,050,468	-	4,118,407	15,614	879,879	22,787,364	-	33,037,709
121	Accounts Receivable - PHA Projects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,719
122	Accounts Receivable - HUD Other Projects	-	-	-	12,273	45,991	21,978	-	-	-	1,912,743	315,685	305,920	-	-	-	-	2,534,348	-	2,908,048
124	Accounts Receivable - other government	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,850	1,850	-	114,545
125	Accounts Receivable - Miscellaneous	-	-	-	-	-	-	-	-	390,018	-	-	1,145,309	-	3,855,804	975	-	5,002,088	(4,924,772)	2,521,544
126	Accounts Receivable - Tenants - Dwelling Rents	-	-	-	-	-	-	-	-	-	-	-	31,742	-	-	-	-	31,742	-	64,144
126.1	Allowance for Doubtful Accounts - Dwelling Rents	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(2,538)
127	Notes, Loans, & Mortgages Receivable - current	-	-	-	-	-	-	-	-	-	-	-	-	2,881	-	-	-	2,881	-	8,325
128	Fraud recovery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5,885
129	Accrued interest receivable	-	-	-	-	-	-	-	-	95,518	-	-	-	-	-	-	-	-	-	96,103
120	Total Receivables, net of allowances for doubtful accounts	-	-	-	12,273	45,991	21,978	-	-	485,536	1,912,743	315,685	1,482,971	2,881	3,855,804	975	1,850	7,572,909	(4,924,772)	5,718,775
131	Investments - Unrestricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	297,164
142	Prepaid Expenses and Other Assets	-	-	-	-	-	-	-	-	-	42,272	6,959	127,846	-	-	-	-	177,077	-	398,649
143	Inventories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	22,022
144	Interprogram due from	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(1,151,035)	-
150	Total Current Assets	-	-	-	12,273	45,991	21,978	-	-	1,401,429	2,330,127	670,528	18,661,285	2,881	7,974,211	16,589	881,729	30,537,350	(6,075,807)	39,474,319
161	Land	-	-	-	-	-	-	-	-	23,402,878	-	-	9,838,501	44,325	-	-	-	9,882,826	-	36,996,689
162	Buildings	-	-	-	-	-	-	-	-	-	-	-	68,754,586	-	-	-	-	68,754,586	-	147,899,505
163	Furniture, Equipment and Machinery - Dwellings	-	-	-	-	-	-	-	-	-	-	-	46,692	-	-	-	-	46,692	-	891,099
164	Furniture, Equipment and Machinery - Administration	-	-	-	-	-	-	-	-	131,769	58,516	-	120,124	-	-	-	-	178,640	-	2,382,812
165	Leasehold Improvements	-	-	-	-	-	-	-	-	-	-	-	2,236,833	-	-	-	-	2,236,833	-	14,713,330
166	Accumulated Depreciation	-	-	-	-	-	-	-	-	(112,148)	(58,516)	-	(33,090,225)	-	-	-	-	(33,148,741)	-	(110,089,243)
167	Construction In Progress	-	-	-	-	-	-	-	-	-	-	-	4,744,473	-	-	-	-	4,744,473	-	11,459,310
160	Total Fixed Assets, Net of Accumulated Depreciation	-	-	-	-	-	-	-	-	23,422,499	-	-	52,650,984	44,325	-	-	-	52,695,309	-	104,253,502
171	Notes, loans, and mortgages receivable - Noncurrent	-	-	-	-	-	-	-	-	29,840,000	-	-	820,000	141,244	-	-	-	961,244	(4,900,000)	25,919,530
176	Investment in joint ventures	-	-	-	-	-	-	-	-	-	-	-	13,919,274	-	-	-	-	13,919,274	-	13,919,274
180	Total Non-Current Assets	-	-	-	-	-	-	-	-	53,262,499	-	-	67,390,258	185,569	-	-	-	67,575,827	(4,900,000)	144,092,306
190	Total Assets	-	-	-	12,273	45,991	21,978	-	-	54,663,928	2,330,127	670,528	86,051,543	188,450	7,974,211	16,589	881,729	98,113,177	(10,975,807)	183,566,625

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																				
Line Item No.	Account Description	Choice Neighborhoods Planning Grants 14.892	Resident Opportunity and Supportive Services 14.870	Shelter Plus Care 14.238	Continuum of Care Program 14.267	Jobs-Plus Pilot Initiative 14.895	PIH Family Self- Sufficiency Program 14.896	8 Other Federal Program 1	9 Other Federal Program 2	Business Activities	S8 Contract Administration - Texas	S8 Contract Administration - Arkansas	Austin Affordable Housing Corporation	Equity Community Land Trust	Austin Affordable Public Facility Corporation	Blueprint Solutions	Austin Pathways	Total Blended Component Units	Elimination	Total Primary Government
312	Accounts Payable <= 90 Days	-	-	-	-	447	-	-	-	-	5,456	2,398	80,534	-	-	924	8,155	97,467	-	515,494
321	Accrued Wage/Payroll Taxes Payable	-	-	-	2,594	15,904	13,053	-	-	-	114,188	41,110	19,396	-	-	7,141	5,634	187,469	-	728,336
322	Accrued Compensated Absences	-	-	-	-	1,640	8,925	-	-	-	14,178	5,244	2,333	-	-	805	1,453	24,013	-	128,964
325	Accrued interest payable	-	-	-	-	-	-	-	-	-	-	-	123,360	-	-	-	-	123,360	-	134,592
331	Accounts Payable - HUD PHA Programs	-	-	-	-	-	-	-	-	-	3,711	184	-	-	-	-	-	3,895	-	5,505
341	Tenant Security Deposits	-	-	-	-	-	-	-	-	-	-	-	304,184	-	-	-	-	304,184	-	464,919
342	Unearned Revenues	-	-	-	-	-	-	-	-	-	-	-	81,845	-	-	-	119,565	201,410	-	260,012
343	Current portion of L-T debt - capital projects	-	-	-	-	-	-	-	-	-	-	-	7,842,501	-	-	-	-	7,842,501	-	8,715,038
344	Current portion of L-T debt - operating borrowings	-	-	-	-	-	-	-	-	-	-	-	-	-	2,176,203	-	-	2,176,203	-	2,176,203
345	Other current liabilities	-	-	-	-	-	-	-	-	308,284	-	-	70,061	2,827	1,068,968	-	-	1,141,856	(4,924,772)	740,823
346	Accrued Liabilities - Other	-	-	-	-	-	-	-	-	514,556	-	-	686,962	-	-	-	-	686,962	-	1,937,814
347	Interprogram due to	-	-	-	9,679	3,370	-	-	-	-	-	-	1,606,654	(673)	(659,370)	3,494	78,836	1,028,941	(1,151,035)	-
310	Total Current Liabilities	-	-	-	12,273	21,361	21,978	-	-	822,840	137,533	48,936	10,817,830	2,154	2,585,801	12,364	213,643	13,818,261	(6,075,807)	15,807,700
351	Long-term debt, net of current - capital projects	-	-	-	-	-	-	-	-	-	-	-	31,241,114	-	-	-	-	31,241,114	-	33,617,750
352	Long-Term debt, net of current - operating borrowings	-	-	-	-	-	-	-	-	-	-	-	-	-	5,388,410	-	-	5,388,410	-	5,388,410
353	Noncurrent Liabilities - Other	-	-	-	-	-	-	-	-	26,810,255	-	-	4,932,379	-	-	-	-	4,932,379	(4,900,000)	27,209,596
354	Accrued compensated Absences - Non Current	-	-	-	-	24,630	-	-	-	-	170,932	63,222	23,745	-	-	4,225	7,627	269,751	-	1,972,214
350	Total Noncurrent Liabilities	-	-	-	-	24,630	-	-	-	26,810,255	170,932	63,222	36,197,238	-	5,388,410	4,225	7,627	41,831,654	(4,900,000)	68,187,970
300	Total Liabilities	-	-	-	12,273	45,991	21,978	-	-	27,633,095	308,465	112,158	47,015,068	2,154	7,974,211	16,589	221,270	55,649,915	(10,975,807)	83,995,670
508.4	Net Investment in Capital Assets	-	-	-	-	-	-	-	-	23,422,499	-	-	13,567,369	44,325	-	-	-	13,611,694	-	61,920,714
511.4	Restricted Net Position	-	-	-	-	-	-	-	-	-	-	-	5,618,216	-	-	-	632,524	6,250,740	-	6,269,146
512.4	Unrestricted Net Position	-	-	-	-	-	-	-	-	3,608,334	2,021,662	558,370	19,850,890	141,971	-	-	27,935	22,600,828	-	31,381,095
513	Total Equity	-	-	-	-	-	-	-	-	27,030,833	2,021,662	558,370	39,036,475	186,296	-	-	660,459	42,463,262	-	99,570,955
600	Total Liabilities and Equity	-	-	-	12,273	45,991	21,978	-	-	54,663,928	2,330,127	670,528	86,051,543	188,450	7,974,211	16,589	881,729	98,113,177	(10,975,807)	183,566,625

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																				
Line Item No.	Account Description	Choice Neighborhoods Planning Grants 14.892	Resident Opportunity and Supportive Services 14.870	Shelter Plus Care 14.238	Continuum of Care Program 14.267	Jobs-Plus Pilot Initiative 14.895	PIH Family Self- Sufficiency Program 14.896	8 Other Federal Program 1	9 Other Federal Program 2	Business Activities	S8 Contract Administration - Texas	S8 Contract Administration - Arkansas	Austin Affordable Housing Corporation	Equity Community Land Trust	Austin Affordable Public Facility Corporation	Blueprint Solutions	Austin Pathways	Total Blended Component Units	Elimination	Total Primary Government
70300	Net Tenant Rental Revenue	-	-	-	-	-	-	-	-	-	-	-	7,920,492	-	-	-	-	7,920,492	-	12,316,899
70400	Tenant Revenue - Other	-	-	-	-	-	-	-	-	-	-	-	690,044	-	-	-	-	690,044	-	942,225
70500	Total Tenant Revenue	-	-	-	-	-	-	-	-	-	-	-	8,610,536	-	-	-	-	8,610,536	-	13,259,124
70600	HUD PHA Grants	-	-	-	704,371	426,937	249,256	-	-	-	11,143,689	2,062,313	-	-	-	-	-	13,206,002	-	79,032,843
70610	HUD PHA Capital Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,475,435
70710	Management Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(12,514,324)	-
70730	Book-Keeping Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(145,920)	-
70740	Front Line Service Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(88,463)	-
70750	Other Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	37,575
70700	Total Fee Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(12,748,707)	37,575
70800	Other government grants	-	-	-	-	-	-	-	-	-	-	-	101,027	-	-	-	25,750	126,777	(101,027)	562,934
71100	Investment Income - Unrestricted	-	-	-	-	-	-	-	-	-	1,935	26	1,536	-	-	-	359	3,856	-	26,058
71200	Mortgage interest income	-	-	-	-	-	-	-	-	95,518	-	-	-	4,570	-	-	-	4,570	-	100,088
71300	Proceeds from disposition of assets held for sale	-	-	-	-	-	-	-	-	-	-	-	-	32,260	-	-	-	32,260	-	32,260
71400	Fraud recovery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	140,273
71500	Other revenue	-	-	-	-	-	-	-	-	283,588	110,877	-	8,414,472	4,546	659,370	182,884	301,050	9,673,199	(216,288)	11,055,239
71600	Gain/Loss on Sale of Fixed Assets	-	-	-	-	-	-	-	-	20,359,235	-	-	-	-	-	-	-	-	-	20,275,265
70000	Total Revenue	-	-	-	704,371	426,937	249,256	-	-	20,738,341	11,256,501	2,062,339	17,127,571	41,376	659,370	182,884	327,159	31,657,200	(13,066,022)	126,997,094
91100	Administrative salaries	-	-	-	33,158	-	-	-	-	-	1,810,411	660,015	589,652	-	-	172,243	94,181	3,326,502	-	11,872,406
91200	Auditing fees	-	-	-	-	-	-	-	-	-	27,719	9,705	-	-	-	-	-	37,424	-	89,999
91300	Management Fee	-	-	-	-	-	-	-	-	-	8,008,598	869,032	1,864,982	-	-	-	-	10,742,612	(12,514,324)	-
91310	Book-Keeping Fee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(145,920)	-
91400	Advertising and Marketing	-	-	-	-	-	-	-	-	-	-	-	99,867	-	-	6,851	-	106,718	-	106,718
91500	Employee benefit contributions - administrative	-	-	-	16,573	-	-	-	-	-	1,010,562	364,944	162,787	-	-	74,361	23,909	1,636,563	-	5,073,279
91600	Office Expenses	-	-	-	-	-	-	-	-	-	121,166	50,135	1,050,876	-	-	18,682	20,531	1,261,390	(216,288)	3,453,556
91700	Legal Expense	-	-	-	-	-	-	-	-	-	94,607	31,536	15,579	-	-	3,518	-	145,240	-	420,390
91800	Travel	-	-	-	1,242	-	-	-	-	-	64,250	42,881	9,530	-	-	18,724	3,009	138,394	-	255,771
91900	Other	-	-	-	-	-	-	-	-	-	-	-	328,929	50	-	-	25,000	353,979	-	353,979
92100	Tenant services - salaries	-	-	-	-	227,521	160,554	-	-	-	-	-	8,613	-	-	-	-	8,613	-	680,000
92200	Relocation Costs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
92300	Employee benefit contributions - tenant services	-	-	-	-	82,592	87,343	-	-	-	-	-	4,219	-	-	-	-	4,219	-	298,191
92400	Tenant Services - Other	-	-	-	-	88,704	-	-	-	-	-	-	52,629	-	-	-	407,993	460,622	-	1,902,142
93100	Water	-	-	-	-	-	-	-	-	-	-	-	675,189	328	-	-	-	675,517	-	2,355,457
93200	Electricity	-	-	-	-	-	-	-	-	-	-	-	206,447	161	-	-	-	206,608	-	875,255
93300	Gas	-	-	-	-	-	-	-	-	-	-	-	75,411	-	-	-	-	75,411	-	554,458
93800	Other utilities expense	-	-	-	-	-	-	-	-	-	-	-	19,407	-	-	-	-	19,407	-	19,407
94100	Ordinary Maintenance and Operations - Labor	-	-	-	-	-	-	-	-	-	-	-	588,546	-	-	-	-	588,546	-	1,833,776
94200	OMO - Materials and Other	-	-	-	-	-	-	-	-	-	-	-	583,218	923	-	-	-	584,141	-	1,089,537
94300	Ordinary Maintenance and Operations - Contract Costs	-	-	-	-	-	-	-	-	-	-	-	1,183,173	8,240	-	-	-	1,191,413	(88,463)	2,482,619
94500	Employee Benefit Contributions - Ordinary Maintenance	-	-	-	-	-	-	-	-	-	-	-	157,349	-	-	-	-	157,349	-	731,944
95100	Protective Services - labor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
95200	Protective Services - Other Contract Costs	-	-	-	-	-	-	-	-	-	-	-	223,007	-	-	-	-	223,007	-	657,484
95300	Protective Services - Other	-	-	-	-	-	-	-	-	-	-	-	898	-	-	-	-	898	-	123,854
96110	Property Insurance	-	-	-	-	-	-	-	-	-	-	-	188,228	-	-	-	-	188,228	-	400,102
96120	Liability Insurance	-	-	-	-	-	-	-	-	-	61,277	11,145	59,243	-	-	-	-	131,665	-	205,128
96130	Workmen's Compensation	-	-	-	258	1,850	1,359	-	-	-	13,484	4,939	9,082	-	-	1,240	697	29,442	-	100,375
96140	All other Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	14,565
96200	Other General Expenses	-	-	-	-	-	-	-	-	-	-	-	12,522	-	-	-	-	12,522	-	405,901
96210	Compensated Absences	-	-	-	-	26,270	-	-	-	-	41,927	15,507	446	-	-	-	7,025	64,905	-	385,185
96300	Payments in Lieu of Taxes	-	-	-	-	-	-	-	-	-	-	-	88,107	-	-	-	-	88,107	-	88,107
96400	Bad Debt - Tenant Rents	-	-	-	-	-	-	-	-	-	-	-	4,743	-	-	-	-	4,743	-	129,204
96710	Interest on Mortgage (or Bonds) Payable	-	-	-	-	-	-	-	-	-	-	-	1,482,027	-	-	-	-	1,482,027	-	1,691,542
96720	Interest on Notes Payable (Short and Long Term)	-	-	-	-	-	-	-	-	-	-	-	-	-	299,052	-	-	299,052	-	299,052
96900	Total Operating Expenses	-	-	-	51,231	426,937	249,256	-	-	-	11,254,001	2,059,839	9,744,706	9,702	299,052	295,619	582,345	24,245,264	(12,964,995)	38,949,383

See Independent Auditor's Report

Housing Authority of the City of Austin

FINANCIAL DATA SCHEDULE

March 31, 2017

PHA: TX10010 FYE: 03/31/2017																				
Line Item No.	Account Description	Choice Neighborhoods Planning Grants 14.892	Resident Opportunity and Supportive Services 14.870	Shelter Plus Care 14.238	Continuum of Care Program 14.267	Jobs-Plus Pilot Initiative 14.895	PIH Family Self- Sufficiency Program 14.896	8 Other Federal Program 1	9 Other Federal Program 2	Business Activities	S8 Contract Administration - Texas	S8 Contract Administration - Arkansas	Austin Affordable Housing Corporation	Equity Community Land Trust	Austin Affordable Public Facility Corporation	Blueprint Solutions	Austin Pathways	Total Blended Component Units	Elimination	Total Primary Government
97000	Excess Operating Revenue over Operating Expenses	-	-	-	653,140	-	-	-	-	20,738,341	2,500	2,500	7,382,865	31,674	360,318	(112,735)	(255,186)	7,411,936	(101,027)	88,047,711
97100	Extraordinary Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	864,247
97200	Casualty Losses - Non-Capitalized	-	-	-	-	-	-	-	-	-	-	-	27,597	-	-	-	-	27,597	-	27,597
97300	Housing Assistance Payments	-	-	-	653,140	-	-	-	-	-	-	-	-	-	-	-	-	-	(101,027)	52,092,618
97400	Depreciation Expense	-	-	-	-	-	-	-	-	3,182	-	-	2,696,907	-	-	-	-	2,696,907	-	6,443,167
90000	Total Expenses	-	-	-	704,371	426,937	249,256	-	-	3,182	11,254,001	2,059,839	12,469,210	9,702	299,052	295,619	582,345	26,969,768	(13,066,022)	98,377,012
10010	Operating transfers in	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(391,212)	-
10020	Operating transfers out	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	391,212	-
10040	Total Operating transfers from/to component unit	-	-	-	-	-	-	-	-	-	-	-	-	-	1,991,997	112,735	340,258	2,444,990	-	-
10091	Inter-project excess cash transfer in	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(338,081)	-
10092	Inter-project excess cash transfer out	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	338,081	-
10093	Transfers between programs and projects in	-	-	-	-	-	-	-	-	-	-	-	-	-	2,061,389	-	-	2,061,389	(2,212,376)	-
10094	Transfers between programs and projects out	-	-	-	-	-	-	-	-	-	-	-	(150,987)	-	-	-	-	(150,987)	2,212,376	-
10100	Total other financing sources (Uses)	-	-	-	-	-	-	-	-	-	-	-	(150,987)	-	4,053,386	112,735	340,258	4,355,392	-	-
10000	Excess (deficiency) of total revenue over (under) total expenses	-	-	-	-	-	-	-	-	20,735,159	2,500	2,500	4,507,374	31,674	4,413,704	-	85,072	9,042,824	-	28,620,082
11020	Debt Principal Payments - Enterprise Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11030	Beginning Equity	-	-	-	-	-	-	-	-	-	2,019,162	555,870	29,630,309	154,622	-	-	575,387	32,935,350	-	70,950,873
11040	Total Prior Period Adjustments, Equity transfer and correction of errors	-	-	-	-	-	-	-	-	6,295,674	-	-	4,898,792	-	(4,413,704)	-	-	485,088	-	-
11170	Administrative Fee Equity																	-		-
11180	Housing Assistance Payments Equity																	-		18,406
11190	Unit Months Available	-	-	-	932	-	-	-	-	-	-	-	11,693	-	-	-	-	11,693	-	104,059
11210	Number of Unit Months Leased	-	-	-	925	-	-	-	-	-	-	-	11,289	-	-	-	-	11,289	-	98,088
11270	Excess Cash																	-		2,809,074
11620	Building Purchases	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,475,435

See Independent Auditor's Report

Housing Authority of the City of Austin

SCHEDULES OF ACTUAL CAPITAL FUND PROGRAMS COSTS AND ADVANCES

March 31, 2017

PROGRAM	CFP 501-14	CFP 501-15	CFP 501-16	CF Emergency 501-15	CF Emergency 501-16	TOTAL
<b>BUDGET</b>	<u>\$ 2,287,896</u>	<u>\$ 2,370,772</u>	<u>\$ 2,454,926</u>	<u>\$ 250,000</u>	<u>\$ 248,569</u>	<u>\$ 7,612,163</u>
<b>ADVANCES</b>						
Cash receipts - prior years	\$ 1,212,017	\$ -	\$ -	\$ -	\$ -	\$ 1,212,017
Cash receipts - current year	1,075,879	1,815,549	148,719	78,445	2,400	3,120,992
Cumulative as of March 31, 2017	<u>2,287,896</u>	<u>1,815,549</u>	<u>148,719</u>	<u>78,445</u>	<u>2,400</u>	<u>4,333,009</u>
<b>COSTS</b>						
Prior years	1,468,847	6,337	-	-	-	1,475,184
Current year	819,049	1,818,834	196,224	250,000	19,540	3,103,647
Cumulative as of March 31, 2017	<u>2,287,896</u>	<u>1,825,171</u>	<u>196,224</u>	<u>250,000</u>	<u>19,540</u>	<u>4,578,831</u>
<b>RECEIVABLE DUE FROM HUD</b>	<u>\$ -</u>	<u>\$ 9,622</u>	<u>\$ 47,505</u>	<u>\$ 171,555</u>	<u>\$ 17,140</u>	<u>\$ 245,822</u>
<b>SOFT COSTS</b>						
Prior years	\$ 446,256	\$ 6,337	\$ -	\$ -	\$ -	\$ 452,593
Current year	24,112	474,994	129,106	-	-	628,212
Cumulative as of March 31, 2017	<u>470,368</u>	<u>481,331</u>	<u>129,106</u>	<u>-</u>	<u>-</u>	<u>1,080,805</u>
<b>HARD COSTS</b>						
Prior years	1,022,591	-	-	-	-	1,022,591
Current year	794,937	1,343,840	67,118	250,000	19,540	2,475,435
Cumulative as of March 31, 2017	<u>1,817,528</u>	<u>1,343,840</u>	<u>67,118</u>	<u>250,000</u>	<u>19,540</u>	<u>3,498,026</u>
<b>CUMULATIVE HARD AND SOFT COSTS</b>	<u>\$ 2,287,896</u>	<u>\$ 1,825,171</u>	<u>\$ 196,224</u>	<u>\$ 250,000</u>	<u>\$ 19,540</u>	<u>\$ 4,578,831</u>

See Independent Auditor's Report



## **SINGLE AUDIT SECTION**

**Housing Authority of the City of Austin**

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**

**Year ended March 31, 2017**

Federal Grantor/Pass-Through Grantor/ Program or Cluster Title	CFDA Number	Federal Expenditures
<b>FEDERAL AWARDS</b>		
<u>Direct from the U.S. Department of Housing and Urban Development ("HUD"):</u>		
Public and Indian Housing	14.850	\$ 8,905,289
Housing Voucher Cluster:		
Section 8 Housing Choice Voucher Program	14.871	\$ 54,075,522
Mainstream Vouchers	14.879	<u>523,256</u>
Subtotal Housing Voucher Cluster		54,598,778
Public Housing Capital Fund Program	14.872	3,103,647
Section 8 Moderate Rehabilitation Single Room Occupancy	14.249	313,998
PIH Family Self-Sufficiency Program	14.896	249,256
Jobs-Plus Pilot Initiative	14.895	426,937
Continuum of Care Program	14.267	704,371
<u>Pass through from the City of Austin:</u>		
HOME Investment Partnership Program	14.239	<u>329,362</u>
<b>TOTAL AWARDS EXPENDED BY THE HOUSING AUTHORITY</b>		<u><b>68,631,638</b></u>
<u>Grants awarded to Southwest Housing Compliance Corporation:</u>		
Performance Based Contract Administrator - Texas	14.327	11,143,689
Performance Based Contract Administrator - Arkansas	14.327	<u>2,062,313</u>
Subtotal Performance Based Contract Administrator		<u>13,206,002</u>
<b>TOTAL EXPENDITURES OF FEDERAL AWARDS</b>		<u><b>\$ 81,837,640</b></u>

**Note A:**

The accompanying schedule of expenditures of federal awards is presented on the accrual basis of accounting. The information on this schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of, the basic financial statements.

**Note B:**

In accordance with HUD regulations, HUD considers the Annual Budget Authority for the Section 8 Housing Choice Voucher Program ("HCV"), CFDA No. 14.871, to be an expenditure for the purposes of this schedule. Therefore, the amount in this schedule is the total amount received directly from HUD and not the expenditures paid by the Authority.

**Note C:**

The Performance Based Contract Administrator Grants are granted to the Southwest Housing Compliance Corporation and the expenditures are solely comprised of administrative revenue. This schedule excludes the Housing Assistance Payments subsidy portion of \$393,769,765, as this amount is passed through to project based Section 8 properties.

**Note D:**

The Authority did not elect to use the 10-percent de minimis indirect cost rate.

See Independent Auditor's Report

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH  
GOVERNMENT AUDITING STANDARDS**

Board of Commissioners  
Housing Authority of the City of Austin  
Austin, Texas

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the business-type activities of the Housing Authority of the City of Austin (the "Authority"), as of and for the year ended March 31, 2017, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements, and have issued our report thereon dated September 22, 2017.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Authority's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Authority's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

## **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Authority's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Authority's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control over compliance. Accordingly, this communication is not suitable for any other purpose.

September 22, 2017  
Melbourne, Florida

*Berman Hopkins Wright & LaHam*  
*CPAs and Associates, LLP*

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR  
PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED  
BY THE UNIFORM GUIDANCE**

Board of Commissioners  
Housing Authority of the City of Austin  
Austin, Texas

**Report on Compliance for Each Major Federal Program**

We have audited the Housing Authority of the City of Austin's (the "Authority") compliance with the types of compliance requirements described in the OMB Compliance Supplement that could have a direct and material effect on the Authority's major federal program for the year ended March 31, 2017. The Authority's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

**Management's Responsibility**

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

**Auditor's Responsibility**

Our responsibility is to express an opinion on compliance for the Authority's major federal program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Authority's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the Authority's compliance.

## **Opinion on Each Major Federal Program**

In our opinion, the Authority complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended March 31, 2017.

## **Report on Internal Control Over Compliance**

Management of the Authority is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Authority's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for the major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

September 22, 2017  
Melbourne, Florida

*Berman Hopkins Wright & LaHam*  
*CPAs and Associates, LLP*

**Housing Authority of the City of Austin**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
**March 31, 2017**

**A. SUMMARY OF AUDITOR'S RESULTS**

Financial Statements

Type of auditor's report issued: **Unmodified**

Internal control over financial reporting:

Material weakness identified? **No**

Significant deficiency identified? **None Reported**

Noncompliance material to financial statements noted? **No**

Federal Awards

Internal control over major programs:

Material weakness identified? **No**

Significant deficiency identified? **None Reported**

Type of auditor's report issued on compliance for major programs: **Unmodified**

There are no audit findings that are required to be reported in accordance with 2 CFR 200.516(a).

The programs tested as major programs are as follows:

- Housing Voucher Cluster
  - Section 8 Housing Choice Voucher Program - CFDA No. 14.871
  - Mainstream Vouchers - CFDA No. 14.879
- Public and Indian Housing - CFDA No. 14.850
- Capital Fund Program - CFDA No. 14.872

The threshold for distinguishing types A and B programs was **\$2,455,129**

Did the auditee qualify as a low-risk auditee? **Yes**

**B. FINDINGS - FINANCIAL STATEMENTS AUDIT**

**None.**

**C. FINDINGS - FEDERAL AWARD PROGRAMS AND QUESTIONED COSTS**

**None.**

**D. PRIOR YEAR FINDINGS**

**None.**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**ITEM NO. 3**

**Presentation and Discussion of Proposed Changes to the  
Admissions and Continued Occupancy Policy (ACOP)**

**September 21, 2017  
Regular Meeting**



**HOUSING AUTHORITY OF THE CITY OF AUSTIN**  
**BOARD ACTION REQUEST**  
**PRESENTATION AND DISCUSSION**  
**HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT**

**MEETING DATE:** October 18, 2017

**STAFF CONTACT:** Pilar Sanchez, Vice President of Housing and Community Development

**ITEM TITLE:** Presentation and Discussion of Proposed Changes to the Admissions and Continued Occupancy Policy (ACOP)

**BUDGETED ITEM:** N/A

**TOTAL COST:** N/A

**ACTION**

Presentation and discussion of proposed changes to the ACOP which will go out for public comment for 30 days beginning Friday, October 20, 2017. The Board is being asked to review the Admissions and Continued Occupancy Policy (ACOP), approve staff taking the document out for a 45-day public comment period, and returning the Admissions and Continued Occupancy Policy to the Board for final consideration at the December 2017 Board meeting.

**SUMMARY**

***Background:***

The Admissions and Continued Occupancy Policy (ACOP) is HACA's written statement of policies used to carry out the public housing program in accordance with federal law and regulations and HUD requirements. The ACOP is required by HUD and must be available for public review [CFR 24 Part 903]. The ACOP also contains policies that support the objectives contained in HACA's Five-Year Plan. The HACA Board of Commissioners must approve the original policy and any subsequent changes to comply with changes in HUD regulations.

The proposed changes to the ACOP incorporate updates to the criminal background eligibility requirements and to the smoke-free policy.

**Criminal Background:**

In November 2015, HUD issued Notice PIH 2015-19 providing guidance to housing authorities on how to address the use of arrest records in housing decisions. HACA made initial policy changes to meet the requirements of the notice. However, best practices listed in the notice as well as those gained from HACA's participation in the local re-entry roundtable led staff to conduct a more thorough review of the eligibility requirements related to criminal background.

That review led to recommended changes that can be grouped into four categories:

- 1) Changes that reduce redundancy (i.e. Could be combined without changing policy);

- 2) Changes that reflect current terminology used by the criminal justice system (ie. Indecency with a child instead of child molestation) and that reflect our current world (ie. crimes involving terrorism);
- 3) Changes that reflect increased leniency and reduced administrative burden;
- 4) Changes that reduce or update the look-back period for certain criminal activities.

These proposed changes still maintain HACA's goal of providing safe housing while adding clearer language for staff and applicants to understand.

**Smoke-Free:**

In December 2016, HUD published its final rule on Smoke-Free Public Housing which went into effect on February 3, 2017. This final rule added language prohibiting the use of water pipes (also known as Hookahs) and mandating that all designated smoking areas be at least 25 feet away from existing units or administrative buildings. The proposed changes reflect the inclusion of these HUD requirements.

***Process:***

Staff is presenting these proposed changes to the Board for discussion and input at this time. After incorporating any Board recommendations, HACA will invite public comment on the proposed changes beginning Friday, October 20, 2017 through 5:00 pm on Monday, November 20, 2017. HACA will also send the proposed changes to Texas RioGrande Legal Aid, the Austin Tenants' Council and the residents at the remaining Public Housing properties. After receiving all comments, the proposed changes will be presented to the Board for final approval at the December 2017 Board meeting.

***Staff Recommendation:***

The Board is being asked to review the Admissions and Continued Occupancy Policy (ACOP), approve staff taking the document out for a 45-day public comment period, and returning the Admissions and Continued Occupancy Policy to the Board for final consideration at the December 2017 Board meeting.

**EXHIBITS**

Exhibit 1: Summary of Proposed ACOP Changes

Exhibit 2: Select ACOP Pages With Tracked Changes

# EXHIBIT 1

## Summary of Proposed Changes to the Admissions & Continued Occupancy Policy (ACOP)

Section	Page(s)	Summary of Proposed Change
<b>Chapter 3 - Part 3 - Denial of Admission</b>	Pages 36-44	<p><b>Change:</b> Changes the criminal background portion of the eligibility criteria.</p> <p><b>Rationale:</b> <i>HACA conducted a study and determined a need to reduce redundancy, update language to reflect current criminal justice terminology, reduce administrative burden and update / reduce look-back periods for some categories. Specific detailed changes are listed below.</i></p>
	Page 41	<p><b>Change:</b> Reduce "manslaughter" from a lifetime ban to a five year look back period.</p> <p><b>Rationale:</b> <i>There is a lack of criminal intent with this offense. The difference between murder and manslaughter is the culpable mental state associated with the result of the defendant's conduct. Murder involves a defendant who intentionally or knowingly causes the death of another; manslaughter involves a defendant who recklessly causes the death of another -- manslaughter is, by definition, an accidental homicide, committed with recklessness.</i></p>
	Page 41	<p><b>Change:</b> Changing the term "child molestation" to "child molestation / indecency with a child" and keeping it in the lifetime look back period.</p> <p><b>Rationale:</b> <i>HACA added "indecency with a child" to the lifetime look back period. "Indecency with a child" is a specific offense under the TX Penal Code (Sec. 22.11). A person commits the offense of indecency with a child if, with a child younger than 17 years of age, whether the child is of the same or opposite sex and regardless of whether the person knows the age of the child at the time of the offense, the person:</i></p> <ul style="list-style-type: none"> <li><i>(1) engages in sexual contact with the child or causes the child to engage in sexual contact; or</i></li> <li><i>(2) with intent to arouse or gratify the sexual desire of any person:</i> <ul style="list-style-type: none"> <li><i>(A) exposes the person's anus or any part of the person's genitals, knowing the child is present; or</i></li> <li><i>(B) causes the child to expose the child's anus or any part of the child's genitals.</i></li> </ul> </li> </ul> <p><i>With so many children at our properties, this change adds protection to our residents.</i></p>
	Page 41	<p><b>Change:</b> Removal of the term "incest".</p> <p><b>Rationale:</b> <i>This is redundant. It is already covered in "rape or crimes of a sexual nature."</i></p>

Section	Page(s)	Summary of Proposed Change
	Page 41	<p><b>Change:</b> Change the term "gross lewdness" to "public lewdness" and move it to the four year look back period.</p> <p><b>Rationale:</b> <i>The term "gross lewdness" is no longer used anywhere within the Texas penal code. However, the term "public lewdness" is a crime in the TX Penal Code. Public Lewdness involves a defendant engaging in any of the following acts in a public place or, if not in a public place, the person is reckless about whether another person is present who will be offended or alarmed by the person's: (1) act of sexual intercourse; (2) act of deviate sexual intercourse; or (3) act of sexual contact; Public Lewdness is a Class A Misdemeanor.</i></p>
	Page 41	<p><b>Change:</b> Added "First degree felony injury to a child, elderly individual, or disabled individual" to the lifetime look back.</p> <p><b>Rationale:</b> <i>For the crime to be a 1st degree felony, the conduct must be committed intentionally or knowingly and must cause serious bodily injury, or serious mental deficiency, impairment, or injury to a child, elderly individual, or disabled individual. This constitutes a violent crime against a child, an elderly individual or a disabled individual demonstrating that the person may be a threat to our residents.</i></p>
	Page 41	<p><b>Change:</b> Added "crimes involving terrorism" and "crimes involving explosives."</p> <p><b>Rationale:</b> <i>These reflect the modern world we live in. Both crimes are violent crimes that indicate the individual is a threat to our residents.</i></p>
	Page 41	<p><b>Change:</b> Added "Criminally Negligent Homicide" as part of the five year look back.</p> <p><b>Rationale:</b> <i>This crime also lacks criminal intent. A defendant commits the offense of criminally negligent homicide if the defendant causes the death of another by criminal negligence -- "criminal negligence" involves inattentive risk creation, that is, the defendant ought to be aware of the risk surrounding his conduct or the results thereof, but fails to perceive the risk. Including it with the five year look back keeps it consistent with manslaughter.</i></p>

Section	Page(s)	Summary of Proposed Change
	Page 41	<p><b>Change:</b> Added "unlawful restraint (misdemeanor)" to the four year look back period.</p> <p><b>Rationale:</b> <i>"Unlawful restraint" involves a defendant who intentionally or knowingly restrains another person. Per the Texas Penal Code:</i></p> <p><i>"Restrain" means to restrict a person's movements without consent, so as to interfere substantially with the person's liberty, by moving the person from one place to another or by confining the person. Restraint is "without consent" if it is accomplished by:</i></p> <p><i>(A) force, intimidation, or deception; or</i></p> <p><i>(B) any means, including acquiescence of the victim, if:</i></p> <p><i>(i) the victim is a child who is less than 14 years of age or an incompetent person and the parent, guardian, or person or institution acting in loco parentis has not acquiesced in the movement or confinement; or</i></p> <p><i>(ii) the victim is a child who is 14 years of age or older and younger than 17 years of age, the victim is taken outside of the state and outside a 120-mile radius from the victim's residence, and the parent, guardian, or person or institution acting in loco parentis has</i></p>
	Page 41	<p><b>Change:</b> Removed "a pattern of abuse of alcohol."</p> <p><b>Rationale:</b> <i>This was redundant as it was already included in the four year look back list.</i></p>
	Page 42	<p><b>Change:</b> Removed "pattern of fraud committed against a governmental entity."</p> <p><b>Rationale:</b> <i>This was redundant as it was already included on page 43.</i></p>
	Page 42	<p><b>Change:</b> Added "a pattern of misdemeanor possession of marijuana (two ounces or less)"</p> <p><b>Rationale:</b> <i>Denial would now require a recent pattern (3 or more) of this drug-related criminal activity, whereas currently a single incident of possession of marijuana may be reason for denial. In addition, the Austin Police Department is no longer arresting for this. They are only issuing criminal citations.</i></p>
	Page 42	<p><b>Change:</b> Added "a pattern of misdemeanor harassment."</p> <p><b>Rationale:</b> <i>A pattern of this behavior reflects an individual that can create significant problems on property for residents and staff.</i></p>
	Page 42	<p><b>Change:</b> The definition of a pattern changes from "three or more incidences with at least one in the last three years", to "three or more incidences with a minimum of two incidences within the last three years."</p> <p><b>Rationale:</b> <i>This is to ensure that the criminal activity is current/recent. A current pattern does constitute a danger to residents. However a past pattern with demonstrated improvement in behavior does not necessarily constitute a danger to safety.</i></p>

Section	Page(s)	Summary of Proposed Change
	Page 43	<p><b>Change:</b> Added a four year look back period to the denials for fraud and violent / abusive behavior toward HACA staff.</p> <p><b>Rationale:</b> <i>This made the fraud look back period more consistent with the debts owed look back. This also made this violent behavior (toward staff) consistent with the look back for all other violent behavior.</i></p>
<b>CHAPTER 13 - SECTION 1. POLICY</b>	Page 219-220	<p><b>Change:</b> Revised and added language to match the HUD Smoke-Free Final Rule. For example, added water pipes (hookahs) as a prohibited item; revised the definition of "restricted areas" (i.e. areas where smoking is not allowed), including adding the requirement that the smoke-free policy extends to all outdoor areas up to 25 feet from PHA buildings and administrative office buildings.</p> <p><b>Rationale:</b> <i>These are HUD requirements as part of the Smoke-Free Final Rule.</i></p>

# EXHIBIT 2



eligibility and level of assistance. Chapter 7 provides detailed information concerning the consent forms and verification requirements.

The PHA must deny admission to the program if any member of the applicant family fails to sign and submit consent forms which allow the PHA to obtain information that the PHA has determined is necessary in administration of the public housing program [24 CFR 960.259(a) and (b)].

### **PART III: DENIAL OF ADMISSION**

#### **3-III.A. OVERVIEW**

A family that does not meet the eligibility criteria discussed in Parts I and II, must be denied admission.

In addition, HUD requires or permits HACA to deny admission based on certain types of current or past behaviors of family members as discussed in this part. HACA's authority in this area is limited by the Violence against Women Act (VAWA), which expressly prohibits the denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been the victim of domestic violence, dating violence, sexual assault, or stalking [24 CFR 5.2005].

This part covers the following topics:

- Required denial of admission
- Other permitted reasons for denial of admission
- Screening
- Criteria for deciding to deny admission
- Prohibition against denial of admission to victims of domestic violence, dating violence, sexual assault, or stalking
- Notice of eligibility or denial

HACA's developments will not be used as housing of last resort. All applicants for public housing will be screened according to the basic policies and standards set forth in the Authority's Admission and Continued Occupancy Policy (ACOP).

#### **GENERAL PRINCIPLES OF SCREENING**

The screening criteria in the Admissions and Continued Occupancy Policy are based on those set forth in the HUD Regulations [24 CFR Part 960.205] and in the applicable sections of the Quality Housing and Work Responsibility Act of 1998 (QHWRA). The regulations require an assessment of the behavior of each applicant with respect to the essential obligations of tenancy as expressed in the PHA's lease. The essential obligations of tenancy may be summarized as follows:

- To pay rent and other charges under the lease in the manner set forth by the PHA in the lease.
- To care for and avoid damaging the unit and common areas, to use facilities and equipment in a reasonable way; not to create or maintain health, safety or sanitary hazards and to promptly report maintenance needs.
- Not to interfere with the rights and enjoyment of others and not to damage the property of others.

- Not to engage in criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents or staff and not to engage in drug-related criminal activity on or off the premises.
- To comply with necessary and reasonable rules and program requirements of HUD and the PHA.
- To comply with health and safety codes.

### 3-III.B. REQUIRED DENIAL OF ADMISSION [24 CFR 960.204]

PHAs are required to establish standards that prohibit admission of an applicant to the public housing program if they have engaged in certain criminal activity or if the PHA has reasonable cause to believe that a household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol may threaten the health, safety or right to peaceful enjoyment of the premises by other residents.

Where the statute requires that the PHA prohibit admission for a prescribed period of time after some disqualifying behavior or event, the PHA may choose to continue that prohibition for a longer period of time [24 CFR 960.203(c)(3)(ii)].

HUD requires the PHA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD permits but does not require the PHA to admit an otherwise-eligible family if the household member has completed a PHA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g. the person involved in the criminal activity no longer lives in the household).

#### HACA Policy

HACA will apply its screening criteria on all applicant families, including families evicted from federally-assisted housing within the past 5 years for drug-related criminal activity. The PHA determines that any household member is currently engaged in the use of illegal drugs. *Drug* means a controlled substance as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]. *Currently engaged in the illegal use of a drug* means a person has engaged in the behavior recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member [24 CFR 960.205(b)(1)].

*Currently engaged in* is defined as any use of illegal drugs during the previous six months.

- The PHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety or right to peaceful enjoyment of the premises by other residents.

#### HACA Policy

In determining reasonable cause, HACA will consider all credible evidence, including but not limited to, any record of convictions, arrests or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight than an arrest. HACA may, at its discretion, also consider evidence from

treatment providers or community-based organizations providing services to household members.

- Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing.

#### HACA Policy

If any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine in any location, not just federally assisted housing, the family will be denied admission. For the purposes of this document, federally assisted housing is defined as any housing in which a resident's housing is subsidized or the housing provider receives subsidy, either directly or indirectly, from a federal agency or federal housing program (including, but not limited to Public Housing, the Housing Choice Voucher program, Project Based Rental Assistance, and others).

- Any household member is subject to a lifetime registration requirement under a state sex offender registration program.

#### HACA Policy

If any household member is currently registered as a sex offender under any State registration requirement, regardless of whether it is for lifetime or not, the family will be denied admission.

### **3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION**

HUD permits, but does not require the PHA to deny admission for the reasons discussed in this section.

#### HACA Policy

##### **Preliminary Eligibility Criteria**

All applications will be screened for preliminary eligibility before they are added to the HACA public housing waiting list. If an applicant is found to be preliminarily ineligible, their application will not be added to the program's waiting list. The following criteria shall be used to determine preliminary ineligibility:

- HACA shall prohibit admission to the public housing program of an applicant for five years from the date of eviction or termination if a household or family member has been evicted or terminated from federally assisted housing for drug-related criminal activity.
- If the household or family vacated in lieu of eviction from a HACA property due to a household or family member engaging in drug-related criminal activity within 5 years from the date of application, HACA will prohibit the admission to the public housing program if the following criteria have been met:
  - HACA has documentation confirming the household or family member engaged in the drug-related criminal activity (e.g. criminal records, including but not limited to, probable cause affidavits, court records, police reports, criminal background report, and / or other official documents); and

- HACA has documentation confirming that it started the eviction process with the family (e.g. issuance of a 30 day notice or termination lease letter, issuance of a 3 day notice to vacate letter, notice of intent to vacate in lieu of eviction signed by tenant, filing a forcible detainer lawsuit against the family and / or other records); and
  - The offender that is identified in the documentation is still listed as a member of the household or family on the new application.
- An applicant is deemed preliminarily ineligible and shall be rejected and not placed on the HACA waiting list if they were the head of household, spouse or cohead at the time of past residency at HACA and owes a move-out balance or debt to HACA which is not barred by a statute of limitations. There is a four-year statute of limitation, which ends the latter of:
  - Four years from the date the debt became delinquent, or
  - Four years from the date the final payment would have been due if a repayment agreement was signed by the former tenant.
- An applicant is deemed preliminarily ineligible and shall be rejected and not placed on the HACA waiting list if they were terminated or evicted for any reason other than drug-related activity from either program within a two-year period from date of new application. Abandonment of unit in the housing choice voucher program is considered a termination; abandonment of unit in the conventional public housing program is considered an eviction. This restriction applies only to the former head of household and/or spouse or co-head.
- If the family vacated in lieu of eviction from any HACA property for any reason other than drug-related criminal activity within the two years from the date of application, HACA will prohibit admission to the public housing program if the following criteria have been met:
  - HACA has documentation supporting the grounds for termination that would have led to the eviction of the household or family (e.g. criminal records including, but not limited to, probable cause affidavits, court records, police reports, criminal background reports, etc.; other records, including but not limited to Elite notes, photographs, resident ledgers, complaint records, HACA incident reports, prior tenant file documentation, etc; and / or other official documents); and
  - HACA has documentation confirming that it started the eviction process with the family (e.g. issuance of a 30 day notice of termination letter, issuance of a 3 day notice to vacate letter, notice of intent to vacate in lieu of eviction signed by tenant, filing a forcible detainer lawsuit against the family, and / or other records); and
  - The family member or members identified in that documentation are still listed as members of the family on the new application.
- An applicant is deemed preliminarily ineligible and shall be rejected if applying for the housing choice voucher program if they have been issued a voucher within one year from the date of application, whether or not the voucher was utilized. Expiration of an unused voucher is not cause for preliminary ineligibility for the public housing program.

- An applicant is deemed preliminarily ineligible and shall be rejected and not placed on the HACA waiting list if currently housed in this same program and listed as the head of household or co-head of household.
- For the purpose of providing a housing opportunity to as many applicants as possible, 12 months should elapse before an applicant is preliminarily eligible to reapply for the same program they have just moved out of. This shall include voluntary move outs from the conventional public housing program.
- An applicant is deemed preliminarily ineligible and shall be rejected if applying for the same program for which they have already been denied admissions due to criminal history or derogatory rental history, unreported income or fraud within a 12-month period. The applicant will not be eligible to request an informal review of this rejection due to the fact that the applicant was offered an informal review when they were initially denied admissions for criminal history and/or derogatory rental history. Twelve months should elapse from the date of denial or date of the hearing decision whichever is later.
- An applicant is deemed preliminarily ineligible and shall be rejected if applying for the conventional public housing program and has rejected a public housing unit offer from HACA within the last 12 months from the date of the last housing offer.
- A family is deemed evicted if a lease termination/violation letter had been sent to the family alleging a breach of the lease based upon drug-related criminal activity, criminal activity, non-payment of rent or other breach and the family has voluntarily vacated, or if a judgment for eviction is rendered, or if the family vacated due to the oral threatened termination of the lease.
- HACA complies with all Fair Housing laws. Applicants have the right to request a Reasonable Accommodation. HACA will consider all Reasonable Accommodation requests under the Fair Housing Act and Section 504 of the American Disabilities Act. Information related to the Fair Housing Act, Section 504 and Requests for Reasonable Accommodation will be included in the denial letters.
- If the basis for the denial relates to family violence, the applicant may qualify for an exception under the VAWA Amendments. Information related to VAWA will be included in the denial letters.

**Criminal Activity [24 CFR 960.203 (c)]**

Under the Public Housing Assessment System (PHAS), PHAs that have adopted policies, implemented procedures and can document that they successfully screen out and deny admission to certain applicants with unfavorable criminal histories receive points.

The PHA is responsible for screening family behavior and suitability for tenancy. In doing so, the PHA may consider an applicant's history of criminal activity involving crimes of physical violence to persons or property and other criminal acts that would adversely affect the health, safety or welfare of other tenants.

HACA Policy

If any household member has engaged in or attempted any of the following criminal activities regardless of the date committed the family will be denied admission:

- capital murder
- murder/~~manslaughter~~
- kidnapping
- ~~child molestation~~
- rape or crimes of a sexual nature
- ~~incest~~
- ~~gross lewdness~~
- arson
- ~~child molestation / indecency with a child~~
- ~~first degree felony injury to a child, elderly individual, or disabled individual, committed intentionally or knowingly~~
- crimes involving terrorism
- crimes involving explosives

If any household member is currently engaged in, or has engaged in any of the following criminal activities, ~~within the past four years~~ during the designated review period, the family will be denied admission:

- Within the past five years:
  - Manslaughter
  - Criminally Negligent Homicide
- Within the past 4 years:
  - Public lewdness
  - Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution or use of a drug or the possession of a drug with intent to manufacture, sell distribute or use the drug [24 CFR 5.100].
  - Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
  - Criminal activity that may threaten the health, safety or welfare of other tenants [24 CFR 960.203(c)(3)].
  - Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon.
  - Assault, aggravated assault, assault by threat, stalking.
  - Physical violence to persons or property, or criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
  - Criminal activity that may threaten the health or safety of HACA staff, contractors, subcontractors or agents.

- Three or more incidences or convictions of alcohol-related criminal activity, including Driving under the Influence and Public Intoxication.
- Burglary of a Habitation.
- Unlawful Restraint (misdemeanor)

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years, the family will be denied admission:

- ~~(1) A pattern of abuse of alcohol, including, but not limited to, public intoxication and driving while intoxicated.~~
- ~~(2)(1) A pattern of fraud committed against a governmental entity. A pattern of misdemeanor possession of marijuana (two ounces or less).~~
- ~~(3)(2) A pattern of theft or fraud.~~
- ~~(4)(3) A pattern of organized criminal activity.~~
- ~~(4) A pattern of prostitution.~~
- ~~(5) A pattern of misdemeanor harassment.~~
- (6) A pattern (for the purposes listed above) consists of three or more incidences, with a minimum of one-two incident-incidences occurring within the past three years.

If an applicant has one offense of a Class C misdemeanor within the past four years, HACA will not deny the applicant. More than one Class C misdemeanor will be considered a pattern (for the purpose of determining eligibility) and the applicant may be subject to denial based on the nature of the offenses.

In making its decision to deny assistance, HACA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, HACA may, on a case-by-case basis, decide not to deny assistance.

Evidence of such criminal activity includes, but is not limited to, any record of convictions, arrests or evictions for suspected drug-related or violent criminal activity of household members. A conviction for such activity will be given more weight than an arrest or an eviction.

HACA will not deny an application solely on the basis of an arrest. If HACA receives arrest information which may be for a disqualifying activity, HACA may request additional information. Additional information that may be considered, if available, include the following:

- The police report associated with the arrest which provides the reported circumstances of the arrest.
- Any statements made by witnesses or the applicant not included in the police report
- Whether criminal charges were filed
- Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal
- Any other evidence relevant to determining whether or not the applicant engaged in the disqualifying activity

Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property.

**Previous Behavior [960.203(c) and (d) and PH Occ GB, p. 48]**

HUD authorizes the PHA to deny admission based on relevant information pertaining to the family's previous behavior and suitability for tenancy.

In the event of the receipt of unfavorable information with respect to an applicant, the PHA must consider the time, nature and extent of the applicant's conduct (including the seriousness of the offense). As discussed in Section 3-III.F, the PHA may also need to consider whether the cause of the unfavorable information may be that the applicant is the victim of domestic violence, dating violence, sexual assault, or stalking.

#### HACA Policy

HACA will deny admission to an applicant family if HACA determines that the family:

- 1) Has been evicted for non-payment of rent at a federally subsidized housing program within the past two years.
- 2) Has a pattern of disturbance of neighbors, destruction of property or living or housekeeping habits at prior residences within the past two years which may adversely affect the health, safety or welfare of other tenants.
- 3) Has a pattern of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances). Abandonment of a unit in public housing is considered an eviction. This restriction only applies to the head of household and/or the cohead of household. If the head or cohead owes rent or other amounts to any other PHA or owner in connection with any federally subsidized housing program. Any amounts owed to HACA or other federally subsidized property will have to be repaid by the applicant before Admissions approval. HACA will not deny admissions if the head or cohead is moving from the HACA Public Housing program to the HACA Section 8 program (or vice versa) and is in compliance with their HACA repayment agreement. There is a four-year statute of limitations that ends the latter of:
  - a) Four years from the date the debt became delinquent, or
  - b) Four years from the date the final payment would have been due if a repayment agreement was signed by the former tenant.
- 4) Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent.
- 5) Has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program. This includes intentional misrepresentation of citizenship or immigration status within the last four years.
- 6) Refuses to sign and submit consent forms for obtaining information necessary to determine eligibility and continued eligibility for housing assistance.
- 7) Has engaged in or threatened violent or abusive behavior toward HACA personnel within the last four years.

Abusive or violent behavior towards HACA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.



*Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

In making its decision to deny admission, HACA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, HACA may, on a case-by-case basis, decide not to deny admission.

HACA will consider the existence of mitigating factors, such as loss of employment or other financial difficulties, before denying admission to an applicant based on the failure to meet prior financial obligations.

### 3-III.D. SCREENING

#### Screening for Eligibility

PHAs are authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to the public housing program. This authority assists the PHA in complying with HUD requirements and PHA policies to deny assistance to applicants who are engaging in or have engaged in certain criminal activities. In order to obtain access to the records the PHA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

The PHA may not pass along to the applicant the costs of a criminal records check [24 CFR 960.204(d)].

#### HACA Policy

HACA requires criminal background checks for all applicant household and family members 17 years of age or older. HACA will use a third party vendor or other government agency to provide the criminal history reports. The report will be requested after the family member signs a consent form. This report encompasses a national criminal history search.

If the applicant and/or household member 17 years of age or older or the live-in aide applicant has not resided in the state of Texas for the most recent 2 years from the date of application, HACA will require a FBI criminal history report that includes information from the National Crime Information Center (NCIC)..

An online National Sex Offender check covering sex offender registries in all states is performed for all adult applicants. HACA may conduct a criminal history review at a national level (at no cost to the resident).

The PHA is required to perform criminal background checks necessary to determine whether any household member is subject to a lifetime registration requirement under a state sex offender program in the state where the housing is located, as well as in any other state where a household member is known to have resided [24 CFR 960.204(a)(4)].

If the PHA proposes to deny admission based on a criminal record or on lifetime sex offender registration information, the PHA must notify the household of the proposed action and must provide the subject of the record and the applicant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to a denial of admission [24 CFR 5.903(f) and 5.905(d)].

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## **Chapter 13**

### **SMOKE-FREE HOUSING POLICY**

#### **INTRODUCTION**

This policy applies to any and all persons entering the Housing Authority of the City of Austin (“HACA”) residential public housing properties including HACA residents, their guests and visitors, HACA partners, contractors, and HACA employees. HACA’s Smoke-Free Housing Policy is focused on the act of smoking, not the smoker. The purpose of the policy is to create a healthier, safer, and cleaner living environment for all of its residents. The U.S. Surgeon General has warned that breathing second hand smoke for even a short time is dangerous. Smoke migrates between units in multi-family housing.

HUD has strongly encouraged public housing authorities to adopt a smoke free policy since 2009. On December 5, 2016, HUD finalized the PIH Smoke-Free Public Housing rule. This rule went into effect on February 3, 2017 and granted public housing authorities 18 months to implement this rule. HACA’s Smoke-Free Housing policy meets the standards of HUD’s final rule.

#### **13-I POLICY:**

- ~~Smoking is prohibited in residential units and common areas. This includes outdoor patios, hallways, stairwells and parking lots. Smoking is not allowed in the following areas:~~
  - a. All public housing living units; and
  - b. Interior common areas which include, but are not limited to:
    - i. Hallways;
    - ii. Rental and administrative offices;
    - iii. Community Centers / Community Rooms;
    - iv. Day Care Centers;
    - v. Laundry Rooms; and
  - c. Outdoor areas within 25 feet from public housing and administrative office buildings.
- Collectively, these areas are the restricted areas where smoking is not allowed.
- Smoking is only allowed in outdoor areas designated with a sign. Designated smoking area(s) must be outside the restricted area and will have a proper receptacle to dispose of butts and used matches.
- Definition of smoking: SMOKING means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, e-cigarette, pipe, water pipe (also known as hookahs), weed, plant, or other combustible substance in any manner or in any form.
- HACA staff shall inform current residents, applicants on waiting lists, HACA employees, partners, and HACA contractors of this policy.
- Residents shall inform household members, guests, and visitors of the smoke-free housing policy and will be responsible for any violations of this policy by the resident’s household members, guests, and visitors.
- HACA staff shall post proper signs at entrances and exits and common areas, and enforce compliance with this policy.

- Failure to comply with the terms of this policy/addendum may be cause for lease enforcement action, up to and including eviction/lease termination.

### **13-II ENFORCEMENT:**

- **1st violation** – written warning and referral to cessation services
- **2nd violation** – written letter of lease violation and referral to cessation services
- **3rd violation** – Probation and referral to cessation services
- **4th violation** – 30-day notice of lease-termination.
  - HACA may suspend lease termination process if the family agrees to attend a HACA approved smoking cessation class and present HACA with a certificate of completion and a signed commitment to comply with HACA's Smoke-free Housing Policy.

Enforcement progression is based on violations per household, not per tenant.

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

/

**ITEM NO. 4**

**Presentation and Discussion of the Proposed Changes to the  
Housing Choice Voucher Administrative Plan**

**September 21, 2017  
Regular Meeting**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN**  
**BOARD ACTION REQUEST**  
**PRESENTATION AND DISCUSSION**  
**ASSISTED HOUSING DEPARTMENT**

**MEETING DATE:** October 18, 2017

**STAFF CONTACT:** Lisa Garcia, Vice-President of Assisted Housing

**ITEM TITLE:** Presentation and Discussion of Proposed Changes to the Housing Choice Voucher Administrative Plan

**BUDGETED ITEM:** No

**TOTAL COST:** N/A

**ACTION**

Presentation and discussion of proposed changes to the Housing Choice Voucher (HCV) Administrative Plan which will go out for public comment for 30 days beginning Friday, October 20, 2017. The Board is being asked to review the Administrative Plan, approve staff taking the document out for a 45-day public comment period, and returning the Administrative Plan to the Board for final consideration at the December 2017 Board meeting.

**SUMMARY**

***Background:***

The Housing Choice Voucher (HCV) Administrative Plan is required by HUD. The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in HACA's agency plan. The Administrative Plan is a supporting document to HACA's agency plan, and is available for public review as required by CFR 24 Part 903. The HACA Board of Commissioners must approve the original policy and any subsequent changes to comply with changes in HUD regulations.

The proposed changes to the HCV Administrative Plan incorporate updates to the criminal background eligibility requirements. In addition, Nan McKay's revision service provided updates with clarifying language regarding a number of policy items. All changes are summarized in Exhibit 1 and reflected in Exhibit 2.

***Criminal Background:***

In November 2015, HUD issued Notice PIH 2015-19 providing guidance to housing authorities on how to address the use of arrest records in housing decisions. HACA made initial policy changes to meet the requirements of the notice. However, best practices listed in the notice as well as those gained from HACA's participation in the local re-entry roundtable led staff to conduct a more thorough review of the eligibility requirements related to criminal background.

That review led to recommended changes that can be grouped into four categories:

- 1) Changes that reduced redundancy (i.e. Could be combined without changing policy);
- 2) Changes that reflect current terminology used by the criminal justice system (i.e. Indecency with a child instead of child molestation) and that reflect dangers faced by today's society (ie. crimes involving terrorism);
- 3) Changes that reflect increased leniency and reduced administrative burden;
- 4) Changes that reduced or updated the look-back period for certain criminal activities.

These proposed changes still maintain HACA's goal of providing safe housing while adding clearer language for staff and applicants to understand.

***Process:***

Staff is bringing these proposed changes to the Board for discussion and input at this time. After incorporating any Board recommendations, HACA will invite public comment on the proposed changes beginning Friday, October 20, 2017 through 5:00 pm on Monday, November 20, 2017. HACA will send the proposed changes to Texas RioGrande Legal Aid and the Austin Tenants' Council. After receiving all comments, the proposed changes will come back to the Board for final approval at the December 2017 Board meeting.

***Staff Recommendation:***

The Board is being asked to review the Administrative Plan, approve staff taking the document out for a 45-day public comment period, and returning the Administrative Plan to the Board for final consideration at the December 2017 Board meeting.

**EXHIBITS**

Exhibit 1: Summary of Proposed HCV Administrative Plan Changes

Exhibit 2: Select HCV Pages with Tracked Changes

# EXHIBIT 1

Section	Page Numbers	Summary of Changes Made in Admin Plan
Chapter 3: 3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ASSISTANCE	71-74	<p><b>Change:</b> Changes the criminal background portion of the eligibility criteria.</p> <p><b>Rationale:</b> HACA conducted a study and determined a need to reduce redundancy, update language to reflect current criminal justice terminology, reduce administrative burden and update / reduce look-back periods for some categories. Specific detailed changes are listed below.</p>
	71-72	<p><b>Change:</b> Reduce "manslaughter" from a lifetime ban to a five year look back period.</p> <p><b>Rationale:</b> There is a lack of criminal intent with this offense. The difference between murder and manslaughter is the culpable mental state associated with the result of the defendant's conduct. Murder involves a defendant who intentionally or knowingly causes the death of another; manslaughter involves a defendant who recklessly causes the death of another -- manslaughter is, by definition, an accidental homicide, committed with recklessness.</p>
	71	<p><b>Change:</b> Changing the term "child molestation" to child molestation/indecency with a child" and keeping it in the lifetime look back period.</p> <p><b>Rationale:</b> HACA added "indecency with a child" to the lifetime look back period. "Indecency with a child" is a specific offense under the TX Penal Code (Sec. 22.11). A person commits the offense of indecency with a child if, with a child younger than 17 years of age, whether the child is of the same or opposite sex and regardless of whether the person knows the age of the child at the time of the offense, the person:</p> <p>(1) engages in sexual contact with the child or causes the child to engage in sexual contact; or</p> <p>(2) with intent to arouse or gratify the sexual desire of any person:</p> <p>(A) exposes the person's anus or any part of the person's genitals, knowing the child is present; or</p> <p>(B) causes the child to expose the child's anus or any part</p>



Section	Page Numbers	Summary of Changes Made in Admin Plan
		<i>of the child's genitals. With so many children at our properties, this change adds protection to our residents.</i>
	71	<b>Change:</b> Removal of "incest". <b>Rationale:</b> <i>This is redundant. It is already included in "rape or crimes of a sexual nature."</i>
	72	<b>Change:</b> Change the term "gross lewdness" to "public lewdness" and move it to the four year look back period. <b>Rationale:</b> <i>The term "gross lewdness" is no longer used anywhere within the Texas penal code. However, the term "public lewdness" is a crime in the TX Penal Code. Public Lewdness involves a defendant engaging in any of the following acts in a public place or, if not in a public place, the person is reckless about whether another person is present who will be offended or alarmed by the person's: (1) act of sexual intercourse; (2) act of deviate sexual intercourse; or (3) act of sexual contact; Public Lewdness is a Class A Misdemeanor.</i>
	72	<b>Change:</b> Added "First degree felony injury to a child, elderly individual, or disabled individual." <b>Rationale:</b> <i>For the crime to be a 1st degree felony, the conduct must be committed intentionally or knowingly and must cause serious bodily injury, or serious mental deficiency, impairment, or injury to a child, elderly individual, or disabled individual. This constitutes a violent crime against a child, an elderly individual or a disabled individual demonstrating that the person may be a threat to our residents.</i>

Section	Page Numbers	Summary of Changes Made in Admin Plan
	72	<p><b>Change:</b> Added "crimes involving terrorism" and "crimes involving explosives."</p> <p><b>Rationale:</b> <i>These reflect the modern world we live in. Both crimes are violent crimes that indicate the individual is a threat to our residents.</i></p>
	72	<p><b>Change:</b> Added "Criminally Negligent Homicide" as part of the five year look back.</p> <p><b>Rationale:</b> <i>This crime also lacks criminal intent. A defendant commits the offense of criminally negligent homicide if the defendant causes the death of another by criminal negligence -- "criminal negligence" involves inattentive risk creation, that is, the defendant ought to be aware of the risk surrounding his conduct or the results thereof, but fails to perceive the risk. Including it with the five year look back keeps it consistent with manslaughter.</i></p>
	73	<p><b>Change:</b> Added "unlawful restraint (misdemeanor)" to the four year look back period.</p> <p><b>Rationale:</b> <i>"Unlawful restraint" involves a defendant who intentionally or knowingly restrains another person. Per the Texas Penal Code:</i></p> <p><i>"Restrain" means to restrict a person's movements without consent, so as to interfere substantially with the person's liberty, by moving the person from one place to another or by confining the person. Restraint is "without consent" if it is accomplished by:</i></p> <p><i>(A) force, intimidation, or deception; or</i></p> <p><i>(B) any means, including acquiescence of the victim, if:</i></p> <p><i>(i) the victim is a child who is less than 14 years of age or an incompetent person and the parent, guardian, or person or institution acting in loco parentis has not acquiesced in the movement or confinement; or</i></p> <p><i>(ii) the victim is a child who is 14 years of age or older and younger than 17 years of age, the victim is taken outside of the state and outside a 120-mile radius from the victim's residence, and the parent, guardian, or person or institution acting in loco parentis has not acquiesced in the movement.</i></p>



Section	Page Numbers	Summary of Changes Made in Admin Plan
	73	<p><b>Change:</b> Removed "a pattern of abuse of alcohol."</p> <p><b>Rationale:</b> <i>This was redundant as it was already included in the four year look back list.</i></p>
	73	<p><b>Change:</b> Removed "pattern of fraud committed against a governmental entity."</p> <p><b>Rationale:</b> <i>This was redundant.</i></p>
	73	<p><b>Change:</b> Added "a pattern of misdemeanor possession of marijuana (two ounces or less)"</p> <p><b>Rationale:</b> <i>Denial would now require a recent pattern (3 or more) of this drug-related criminal activity, whereas currently a single incident of possession of marijuana may be reason for denial. In addition, the Austin Police Department is no longer arresting for this. They are only issuing criminal citations.</i></p>
	73	<p><b>Change:</b> Added "a pattern of misdemeanor harassment."</p> <p><b>Rationale:</b> <i>A pattern of this behavior reflects an individual that can create significant problems on property for residents and staff.</i></p>
	73	<p><b>Change:</b> The definition of a pattern changes from "three or more incidences with at least one in the last three years", to "three or more incidences with a minimum of two incidences within the last three years."</p> <p><b>Rationale:</b> <i>This is to ensure that the criminal activity is current/recent. A current pattern does constitute a danger to residents. However a past pattern with demonstrated improvement in behavior does not necessarily constitute a danger to safety.</i></p>
	74	<p><b>Change:</b> Added a four year look back period to the denials for fraud and violent / abusive behavior toward HACA staff.</p> <p><b>Rationale:</b> <i>This made the fraud look back period more consistent with the debts owed look back. This also made this violent behavior (toward staff) consistent with the look back for all other violent behavior.</i></p>

Section	Page Numbers	Summary of Changes Made in Admin Plan
Chapter 6: 6.III. C. Applying Payment standards	165-167	<b>Change:</b> Revised policy to state that if a revised payment standard result in a lower payment standard amount during the term of the HAP contract, HACA would not reduce the payment standard. <b>Rationale:</b> HUD requirement per FR Notice 11/16/16
Chapter 8: Housing Quality Standards and Rent Reasonableness Determinations	214-215  218    220    227	Revisions to Life Threatening Conditions  FR Notice 11/18/17 states that PHAs may but are not required to approve assisted tenancy and start HAP if the unit fails HQS inspection, if the deficiencies identified are not life-threatening. HACA policy will remain the same and require the unit to pass an HQS inspection before the effective date of HAP.  FR Notice 11/18/17 allows HACA to use an approved alternative inspection to pass the inspection. HACA will not rely on alternative inspection standards.  Revised Rent Reasonableness language to reflect current policy and practices.
Chapter 10: Moving with Continued Assistance and Portability	235-253	Changes to Portable requirements to comply with guidance provided in Notice PIH 2016-09. This Notice replaced PIH Notice 2012-42.
Chapter 11: 11-I.E. Determining Ongoing Eligibility of Certain Students	258-259	Per revisions to regulatory requirements added vulnerable youth to be considered an independent student.
Chapter 15: 15-VI.C. Payment Standards, Utility Allowance and HAP	324-326	FR Notice 1/18/17 required changes to policy regarding leasing manufactured homes.
Chapter 16: Program Administration	346	Updated policy regarding HACA's obligation to provide interpretation service upon a family's request.



Section	Page Numbers	Summary of Changes Made in Admin Plan
	354	Per regulations, updated SEMAP Indicator 13: Lease-up scoring requirement.
	362-403	Revisions in policy, forms and exhibits to comply with VAWA regulations.
Chapter 17: Project-Based Voucher	405-413 417-420 424 429-433 439-440 446 449-455	Revisions throughout chapter regarding new project-based voucher requirements defined in FR Notice 1/18/17.

# EXHIBIT 2

not be added to the program's waiting list. The following criteria shall be used to determine preliminary ineligibility.

An applicant is deemed preliminarily ineligible and shall be rejected and not placed on the HACA HCV waiting list if currently housed in this same program and listed as the head of household or co-head of household.

If the head of household, spouse, or co-head in the applicant family owes a move-out balance or debt to HACA, the family will be notified in writing that they owe this debt. The written notification will inform them that they have been placed on the waiting list and the outstanding debt must be paid in full before they are eligible to receive any form of housing assistance. The notice will also explain how they may establish a repayment agreement and begin making payments. This notice will be sent in all cases in which the debt is not barred by a statute of limitations. There is a four-year statute of limitation, which ends the latter of:

- Four years from the date the debt became delinquent, or
- Four years from the date the final payment would have been due if a repayment agreement was signed by the former tenant.

HACA complies with all Fair Housing laws. Applicants have the right to request a Reasonable Accommodation. HACA will consider all Reasonable Accommodation requests under the Fair Housing Act and Section 504 of the American Disabilities Act. Information related to the Fair Housing Act, Section 504 and Requests for Reasonable Accommodation will be included in the denial letters.

If the basis for the denial relates to family violence, the applicant may qualify for an exception under the VAWA Amendments. Information related to VAWA will be included in the denial letters.

#### **Criminal Activity [24 CFR 982.553]**

HACA is responsible for screening family behavior and suitability for tenancy. In doing so, HACA may consider an applicant's history of criminal activity involving crimes of physical violence to persons or property and other criminal acts that would adversely affect the health, safety or welfare of other tenants.

#### HACA Policy

If any household member has engaged in or attempted any of the following criminal activities regardless of the date committed the family will be denied admission:

capital murder  
murder/manslaughter  
kidnapping  
child molestation  
rape or crimes of a sexual nature  
incest



~~gross lewdness~~

arson

childmolestation/indecency with a child

first degree felony injury to a child, elderly individual, or disabled individual

crimes involving terrorism

crimes involving explosives

If any household member is currently engaged in, or has engaged in any of the following criminal activities, ~~within the past four years~~ **during the designated review period**, the family will be denied admission:

Within the past five years:

Manslaughter

Criminally ~~Negligent~~ Negligent Homicide

Within the past 4 years:

Public lewdness

- (1) Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution or use of a drug or the possession of a drug with intent to manufacture, sell distribute or use the drug [24 CFR 5.100].
- (2) Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
- (3) Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon.
- (4) Assault, aggravated assault, assault by threat, stalking.
- (5) Physical violence to persons or property, or criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
- (6) Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or
- (7) Criminal activity that may threaten the health or safety of property owners, management staff, HACA staff, persons performing contract administration functions or other responsibilities on behalf of HACA including contractors, subcontractors or agents.
- (8) Three or more incidences or convictions of alcohol-related criminal activity, including Driving under the Influence and Public Intoxication.



(9) Burglary of a habitation.

(10) Unlawful Restraint (misdemeanor).

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If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the **past three years**, the family will be denied admission:

- ~~1. A pattern of abuse of alcohol, including, but not limited to, public intoxication and driving while intoxicated.~~
- ~~2. A pattern of fraud committed against a governmental entity.~~
- ~~1. A pattern of misdemeanor possession of marijuana (two ounces or less).~~
- ~~3.2. A pattern of theft or fraud.~~
- ~~4.3. A pattern of organized criminal activity.~~
- ~~5.4. A pattern of prostitution.~~
- ~~5. A pattern of misdemeanor harassment.~~
6. A pattern (for the purposes listed above) consists of three or more incidences, with a minimum of two or more incidences occurring within the last three years.

If an applicant has one offense of a Class C misdemeanor within the past four years, HACA will not deny the applicant. More than one Class C misdemeanor will be considered a pattern (for the purpose of determining eligibility) and the applicant may be subject to denial based on the nature of the offenses.

In making its decision to deny assistance, HACA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, HACA may, on a case-by-case basis, decide not to deny assistance.

Evidence of such criminal activity includes, but is not limited to, any record of convictions, arrests or evictions for suspected drug-related or violent criminal activity of household members. A conviction for such activity will be given more weight than an arrest or an eviction.

HACA will not deny an application solely on the basis of an arrest. If HACA receives arrest information for a disqualifying activity, HACA may request additional information. Additional information that may be considered, if available, includes the following:

- The police report associated with the arrest which provides the reported circumstances of the arrest.
- Any statements made by witnesses or the applicant not included in the police report
- Whether criminal charges were filed
- Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal
- Any other evidence relevant to determining whether or not the applicant engaged in the disqualifying activity
- Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property.

**Previous Behavior in Assisted Housing [24 CFR 982.552 c]**

HUD authorizes HACA to deny admission based on relevant information pertaining to the family's previous behavior in assisted housing.

In the event of the receipt of unfavorable information with respect to an applicant, HACA must consider the time, nature and extent of the applicant's conduct (including the seriousness of the offense). As discussed in Section 3-III.F, HACA may also need to consider whether the cause of the unfavorable information may be that the applicant is the victim of domestic violence, dating violence or stalking.

**HACA Policy**

HACA will deny admission to an applicant family for the following reasons.

- 1) If the head of household, spouse, or co-head owes rent or other amounts to HACA or any other PHA in connection with Section 8 or other public housing assistance under the 1937 Act. (Any amounts owed to HACA or other federally subsidized programs will have to be repaid by the applicant before Admissions approval.

HACA will not deny admissions if the head or co-head are moving from the HACA Public Housing program to the HACA Section 8 program (or vice versa) and are in compliance with their HACA repayment agreements. There is a four-year statute of limitations that ends the latter of:

- a) Four years from the date the debt became delinquent, or
  - b) Four years from the date the final payment would have been due if a repayment agreement was signed by the former tenant.
- 2) Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent.
  - 3) Any family member has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program. This includes intentional misrepresentation of citizenship or immigration status within the last four years.
  - 4) Refuses to sign and submit consent forms for obtaining information necessary to determine eligibility and continued eligibility for housing assistance.
  - 5) Any family member has been evicted from federally-assisted housing in the last five years.
  - 6) Has engaged in or threatened violent or abusive behavior toward HACA personnel within the last four years.

Abusive or violent behavior towards HACA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

*Threatening* refers to oral or written threats or physical gestures that communicate



## 6-III.C. APPLYING PAYMENT STANDARDS [24 CFR 982.505;982.503(b)]

### Overview

HACA's schedule of payment standards is used to calculate housing assistance payments for HCV families. This section covers the application of HACA's payment standards. The establishment and revision of HACA's payment standard schedule are covered in Chapter 16.

*Payment standard* is defined as "the maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family)" [24 CFR 982.4(b)].

The payment standard for a family is the lower of (1) the payment standard for the family unit size, which is defined as the appropriate number of bedrooms for the family under HACA's subsidy standards [24 CFR 982.4(b)], or (2) the payment standard for the size of the dwelling unit rented by the family.

If HACA has established an exception payment standard for a designated part of a zip code area or an FMR area and a family's unit is located in the exception area, HACA must use the appropriate payment standard for the exception area.

HACA is required to pay a monthly housing assistance payment (HAP) for a family that is the lower of (1) the payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP.

If during the term of the HAP contract for a family's unit, the owner lowers the rent, HACA will recalculate the HAP using the lower of the initial payment standard or the gross rent for the unit [HCV GB, p. 7-8].

### Changes in Payment Standards

When HACA revises its payment standards during the term of the HAP contract for a family's unit, it will apply the new payment standards in accordance with HUD regulations.

### Decreases

~~If the amount on the payment standard schedule is decreased during the term of the HAP contract, the lower payment standard generally will be used beginning at the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard. HACA will determine the payment standard for the family as follows:~~

~~**Step 1:** At the first regular reexamination following the decrease in the payment standard, HACA will determine the payment standard for the family using the lower of the payment standard for the family unit size or the size of the dwelling unit rented by the family.~~

~~**Step 2:** HACA will compare the payment standard from step 1 to the payment standard last used to calculate the monthly housing assistance payment for the family. The payment standard used by HACA at the first regular reexamination following the decrease in the payment standard will be the higher of these two payment standards. HACA will advise the family that the application of~~

the lower payment standard will be deferred until the second regular reexamination following the effective date of the decrease in the payment standard.

**Step 3:** At the second regular reexamination following the decrease in the payment standard, the lower payment standard will be used to calculate the monthly housing assistance payment for the family unless HACA has subsequently increased the payment standard, in which case the payment standard will be determined in accordance with procedures for increases in payment standards described below.

If a PHA changes its payment standard schedule, resulting in a lower payment standard amount, during the term of a HAP contract, the PHA is not required to reduce the payment standard used to calculate subsidy for families under HAP contract as long as the HAP contract remains in effect [FR Notice 11/16/16].

However, if the PHA does choose to reduce the payment standard for families currently under HAP contract, the initial reduction to the payment standard may not be applied any earlier than the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard amount. At that point, the PHA may either reduce the payment standard to the current amount in effect on the PHA's payment standard schedule, or may reduce the payment standard to another amount that is higher than the normally applicable amount on the schedule. The PHA may also establish different policies for designated areas within their jurisdiction (e.g., different zip code areas).

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In any case, the PHA must provide the family with at least 12 months' notice that the payment standard is being reduced before the effective date of the change. The PHA's policy on decreases in the payment standard during the term of the HAP contract apply to all families under HAP contract at the time of the effective date of the decrease in the payment standard within the designated area.

#### HACA Policy

If HACA changes its payment standard schedule resulting in a lower payment standard amount, during the term of a HAP contract, HACA will not reduce the payment standard used to calculate subsidy for families under HAP contract as long as the HAP contract remains in effect. The lower payment standard would be applied if a family moves to a new unit or for any new HAP Contracts.

The PHA HACA will not establish different policies for decreases in the payment standard for designated areas within their jurisdiction.

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#### **Increases**

If the payment standard is increased during the term of the HAP contract, the increased payment standard will be used to calculate the monthly housing assistance payment for the family beginning on the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard.

Families requiring or requesting interim reexaminations will not have their HAP payments calculated using the higher payment standard until their next annual reexamination [HCV GB, p. 7-8].

#### **Changes in Family Unit Size**

Irrespective of any increase or decrease in the payment standard, if the family unit size increases or decreases during the HAP contract term, the new family unit size must be used to determine the payment standard for the family beginning at the family's first regular reexamination following the change in family unit size.

#### **Reasonable Accommodation**

If a family requires a higher payment standard as a reasonable accommodation for a family member who is a person with disabilities, HACA is allowed to establish a higher payment standard for the family of not more than 120 percent of the published FMR.

### **6-III.D. APPLYING UTILITY ALLOWANCES [24 CFR 982.517]**

#### **Overview**

HACA-established utility allowance schedule is used in determining family share and HACA

All interior doors must have no holes, have all trim intact, and operate properly.

### **Floors**

All wood floors must be sanded to a smooth surface and sealed. Any loose or warped boards must be re-secured and made level. If they cannot be leveled, they must be replaced.

All floors must be in a finished state. Raw wood or unsealed concrete is not permitted.

All floors should have some type of base shoe, trim, or sealing for a "finished look." Vinyl base shoe is permitted.

### **Sinks**

All sinks and commode water lines must have shut off valves, unless faucets are wall mounted.

All sinks must have functioning stoppers.

### **Toilets**

All worn or cracked toilet seats and tank lids must be replaced and the toilet tank lid must fit properly.

### **Security**

If window security bars or security screens are present on windows that are required for egress, they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.

## **8-I.C. LIFE THREATENING CONDITIONS [24 CFR 982.404(a)]**

HUD requires HACA to define life threatening conditions and to notify the owner or the family (whichever is responsible) of the corrections required. The responsible party must correct life threatening conditions within 24 hours of PHA notification.

### HACA Policy

The following are considered life threatening conditions:

Gas leak – This includes natural gas and propane supplied to the unit that is actively leaking.

Any electrical problem or condition that could result in shock or fire

Exposed electrical wiring — Live/Hot electrical connections exposed in the interior or exterior of the unit.

Structural damage – Damage to the unit, or any part of the unit, that appears to compromise the stability of the structure.

Fire/smoke damage — Serious damage to the interior living areas caused by fire and smoke.



Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent danger of falling

Absence of a working heating system when outside temperature is below 60 degrees Fahrenheit.

Absence of a functioning toilet in the unit

Any other serious deficiency deemed to be potentially life threatening.

If an owner fails to correct life threatening conditions as required by HACA, HACA will enforce the HQS in accordance with HUD requirements. See 8-II-G.

If a family fails to correct a family caused life threatening condition as required by HACA, HACA will enforce the family obligations. See 8-II.H.

#### **8-I.D. OWNER AND FAMILY RESPONSIBILITIES [24 CFR 982.404]**

##### **Family Responsibilities**

The family is responsible for correcting the following HQS deficiencies:

Tenant-paid utilities not in service

Failure to provide or maintain appliances owned by the family.

Damage to the unit or premises caused by a household member or guest beyond normal wear and tear that result in a breach of HQS. "Normal wear and tear" is defined as items which could not be charged against the tenant's security deposit under state law or court practice.

##### **Owner Responsibilities**

The owner is responsible for all HQS violations not listed as a family responsibility above, even if the violation is caused by the family's living habits (e.g., vermin infestation). However, if the family's actions constitute a serious or repeated lease violation the owner may take legal action to evict the family.

#### **8-I.E. SPECIAL REQUIREMENTS FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL [24 CFR 35.1225; [FR Notice 1/13/17](#)]**

If HACA is notified by a public health department or other medical health care provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than 6 years of age, living in an HCV-assisted unit has been identified as having an environmental intervention blood lead level, HACA must complete a risk assessment of the dwelling unit. The risk assessment must be completed in accordance with program requirements, and the result of the risk assessment must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner.

Within 30 days after receiving the risk assessment report from HACA, or the evaluation from the public health department, the owner is required to complete the reduction of identified lead-

### Owner and Family Inspection Attendance

HUD permits HACA to set policy regarding family and owner presence at the time of inspection [HCV GB p. 10-27].

#### HACA Policy

At the time of the inspection, if the family occupies the unit, an adult family member or an adult designated by the family must be present for the inspection. The family may notify the inspector that the family will not be present but that the property owner or manager will be present for the inspection. HACA staff will not enter an occupied unit without the presence of an adult family member, property owner, manager or property owner's representative. The family may request to reschedule the inspection appointment prior to the inspection date with good cause.

At initial inspection of a vacant unit, HACA will gain access as instructed by the owner and inspect the unit. The presence of the owner, owner's representative, or family representative is permitted, but is not required.

### 8-II.B. INITIAL HQS INSPECTION [24 CFR 982.401(a)]

#### Initial Inspections [FR Notice 1/18/17]

The PHA may, but is not required to, approve assisted tenancy and start HAP if the unit fails HQS inspection, but only if the deficiencies identified are non-life-threatening. Further, the PHA may, but is not required to, authorize occupancy if a unit passed an alternative inspection in the last 24 months.

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#### HACA Policy

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The unit must pass the HQS inspection on or before the effective date of the HAP contract.

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The PHA will not rely on alternative inspections and will conduct an HQS inspection for each unit prior to executing a HAP contract with the owner.

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#### Timing of Initial Inspections

~~HUD requires the unit to pass HQS before the effective date of the lease and HAP Contract.~~

HUD requires PHAs with fewer than 1,250 budgeted units to complete the initial inspection, determine whether the unit satisfies HQS, and notify the owner and the family of the determination within 15 days of submission of the Request for Tenancy Approval (RTA). For PHAs with 1,250 or more budgeted units, to the extent practicable such inspection and determination must be completed within 15 days. The 15-day period is suspended for any period during which the unit is not available for inspection [24 CFR 982.305(b)(2)].

#### HACA Policy

HACA will complete the initial inspection, determine whether the unit satisfies HQS and Rent Reasonableness, and notify the owner and the family of the determination within 15



## Utilities

Generally, at initial lease-up the owner is responsible for demonstrating that all utilities are in working order including those utilities that the family will be responsible for paying.

### HACA Policy

All utility connections must be established prior to the initial inspection. The owner and family are required to coordinate to ensure that utility service is connected prior to the inspection date.

## Appliances

### HACA Policy

If the family is responsible for supplying the stove and/or refrigerator, HACA will allow the stove and refrigerator to be placed in the unit after the unit has met all other HQS requirements. The required appliances must be in place and inspected by HACA prior to executing the HAP contract. HACA will re-inspect the unit within 52 business days of notification to confirm appliances are installed and working properly.

## **8-IL.C. ANNUAL/BIENNIAL HQS INSPECTIONS 24 CFR 982.405 and 982.406, Notice PIH 2016-05]**

### HACA Policy

Each unit under HAP contract must be inspected at least biennially within 24 months of the last full HQS inspection.

### HACA will not rely on alternative inspection standards.

~~HACA may accept the results of inspections performed by HUD or inspection results for housing assisted under the HOME Investment Partnerships (HOME) program or housing financed using Low Income Housing Tax Credits (LIHTCs).~~

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## Scheduling the Inspection

### HACA Policy

If an adult family member cannot be present on the scheduled date, the family should request that HACA reschedule the inspection.

HACA and the family will agree on a new inspection date that generally should take place within 105 business days of the originally- scheduled date. HACA may schedule an inspection more than 105 business days after the original date for good cause.

If the family misses the first scheduled appointment without requesting a new inspection date, HACA will automatically schedule a second inspection. If the family misses two scheduled inspections without PHA approval, HACA will consider the family to have violated its obligation to make the unit available for inspection. This may result in

### Rents Charged for Other Units on the Premises

The Request for Tenancy Approval (HUD-52517) requires owners to provide information, on the form itself, about the rent charged for other unassisted comparable units on the premises if the premises include more than 4 units.

By accepting HACA payment each month the owner certifies that the rent is not more than the rent charged for comparable unassisted units on the premises. If asked to do so, the owner must give HACA information regarding rents charged for other units on the premises.

## 8-III.D. PHA RENT REASONABLENESS METHODOLOGY

### How Market Data Is Collected

#### HACA Policy

HACA will ~~determine rent reasonableness collect and maintain data on market rents in HACA's jurisdiction utilizing the following.~~ Information sources: include Austin Board of Realtors Multiple Listing Service (MLS), Go Section 8 Rent Reasonableness database, copies of executed leases for unassisted units, rent rolls, and other available sources. ~~The data will be maintained by bedroom size and market areas. Market areas may be defined by zip codes, census tract, neighborhood, and identifiable natural or man-made boundaries. The data will be updated on an ongoing basis and rent information that is more than 12 months old will be eliminated from the database.~~

### How Rents Are Determined

#### HACA Policy

The rent for a unit proposed for HCV assistance will be compared to the rent charged for comparable unassisted units in the same market area. HACA will develop a range of prices for comparable units by bedroom size within defined market areas. Units proposed for HCV assistance will be compared to the units within this rent range. Because units may be similar, but not exactly like the unit proposed for HCV assistance, HACA may make adjustments to the range of prices to account for these differences.

The adjustment must reflect the local market. Not all differences in units require adjustments (e.g., the presence or absence of a garbage disposal may not affect the rent in some market areas).

Adjustments may vary by unit type (e.g., a second bathroom may be more valuable in a three-bedroom unit than in a two-bedroom).

HACA will notify the owner of the rent HACA can approve based upon its analysis of rents for comparable units. The owner may submit information about other comparable units in the market area. HACA will confirm the accuracy of the information provided and consider this additional information when making rent determinations. The owner must submit any additional information within 5 business days of HACA's request for information or the owner's request to submit information.



### HACA Policy

If a family requests permission to move with continued assistance based on a claim that the move is necessary to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault or stalking, HACA will request documentation in accordance with section 16-IX.D of this plan.

The HACA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the family or family member will suffice. In such cases the HACA will document the waiver in the family's file.

HACA has adopted an emergency transfer plan, which is included as Addendum 1 to this plan.

HACA has terminated the HAP contract for the family's unit for the owner's breach [24 CFR 982.314(b)(1)(i)].

HACA determines that the family's current unit does not meet the HQS space standards because of an increase in family size or a change in family composition. In such cases, HACA must issue the family a new voucher, and the family and PHA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for the family, HACA must terminate the HAP contract for the family's old unit in accordance with the HAP contract terms and must notify both the family and the owner of the termination. The HAP contract terminates at the end of the calendar month that follows the calendar month in which HACA gives notice to the owner. [24 CFR 982.403(a) and (c)]

The family has a right to terminate the lease on notice to the owner (for the owner's breach or otherwise) and has given a notice of termination to the owner in accordance with the lease [24 CFR 982.314(b)(3)]. If the family terminates the lease on notice to the owner, the family must give HACA a copy of the notice at the same time [24 CFR 982.314(d)(1)].

### **10-1.B. RESTRICTIONS ON MOVES**

A family's right to move is generally contingent upon the family's compliance with program requirements [24 CFR 982.1(b)(2)]. HUD specifies two conditions under which HACA may deny a family permission to move and two ways in which HACA may restrict moves by a family.

#### **Denial of Moves**

HUD regulations permit HACA to deny a family permission to move under the following conditions:

#### ***Insufficient Funding***

HACA may deny a family permission to move either within or outside HACA's jurisdiction if HACA does not have sufficient funding for continued assistance [24 CFR 982.35(e)(1)]. However, Notice PIH 2016-0942-42 significantly restricts the ability of HACA to deny

permission to move due to insufficient funding and places further requirements on HACA regarding moves denied due to lack of funding. The requirements found in this notice are mandatory.

#### HACA Policy

HACA will deny a family permission to move on grounds that HACA does not have sufficient funding for continued assistance if (a) the move is initiated by the family, not the owner or HACA; (b) HACA can demonstrate that the move will, in fact, result in higher subsidy costs; ~~and~~ (c) HACA can demonstrate, in accordance with the policies in Part VIII of Chapter 16, that it does not have sufficient funding in its annual budget to accommodate the higher subsidy costs. ; and (d) for portability moves, the receiving PHA is not absorbing the voucher.

If the PHA does not have sufficient funding for continued assistance, but the family must move from their unit (e.g., the unit failed HQS), the family may move to a higher cost unit if the move is within the PHA's jurisdiction. The PHA, however, will not allow the family to move under portability in this situation if the family wishes to move to a higher cost area.

For both moves within the PHA's jurisdiction and outside under portability, the PHA will not deny a move due to insufficient funding if the PHA previously approved the move and subsequently experienced a funding shortfall if the family cannot remain in their current unit. The PHA will rescind the voucher in this situation if the family will be allowed to remain in their current unit.

HACA will create a list of families whose moves have been denied due to insufficient funding. When funds become available, the families on this list will take precedence over

families on the waiting list. HACA will use the same procedures for notifying families with open requests to move when funds become available as it uses for notifying families on the waiting list (see section 4-III.D).

HACA will inform the family of its policy regarding moves denied due to insufficient funding in a letter to the family at the time the move is denied.

#### ***Grounds for Denial or Termination of Assistance***

HACA may deny a family permission to move if it has grounds for denying or terminating the family's assistance [24 CFR 982.35(e)(2)].

#### HACA Policy

If HACA has grounds for denying or terminating a family's assistance, HACA will act on those grounds in accordance with the regulations and policies set forth in Chapters 3 and 12, respectively. In general, it will not deny a family permission to move for this reason; however, it retains the discretion to do so under special circumstances.



**Restrictions on Elective Moves [24 CFR 982.35(c)]**

HUD regulations permit HACA to prohibit any elective move by a participant family during the family's initial lease term. They also permit HACA to prohibit more than one elective move by a participant family during any 12-month period. However, such prohibitions, if adopted, do not apply when the family or a member of the family is or has been the victim of domestic violence, dating violence, sexual assault or stalking and the move is needed to protect the health or safety of the family or family member. (For the policy on documentation of abuse, see section 10-I.A.) In addition, the PHA may not establish a policy permitting moves only at reexamination [Notice PIH 2016-092-42].

(For the policy on documentation of abuse, see section 10-I.A.)

**HACA Policy**

HACA will deny a family permission to make an elective move during the family's initial lease term. This policy applies to moves within HACA's jurisdiction or outside it under portability.

HACA will consider exceptions to these policies for the following reasons: to protect the health or safety of a family member (e.g., lead-based paint hazards, domestic violence, and witness protection programs), or to address an emergency situation over which a family has no control (i.e. fire, flood, or other natural disaster).

In addition, HACA will allow exceptions to these policies for purposes of reasonable accommodation of a family member who is a person with disabilities (see Chapter 2).

If a family or owner seeks to terminate a lease prior to the end of the term, the family must make the request in writing to HACA. Only families, who have not violated family obligations of their Assisted Lease Agreement and do not owe HACA any debts, may be approved to move. The family must first receive approval from the Assisted Housing Director to terminate the lease before the end of the lease term. After this approval is received in writing, the family and owner must sign a mutual rescission of lease.

If the Assisted Lease Agreement is to be terminated by means of a mutual lease rescission on the part of both landlord and tenant, the fully executed rescission form must be returned to the Assisted Housing office at least 30 calendar days prior to the proposed rescission date. Families requesting relocation more than once during any given twelve month period will be denied relocation under continued assistance regardless of any mutual lease rescission rendered.

**10-I.C. MOVING PROCESS****Notification**

If a family wishes to move to a new unit, the family must notify HACA and the owner before moving out of the old unit or terminating the lease on notice to the owner [24 CFR 982.35(d)(2)]. If the family wishes to move to a unit outside HACA's jurisdiction under

portability, the notice to HACA must specify the area where the family wishes to move [24 CFR 982.35(d)(2), **Notice PIH 2012-42**. The notices must be in writing [24 CFR 982.5].

### Approval

#### HACA Policy

Upon receipt of a family's notification that it wishes to move, HACA will determine whether the move is approvable in accordance with the regulations and policies set forth in sections 10-1.A and 10-1.B. HACA will notify the family in writing of its determination within 20 business days following receipt of the family's notification.

### Reexamination of Family Income and Composition

#### HACA Policy

For families approved to move to a new unit within HACA's jurisdiction, HACA will perform a new annual reexamination in accordance with the policies set forth in Chapter 11 of this plan.

For families moving into or families approved to move out of HACA's jurisdiction under portability, HACA will follow the policies set forth in Part II of this chapter.

### Voucher Issuance and Briefing

#### HACA Policy

For families approved to move to a new unit within HACA's jurisdiction, HACA will issue a new voucher within 10 business days of HACA's written approval to move. No briefing is required for these families. HACA will follow the policies set forth in Chapter 5 on voucher term, extension, and expiration. If a family does not locate a new unit within the term of the voucher and any extensions, the family may remain in its current unit with continued voucher assistance if the owner agrees and HACA approves. Otherwise, the family will lose their assistance.

For families moving into or families approved to move out of HACA's jurisdiction under portability, HACA will follow the policies set forth in Part II of this chapter.

### Housing Assistance Payments [24 CFR 982.311(d)]

When a family moves out of an assisted unit, HACA may not make any housing assistance payment to the owner for any month **after** the month the family moves out. The owner may keep the housing assistance payment for the month when the family moves out of the unit.

If a participant family moves from an assisted unit with continued tenant-based assistance, the term of the assisted lease for the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of the last housing assistance payment (for the month when the family moves out of the old unit) and the first assistance payment for the new unit, is not considered to constitute a duplicative housing subsidy.

#### HACA Policy



The family is still required to comply with the scheduled move out date. No housing assistance payments will be made to the current owner after the scheduled move out date as stated in the intent to vacate notice and 30 day notice provided to the owner. To extend payments of subsidy beyond the scheduled move out date, a written request signed by the owner and tenant is required before the scheduled move out date.

## **PART II: PORTABILITY**

### **10-IL.A. OVERVIEW**

Within the limitations of the regulations and this plan, a participant family or an applicant family that has been issued a voucher has the right to use tenant-based voucher assistance to lease a unit anywhere in the United States providing that the unit is located within the jurisdiction of HACA administering a tenant-based voucher program [24 CFR 982.353(b)]. The process by which a family obtains a voucher from one PHA and uses it to lease a unit in the jurisdiction of another PHA is known as portability. The PHA that issues the voucher is called the **initial PHA**. The PHA that has jurisdiction in the area to which the family wants to move is called the **receiving PHA**.

The receiving PHA has the option of administering the family's voucher for the initial PHA or absorbing the family into its own program. Under the first option, the receiving PHA provides all housing services for the family and bills the initial PHA for the family's housing assistance payments and the fees for administering the family's voucher. Under the second option, the receiving PHA pays for the family's assistance with its own program funds, and the initial PHA has no further relationship with the family. The initial PHA must contact the receiving PHA via email or other confirmed delivery method to determine whether the receiving PHA will administer or absorb the initial PHA's voucher. Based on the receiving PHA's response, the initial PHA must determine whether they will approve or deny the portability request [Notice PIH 2016-092-42].

PHAs commonly act as both the initial and receiving PHA because families may move into or out of their jurisdiction under portability. Each role involves different responsibilities. The PHA will follow the rules and policies in section 10-IL.B when it is acting as the initial PHA for a family. It will follow the rules and policies in section 10-IL.C when it is acting as the receiving PHA for a family.

In administering portability, the initial PHA and the receiving PHA must comply with financial procedures required by HUD, including the use of HUD-required forms [24 CFR 982.355(e)(5)].

PHAs must also comply with billing and payment deadlines. HUD may reduce an administrative fee to an initial or receiving PHA if the PHA does not comply with HUD portability requirements [24 CFR 982.355(e)(7)].

### **10-IL.B. INITIAL PHA ROLE**

#### **Allowable Moves under Portability**

A family may move with voucher assistance only to an area where there is at least one PHA administering a voucher program [24 CFR 982.353(b)]. If there is more than one PHA in the area, the initial PHA provides the family with the contact information for the receiving PHAs that serve the area, and the family selects the receiving PHA. The family must inform the initial PHA which PHA it has selected. If the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family (24 CFR 982.255(b)).

Applicant families that have been issued vouchers as well as participant families may qualify to lease a unit outside the PHA's jurisdiction under portability. HUD regulations and PHA policy determine whether a family qualifies.

#### ***Applicant Families***

Under HUD regulations, most applicant families qualify to lease a unit outside HACA's jurisdiction under portability. However, HUD gives HACA discretion to deny a portability move by an applicant family for the same two reasons that it may deny any move by a participant family: insufficient funding and grounds for denial or termination of assistance. If a PHA intends to deny a family permission to move under portability due to insufficient funding, the PHA must notify HUD within 10 business days of the determination to deny the move [24 CFR 982.355(c)].

#### **HACA Policy**

In determining whether or not to deny an applicant family permission to move under portability because HACA lacks sufficient funding or has grounds for denying assistance to the family, the initial PHA will follow the policies established in section 10-I.B of this chapter. If the PHA does deny the move due to insufficient funding, the PHA will notify HUD in writing within 10 business days of the PHA's determination to deny the move.

In addition, HACA may establish a policy denying the right to portability to nonresident applicants during the first 12 months after they are admitted to the program [24 CFR 982.353(c)].

#### **HACA Policy**

If neither the head of household nor the spouse/co-head of an applicant family had a domicile (legal residence) in HACA's jurisdiction at the time the family's initial application for assistance was submitted, the family must lease a unit within HACA's jurisdiction for at least 12 months before requesting portability.

HACA will consider exceptions to this policy for purposes of reasonable accommodation (see Chapter 2) or reasons related to domestic violence, dating violence sexual assault, or stalking.



**Participant Families**

The initial PHA must not provide portable assistance for a participant if a family has moved out of its assisted unit in violation of the lease [24 CFR 982.353(b)]. The Violence against Women Act of 2013 (VAWA) creates an exception to this prohibition for families who are otherwise in compliance with program obligations but have moved to protect the health or safety of a family member who is or has been a victim of domestic violence, dating violence, sexual assault or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the unit [24 CFR 982.353(b)].

**HACA Policy**

HACA will determine whether a participant family may move out of HACA's jurisdiction with continued assistance in accordance with the regulations and policies set forth here and in sections 10-I.A and 10-I.B of this chapter. HACA will notify the family of its determination in accordance with the approval policy set forth in section 10-I.C of this chapter.

**Determining Income Eligibility****Applicant Families**

An applicant family may lease a unit in a particular area under portability only if the family is income eligible for admission to the voucher program in that area [24 CFR 982.353(d)(1)]. The family must specify the area to which the family wishes to move [24 CFR 982.355(c)(1)].

The initial PHA is responsible for determining whether the family is income eligible in the area to which the family wishes to move [24 CFR 982.353(d)(1), 24 CFR 982.355(9)]. If the applicant family is not income eligible in that area, HACA must inform the family that it may not move there and receive voucher assistance [Notice PIH 2016-092-42].

**Participant Families**

The income eligibility of a participant family is not re-determined if the family moves to a new jurisdiction under portability [24 CFR 982.353(d)(2), .

**Reexamination of Family Income and Composition**

No new reexamination of family income and composition is required for an applicant family.

**HACA Policy**

For a participant family approved to move out of its jurisdiction under portability, HACA generally will conduct a reexamination of family income and composition only if the family's annual reexamination must be completed on or before the initial billing deadline specified on form HUD-52665, Family Portability Information.

HACA will make any exceptions to this policy necessary to remain in compliance with HUD regulations.

**Briefing**

The regulations and policies on briefings set forth in Chapter 5 of this plan require HACA to provide information on portability to all applicant families that qualify to lease a unit outside HACA's jurisdiction under the portability procedures. Therefore, no special briefing is required for these families.

#### HACA Policy

No formal briefing will be required for a participant family wishing to move outside HACA's jurisdiction under portability. However, HACA will provide the family with the same oral and written explanation of portability that it provides to applicant families selected for admission to the program (see Chapter 5).

HACA will provide the name, address, and phone of the contact for HACA in the jurisdiction to which they wish to move. If there is more than one PHA with jurisdiction over the area to which the family wishes to move, the PHA will advise the family that the family must select the receiving PHA and notify the initial PHA of which receiving PHA was selected. The PHA will provide the family with contact information for all of the receiving PHAs that serve the area. The PHA will not provide any additional information about receiving PHAs in the area. The PHA will further inform the family that if the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family. In this case, the PHA will not provide the family with information for all receiving PHAs in the area.

HACA will advise the family that they will be under the receiving PHA's policies and procedures, including screening subsidy standards voucher extension policies, and payment standards

#### **Voucher Issuance and Term**

An applicant family has no right to portability until after the family has been issued a voucher [24 CFR 982.353(b)]. In issuing vouchers to applicant families, HACA will follow the regulations and procedures set forth in Chapter 5.

#### HACA Policy

For families approved to move under portability, HACA will issue a new voucher within 20 business days of HACA's written approval to move.

The initial term of the voucher will be 60 days.

#### **Voucher Extensions and Expiration**

#### HACA Policy

HACA will approve **no** extensions to a voucher issued to an applicant or participant



family porting out of HACA's jurisdiction except under the following circumstances: (a) the initial term of the voucher will expire before the portable family will be issued a voucher by the receiving PHA, (b) the family decides to return to the initial PHA's jurisdiction and search for a unit there, or (c) the family decides to search for a unit in a third PHA's jurisdiction. In such cases, the policies on voucher extensions set forth in Chapter 5, section 5-II.E, of this plan will apply, including the requirement that the family applies for an extension in writing prior to the expiration of the initial voucher term.

To receive or continue receiving assistance under the HACA's voucher program, a family that moves to another PHA's jurisdiction under portability must be under HAP contract in the receiving PHA's jurisdiction within 90 days following the expiration date of the initial PHA's voucher term (including any extensions). (See below under "Initial Billing Deadline" for one exception to this policy.)

#### **Preapproval Contact with the Receiving PHA**

Prior to approving a family's request to move under portability, the initial PHA must contact the receiving PHA via e-mail or other confirmed delivery method to determine whether the receiving PHA will administer or absorb the family's voucher. Based on the receiving PHA's response, the initial PHA must determine whether it will approve or deny the move [Notice PIH 24 CFR 982.3.55(c)(3)-2012-42].

##### HACA Policy

HACA will use e-mail, when possible, to contact the receiving PHA regarding whether the receiving PHA will administer or absorb the family's voucher.

#### **Initial Notification to the Receiving PHA**

After approving a family's request to move under portability, the initial PHA must promptly notify the receiving PHA via email or other confirmed delivery method to expect the family [24 CFR 982.355(c)(3); 24 CFR 982.355(c)(7)]. The initial PHA must also advise the family how to contact and request assistance from the receiving PHA [24 CFR 982.355(c)(6)].

### HACA Policy

Because the portability process is time-sensitive, HACA will notify the receiving PHA by phone, fax, or e-mail to expect the family. The initial PHA will also ask the receiving PHA to provide any information the family may need upon arrival, including the name, fax, e-mail and telephone number of the staff person responsible for business with incoming portable families and procedures related to appointments for voucher issuance. HACA will pass this information along to the family. HACA will also ask for the name, address, telephone number, fax and email of the person responsible for processing the billing information.

### **Sending Documentation to the Receiving PHA**

The initial PHA is required to send the receiving PHA the following documents:

Form HUD-52665, Family Portability Information, with Part I filled out

[Notice PIH 2016-  
092-42]

A copy of the family's voucher [Notice PIH 2016-092-42]

A copy of the family's most recent form HUD-50058, Family Report, or, if necessary in the case of an applicant family, family and income information in a format similar to that of form HUD-50058 [24 CFR 982.355(c)(74), Notice PIH 2016-092-42]

Copies of the income verifications backing up the form HUD-50058, including a copy of the family's current EIV data [24 CFR 982.355(c)(74), Notice PIH 2016-092-42]

### HACA Policy

In addition to these documents, HACA will provide the following information, if available, to the receiving PHA:

Social security numbers (SSNs)

Documentation of SSNs for all nonexempt household members whose SSNs have not been verified through the EIV system

Documentation of legal identity

Documentation of citizenship or eligible immigration status

Documentation of participation in the earned income disallowance (EID) benefit

Documentation of participation in a family self-sufficiency (FSS) program

HACA will notify the family in writing regarding any information provided to the receiving PHA [HCV GB, p. 13-3].

### **Initial Billing Deadline [Notice PIH 2016-092-42, Letter to Executive Directors, 9/15/15]**

The deadline for submission of initial billing is 90 days following the expiration date of the voucher issued to the family by the initial PHA. In cases where suspension of the voucher delays the



initial billing submission, the receiving PHA must notify the initial PHA of delayed billing before the billing deadline and document the delay is due to the suspension. In this case, the initial PHA must extend the billing deadline by 30 days.

If the initial PHA does not receive a billing notice by the deadline and does not intend to honor a late billing submission, it must notify the initial PHA in writing. ~~contact the receiving PHA to determine the status of the family. If the receiving PHA reports that the family is not yet under HAP contract, the initial PHA may refuse to accept a late billing submission. If the receiving PHA reports that the family is under HAP contract and the receiving PHA cannot absorb the family, the initial PHA must accept a late billing submission; however, it~~ The initial PHA may report to HUD the receiving PHA's failure to comply with the deadline. If the initial PHA will honor the late billing, no action is required.

#### HACA Policy

If HACA has not received an initial billing notice from the receiving PHA ~~-within 90-the billing deadline days of expiration of the IHA's voucher-~~ it will contact the receiving PHA ~~by phone, fax, or e-mail on the next business day to inform them. If HACA reports that the family is not yet under HAP contract, HACA will inform the receiving PHA that~~ it will not honor a late billing submission and will return any subsequent billings that it receives on behalf of the family. HACA will send the receiving PHA a written confirmation of its decision by mail.

HACA will allow an exception to this policy if the family includes a person with disabilities and the late billing is a result of a reasonable accommodation granted to the family by the receiving PHA.

#### **Monthly Billing Payments [24 CFR 982.355(e), Notice PIH 2016-092-42]**

If the receiving PHA is administering the family's voucher, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. When reimbursing for administrative fees, the initial PHA must promptly reimburse the receiving PHA for the lesser of 80 percent of the initial PHA ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill [24 CFR 982.355(e)(2)].

The initial PHA is responsible for making billing payments in a timely manner. The first billing amount is due within 30 calendar days after the initial PHA receives Part II of form HUD-52665 from the receiving PHA. Subsequent payments must be **received** by the receiving PHA no later than the fifth business day of each month. The payments must be provided in a form and manner



that the receiving PHA is able and willing to accept.

The initial PHA may not terminate or delay making payments under existing portability billing arrangements as a result of over leasing or funding shortfalls. HACA must manage its tenant-based program in a manner that ensures that it has the financial ability to provide assistance for families that move out of its jurisdiction under portability and are not absorbed by receiving HACA as well as for families that remain within its jurisdiction.

#### HACA Policy

The initial PHA will try to utilize direct deposit to ensure that the payment is received by the deadline unless the receiving PHA notifies the initial PHA that direct deposit is not acceptable to them. If the initial PHA extends the term of the voucher, the receiving PHA's voucher will expire 30 calendar days from the new expiration date of the initial PHA's voucher.

#### **Annual Updates of Form HUD-50058**

If the initial PHA is being billed on behalf of a portable family, it should receive an updated form HUD-50058 each year from the receiving PHA. If the initial PHA fails to receive an updated 50058 by the family's annual reexamination date, the initial PHA should contact the receiving PHA to verify the status of the family. The initial PHA must continue paying the receiving PHA based on the last form HUD-50058 received, unless instructed otherwise by HUD. The initial PHA may seek absorption of the vouchers by following steps outlined in Notice PIH 2016-09.

#### **Denial or Termination of Assistance [24 CFR 982.355(c)(9)]**

At any time, either the initial PHA or the receiving PHA may make a determination to deny or terminate assistance with the family in accordance with 24 CFR 982.552 and 24 CFR 982.553. (For PHA policies on denial and termination, see Chapters 3 and 12, respectively.)

#### **10-II.C. RECEIVING PHA ROLE**

If a family has a right to lease a unit in the receiving PHA's jurisdiction under portability, the receiving PHA must provide assistance for the family [24 CFR 982.355(10)]. HUD may determine in certain instances that a PHA is not required to accept incoming portable families, such as a PHA in a declared disaster area. However, the PHA must have approval in writing from HUD before refusing any incoming portable families [24 CFR 982.355(b)].

Administration of the voucher must be in accordance with the receiving PHA's policies. This requirement also applies to policies of Moving to Work agencies. The receiving PHA procedures and preferences for selection among eligible applicants do not apply to the family, and the receiving

PHA waiting list is not used [24 CFR 982.355(c)(10)]. The family's unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355(c)(12)], and the receiving PHA's policies on extensions of the voucher term apply [24 CFR 982.355(c)(14)].

#### **Responding to Initial PHA's Request [24 CFR 982.355(c)]**

The receiving PHA must respond via e-mail or other confirmed delivery method to the initial PHA's inquiry to determine whether the family's voucher will be billed or absorbed [24 CFR 982.355(c)(3)]. If the receiving PHA informs the initial PHA that it will be absorbing the voucher, the receiving PHA cannot reverse its decision at a later date without consent of the initial PHA (24 CFR 982.355(c)(4)).

#### HACA Policy

HACA will use e-mail, when possible, to notify the initial PHA whether it will administer or absorb the family's voucher.

#### **Initial Contact with Family**

When a family moves into HACA's jurisdiction under portability, the family is responsible for promptly contacting HACA and complying with HACA's procedures for incoming portable families. The family's failure to comply may result in denial or termination of the receiving PHA's voucher [24 CFR 982.355(c)(8)].

If the voucher issued to the family by the initial PHA has expired, the receiving PHA must contact the initial PHA to determine if it will extend the voucher [24 CFR 982.355(c)(13)]. An informal hearing is not required when a voucher has expired without the family leasing a unit.

If for any reason the receiving PHA refuses to process or provide assistance to a family under the portability procedures, the family must be given the opportunity for an informal review or hearing [Notice PIH 2016-092-42]. (For more on this topic, see later under "Denial or Termination

of Assistance.")

If for any reason the receiving PHA refuses to process or provide assistance to a family under the portability procedures, the family must be given the opportunity for an informal review or hearing [Notice PIH 2008-43]. (For more on this topic, see later under "Denial or Termination of Assistance.")

#### **Briefing**

HUD allows the receiving PHA to require a briefing for an incoming portable family as long as the requirement does not unduly delay the family's search [Notice PHH2012-PIH2016-4209].



### HACA Policy

HACA will require the family to attend a briefing. HACA will provide the family with a briefing packet (as described in Chapter 5) and, in an individual briefing, will orally inform the family about HACA's payment and subsidy standards, procedures for requesting approval of a unit, the unit inspection process, and the leasing process.

### **Income Eligibility and Reexamination**

The receiving PHA does not re-determine eligibility for a portable family that was already receiving assistance in the initial PHA's voucher program [24 CFR 982.355(c)]. If the receiving PHA opts to conduct a new reexamination for a current participant family, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit [24 CFR 982.355(c)(11)].

### HACA Policy

For any family moving into its jurisdiction under portability, HACA will conduct a new reexamination of family income and composition based on the current 50058 provided.

HACA will not delay issuing the family a voucher or delay approving a unit for the family until the reexamination process is complete unless the family is an applicant and HACA cannot otherwise confirm that the family is income eligible for admission to the program in the area where the unit is located.

In conducting its own reexamination, HACA will rely upon the current 50058 submitted by the Initial PHA along with any supporting documentation and verifications provided to the extent that they (a) accurately reflect the family's current circumstances and (b) were obtained within the last 120 days.

New information may be verified by documents provided by the family and readjusted retroactively to the initial start date of the first HAP, if necessary, when third party verification is received.

### **Voucher Issuance**

When a family moves into its jurisdiction under portability, the receiving PHA is required to issue the family a voucher [24 CFR 982.355(c)(13)]. The family must submit a request for tenancy approval to the receiving PHA during the term of the receiving PHA's voucher [24 CFR 982.355(c)(15)].

### ***Timing of Voucher Issuance***

HUD expects the receiving PHA to issue the voucher within two weeks after receiving the family's paperwork from the initial PHA if the information is in order, the family has contacted the receiving PHA, and the family complies with the receiving PHA's procedures [Notice PIH 2016-092-42].

### HACA Policy

When a family ports into its jurisdiction, HACA will issue the family a voucher based on the paperwork provided by the initial PHA unless the family's paperwork from the initial



PHA is incomplete, the family's circumstances have changed, the family's voucher from the initial PHA has expired or the family does not comply with HACA's procedures. HACA will update the family's information when verification has been completed.

#### ***Voucher Term***

The term of the receiving PHA's voucher may not expire before 30 calendar days from the expiration of the initial PHA's voucher [24 CFR 982.355(c)(13)]. If the initial PHA extends the term of the voucher, the receiving PHA's voucher may not expire before 30 days from the new expiration date of the initial PHA's voucher [Notice PIH 2016-09].

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#### ***HACA Policy***

The receiving PHA's voucher will expire 30 calendar days from the expiration date of the initial PHA's voucher. If the initial PHA extends the term of the voucher, the receiving PHA's voucher will expire 30 calendar days from the new expiration date of the initial PHA's voucher.

#### ***Voucher Extensions [24 CFR 982.355(c)(14), Notice PIH 2016-092-42]***

Once the receiving PHA issues the portable family a voucher, the receiving PHA's policies on extensions of the voucher term apply. The receiving PHA must inform the initial PHA of any extension granted to the term of the voucher. It must also bear in mind the billing deadline provided by the initial PHA. Unless willing and able to absorb the family, the receiving PHA should ensure that any voucher expiration date would leave sufficient time to process a request for tenancy approval, execute a HAP contract, and deliver the initial billing to the initial PHA.

#### ***HACA Policy***

HACA generally will not extend the term of the voucher that it issues to an incoming portable family unless HACA plans to absorb the family into its own program, in which case it will follow the policies on voucher extension set forth in section 5-II.E.

HACA will consider an exception to this policy as a reasonable accommodation to a person with disabilities (see Chapter 2).

#### ***Voucher Suspensions [24 CFR 982.303, 24 CFR 982.355(c)(15)]***

If the family submits a request for tenancy approval during the term of the receiving PHA's voucher, the PHA must suspend the term of that voucher. The term of the voucher stops from the date that the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied [24 CFR 982.4(b)] (see Section 5-II.E).

#### ***Notifying the Initial PHA***

The receiving PHA must promptly notify the initial PHA if the family has leased an eligible unit



under the program or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the receiving PHA's voucher [24 CFR 982.355(c)(16)]. The receiving PHA is required to use Part II of form HUD-52665, Family Portability Information, for this purpose., Notice PIH 2016-092-42]. (For more on this topic and the deadline for notification, see below under "Administering a Portable Family's Voucher.")

If an incoming portable family ultimately decides not to lease in the jurisdiction of the receiving PHA but instead wishes to return to the initial PHA's jurisdiction or to search in another jurisdiction, the receiving PHA must refer the family back to the initial PHA. In such a case the voucher of record for the family is once again the voucher originally issued by the initial PHA. Any extension of search time provided by the receiving PHA's voucher is only valid for the family's search in the receiving PHA's jurisdiction [Notice PIH 2016-092-42].

#### **Administering a Portable Family's Voucher**

##### ***Portability Billing [24 CFR 982.355(e)]***

To cover assistance for a portable family that was not absorbed, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. The amount of the housing assistance payment for a portable family in the receiving PHA's program is determined in the same manner as for other families in the receiving PHA's program.

The receiving PHA may bill the initial PHA for the lesser of 80 percent of the initial PHA's ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill (i.e., the receiving PHA may bill for the lesser of 80 percent of the initial PHA's prorated ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee).

If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.

##### HACA Policy

Unless the PHA negotiates a different amount of reimbursement with the initial PHA, the PHA will bill the initial PHA the maximum amount of administrative fees allowed, ensuring any administrative fee proration has been properly applied.

##### ***Initial Billing Deadline***

If a portable family's search for a unit is successful and the receiving PHA intends to administer the family's voucher, the receiving PHA must submit its initial billing notice (Part II of form HUD-52665) ~~(a) no later than 10 business days following the date the receiving PHA executes a HAP contract on behalf of the family and (b)~~ in time that the notice will be **received** no later



than 960 days following the expiration date of the family's voucher issued by the initial PHA [Notice PIH 2016-092-42]. This deadline may be extended for 30 additional days if the delay is due to suspension of the voucher's term (see Initial Billing Section). A copy of the family's form HUD-50058, Family Report, completed by the receiving PHA must be attached to the initial billing notice. The receiving PHA may send these documents by mail, fax, or e-mail.

#### HACA Policy

HACA will send its initial billing notice by fax or e-mail, if necessary, to meet the billing deadline but will also send the notice by regular mail.

If the receiving PHA fails to send the initial billing ~~within 10 business days following the date the HAP contract is executed by the deadline~~, it is required to absorb the family into its own program unless (a) the initial PHA is willing to accept the late submission or (b) HUD requires the initial PHA to honor the late submission (e.g., because the receiving PHA is over leased) [Notice PIH2016-092-42].

#### **Ongoing Notification Responsibilities** [Notice PIH 2016-092-42, HUD-52665]

**Annual Reexamination** The receiving PHA must send the initial PHA a copy of a portable family's updated form HUD-50058 after each annual reexamination for the duration of time the receiving PHA is billing the initial PHA on behalf of the family, regardless of whether there is a change in the billing amount.

#### HACA Policy

HACA will send a copy of the updated HUD-50058 by regular ~~mail~~ mail no later than 10 business days after the effective date of the reexamination at the same time the family and owner are notified of the reexamination results.

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**Change in Billing Amount** The receiving PHA is required to notify the initial PHA, using form HUD-52665, of any change in the billing amount for the family as a result of:

- A change in the HAP amount (because of a reexamination, a change in the applicable payment standard, a move to another unit, etc.)
- An abatement or subsequent resumption of the HAP payments
- Termination of the HAP contract
- Payment of a damage/vacancy loss claim for the family
- Termination of the family from the program

The timing of the notice of the change in the billing amount should correspond with the notification to the owner and the family in order to provide the initial PHA with advance notice of the change. Under no circumstances should the notification be later than 10 business days following the effective date of the change in the billing amount. If the receiving PHA fails to send Form HUD-52665 within 10 days of effective date of billing changes, the initial PHA is not responsible for any increase prior to notification. If the change resulted in a decrease in the monthly billing amount, the initial PHA will offset future monthly payments until the difference is reconciled.



**Late Payments [Notice PIH 2016-092-42]**

If the initial PHA fails to make a monthly payment for a portable family by the fifth business day of the month, the receiving PHA must promptly notify the initial PHA in writing of the deficiency. The notice must identify the family, the amount of the billing payment, the date the billing payment was due, and the date the billing payment was received (if it arrived late). The receiving PHA must send a copy of the notification to the Office of Public Housing (OPH) in the HUD area office with jurisdiction over the receiving PHA. If the initial PHA fails to correct the problem by the second month following the notification, the receiving PHA may request by memorandum to the director of the OPH with jurisdiction over the receiving PHA that HUD transfer the unit in question. A copy of the initial notification and any subsequent correspondence between HACAs on the matter must be attached. The receiving PHA must send a copy of the memorandum to the initial PHA. If the OPH decides to grant the transfer, the billing arrangement on behalf of the family ceases with the transfer, but the initial PHA is still responsible for any outstanding payments due to the receiving PHA.

**Overpayments [Notice PIH 2016-092-42]**

In all cases where the receiving PHA has received billing payments for billing arrangements no longer in effect, the receiving PHA is responsible for returning the full amount of the overpayment (including the portion provided for administrative fees) to the initial PHA.

In the event that HUD determines billing payments have continued for at least three months because the receiving PHA failed to notify the initial PHA that the billing arrangement was terminated, the receiving PHA must take the following steps:

Return the full amount of the overpayment, including the portion provided for administrative fees, to the initial PHA.

Once full payment has been returned, notify the Office of Public Housing in the HUD area office with jurisdiction over the receiving PHA of the date and the amount of reimbursement to the initial PHA.

At HUD's discretion, the receiving PHA will be subject to the sanctions spelled out in [Notice

PIH 2016-092-42]

**Denial or Termination of Assistance**

At any time, the receiving PHA may make a determination to deny or terminate assistance to a portable family for family action or inaction [24 CFR 982.355(c)(17)].

In the case of a termination, HACA should provide adequate notice of the effective date to the initial PHA to avoid having to return a payment. In no event should the receiving PHA fail to notify the initial PHA later than 10 business days following the effective date of the termination of the billing arrangement [HUD-52665 Notice PIH 2016-092-42].

**HACA Policy**

If HACA elects to deny or terminate assistance for a portable family, HACA will notify the initial PHA within 10 business days after the informal review or hearing if the denial



or termination is upheld. HACA will base its denial or termination decision on the policies set forth in [Chapter 3](#) or [Chapter 12](#), respectively. The informal review or hearing will be held in accordance with the policies in [Chapter 16](#). The receiving PHA will furnish the initial PHA with a copy of the review or hearing decision.

### Absorbing a Portable Family

The receiving PHA may absorb an incoming portable family into its own program when HACA executes a HAP contract on behalf of the family or at any time thereafter providing that (a) HACA has funding available under its annual contributions contract (ACC) [24 CFR 982.355(d)(1), Notice PIH 2016-092-42].

If the receiving PHA absorbs a family from the point of admission, the admission will be counted against the income targeting obligation of the receiving PHA [24 CFR 982.201(b)(2)(vii)].

If the receiving PHA absorbs a family after providing assistance for the family under a billing arrangement with the initial PHA, ~~HUD encourages the receiving PHA to provide adequate advance notice to the initial PHA to avoid having to return an overpayment. The receiving PHA must specify the effective date of the absorption of the family family~~ the receiving PHA must send an updated form HUD-52665 to the initial PHA no later than 10 business days following the effective date of the termination of the billing arrangement. [Notice PIH 2016-0912-42].

#### HACA Policy

If HACA decides to absorb a portable family upon the execution of a HAP contract on behalf of the family, HACA will notify the initial PHA by the initial billing deadline specified on form HUD-52665. The effective date of the HAP contract will be the effective date of the absorption.

If HACA decides to absorb a family after that, it will provide the initial PHA with 30 days' advance notice, but no later than 10 business days following the effective date of the termination of the billing arrangement.

Following the absorption of an incoming portable family, the family is assisted with funds available under the consolidated ACC for the receiving PHA's voucher program [24 CFR 982.355(d)], and the receiving PHA becomes the initial PHA in any subsequent moves by the family under portability. [24 CFR 982.355(e)(4)].

## CHAPTER 11 REEXAMINATIONS INTRODUCTION

HACA is required to reexamine each family's income and composition at least annually, and to adjust the family's level of assistance accordingly. Interim reexaminations are also needed in certain situations. This chapter discusses both annual and interim reexaminations, and the recalculation of family share and subsidy that occurs as a result. HUD regulations and PHA policies concerning reexaminations are presented in three parts:



The information provided by the family generally must be verified in accordance with the policies in Chapter 7. Unless the family reports a change, or the agency has reason to believe a change has occurred in information previously reported by the family, certain types of information that are verified at admission typically do not need to be re-verified on an annual basis. These include:

- Legal identity
- Age
- Social security numbers
- A person's disability status
- Citizenship or immigration status

If adding a new family member to the unit causes overcrowding according to the housing quality standards (HQS) (see Chapter 8), HACA must issue the family a new voucher, and the family and HACA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for rental by the family, HACA must terminate the HAP contract in accordance with its terms [24 CFR 982.403].

#### EIV and Fraud

During the reexamination process, Eligibility Specialists will obtain EIV (Upfront Income Verification) or TWC (Texas Workforce Commission) data at each annual review and identify any unreported or underreported income. Eligibility Specialists may obtain information from any other sources, including but not limited to: Texas Department of Human Services, the Attorney General's office, and The Work Number.

If the reexamination discloses that the participant, at the time of admission or at any previous reexamination, made misrepresentations, the participant will be notified in writing of such misrepresentation. The procedures described in Chapter 14 will be followed and the participant may be required to repay HACA for any overpayments made as a result of misrepresentation or may be processed for termination. The procedures regarding enforcement of fraud are detailed in Chapter 12 and Chapter 14.

#### **11-1E. DETERMINING ONGOING ELIGIBILITY OF CERTAIN STUDENTS [24 CFR 982.552(b)(5)]**

Section 327 of Public Law 109-115 established new restrictions on the ongoing eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education.

If a student enrolled in an institution of higher education is under the age of 24, is not a veteran, is not married, does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the student's eligibility must be reexamined along with the income eligibility of the student's parents on an annual basis. In these cases, both the student and the student's parents must be income eligible for the student to continue to receive HCV assistance. If, however, a student in these circumstances is determined independent from his or her parents ~~+~~ or is considered a vulnerable youth in accordance with PHA Policy, the income of the student's parents will not be considered in determining the student's ongoing eligibility.



Students who reside with parents in an HCV assisted unit are not subject to this provision. It is limited to students who are receiving assistance on their own, separately from their parents.

#### HACA Policy

During the annual reexamination process, HACA will determine the ongoing eligibility of each student who is subject to the eligibility restrictions in [24 CFR 5.612] by reviewing the student's individual income as well as the income of the student's parents. If the student has been determined "independent" from his/her parents or is considered a vulnerable youth based on the policies in Sections 3-II.E and 7-II.E, the parents' income will not be reviewed.

If the student is no longer income eligible based on his/her own income or the income of his/her parents, the student's assistance will be terminated in accordance with the policies in Section 12-I.D.

If the student continues to be income eligible based on his/her own income and the income of his/her parents (if applicable), HACA will process a reexamination in accordance with the policies in this chapter.

### **11-I.F. EFFECTIVE DATES**

HACA must establish policies concerning the effective date of changes that result from an annual reexamination [24 CFR 982.516].

#### HACA Policy

In general, an *increase* in the family share of the rent that results from an annual reexamination will take effect on the family's anniversary date, and the family will be notified at least 30 days in advance.

If less than 30 days remain before the scheduled effective date, the increase will take effect on the first of the month following the end of the 30-day notice period.

If a family moves to a new unit, the increase will take effect on the effective date of the new lease and HAP contract, and no 30-day notice is required.

If HACA chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by HACA, but will always allow for the 30-day notice period.

If the family causes a delay in processing the annual reexamination, *increases* in the family share of the rent will be applied retroactively, to the scheduled effective date of the annual reexamination. The family's tenant file will be documented to reflect how the family caused the delay in processing and explain why the family did not receive the full 30 days notice of increase. The family will be responsible for any overpaid subsidy and may be offered a repayment agreement in accordance with the policies in Chapter 16.

In general, a *decrease* in the family share of the rent that results from an annual reexamination will take effect on the family's anniversary date.



**15-V.C. HOUSING QUALITY STANDARDS**

All standard HQS requirements apply to cooperative housing units. There are no additional HQS requirements.

**PART VI: MANUFACTURED HOMES**

[24 CFR 982.620 through 982.624; [FR Notice 1/18/17](#)]

**15-VI.A. OVERVIEW**

A manufactured home is a manufactured structure, transportable in one or more parts that is built on a permanent chassis, and designed for use as a principal place of residence. HCV- assisted families may occupy manufactured homes in two different ways.

(1) A family can choose to rent a manufactured home already installed on a space and HACA must permit it. In this instance program rules are the same as when a family rents any other residential housing, except that there are special HQS requirements as provided in [15-VI.D](#) below.

(2) HUD also permits an otherwise eligible family that owns a manufactured home to rent a space for the manufactured home and receive HCV assistance with the rent for the space [as well as certain other housing expenses](#). PHAs may, but are not required to, provide assistance for such families.

**15-VI.B. SPECIAL POLICIES FOR MANUFACTURED HOME OWNERS WHO LEASE A SPACE****Family Income**

In determining the annual income of families leasing manufactured home spaces, the value of the family's equity in the manufactured home in which the family resides is not counted as a family asset.

**Lease and HAP Contract**

There is a separate Tenancy Addendum (Form 52642-a) and separate HAP Contract (Form 52642) for this special housing type.

**15-VI.C. PAYMENT STANDARD, UTILITY ALLOWANCE AND HAP CALCULATION**[\[FR Notice 1/18/17\]](#)**Payment Standards**

~~The FMR for a manufactured home space is generally 40 percent of the published FMR for a 2-bedroom unit or, where approved by HUD, the 40th percentile of the rental distribution of manufactured home spaces for the FMR area. HACA may establish a payment standard for manufactured home spaces that is between 90-110 percent of the FMR for manufactured home spaces. The PHA payment standard for manufactured homes is determined in accordance with 24 CFR 982.505 and is the payment standard used for the PHA's HCV program. It is based on the applicable FMR for the area in which the manufactured home space is located.~~



The payment standard for the family is the lower of the family unit size (voucher size) or the payment standard for the number of bedrooms in the manufactured home.

### Utility Allowance

HACA must establish utility allowances for manufactured home space rental. For the first 12 months of the initial lease term only, the allowance must include an amount for a utility hook-up charge if the family actually incurred a hook-up charge because of a move. This allowance will not be given to a family that leases in place. Utility allowances for manufactured home space must not include the costs of digging a well or installing a septic system.

If the amount of the monthly assistance payment for a family exceeds the monthly rent for the manufactured home space (including the owner's monthly management and maintenance charges), the PHA may pay the remainder to the family, lender, or utility company.

### Space Rent

The space rent is the sum of the rent to the owner for the manufactured home space, any charges for maintenance and management provided by the owner, and the utility allowance for tenant-paid utilities.

The rent for the manufactured home space (including other eligible housing expenses) is the total of:

- The rent charged for the manufactured home space;
- Owner maintenance and management charges for the space;
- The monthly payments made by the family to amortize the cost of purchasing the manufactured home, including any required insurance and property taxes; and
- The applicable allowance for tenant-paid utilities.

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**Amortization Costs**

The monthly payment made by the family to amortize the cost of purchasing the manufactured home is the debt service established at the time of application to a lender for financing the purchase of the manufactured home if monthly payments are still being made. Any increase in debt service due to refinancing after purchase of the home may not be included in the amortization cost. Debt service for set-up charges incurred by a family may be included in the monthly amortization payments made by the family. In addition, set-up charges incurred before the family became an assisted family may be included in the amortization cost if monthly payments are still being made to amortize the charges.

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**Housing Assistance Payment**

The HAP for a manufactured home space under the housing choice voucher program is the lower of the payment standard minus the TTP or the (gross) manufactured home space rent (including other eligible housing expenses) minus the TTP.



relies.

### ***Representation and Interpretive Services***

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

~~The family is entitled to request an interpreter. Upon request, the HACA will provide competent interpretation services, free of charge. The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or HACA, as may be agreed upon by the two parties. If the family does not arrange for their own interpreter, HACA is still obligated to provide oral translation service in accordance with its LEP plan.~~

### ***Recording of the Hearing***

The family is entitled to have the hearing recorded by audiotape. HACA may, but is not required to provide a transcript of the hearing.

#### HACA Policy

HACA will not provide a transcript of an audio taped hearing.

### ***Hearing Decision***

HACA must provide the family with a written final decision, based solely on the facts presented at the hearing, within 15 calendar days of the date of the informal hearing. The decision must state the basis for the decision.

### ***Informal Hearing Procedures for Residents [24 CFR 5.514(f)]***

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, the family may request that HACA provide a hearing. The request for a hearing must be made either within 30 days of receipt of HACA notice of termination, or within 30 days of receipt of the USCIS appeal decision.

For the informal hearing procedures that apply to participant families whose assistance is being terminated based on immigration status, see Section 16-III.C.

### ***Retention of Documents [24 CFR 5.514(h)]***

HACA must retain for a minimum of 5 years the following documents that may have been submitted to HACA by the family, or provided to HACA as part of the USCIS appeal or HACA informal hearing process:

The application for assistance;

Form completed by the family for income reexamination;

Photocopies of any original documents, including original USCIS documents;

Signed verification consent form;

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**Indicator 13: Lease-up****Maximum Points: 20 points**

- This indicator shows whether HACA enters HAP contracts for the number of units or funding reserved under ACC for at least one year, at least 98 percent of the number of the PHA's baseline voucher units in the ACC for the calendar year ending on or before the PHA's fiscal year, or whether the PHA has expended at least 98 percent of its allocated budget authority for the same calendar year. The PHA can receive 15 points if 95 to 97 percent of vouchers are leased or budget authority is utilized.

Points are based on the percent of units leased during the last completed PHA fiscal year, or the percent of allocated budget authority that has been expended by HACA, according to data from HACA's last year-end operating statement that is recorded in HUD's accounting system: utilization of vouchers and HAP expenditures as reported in the voucher management system (VMS) for the most recently completed calendar year.

**Indicator 14: Family self-sufficiency (FSS) enrollment and escrow account balances****Maximum Points: 10**

Only applies to PHAs with mandatory FSS programs.

This indicator shows whether HACA has enrolled families in the FSS program as required, and measures the percent of current FSS participants that have had increases in earned income which resulted in escrow account balances.

Points are based on the percent of mandatory FSS slots that are filled and the percent of families with escrow account balances, according to data from PIC.

**Success Rate of Voucher Holders****Maximum Points: 5**

Only applies to PHAs that have received approval to establish success rate payment standard amounts, and isn't effective until the second full PHA fiscal year following the date of HUD approval of success rate payment standard amounts.

This indicator shows whether voucher holders were successful in leasing units with voucher assistance.

Points are based on the percent of families that were issued vouchers, and that became participants in the voucher program.

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that individual stands in the position or place of a parent; or

- Any other individual tenant or lawful occupant living in the household of that the victim of domestic violence, dating violence, sexual assault, or stalking.

The term *sexual assault* means:

- Any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks the capacity to consent

The term *stalking* means:

- To engage in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

#### **16-IX.C. NOTIFICATION [24 CFR 5.2005(a)] Notification to Public**

HACA adopts the following policy to help ensure that all actual and potential beneficiaries of its HCV program are aware of their rights under VAWA.

##### HACA Policy

HACA will post the following information regarding VAWA in its offices and on its Web-site. It will also make the information readily available to anyone who requests it.

A summary of the rights and protections provided by notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault or stalking. (see sample notices in Exhibits 16-1 and 16-2)

The definitions of domestic violence, dating violence, sexual assault and stalking provided in VAWA (included in Exhibits 16-1 and 16-2)

An explanation of the documentation that HACA may require from an individual who claims the protections provided by VAWA (included in Exhibits 16-1 and 16-2)

A copy of form, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

A copy of the PHA's emergency transfer plan (Addendum 1)

A statement of HACA's obligation to keep confidential any information that it receives from a victim unless (a) HACA has the victim's written permission to



release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibits 16-1 and 16-2)

The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)

Contact information for local victim advocacy groups or service providers

#### **Notification to Program Applicants and Participants [24 CFR 5.2005(a)(1)]**

HACA is required to inform program applicants and participants of their rights under VAWA, including their right to confidentiality and the limits thereof, when they are denied assistance, when they are admitted to the program, and when they are notified of an eviction or termination of housing benefits.

##### HACA Policy

HACA will provide all applicants with information about VAWA at the time they request an application for housing assistance. HACA will also include information about VAWA in all notices of denial of assistance (see section 3-III.G).

HACA will provide all participants with information about VAWA at the time of admission (see section 5-1.B) and at annual reexamination. HACA will also include information about VAWA in notices of termination of assistance, as provided in section 12-11.F.

The VAWA information provided to applicants and participants will consist of the Notice of Occupancy Rights under VAWA in Exhibit 16-1 and a copy of form, Certification of Domestic Violence, Dating Violence, Sexual Assault, and Stalking.

#### **Notification to Owners and Managers [24 CFR 5.2005(a)(2)]**

While PHAs are no longer HACA is required by regulation to notify owners and managers participating in the HCV program of their rights and obligations under VAWA, the PHA may still choose to inform them.

##### HACA Policy

HACA will provide owners and managers with information about their rights and obligations under VAWA on HACA's website and at initial lease-up for HCV participants, when they begin their participation in the HCV program and at least annually thereafter.

The VAWA information provided to owners will consist of the Notice to Housing Choice Voucher Owners and Managers regarding the Violence Against Women's Act in Exhibit 16-2 and a copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, and Stalking.

#### **16-IX.D. DOCUMENTATION [24 CFR 5.2007]**

HACA presented with a claim for initial or continued assistance based on status as a victim of domestic violence, dating violence, sexual assault, stalking, or criminal activity related to any of these forms of abuse may—but is not required to request that the individual making



the claim document the abuse. Any request for documentation must be in writing, and the individual must be allowed at least 14 business days after receipt of the request to submit the documentation. HACA may extend this time period at its discretion. [24 CFR 5.2007(a)]

The individual may satisfy HACA's request by providing any one of the following three forms of documentation [24 CFR 5.2007(b)]:

- 1) A completed and signed HUD-approved certification form (Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), which must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim.
- 2) A federal, state, tribal, territorial, or local police report or court record, or administrative record. or
- 3) Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; a mental health professional; or a medical professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bonafide incidents of abuse. The victim must also sign the documentation.

HACA may not require third-party documentation (forms 2 and 3) in addition to certification (form 1), except as specified below under "Conflicting Documentation," nor may it require certification in addition to third-party documentation [VAWA final rule].

#### HACA Policy

Any request for documentation of domestic violence, dating violence, sexual assault or stalking will be in writing, will specify a deadline of 14 business days following receipt of the request, will describe the three forms of acceptable documentation, will provide explicit instructions on where and to whom the documentation must be submitted, and will state the consequences for failure to submit the documentation or request an extension in writing by the deadline.

HACA may, in its discretion, extend the deadline for 10 business days. Any extension granted by HACA will be in writing.

#### **Conflicting Documentation [24 CFR 5.2007(e)]**

In cases where HACA receives conflicting certification documents from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, HACA may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3). HACA within 30 calendar days of the date of the request for third-party documentation must honor any court orders issued to protect the victim or to address the distribution of property.

#### HACA Policy

If presented with conflicting certification documents (two or more Certifications of

Domestic Violence, Dating Violence, Sexual Assault, or Stalking forms) from members of the same household, HACA will attempt to determine which is the true victim by requiring each of them to provide third-party documentation in accordance with [24 CFR 5.2007(e)] and by following any HUD guidance on how such determinations should be made. The family will have 30 calendar days from the date of request by the PHA to provide this documentation.



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**Discretion to Require No Formal Documentation [24 CFR 5.2007(d)]**

HACA has the discretion to provide benefits to an individual based solely on the individual's statement or other corroborating evidence (i.e., without requiring formal documentation of abuse in accordance with [24 CFR 5.2007(b)]).

HACA Policy

If HACA accepts an individual's statement or other corroborating evidence of domestic violence, dating violence, sexual assault or stalking, HACA will document acceptance of the statement or evidence in the individual's file.

**Failure to Provide Documentation [24 CFR 5.2007(c)]**

In order to deny relief for protection under VAWA, a PHA must provide the individual requesting relief with a written request for documentation of abuse. If the individual fails to provide the documentation within 14 business days from the date of receipt, or such longer time as HACA may allow, HACA may deny relief for protection under VAWA.

**16-IX.E. CONFIDENTIALITY [24 CFR 5.2007(b)(4)]**

All information provided to HACA regarding domestic violence, dating violence, sexual assault or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence. This means that HACA (1) may not enter the information into any shared database, (2) may not allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work, and (3) may not provide the information to any other entity or individual, except to the extent that the disclosure is (a) requested or consented to by the individual in writing, (b) required for use in an eviction proceeding, or (c) otherwise required by applicable law.

HACA Policy

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, HACA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.



**EXHIBIT 16-1: NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT, FORM HUD-5380 NOTICE TO HOUSING CHOICE VOUCHER APPLICANTS AND PARTICIPANTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

**SAMPLE NOTICE TO HOUSING CHOICE VOUCHER APPLICANTS AND PARTICIPANTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation. The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that the Housing Choice Voucher Program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA."

**Protections for Applicants**

If you otherwise qualify for assistance under HUD's Housing Choice Voucher Program you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Protections for Residents**

If you are receiving assistance under HUD's Housing Choice Voucher Program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under HUD's Housing Choice Voucher Program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

**Removing the Abuser or Perpetrator from the Household**

Your landlord may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If your landlord chooses to remove the abuser or perpetrator, your landlord may not take away the rights of eligible residents to the unit or otherwise punish the remaining residents. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, the landlord must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of

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time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, your landlord must follow Federal, State, and local eviction procedures. In order to divide a lease, your landlord may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

### **Moving to Another Unit**

Upon your request, HACA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance.

In order to approve a request, HACA may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking.

If the request is a request for emergency transfer, HACA will ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA.

The criteria are:

- (1) You are a victim of domestic violence, dating violence, sexual assault, or stalking. If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.
- (2) You expressly request the emergency transfer. Your housing provider may choose to require that you submit a form, or may accept another written or oral request.
- (3) You reasonably believe you are threatened with imminent harm from

further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar day period before you expressly request the transfer.

HACA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

HACA's emergency transfer plan provides further information on emergency transfers, and HACA must make a copy of its emergency transfer plan available to you if you ask to see it.

### **Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

HACA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from HACA must be in writing, and HACA must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from

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the day you receive the request to provide the documentation. HACA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to HACA as documentation. It is your choice which of the following to submit if HACA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by HACA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or

incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.

- Any other statement or evidence that HACA has agreed to accept. If you fail or refuse to provide one of these documents within the 14 business days, HACA does not have to provide you with the protections contained in this notice.

If HACA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), HACA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, HACA does not have to provide you with the protections contained in this notice.

### Confidentiality

HACA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

HACA must not allow any individual administering assistance or other services on behalf of HACA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HACA must not enter your information into any shared database or disclose your information to any other entity or individual. HACA, however, may disclose the information provided if:



- You give written permission to HACA to release the information on a time limited basis.
- HACA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires HACA or your landlord to release the information.

VAWA does not limit management's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

#### **Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, HACA cannot hold residents who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to residents who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if HACA and/or your landlord can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- (1) Would occur within an immediate time frame, and
- (2) Could result in death or serious bodily harm to other residents or those who work on the property.

If HACA or your landlord can demonstrate the

above, HACA and/or your landlord should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

#### **Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

#### **Non-Compliance with The Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with HUD's San Antonio Field Office.

#### **For Additional Information**

- You may view a copy of HUD's final VAWA rule at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>.
- Additionally, HACA must make a copy of HUD's VAWA regulations available to you if you ask to see them.
- For questions regarding VAWA, please contact HACA at 512-477-1314.
- For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.



Local organizations that offer assistance to victims of domestic violence, dating violence, sexual assault, or stalking (list is not exhaustive):

- **Safe Place**  
24/7 Hotline: (512) 267-SAFE (7233)
- **The Salvation Army Shelter for Women and Children**  
4523 Tannehill Ln  
Austin, TX 78721  
(512) 933-0600
- **Casa Marianella**  
Posada Esperanza  
821 Gunter St  
Austin, TX 78702  
(512) 928-8862
- **Asian Family Support Services of Austin**  
Hotline: 1-877-281-8371  
Local: (512) 651-3743
- **Travis County Health and Human Services Community Centers**

<b><u>Palm Square</u></b> 100 N IH 35 Suite 2000 Austin, TX 78701 512-854-4120	<b><u>Del Valle</u></b> 3518 FM 973 S Del Valle, TX 78617
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	512-854-1520
<b><u>Post Road</u></b> 2201 Post Rd., Ste. 101 Austin, TX 78704 512-854-9130	<b><u>Manor</u></b> 600 W Carrie Manor St. Manor, TX 78653 512-854-1550
<b><u>Pflugerville</u></b> 15822 Foothill Farm Lp Pflugerville, TX 78660 512-854-1530	<b><u>Oak Hill</u></b> 8656 W Hwy 71 Oak Hill, TX 78735 512-854-2130

• **City of Austin Neighborhood Centers**

<b><u>Blackland</u></b> 2005 Salina St. Austin, TX 78722 512-972-5790	<b><u>East Austin</u></b> 211 Comal St. Austin, TX 78702 512-972-6650
<b><u>Montopolis</u></b> 1416 Montopolis Dr. Austin, TX 78741 512-972-6650	<b><u>Rosewood-Zaragoza</u></b> 2800 Webberville Rd. Austin, TX 78702 512-972-6740
<b><u>South Austin</u></b> 2508 Durwood St. Austin, TX 78704 512-972-6840	

**{Insert Name of Housing Provider<sup>2</sup>}**

**Notice of Occupancy Rights under the Violence Against Women Act<sup>3</sup>**

<sup>2</sup> The notice uses HP for housing provider but the housing provider should insert its name where HP is used. HUD's program specific regulations identify the individual or entity responsible for providing the notice of occupancy rights.

<sup>3</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

**To all Tenants and Applicants**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>4</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that [insert name of program or rental assistance] is in compliance with VAWA. This notice explains your rights under VAWA. A HUD approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA."

**Protections for Applicants**

If you otherwise qualify for assistance under [insert name of program or rental assistance], you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

<sup>4</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.



### **Protections for Tenants**

If you are receiving assistance under [insert name of program or rental assistance], you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under [insert name of program or rental assistance] solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

### **Removing the Abuser or Perpetrator from the Household**

HP may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If HP chooses to remove the abuser or perpetrator, HP may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, HP must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, HP must follow Federal, State, and local eviction procedures. In order to divide a lease, HP may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.



**Moving to Another Unit**

Upon your request, HP may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, HP may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

**1. You are a victim of domestic violence, dating violence, sexual assault, or stalking.**

If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.

**2. You expressly request the emergency transfer.** ←

Your housing provider may choose to require that you submit a form, or may accept another written or oral request.

**3. You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** ←

This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

HP will keep confidential requests for emergency transfers by victims of domestic violence.

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dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

HP's emergency transfer plan provides further information on emergency transfers, and HP must make a copy of its emergency transfer plan available to you if you ask to see it.

**Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

HP can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from HP must be in writing, and HP must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. HP may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to HP as documentation. It is your choice which of the following to submit if HP asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by HP with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.

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- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- Any other statement or evidence that HP has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, HP does not have to provide you with the protections contained in this notice.

If HP receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), HP has the right to request that you provide third party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third party documentation where there is conflicting evidence, HP does not have to provide you with the protections contained in this notice.

#### **Confidentiality**

HP must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

HP must not allow any individual administering assistance or other services on behalf of HP (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HP must not enter your information into any shared database or disclose your information to any other entity or individual. HP, however, may disclose the information provided if:

- You give written permission to HP to release the information on a time limited basis.
- HP needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires HP or your landlord to release the information.

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VAWA does not limit HP's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

#### **Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, HP cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if HP can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

1. Would occur within an immediate time frame, and
2. Could result in death or serious bodily harm to other tenants or those who work on the property.

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If HP can demonstrate the above, HP should only terminate your assistance or evict you if there

are no other actions that could be taken to reduce or eliminate the threat.



**Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

**Non-Compliance with The Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with [insert contact information for any intermediary, if applicable] or [insert HUD field office].

**For Additional Information**

You may view a copy of HUD's final VAWA rule at [insert Federal Register link].

Additionally, HP must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact [insert name of program or rental assistance contact information able to answer questions on VAWA].

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact [Insert contact information for relevant local organizations].

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact [Insert contact information for relevant organizations]



Victims of stalking seeking help may contact ~~[Insert contact information for relevant organizations].~~

Attachment: Certification form HUD-5382 ~~[form approved for this program to be included]~~

*This sample notice was adapted from a notice prepared by the National Housing Law Project.*

A federal law that went into effect in 2013 protects individuals who are victims of domestic violence, dating violence, sexual assault or stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your rights under VAWA.

### **Protections for Victims**

If you are eligible for a Section 8 voucher, the housing authority cannot deny you rental assistance solely because you are a victim of domestic violence, dating violence, sexual assault or stalking.

If you are the victim of domestic violence, dating violence, sexual assault, or stalking, you cannot be terminated from the Section 8 program or evicted based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, sexual assault or stalking that are caused by a member of your household or a guest can't be the reason for evicting you or terminating your rental assistance if you were the victim of the abuse.

### **Reasons You Can Be Evicted**

You can be evicted and your rental assistance can be terminated if the housing authority or your landlord can show there is an *actual* and *imminent* (immediate) threat to other tenants or employees at the property if you remain in your housing. Also, you can be evicted and your rental assistance can be terminated for serious or repeated lease violations that are not related to the domestic violence, dating violence, sexual assault or stalking committed against you. The housing authority and your landlord cannot hold you to a more demanding set of rules than it applies to participants who are not victims.

### **Removing the Abuser from the Household**

Your landlord may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the assisted unit. Also, the housing authority can terminate the abuser's Section 8 rental assistance while allowing you to continue to receive assistance. If the landlord or housing authority chooses to remove the abuser, it may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, your landlord must follow federal, state, and local eviction procedures.

### **Moving to Protect Your Safety**

The housing authority may permit you to move and still keep your rental assistance, even if

~~your current lease has not yet expired. The housing authority may require that you be current on your rent or other obligations in the housing choice voucher program. The housing authority may ask you to provide proof that you are moving because of incidences of abuse.~~

#### **~~Proving That You Are a Victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking~~**

~~The housing authority and your landlord can ask you to prove or “certify” that you are a victim of domestic violence, dating violence, sexual assault or stalking. The housing authority or your landlord must give you at least 14 business days (i.e., Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority and your landlord are free to extend the deadline. There are three ways you can prove that you are a victim:~~

- ~~• Complete the certification form given to you by the housing authority or your landlord. The form will ask for your name, the name of your abuser, the abuser’s relationship to you, the date, time, and location of the incident of violence, and a description of the violence. You are only required to provide the name of the abuser if it is safe to provide and you know their name.~~
- ~~• Provide a statement from a victim service provider, attorney, mental health professional, or medical professional who has helped you address incidents of domestic violence, dating violence, sexual assault, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing “under penalty of perjury.”~~
- ~~• Provide a police or court record, such as a protective order, or an administrative record.~~

~~Additionally, at its discretion, the housing authority can accept a statement or other evidence provided by the applicant or participant.~~

~~If you fail to provide one of these documents within the required time, the landlord may evict you, and the housing authority may terminate your rental assistance.~~

#### **~~Confidentiality~~**

~~The housing authority and your landlord must keep confidential any information you provide about the violence against you, unless:~~

- ~~• You give written permission to the housing authority or your landlord to release the information.~~
- ~~• Your landlord needs to use the information in an eviction proceeding, such as to evict your abuser.~~
- ~~• A law requires the housing authority or your landlord to release the information.~~

~~If release of the information would put your safety at risk, you should inform the housing~~



authority and your landlord.

### **VAWA and Other Laws**

VAWA does not limit the housing authority's or your landlord's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault or stalking.

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

### **Definitions**

For purposes of determining whether a participant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines *sexual assault* as "any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent" (42 U.S.C. 13925(a)).

VAWA defines *stalking* as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

**EXHIBIT 16-2: CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING AND ALTERNATE DOCUMENTATION,  
FORM HUD-5382**

CERTIFICATION OF U.S. Department of Housing OMB Approval No. 2577-0286

DOMESTIC VIOLENCE, and Urban Development Exp. 06/30/2017

DATING VIOLENCE,

SEXUAL ASSAULT, OR STALKING,

AND ALTERNATE DOCUMENTATION

**Purpose of Form:** The Violence Against Women Act ("VAWA") protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, "professional") from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of "domestic violence," "dating violence," "sexual assault," or "stalking" in HUD's regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

Draft October 2017 Revised August 17, 2017

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**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

1. Date the written request is received by victim: \_\_\_\_\_

2. Name of victim: \_\_\_\_\_

3. Your name (if different from victim's): \_\_\_\_\_

4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

5. Residence of victim: \_\_\_\_\_

6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_

10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

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This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

**Purpose of Form:** The Violence Against Women Reauthorization Act of 2013 ("VAWA") protects qualified tenants, participants, and applicants, and affiliated individuals, who are victims of domestic violence, dating violence, sexual assault, or stalking from being denied housing assistance, evicted, or terminated from housing assistance based on acts of such violence against them.

**Use of Form:** This is an optional form. An owner or manager presented with a claim for continued or initial tenancy or assistance based on status as a victim of domestic violence, dating violence, sexual assault, or stalking (herein referred to as "Victim") has the option to request that the Victim document or provide written evidence to demonstrate that the violence occurred. The Victim has the option of either submitting this form or submitting third-party documentation, such as:

- (1) A record of a Federal, State, tribal, territorial, or local law enforcement agency (e.g. police), court, or administrative agency; or
- (2) Documentation signed by the Victim and signed by an employee, agent or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom the Victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, in which the professional attests under penalty of perjury (28 U.S.C. 1746) that he or she believes that the incident of domestic violence, dating violence, sexual assault, or stalking is grounds for protection under 24 Code of Federal Regulations (CFR) § 5.2005 or 24 CFR § 5.2009.

**Submission of Documentation Deadline:** If this form is used by the Victim, the Victim must complete and submit it within 14 business days of receiving it from HACA. This form must be returned to the person and address specified in the written request for the certification. If the Victim does not complete and return this form (or provide third-party verification) by the 14th business day or by an extension of the date provided by the manager or owner, the Victim cannot be assured s/he will receive VAWA protections.

If the Victim submits this form or 3<sup>rd</sup> party documentation as listed above, HACA cannot require any additional evidence from the Victim.

**Confidentiality:** All information provided to HACA concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking relating to the Victim (including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking) shall be kept confidential by the owner or manager, and such information shall not be entered into any shared database. Employees of the owner, or manager are not to have access to these details unless to afford or reject VAWA protections to the Victim; and may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) requested or consented to by the Victim in writing; (ii) required for use in an eviction proceeding; or (iii) otherwise required by applicable law.



## TO BE COMPLETED BY OR ON BEHALF OF THE VAWA VICTIM:

Today's Date _____	Victim's Name: _____ Current Address of Victim: _____	Name of Person Completing This Form: _____
Names of Person(s) Living with the Victim _____		
Phone Number of Victim: <input type="checkbox"/> Home (    ) <input type="checkbox"/> Cell (    ) <input type="checkbox"/> Work (    )		
Email address of Victim _____		
Name of the Perpetrator (Note: The Victim is required to provide the name of the perpetrator only if the name of the perpetrator is safe to provide, and is known to the victim.) _____		
Perpetrator's Relationship to Victim (if any): _____	Does the Victim currently live with the Perpetrator? _____	
Description of Incident 1  <i>The Victim may provide a description of each incident on a separate sheet if more space is needed.</i>		
Date(s) the Incident(s): _____	Location of Incident(s): _____	
Description of Incident(s) (This description may be used by the owner or manager for purposes of evicting the perpetrator. Be as descriptive as possible.):  _____		
<small>Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government, HUD, the PHA and any owner (or any employee of HUD, the PHA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the PHA or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security number are contained in the **Social Security Act at 208 (a) (6), (7) and (8). Violation of these provisions are cited as violations of 42 U.S.C. 408 (a) (6), (7) and (8).</small>		

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Public Reporting Burden: The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

I hereby certify that the information that I have provided is true and correct and I believe that, based on the information I have provided, that I am a victim of domestic violence, dating violence, sexual assault or stalking. I acknowledge that submission of false information is a basis for denial of admission, termination of assistance, or eviction.

Please print name: \_\_\_\_\_

Signature: \_\_\_\_\_ Executed on (Date) \_\_\_\_\_

**EXHIBIT 16-3: EMERGENCY TRANSFER REQUEST FOR CERTAIN VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING, FORM HUD-5383**

**EMERGENCY TRANSFER**      **U.S. Department of Housing**      **OMB Approval No. 2577-0286**  
**REQUEST FOR CERTAIN**      **and Urban Development**      **Exp. 06/30/2017**  
**VICTIMS OF DOMESTIC**  
**VIOLENCE, DATING VIOLENCE,**  
**SEXUAL ASSAULT, OR STALKING**

**Purpose of Form:** If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

**The requirements you must meet are:**

**(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Form HUD-5382, or any one of the other types of documentation listed on that Form.

**(2) You expressly request the emergency transfer.** Submission of this form confirms that you have expressly requested a transfer. Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.

**(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or

**Comment [e1]:** If this is already included as Addendum 1, does it need to be included here too?

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otherwise expressly request the transfer.

**Submission of Documentation:** If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.



**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER**

1. Name of victim requesting an emergency transfer:

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2. Your name (if different from victim's)

3. Name(s) of other family member(s) listed on the lease:

4. Name(s) of other family member(s) who would transfer with the victim:

5. Address of location from which the victim seeks to transfer:

6. Address or phone number for contacting the victim:

7. Name of the accused perpetrator (if known and can be safely disclosed):

8. Relationship of the accused perpetrator to the victim:

9. Date(s), Time(s) and location(s) of incident(s):

10. Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking a transfer? If yes, skip question 11. If no, fill out question 11.

11. Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit.

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**12. If voluntarily provided, list any third-party documentation you are providing along with this notice:**

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This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_

Signed on (Date) \_\_\_\_\_



**EXHIBIT 16-2: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER OWNERS AND MANAGERS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

*This sample notice was adapted from a notice prepared by the National Housing Law Project.*

A federal law that went into effect in 2013 protects individuals who are victims of domestic violence, dating violence, sexual assault and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your obligations under VAWA.

**Protections for Victims**

You cannot refuse to rent to an applicant solely because he or she is has been a victim of domestic violence, dating violence, sexual assault or stalking.

You cannot evict a tenant who is or has been the victim of domestic violence, dating violence, sexual assault or stalking based on acts or threats of violence committed against the victim. Also, criminal acts directly related to the domestic violence, dating violence, sexual assault or stalking that are caused by a household member or guest cannot be cause for evicting the victim of the abuse.

**Permissible Evictions**

You can evict a victim of domestic violence, dating violence, sexual assault or stalking if you can demonstrate that there is an *actual and imminent* (immediate) threat to other tenants or employees at the property if the victim is not evicted. Also, you may evict a victim for serious or repeated lease violations that are not related to the domestic violence, dating violence, sexual assault or stalking. You cannot hold a victim of domestic violence, dating violence, sexual assault or stalking to a more demanding standard than you hold tenants who are not victims.

**Removing the Abuser from the Household**

You may bifurcate (split) the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the unit. If you choose to remove the abuser, you may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, you must follow federal, state, and local eviction procedures.

**Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

If a tenant asserts VAWA's protections, you can ask the tenant to certify that he or she is a victim of domestic violence, dating violence, sexual assault or stalking. You are not required to demand official documentation and may rely upon the victim's statement alone. If you choose to request certification, you must do so in writing and give the tenant at least 14 business days to provide documentation. You are free to extend this deadline. A tenant can certify that he or she is victim by providing any one of the following three documents:

- A completed, signed HUD-approved certification form. The most recent form is HUD-50066. This form is available at the housing authority or online at [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/requirements/section\\_e\\_certification](https://www.hud.gov/program_offices/public_indian_housing/requirements/section_e_certification)
- A statement from a victim service provider, attorney, mental health professional, or medical professional who has helped the victim address incidents of domestic violence, dating violence, sexual assault, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both the victim and the professional must sign the statement under penalty of perjury.
- A police or court record, such as a protective order, or administrative record.

If the tenant fails to provide one of these documents within 14 business days, you may evict the tenant if authorized by otherwise applicable law and lease provisions.

#### **Confidentiality**

You must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, sexual assault or stalking. You cannot enter the information into a shared database or reveal it to outside entities unless:

- The tenant provides written permission releasing the information.
- The information is required for use in an eviction proceeding, such as to evict the abuser.
- Release of the information is otherwise required by law.

The victim should inform you if the release of the information would put his or her safety at risk.

#### **VAWA and Other Laws**

VAWA does not limit your obligation to honor court orders regarding access to or control of the property. This includes orders issued to protect the victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault or stalking.



**Definitions**

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship
- 
- VAWA defines *sexual assault* as “any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks capacity to consent” (42 U.S.C. 13925(a)).
- 

VAWA defines *stalking* as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

**EXHIBIT 16-4: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER OWNERS AND MANAGERS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

This sample notice was adapted from a notice prepared by the National Housing Law Project.

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A federal law that went into effect in 2013 protects individuals who are victims of domestic violence, dating violence, sexual assault, and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your obligations under VAWA.

**Protections for Victims**

You cannot refuse to rent to an applicant solely because he or she is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.

You cannot evict a tenant who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking based on acts or threats of violence committed against the victim. Also, criminal acts directly related to the domestic violence, dating violence, sexual assault, or stalking that are caused by a household member or guest cannot be cause for evicting the victim of the abuse.

**Permissible Evictions**

You can evict a victim of domestic violence, dating violence, sexual assault, or stalking if you can demonstrate that there is an *actual and imminent* (immediate) threat to other tenants or employees at the property if the victim is not evicted. Also, you may evict a victim for serious or repeated lease violations that are not related to the domestic violence, dating violence, sexual assault, or stalking. You cannot hold a victim of domestic violence, dating violence, sexual assault, or stalking to a more demanding standard than you hold tenants who are not victims.

**Removing the Abuser from the Household**

You may bifurcate (split) the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the unit. If you choose to remove the abuser, you may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, you must follow federal, state, and local eviction procedures.



**Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

If a tenant asserts VAWA's protections, you can ask the tenant to certify that he or she is a victim of domestic violence, dating violence, sexual assault, or stalking. You are not required to demand official documentation and may rely upon the victim's statement alone. If you choose to request certification, you must do so in writing and give the tenant at least 14 business days to provide documentation. You are free to extend this deadline. A tenant can certify that he or she is a victim by providing any one of the following three documents:

- A completed, signed HUD-approved certification form. The most recent form is HUD-5382. This form is available at the housing authority or online at <https://portal.hud.gov/hudportal/documents/huddoc?id=5382.docx>.
  - A statement from a victim service provider, attorney, mental health professional, or medical professional who has helped the victim address incidents of domestic violence, dating violence, sexual assault, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both the victim and the professional must sign the statement under penalty of perjury.
  - A police or court record, such as a protective order, or administrative record.
- If the tenant fails to provide one of these documents within 14 business days, you may evict the tenant if authorized by otherwise applicable law and lease provisions.

**Confidentiality**

You must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, sexual assault, or stalking. You cannot enter the information into a shared database or reveal it to outside entities unless:

- The tenant provides written permission releasing the information.
  - The information is required for use in an eviction proceeding, such as to evict the abuser.
  - Release of the information is otherwise required by law.
- The victim should inform you if the release of the information would put his or her safety at risk.

**VAWA and Other Laws**

VAWA does not limit your obligation to honor court orders regarding access to or control of the property. This includes orders issued to protect the victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking.

**Additional Information**

If you have any questions regarding VAWA, please contact \_\_\_\_\_.



## Definitions

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines *sexual assault* as "any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks capacity to consent" (42 U.S.C. 13925(a)).

VAWA defines *stalking* as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

A federal law that went into effect in 2013 protects individuals who are victims of domestic violence, dating violence, sexual assault and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your obligations under VAWA.

## Protections for Victims

You cannot refuse to rent to an applicant solely because he or she is has been a victim of domestic violence, dating violence, sexual assault or stalking.

You cannot evict a tenant who is or has been the victim of domestic violence, dating violence, sexual assault or stalking based on acts or threats of violence committed against the victim. Also, criminal acts directly related to the domestic violence, dating violence, sexual assault or stalking that are caused by a household member or guest cannot be cause for evicting the victim of the abuse.

## Permissible Evictions

*Draft October 2017 Revised August 17, 2017*

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#### **Removing the Abuser from the Household**

You may bifurcate (split) the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the unit. If you choose to remove the abuser, you may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, you must follow federal, state, and local eviction procedures.

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❑ A completed, signed HUD-approved certification form – Certification of Domestic Violence, Dating Violence, Stalking or Sexual Assault.

❑ A statement from a victim service provider, attorney, mental health professional, or medical professional who has helped the victim address incidents of domestic violence, dating violence, sexual assault, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both the victim and the professional must sign the statement under penalty of perjury.

❑ A police or court record, such as a protective order, or administrative record.

If the tenant fails to provide one of these documents within 14 business days, you may evict the tenant if authorized by otherwise applicable law and lease provisions.

#### **Confidentiality**

You must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, sexual assault or stalking. You cannot enter the information into a shared database or reveal it to outside entities unless:

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Release of the information is otherwise required by law.

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#### **VAWA and Other Laws**

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#### **Definitions**

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines *sexual assault* as "any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks capacity to consent" (42 U.S.C. 13925(a)).

VAWA defines *stalking* as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.



Part IX: Payments to Owner. This part describes the types of payments owners may receive under this program.

## PART I: GENERAL REQUIREMENTS

### 17-1A. OVERVIEW [24 CFR 983.5]

The project-based voucher (PBV) program allows PHAs that already administer a tenant-based voucher program under an annual contributions contract (ACC) with HUD to take up to 20 percent of its ~~voucher program budget authority~~ authorized units and attach the funding to specific units rather than using it for tenant-based assistance [24 CFR 983.6]. PHAs may only operate a PBV program if doing so is consistent with the PHA's Annual Plan, and the goal of deconcentrating poverty and expanding housing and economic opportunities [42 U.S.C. 1437f(o)(13)].

#### HACA Policy

HACA may operate a project-based voucher program that utilizes up to 200 tenant based vouchers.

HACA may decide to project-base vouchers above the 200 voucher limit (but no more than 20 percent of its ~~voucher program budget authority~~ authorized units), if HUD publishes a notice making available PBV for HUD-VASH vouchers or other PBV special purpose vouchers or for a project that would provide affordable housing for low-income or homeless veterans.

PBV assistance may be attached to existing housing or newly constructed or rehabilitated housing [24 CFR 983.52]. If PBV units are already selected for project-based assistance either under an agreement to enter into HAP Contract (Agreement) or a HAP contract, the PHA is not required to reduce the number of these units if the amount of budget authority is subsequently reduced. However, the PHA is responsible for determining the amount of budget authority that is available for project-based vouchers and ensuring that the amount of assistance that is attached to units is within the amounts available under the ACC [24 CFR 983.6].

#### 1 Additional Project-Based Units [FR Notice 1/18/17]

The PHA may project-base an additional 10 percent of its units above the 20 percent program limit, if the units:

- Are specifically made available to house individuals and families that meet the definition of homeless under section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).
- Are specifically made available to house families that are comprised of or include a veteran.



- Veteran means an individual who has served in the United States Armed Forces.
- Provide supportive housing to persons with disabilities or elderly persons as defined in 24 CFR 5.403.
- Are located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year Estimates.

PHA Policy

The PHA will not set aside units above the 20 percent program limit.

**Units Not Subject to the PBV Program Limitation [FR Notice 1/18/17]**

PBV units under the RAD program and HUD-VASH PBV set-aside vouchers do not count toward the 20 percent limitation when PBV assistance is attached to them.

In addition, units that were previously subject to certain federal rent restrictions or were receiving another type of long-term housing subsidy provided by HUD are not subject to the cap. In order to be excepted, the unit must meet the following conditions:

- The unit must be covered under a PBV HAP contract that first became effective on or after 4/18/17; and
- In the five years prior to the date the PHA either issued the RFP or selected the project, the unit either:
  - Received Public Housing Capital or Operating Funds, Project-Based Rental Assistance, Housing for Elderly (Section 202), Housing for Persons with Disabilities (section 811), Rent Supplement (Rent Supp), or Rental Assistance Program (RAP); or
  - The unit was subject to a rent restriction through a loan or insurance program as a result of Section 236, Section 221(d)(3) or (d)(4) BMIR, Housing for Elderly Persons (Section 202), or Housing for Persons with Disabilities (Section 811)

Units that have previously received either PBV or HCV assistance are not covered under the exception.

**PHAHACA Policy**

The PHAHACA may project-base the unit types that meet the requirements described above.

**7-I.B. TENANT-BASED VS. PROJECT-BASED VOUCHER ASSISTANCE****[24 CFR 983.2]**

Much of the tenant-based voucher program regulations also apply to the PBV program. Consequently, many of the PHA policies related to tenant-based assistance also apply to PBV assistance. The provisions of the tenant-based voucher regulations that do not apply to the PBV program are listed at 24 CFR 983.2.

**HACA Policy**

Except as otherwise noted in this chapter, or unless specifically prohibited by PBV program regulations, HACA's policies for the tenant-based voucher program contained in this administrative plan also apply to the PBV program and its participants.

**17-I.C. RELOCATION REQUIREMENTS [24 CFR 983.7]**

Any persons displaced as a result of implementation of the PBV program must be provided

relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)[42 U.S.C. 4201-4655] and implementing regulations at 49 CFR part 24.

The cost of required relocation assistance may be paid with funds provided by the owner, local public funds, or funds available from other sources. PHAs may not use voucher program funds to cover relocation costs, except that PHAs may use their administrative fee reserve to pay for relocation expenses after all other program administrative expenses are satisfied, and provided that payment of the relocation benefits is consistent with state and local law. Use of the administrative fee for these purposes must also be consistent with other legal and regulatory requirements, including the requirement in 24 CFR 982.155 and other official HUD issuances.

The acquisition of real property for a PBV project is subject to the URA and 49 CFR part 24, subpart B. It is the responsibility of the PHA to ensure the owner complies with these requirements.

#### **17-I.D. EQUAL OPPORTUNITY REQUIREMENTS [24 CFR 983.8]**

The PHA must comply with all equal opportunity requirements under federal law and regulations in its implementation of the PBV program. This includes the requirements and authorities cited at 24 CFR 5.105(a). In addition, the PHA must comply with the PHA Plan certification on civil rights and affirmatively furthering fair housing, submitted in accordance with 24 CFR 903.7(o).

### **PART II: PBV OWNER PROPOSALS**

#### **17-II.A. OVERVIEW**

With certain exceptions, the PHA must describe the procedures for owner submission of PBV proposals and for PHA selection of PBV proposals [24 CFR 983.51]. Before selecting a PBV proposal, the PHA must determine that the PBV proposal complies with HUD program regulations and requirements, including a determination that the property is eligible housing [24 CFR 983.53 and 983.54], complies with the cap on the number of PBV units per project [24 CFR 983.56], and meets the site selection standards [24 CFR 983.57]. The PHA may not commit PBVs until or unless it has followed the proposal selection requirements defined in 24 CFR 983.51 [Notice PIH 2011-54].

#### **17-II.B. OWNER PROPOSAL SELECTION PROCEDURES [24 CFR 983.51(b)]**

The PHA must select PBV proposals in accordance with the selection procedures in the PHA administrative plan. The PHA must select PBV proposals by either of the following two methods.

PHA request for PBV Proposals. The PHA may solicit proposals by using a request for proposals to select proposals on a competitive basis in response to the PHA request. The



PHA may not limit proposals to a single site or impose restrictions that explicitly or practically preclude owner submission of proposals for PBV housing on different sites.

The PHA may select proposal that were previously selected based on a competition. This may include selection of a proposal for housing assisted under a federal, state, or local government housing assistance program that was subject to a competition in accordance with the requirements of the applicable program, community development program, or supportive services program that requires competitive selection of proposals (e.g., HOME, and units for which competitively awarded LIHTCs have been provided), where the proposal has been selected in accordance with such program's competitive selection requirements within three years of the PBV proposal selection date, and the earlier competitive selection proposal did not involve any consideration that the project would receive PBV assistance. The PHA need not conduct another competition.

#### **Units Selected Non-Competitively [FR Notice 1/18/17]**

For certain public housing projects where the PHA has an ownership interest or control and will spend a minimum amount per unit on rehabilitation or construction, the PHA may select a project without following one of the two processes above.

- This exception applies to projects in which the PHA is engaged in an initiative to improve, develop, or replace a public housing property or site.
- *Ownership interest* means that the PHA or its officers, employees, or agents are in an entity that holds any direct or indirect interest in the building, including, but not limited to an interest as: titleholder; lessee; stockholder; member, or general or limited partner; or a member of a limited liability corporation.
- Further, the PHA must be planning rehabilitation or construction on the project with a minimum of \$25,000 per unit in hard costs.
- The PHA must include in the administrative plan what work it plans to do on the property or site and how many PBV units will be added to the site.

#### **PHAHACA Policy**

HACA may attach PBVs to projects owned by HACA to improve, develop or replace its public housing property through the Rental Assistance Demonstration (RAD) conversions. Before taking such an action, HACA would amend this Administrative Plan, including seeking public comment and offer specific information of what work it plans to do on HACA property or site and how many PBV units will be added to the site.

#### **Solicitation and Selection of PBV Proposals [24 CFR 983.51(c)]**

PHA procedures for selecting PBV proposals must be designed and actually operated to provide broad public notice of the opportunity to offer PBV proposals for consideration by the PHA. The public notice procedures may include publication of the public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice. The public notice of the PHA request for PBV proposals must specify the submission



deadline. Detailed application and selection information must be provided at the request of interested parties.

**HACA Policy**

**HACA Request for Proposals for Rehabilitated and Newly Constructed Units**

HACA will advertise its request for proposals (RFP) for rehabilitated and newly constructed housing in the following newspapers and trade journals.

**Austin American Statesman**

**The Austin Chronicle**

**The Villager**

**El Mundo**

**Nokoa**

**Ahora-Si**

**HACA may also advertise the RFPs in other trade journals and industry sources, including electronic advertising, as HACA determines is appropriate for the project.**

In addition, HACA will post the RFP and proposal submission and rating and ranking procedures on its electronic web site.

HACA will publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for two consecutive weeks. The advertisement will specify the number of project based units that HACA estimates will be available. The due date for proposals will be specified in the RFP. In order for the proposal to be considered, the owner must submit the proposal to HACA by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals will not be reviewed.

HACA will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:

Owner experience and capability to build or rehabilitate housing as identified in the RFP;

Extent to which the project furthers HACA's goal of deconcentrating poverty and expanding housing and economic opportunities;

Projects which will provide affordable housing and support services to individuals or families experiencing homelessness.

Projects which will provide affordable housing and support services to low-income or homeless veterans.

**HACA Requests for Proposals for Existing Housing Units**

HACA will advertise its request for proposals (RFP) for existing housing in the following newspapers and trade journals.

**Austin American Statesman**

**The Austin Chronicle**

**The Villager**

**El Mundo**

**Nokoa**

**Ahora-Si**

**HACA may also advertise the RFPs in other trade journals and industry sources, including electronic advertising, as HACA determines is appropriate for the project.**

In addition, HACA will post the notice inviting such proposal submission and the rating and ranking procedures on its electronic web site.

HACA may periodically publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for two consecutive weeks. The advertisement will specify the number of project based units available. The due date for proposals will be specified in the RFP. Owner proposals will be accepted on a first-come first-served basis and will be evaluated using the following criteria:

Experience as an owner in the tenant-based voucher program and owner compliance with the owner's obligations under the tenant-based program;

Extent to which the project furthers HACA's goal of deconcentrating poverty and expanding housing and economic opportunities;

Extent to which units are occupied by families that are eligible to participate in the PBV program.

Projects which will provide affordable housing and support services to individuals or families experiencing homelessness.

Projects which will provide affordable housing and support services to low-income or homeless veterans.

**HACA Selection of Proposals Subject to a Previous Competition under a Federal, State, or Local Housing Assistance Program**

HACA may select, without competition, a proposal for housing assisted under a federal, State, or local government housing assistance, community development, or supportive services program that required competitive selection of proposals (e.g., HOME and units competitively awarded low-income housing tax credits (LIHTCs)), where the proposal has been selected in accordance with such program's competitive selection requirements within 3 years of the PBV proposal selection date, and the earlier competitively selected housing assistance proposal did not involve any consideration that the project would receive PBV assistance.

HACA may periodically advertise that it is accepting proposals, in the following newspapers and trade journals:



**Austin American Statesman**

**The Austin Chronicle**

**The Villager**

**El Mundo**

**Nokoa**

**Ahora-Si**

**HACA may also advertise the RFPs in other trade journals and industry sources, including electronic advertising, as HACA determines is appropriate for the project.**

In addition to, or in place of advertising, HACA may, on an ongoing basis, also directly contact specific owners that have already been selected for Federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance. Any awards of PBV units selected under this method will be published in the Austin American Statesman within 30 days of the award.

Proposals will be reviewed on a first-come first-serve basis. HACA will evaluate each proposal on its merits using the following factors:

Owner experience and capability to build or rehabilitate housing as identified in the RFP;

Extent to which the project furthers HACA's goal of deconcentrating poverty and expanding housing and economic opportunities; and

Projects that will provide affordable housing and support services to individuals or families experiencing homelessness.

Projects which will provide affordable housing and support services to low-income or homeless veterans.

**PHA-Owned Units [24 CFR 983.51(e) 983.59, and Notice PIH 2015-05] and  
FR Notice 1/18/17]**

A PHA-owned unit may be assisted under the PBV program only if the HUD field office or HUD-approved independent entity reviews the selection process and determines that the PHA-owned units were appropriately selected based on the selection procedures specified in the PHA administrative plan. If the PHA selects a proposal for housing that is owned or controlled by the PHA, the PHA must identify the entity that will review the PHA proposal selection process and p



The subsidy layering review is intended to prevent excessive public assistance by combining (layering) housing assistance payment subsidy under the PBV program with other governmental housing assistance from federal, state, or local agencies, including assistance such as tax concessions or tax credits.

Subsidy layering requirements do not apply to existing housing. A further subsidy layering review is not required for new construction or rehabilitation if HUD's designee has conducted a review that included a review of PBV assistance in accordance with the PBV subsidy layering guidelines.

The PHA must submit the necessary documentation to HUD for a subsidy layering review. Except in cases noted above, the PHA may not enter into an agreement to enter into a HAP contract or a HAP contract until HUD, or a HUD-approved housing credit agency (HCA), has conducted any required subsidy layering review and determined that the PBV assistance is in accordance with HUD subsidy layering requirements. The HAP contract must contain the owner's certification that the project has not received and will not receive (before or during the term of the HAP contract) any public assistance for acquisition, development, or operation of the housing other than assistance disclosed in the subsidy layering review in accordance with HUD requirements.

#### **17-ILF. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT**

##### **25 Percent per Project Cap [24 CFR 983.56]**

In general, the PHA may not select a proposal to provide PBV assistance for units in a project or enter into an agreement to enter into a HAP or a HAP contract to provide PBV assistance for units in a project, if the total number of dwelling units in the project that will receive PBV assistance during the term of the PBV HAP contract is more than the greater of 25 units or 25 percent of the number of dwelling units (assisted or unassisted) in the project.

##### **Exceptions to 25 Percent per Project Cap [2FR Notice 1/18/174-CFR-983.56(b)]**

Exceptions are allowed and PBV units are not counted against the 25 percent or 25-unit per per project cap if:

- ~~The units are in a single family building (one to four units);~~
- ~~The units are excepted units in a multifamily project because they are specifically made available for elderly and/or disabled families~~
- ~~or families receiving supportive services (also known as qualifying families);~~
- The units are exclusively for elderly families
- The units are for households eligible for supportive services available to all families receiving PBV assistance in the project

- The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates

The Housing Opportunity Through Modernization Act of 2016 (HOTMA) eliminated the project cap exemption for projects that serve disabled families and modified the exception for supportive services. Projects where these caps were implemented prior to HOTMA may continue to use the former exemptions and may renew their HAP contracts under the old requirements, unless the PHA and owner agree to change the conditions of the HAP contract. However, this change may not be made if it would jeopardize an assisted family's eligibility for continued assistance in the project.

PHAs must include in the PHA administrative plan the type of services offered to families for a project to qualify for the exception and the extent to which such services will be provided. The project must make supportive services available to all families receiving PBV assistance in the project, but the family does not actually have to accept and receive supportive services for the exception to apply to the unit. It is not necessary that the services be provided at or by the project, but must be reasonably available to families receiving PBV assistance at the project and designed to help families in the project achieve self-sufficiency or live in the community as independently as possible. f they are approved services. To qualify, a family must have at least one member receiving at least one qualifying supportive service. A PHA may not require participation in medical or disability-related services other than drug and alcohol treatment in the case of current abusers as a condition of living in an excepted unit, although such services may be offered. A PHA may not require participation in the supportive service as a condition of living in the excepted unit, although such services may be offered.

If a family at the time of initial tenancy is receiving, and while the resident of an excepted unit has received, FSS supportive services or any other supportive services as defined in the PHA administrative plan, and successfully completes the FSS contract of participation or the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit.

~~The PHA must monitor the excepted family's continued receipt of supportive services and take appropriate action regarding those families that fail without good cause to complete their supportive services requirement. The PHA administrative plan must state the form and frequency of such monitoring.~~

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#### HACA Policy

~~HACA will require non-elderly and non-disabled families living in excepted units to~~



~~receive supportive services. At least one member of the family must be receiving support services.~~

~~HACA will develop housing for occupancy by families in need of services. This may include disabled families, families in need of particular supportive services, or families participating in the Family Self-Sufficiency (FSS) program. Families will not be required to accept and receive supportive services for the exception to apply to the unit.~~

~~The following types of services will be provided depending on the needs of the family:~~

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~~Supportive Services~~

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The types of supportive services that will be offered include, but are not limited to:

**Job readiness / Job training:** Includes preparation and counseling, job development and placement, follow-up assistance after placement, completion of FSS "Contract of Family Participation;

**Education:** Includes education for the completion of GED, post-secondary education, or computer training classes for children and adults.;

**Household Training:** Includes homemaking, parenting skills, financial literacy and stability programs;

**Self-Sufficiency Services and Resources:** Includes participating in the FSS program and accessing all appropriate services to assist the family to achieve economic independence and self-sufficiency.

**Substance Abuse Treatment:** Includes counseling, treatment for substance abuse and participation in ongoing support groups.

~~Exempted units will also include units in single family buildings and those made available for elderly or disabled families.~~

~~HACA will monitor the continued participation in the supportive services on an annual basis as part of the annual recertification. Families will be required to provide documentation from the service provider showing that a family member was actively receiving services throughout the year and are still receiving services. Families can use a verification form provided by HACA or original documents from the service provider.~~

**Projects not Subject to a Project Cap [FR Notice 1/18/17]**

PBV units that were previously subject to certain federal rent restrictions or receiving another type of long-term housing subsidy provided by HUD are exempt from the project cap. In other words, 100 percent of the units in these projects may receive PBV assistance. To qualify for the

exception, the unit must:

- Be covered by a PBV HAP contract that first became effective on or after 4/18/17; and
- In the five years prior to the date the PHA either issued the RFP under which the project was selected or the PHA selected the project without competition, the unit met at least one of the two following conditions:
  - The unit received Public Housing Capital or Operating Funds, Project-Based Rental Assistance, Housing for the Elderly (Section 303), Housing for Persons with disabilities (Section 811), the Rental Supplement program,
  - The unit was subject to a rent restriction as a result of one of the following HUD loans or insurance programs: Section 236, Section 221(d)(3) or (d)(4) BMIR, Housing for the Elderly (Section 202), or Housing for Persons with Disabilities (Section 811)

Units that were previously receiving PBV assistance are not covered by the exception. Both existing and rehabilitation units are eligible for this exception. Newly constructed units qualify if they meet the definition of *replacement unit* described in FR Notice 1/18/17.

#### PHAHACA Policy

The PHAHACA does not have any PBV units that are subject to the per project cap exception.

#### **Promoting Partially-Assisted Projects [24 CFR 983.56(c)]**

A PHA may establish local requirements designed to promote PBV assistance in partially assisted projects. A *partially assisted project* is a project in which there are fewer units covered by a HAP contract than residential units [24 CFR 983.3].

A PHA may establish a per-project cap on the number of units that will receive PBV assistance or other project-based assistance in a multifamily project containing excepted units or in a single-family building. A PHA may also determine not to provide PBV assistance for excepted units, or the PHA may establish a per-project cap of less than 25 percent.

#### HACA Policy:

HACA may provide assistance for excepted units as ~~defined in 24 CFR 983.56(b) and described above in Section 17-II.F. The per-project cap will be defined in the PBV proposals (RFP), the agreement to enter into HAP contract, and the HAP contract.~~

### **17-II.G. SITE SELECTION STANDARDS**

#### **Compliance with PBV Goals, Civil Rights Requirements, and HQS Site Standards [24 CFR 983.57(b)]**

The PHA may not select a proposal for existing, newly constructed, or rehabilitated PBV



implementing regulations at 24 CFR part 35, subparts A, B, H, and R, apply to the PBV program.

### **17-III.C. HOUSING ACCESSIBILITY FOR PERSONS WITH DISABILITIES**

The housing must comply with program accessibility requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8. The PHA must ensure that the percentage of accessible dwelling units complies with the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by HUD's regulations at 24 CFR 8, subpart C.

Housing first occupied after March 13, 1991, must comply with design and construction requirements of the Fair Housing Amendments Act of 1988 and implementing regulations at 24 CFR 100.205, as applicable. (24 CFR 983.102)

### **17-III.D. INSPECTING UNITS**

#### **Pre-selection Inspection [24 CFR 983.103(a)]**

The PHA must examine the proposed site before the proposal selection date. If the units to be assisted already exist, the PHA must inspect all the units before the proposal selection date, and must determine whether the units substantially comply with HQS. To qualify as existing housing, units must substantially comply with HQS on the proposal selection date. However, the PHA may not execute the HAP contract until the units fully comply with HQS, unless the PHA has adopted a policy to enter into a HAP contract for units that fail the initial HQS inspection as a result of only non-life-threatening conditions.

#### **Pre-HAP Contract Inspections [24 CFR 983.103(b); FR Notice 1/18/17]**

The PHA must inspect each contract unit before execution of the HAP contract. The PHA may not enter into a HAP contract covering a unit until the unit fully complies with HQS, unless the PHA has adopted a policy to enter into a HAP contract for units that fail the initial HQS inspection as a result of only non-life-threatening conditions.

#### PHA Policy

The PHA will not enter into a PBV HAP contract until all units that will be under contract fully comply with HQS.

#### **Turnover Inspections [24 CFR 983.103(c)]**

Before providing assistance to a new family in a contract unit, the PHA must inspect the unit. The PHA may not provide assistance on behalf of the family until the unit fully complies with HQS.

covered by a separate HAP contract. The HAP contract must be in the form required by HUD [24 CFR 983.202(a)].

## 17-V.B. HAP CONTRACT REQUIREMENTS

### Contract Information [24 CFR 983.203]

The HAP contract must specify the following information:

- The total number of contract units by number of bedrooms;
- The project's name, street address, city or county, state and zip code, block and lot number (if known), and any other information necessary to clearly identify the site and the building;
- The number of contract units in each building, the location of each contract unit, the area of each contract unit, and the number of bedrooms and bathrooms in each contract unit;
- Services, maintenance, and equipment to be supplied by the owner and included in the rent to owner;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner (included in rent) and utility services to be paid by the tenant;
- Features provided to comply with program accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8;
- The HAP contract term;
- The number of units in any project that will exceed the 25 percent per project cap, which will be set aside for occupancy by qualifying families (elderly and/or disabled families and families receiving supportive services); and
- The initial rent to owner for the first 12 months of the HAP contract term.

### Execution of the HAP Contract [24 CFR 983.204; FR Notice 1/18/17]

The PHA may not enter into a HAP contract until each contract unit has been inspected and the PHA has determined that the unit complies with the Housing Quality Standards (HQS), unless the PHA has adopted a policy to enter into a HAP contract for units that fail the initial HQS inspection as a result of only non-life-threatening conditions. For existing housing, the HAP contract must be executed promptly after the PHA selects the owner proposal and inspects the housing units. For newly constructed or rehabilitated housing the HAP contract must be executed after the PHA has inspected the completed units and has determined that the units have been completed in accordance with the agreement to enter into HAP, and the owner furnishes all required evidence of completion.

#### HACA Policy

For existing housing, the HAP contract will be executed within 15 business days of HACA determining that all units pass HQS.



For rehabilitated or newly constructed housing, the HAP contract will be executed within 15 business days of HACA determining that the units have been completed in accordance with the agreement to enter into HAP, all units meet HQS, and the owner has submitted all required evidence of completion.

**Term of HAP Contract [24 CFR 983.205; FR Notice 1/18/17]**

The PHA may enter into a HAP contract with an owner for an initial term of no less than one year and no more than ~~20+5~~ years for each contract unit. The length of the term of the HAP contract for any contract unit may not be less than one year, nor more than ~~20+5~~ years. In the case of PHA-owned units, the term of the HAP contract must be agreed upon by the PHA and the independent entity approved by HUD [24 CFR 983.59(b)(2)].

HACA Policy

The term of all PBV HAP contracts will be negotiated with the owner on a case-by-case basis.

At the time of the initial HAP contract term or any time before expiration of the HAP contract, the PHA may extend the term of the contract for an additional term of up to ~~20+5~~ years if the PHA determines an extension is appropriate to continue providing affordable housing for low-income families. A HAP contract extension may not exceed ~~20+5~~ years. A PHA may provide for multiple extensions; however, in no circumstances may such extensions exceed ~~40+5~~ years, cumulatively. Extensions after the initial extension are allowed at the end of any extension term, provided that not more than 24 months prior to the expiration of the previous extension contract the PHA agrees to extend the term, and that such extension is appropriate to continue providing affordable housing for low-income families or to expand housing opportunities. Extensions after the initial extension term shall not begin prior to the expiration date of the previous extension term. Subsequent extensions are subject to the same limitations. All extensions must be on the form and subject to the conditions prescribed by HUD at the time of the extension. In the case of PHA-owned units, any extension of the term of the HAP contract must be agreed upon by the PHA and the independent entity approved by HUD [24 CFR 983.59(b)(2)].

HACA Policy

When determining whether or not to extend an expiring PBV contract, HACA will consider several factors including, but not limited to:

- The cost of extending the contract and the amount of available budget authority;
- The condition of the contract units;
- The owner's record of compliance with obligations under the HAP contract and lease(s);

Whether the location of the units continues to support the goals of deconcentrating poverty and expanding housing opportunities; and

Whether the funding could be used more appropriately for tenant-based assistance.

***Termination by PHA [24 CFR 983.205(c) ; FR Notice 1/18/17]***

The HAP contract must provide that the term of the PHA's contractual commitment is subject to the availability of sufficient appropriated funding as determined by HUD or by the PHA in accordance with HUD instructions. For these purposes, sufficient funding means the availability of appropriations, and of funding under the ACC from such appropriations, to make full payment of housing assistance payments payable to the owner for any contract year in accordance with the terms of the HAP contract.

In times of insufficient funding, HUD requires that PHAs first take all cost-saving measures prior to failing to make payments under existing PBV HAP contracts.

If it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the HAP contract, the PHA may terminate the HAP contract by notice to the owner. The termination must be implemented in accordance with HUD instructions.

***Termination by Owner [24 CFR 983.205(d)]***

If in accordance with program requirements the amount of rent to an owner for any contract unit is reduced below the amount of the rent to owner at the beginning of the HAP contract term, the owner may terminate the HAP contract by giving notice to the PHA. In this case, families living in the contract units must be offered tenant-based assistance.

***Statutory Notice Requirements: Contract Termination or Expiration [24 CFR 983.206; FR Notice 1/18/17]***

Not less than one year before the HAP contract terminates, or if the owner refuses to renew the HAP contract, the owner must notify the PHA and assisted tenants of the termination. The notice must be provided in the form prescribed by HUD. If the owner does not give timely notice, the owner must permit the tenants in assisted units to remain in their units for the required notice period with no increase in the tenant portion of their rent, and with no eviction as a result of the owner's inability to collect an increased tenant portion of rent. An owner may renew the terminating contract for a period of time sufficient to give tenants one-year advance notice under such terms as HUD may require.

Upon termination or expiration of the contract, a family living at the property is entitled to receive a tenant-based voucher. Tenant-based assistance would not begin until the owner's required notice period ends. The PHA must provide the family with a voucher and the family must also be given the option by the PHA and owner to remain in their unit with HCV tenant-



based assistance as long as the unit complies with inspection and rent reasonableness requirements. The family must pay their total tenant payment (TTP) and any additional amount if the gross rent exceeds the applicable payment standard. The family has the right to remain in the project as long as the units are used for rental housing and are otherwise eligible for HCV assistance. The owner may not terminate the tenancy of a family that exercises its right to remain except for serious or repeated lease violations or other good cause. Families that receive a tenant-based voucher at the expiration or termination of the PBV HAP contract are not new admissions to the PHA HCV tenant-based program, and are not subject to income eligibility requirements or any other admission requirements. If the family chooses to remain in their unit with tenant-based assistance, the family may do so regardless of whether the family share would initially exceed 40 percent of the family's adjusted monthly income.

#### **Remedies for HQS Violations [24 CFR 983.208(b)]**

The PHA may not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with HQS. If the PHA determines that a contract does not comply with HQS, the PHA may exercise any of its remedies under the HAP contract, for any or all of the contract units. Available remedies include termination of housing assistance payments, abatement or reduction of housing assistance payments, reduction of contract units, and termination of the HAP contract.

#### HACA Policy

HACA will abate and terminate PBV HAP contracts for non-compliance with HQS in accordance with the policies defined in the tenant-based voucher program. These policies are contained in Chapter 8 of HACA's HCV Administrative Plan.

### **17-V.C. AMENDMENTS TO THE HAP CONTRACT**

#### **Substitution of Contract Units [24 CFR 983.207(a)]**

At the PHA's discretion and subject to all PBV requirements, the HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same project for a previously covered contract unit. Before any such substitution can take place, the PHA must inspect the proposed unit and determine the reasonable rent for the unit.

#### **Addition of Contract Units [FR Notice 1/18/17 ~~24 CFR 983.207(b)~~]**

The PHA and owner may amend the HAP contract to add additional PBV contract units in projects that already have a HAP contract without having to fulfill the selection requirements found at 24 CFR 983.51(b) for those additional PBV units, regardless of when the HAP contract was signed. The additional PBV units, however, are still subject to the PBV program cap and individual project caps. Prior to attaching additional units without competition, the PHA must submit to the local field office information outlined in FR Notice 1/18/17. The PHA must also detail in the administrative plan their intent to add PBV units and the rationale for adding units to

~~the specific PBV project. At the PHA's discretion and subject to the restrictions on the number of dwelling units that can receive PBV assistance per project and on the overall size of the PHA's PBV program, a HAP contract may be amended during the three-year period following the execution date of the HAP contract to add additional PBV units in the same project. This type of amendment is subject to all PBV program requirements except that a new PBV proposal is not required.~~

#### HACA Policy

HACA will consider adding contract units to the HAP contract when HACA determines that additional housing is needed to serve eligible low-income families. Circumstances may include, but are not limited to:

The local housing inventory is reduced due to a disaster (either due to loss of housing units, or an influx of displaced families); and

Voucher holders are having difficulty finding units that meet program requirements.



program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. The PHA must provide an absolute selection preference for eligible in-place families as described in Section 17-VI.B above.

The PHA may establish a selection preference for families who qualify for voluntary services, including disability-specific services, offered in conjunction with assisted units, provided that preference is consistent with the PHA plan. The PHA may not, however, grant a preference to a person with a specific disability [FR Notice 1/18/17].

~~Although the PHA is prohibited from granting preferences to persons with a specific disability, the PHA may give preference to disabled families who need services offered at a particular project or site if the preference is limited to families (including individuals):~~

~~With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;~~

~~Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and~~

~~For whom such services cannot be provided in a non-segregated setting.~~

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

~~If the PHA has projects with more than 25 percent of the units receiving project-based assistance because those projects include "excepted units" for elderly families or supportive services (units specifically made available for elderly or disabled families, or families receiving supportive services), the PHA must give preference to such families when referring families to these units [24 CFR 983.261(b); FR Notice 1/18/17].~~

#### HACA Policy

HACA will provide a selection preference when required by the regulation (e.g., eligible in-place families, qualifying families for "excepted units," elderly families or units with supportive services, or mobility impaired persons for accessible units).

HACA may offer additional preferences for the PBV program or for particular PBV projects or units, ~~depending on the supportive services offered at those units. When HACA has the opportunity to target PBV's for special needs populations,~~ HACA will enter into a Memorandum of Understanding (MOU) ~~to provide supportive housing in~~ collaboration with the PBV partner to define the additional preferences, eligibility

~~requirements and referral process, another local agency which would provide the supportive services for the special needs population. In the MOU, the two organizations will identify the referral criteria and establish policies to ensure eligibility requirements are met.~~

At the time the project's waiting list is opened, applicants on the tenant-based waiting list will be given the opportunity to be added to the project's waiting list. Additionally, referrals would come directly from the collaborating agency to be added to the project waiting list. Families who meet the criteria would be given first preference for the limited preference units.

## **17-VI.E. OFFER OF PBV ASSISTANCE**

### **Refusal of Offer [24 CFR 983.251(e)(3)]**

The PHA is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refuse to list the applicant on the waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant qualifies;
- Change the applicant's place on the waiting list based on preference, date, and time of application, or other factors affecting selection under the PHA's selection policy;
- Remove the applicant from the tenant-based voucher waiting list.

### **Disapproval by Landlord [24 CFR 983.251(e)(2)]**

If a PBV owner rejects a family for admission to the owner's units, such rejection may not affect the family's position on the tenant-based voucher waiting list.

### **Acceptance of Offer [24 CFR 983.252]**

#### ***Family Briefing***

When a family accepts an offer for PBV assistance, the PHA must give the family an oral briefing. The briefing must include information on how the program works and the responsibilities of the family and owner. In addition to the oral briefing, the PHA must provide a briefing packet that explains how the PHA determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

#### ***Persons with Disabilities***

If an applicant family's head or spouse is disabled, the PHA must assure effective communication, in accordance with 24 CFR 8.6, in conducting the oral briefing and in providing the written information packet. This may include making alternative formats available (see Chapter 2). In addition, the PHA must have a mechanism for referring a family that includes a member with a mobility impairment to an appropriate accessible PBV unit.



**Owner Termination of Tenancy [24 CFR 983.257]**

With two exceptions, the owner of a PBV unit may terminate tenancy for the same reasons an owner may in the tenant-based voucher program (see Section 12-III.B. and 24 CFR 982.310). In the PBV program, terminating tenancy for “good cause” does not include doing so for a business or economic reason, or a desire to use the unit for personal or family use or other non-residential purpose.

**~~Non-Compliance with Supportive Services Requirement [24 CFR 983.257(e),  
FR Notice 11/24/08]~~**

~~If a family is living in a project-based unit that is exempt from the 25 percent per project cap on project-basing because of participation in a supportive services program (e.g., Family Self-Sufficiency), and the family fails to complete its supportive services requirement without good cause, such failure is grounds for lease termination by the owner.~~

***Tenant Absence from the Unit [24 CFR 983.256(g) and 982.312(a)]***

The lease may specify a maximum period of family absence from the unit that may be shorter than the maximum period permitted by PHA policy. According to program requirements, the family’s assistance must be terminated if they are absent from the unit for more than 180 consecutive days. PHA termination of assistance actions due to family absence from the unit are subject to 24 CFR 981.312, except that the unit is not terminated from the HAP contract if the family is absent for longer than the maximum period permitted.

**Continuation of Housing Assistance Payments [24 CFR 982.258]**

Housing assistance payments shall continue until the tenant rent equals the rent to owner. The cessation of housing assistance payments at such point will not affect the family’s other rights under its lease, nor will such cessation preclude the resumption of payments as a result of later changes in income, rents, or other relevant circumstances if such changes occur within 180 days following the date of the last housing assistance payment by the PHA. After the 180-day period, the unit shall be removed from the HAP contract pursuant to 24 CFR 983.211.

**HACA Policy**

If a participating family receiving zero rental assistance experiences a change in circumstances that would result in a HAP payment to the owner, the family must notify HACA of the change and request an interim reexamination before the expiration of the 180-day period.

**Security Deposits [24 CFR 983.259]**

The owner may collect a security deposit from the tenant. The PHA may prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to

the PHA must give the family priority to receive the next available opportunity for continued tenant-based assistance.

If the family terminates the assisted lease before the end of the first year, the family relinquishes the opportunity for continued tenant-based assistance.

#### 17-VII.D. EXCEPTIONS TO THE OCCUPANCY CAP [24 CFR 983.262]

The PHA may not pay housing assistance under a PBV HAP contract for more than the greater of 25 units or 25 percent of the number of dwelling units in a project unless the units are [24 CFR 983.56]:

- The units are exclusively for elderly families
- The units are for households eligible for supportive services available to all families receiving PBV assistance in the project
- The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates
- ~~In a single-family building;~~
- ~~Specifically made available for elderly and/or disabled families; or~~
- ~~Specifically made available for families receiving supportive services as defined by the PHA. At least one member must be receiving at least one qualifying supportive service.~~

If a family at the time of initial tenancy is receiving and while the resident of an excepted unit has received Family Self-Sufficiency (FSS) supportive services or any other service as defined by the PHA and successfully completes the FSS contract of participation or the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit. However, if the FSS family fails to successfully complete the FSS contract of participation or supportive services objective and consequently is no longer eligible for the supportive services, the family must vacate the unit within a reasonable period of time established by the PHA, and the PHA shall cease paying HAP on behalf of the family.

Further, when a ~~A~~ family (or remaining members of a family) residing in an excepted unit that no longer meets the criteria for a “qualifying family” ~~in connection with the 25 percent per project cap exception (e.g. a family that does not successfully complete its FSS contract of participation or supportive services requirements, or because the~~ family ~~that~~ is no longer ~~an~~ elderly ~~family or disabled~~ due to a change in family composition ~~where the PHA has the discretion does not exercise discretion~~ to allow the family to remain in the excepted unit. ~~7. If the PHA does not exercise this discretion, the family~~ must vacate the unit within a reasonable period of time established by the PHA, and the PHA must cease paying housing assistance payments on



behalf of the non-qualifying family.

Individuals in units with supportive services who choose to no longer participate in a service or who no longer qualify for services they qualified for at the time of initial occupancy cannot subsequently be denied continued housing opportunity because of this changed circumstance. A PHA or owner cannot determine that a participant's needs exceed the level of care offered by qualifying services or require that individuals be transitioned to different projects based on service needs.

If the family fails to vacate the unit within the established time, the unit must be removed from the HAP contract unless the project is partially assisted, and it is possible for the HAP contract to be amended to substitute a different unit in the building in accordance with program requirements; or the owner terminates the lease and evicts the family. The housing assistance payments for a family residing in an excepted unit that is not in compliance with its family obligations to comply with supportive services requirements must be terminated by the PHA.

The PHA may allow a family that initially qualified for occupancy of an excepted unit based on elderly ~~or disabled~~ family status to continue to reside in a unit, where through circumstances beyond the control of the family (e.g., death of the elderly ~~or disabled~~ family member or long-term or permanent hospitalization or nursing care), the elderly ~~or disabled~~ family member no longer resides in the unit. In this case, the unit may continue to be counted as an excepted unit for as long as the family resides in that unit. Once the family vacates the unit, in order to continue as an excepted unit under the HAP contract, the unit must be made available to and occupied by a qualified family.

#### HACA Policy

HACA will allow families who initially qualified to live in an excepted unit to remain when circumstances change due to circumstances beyond the remaining family members' control.

In all other cases, ~~when HACA determines that a family no longer meets the criteria for a "qualifying family" in connection with the 25 percent per project cap exception,~~ HACA will provide written notice to the family and owner within 10 business days of making the determination. The family will be given 30 days from the date of the notice to move out of the PBV unit. If the family does not move out within this 30-day time frame, HACA will terminate the housing assistance payments at the expiration of this 30-day period.

HACA may make exceptions to this 30-day period if needed for reasons beyond the family's control such as death, serious illness, or other medical emergency of a family member.

~~HACA may refer other eligible families to the excepted units. However, if there are no eligible families on the waiting list and the owner does not refer eligible families to HACA, HACA will amend the HAP contract to reduce the total number of units under contract.~~

## **PART VIII: DETERMINING RENT TO OWNER**

### **17-VIII.A. OVERVIEW**

The amount of the initial rent to an owner of units receiving PBV assistance is established at the beginning of the HAP contract term. Although for rehabilitated or newly constructed housing, the agreement to enter into HAP Contract (Agreement) states the estimated amount of the initial rent to owner, the actual amount of the initial rent to owner is established at the beginning of the HAP contract term.

During the term of the HAP contract, the rent to owner is redetermined at the owner's request in accordance with program requirements, and at such time that there is a five percent or greater decrease in the published FMR.

### **17-VIII.B. RENT LIMITS [24 CFR 983.301]**

Except for certain tax credit units (discussed below), the rent to owner must not exceed the lowest of the following amounts:

- An amount determined by the PHA, not to exceed 110 percent of the applicable fair market rent (or any HUD-approved exception payment standard) for the unit bedroom size minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

#### **Certain Tax Credit Units [24 CFR 983.301(c)]**

For certain tax credit units, the rent limits are determined differently than for other PBV units.

Different limits apply to contract units that meet all of the following criteria:

- The contract unit receives a low-income housing tax credit under the Internal Revenue Code of 1986;
- The contract unit is not located in a qualified census tract;
- There are comparable tax credit units of the same bedroom size as the contract unit in the same project, and the comparable tax credit units do not have any form of rental assistance other than the tax credit; and



- The tax credit rent exceeds 110 percent of the fair market rent or any approved exception payment standard;

For contract units that meet all of these criteria, the rent to owner must not exceed the lowest of:

- The tax credit rent minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

### ***Definitions***

A *qualified census tract* is any census tract (or equivalent geographic area defined by the Bureau of the Census) in which at least 50 percent of households have an income of less than 60 percent of Area Median Gross Income (AMGI), or where the poverty rate is at least 25 percent and where the census tract is designated as a qualified census tract by HUD.

*Tax credit rent* is the rent charged for comparable units of the same bedroom size in the project that also receive the low-income housing tax credit but do not have any additional rental assistance (e.g., tenant-based voucher assistance).

### **Reasonable Rent [24 CFR 983.301(e) and 983.302(c)(2)]**

The PHA must determine reasonable rent in accordance with 24 CFR 983.303. The rent to owner for each contract unit may at no time exceed the reasonable rent, except in cases where the PHA has elected within the HAP contract not to reduce rents below the initial rent to owner and, upon redetermination of the rent to owner, the reasonable rent would result in a rent below the initial rent. However, the rent to owner must be reduced in the following cases:

- To correct errors in calculations in accordance with HUD requirements
- If additional housing assistance has been combined with PBV assistance after the execution of the initial HAP contract and a rent decrease is required pursuant to 24 CFR 983.55
- If a decrease in rent to owner is required based on changes in the allocation of the responsibility for utilities between owner and tenant

If the PHA has not elected within the HAP contract to establish the initial rent to owner as the rent floor, the rent to owner shall not at any time exceed the reasonable rent.

### **HACA Policy**

HACA will elect within the HAP contract not to reduce rents below the initial level, with the exception of circumstances listed in 24 CFR 983.302(c)(2). If, upon redetermination

of the rent to owner, the reasonable rent would result in a rent below the initial rent, HACA will use the higher initial rent to owner amount.

**Use of FMRs, Exception Payment Standards, and Utility Allowances [24 CFR 983.301(f)]**

When determining the initial rent to owner, the PHA must use the most recently published FMR in effect and the utility allowance schedule in effect at execution of the HAP contract. When redetermining the rent to owner, the PHA must use the most recently published FMR and the utility allowance schedule in effect at the time of redetermination. At its discretion, the PHA may for initial rent, use the amounts in effect at any time during the 30-day period immediately before the beginning date of the HAP contract, or for redeterminations of rent, the 30-day period immediately before the redetermination date.

Any HUD-approved exception payment standard amount under the tenant-based voucher program also applies to the project-based voucher program. HUD will not approve a different exception payment stand amount for use in the PBV program.

Likewise, the PHA may not establish or apply different utility allowance amounts for the PBV program. The same utility allowance schedule applies to both the tenant-based and project-based voucher programs.

**HACA Policy**

Upon written request by the owner, HACA will consider using the FMR or utility allowances in effect during the 30-day period before the start date of the HAP, or redetermination of rent. The owner must explain the need to use the previous FMRs or utility allowances and include documentation in support of the request. HACA will review and make a decision based on the circumstances and merit of each request.

In addition to considering a written request from an owner, HACA may decide to use the FMR or utility allowances in effect during the 30-day period before the start date of the HAP, or redetermination of rent, if HACA determines it is necessary due to PHA budgetary constraints.

**Use of Small Area FMRs (SAFMRs) [24 CFR 888.113(h)]**

While small area FMRs (SAFMRs) do not apply to PBV projects, PHAs that operate a tenant-based program under SAFMRs (either by HUD-designation or because the PHA requested HUD approval to use SAFMRs) may apply SAFMRs to all future PBV HAP contracts. If the PHA adopts this policy, it must apply to all future PBV projects and the PHA's entire jurisdiction. The PHA and owner may not subsequently choose to revert back to use of the FMRs once the SAFMRs have been adopted, even if the PHA subsequently changes its policy.

Further, the PHA may apply SAFMRs to current PBV projects where the notice of owner selection was made on or before the effective dates of both the SAFMR designation and the PHA

administrative plan policy, provided the owner is willing to mutually agree to doing so and the application is prospective. The PHA and owner may not subsequently choose to revert back to use of the FMRs once the SAFMRs have been adopted, even if the PHA subsequently changes its policy. If rents increase as a result of the use of SAFMRs, the rent increase may not be effective until the first anniversary of the HAP contract.

#### PHA Policy

The PHA will not apply SAFMRs to the PHA's PBV program.

#### **Redetermination of Rent [24 CFR 983.302]**

The PHA must redetermine the rent to owner upon the owner's request or when there is a five percent or greater decrease in the published FMR.

#### ***Rent Increase***

If an owner wishes to request an increase in the rent to owner from the PHA, it must be requested at the annual anniversary of the HAP contract (see Section 17-V.D.). The request must be in writing and in the form and manner required by the PHA. The PHA may only make rent increases in accordance with the rent limits described previously. There are no provisions in the PBV program for special adjustments (e.g., adjustments that reflect increases in the actual and necessary expenses of owning and maintaining the units which have resulted from substantial general increases in real property taxes, utility rates, or similar costs).

#### HACA Policy

An owner's request for a rent increase must be submitted to HACA 60 days prior to the anniversary date of the HAP contract, and must include the new rent amount the owner is proposing.

The PHA may not approve and the owner may not receive any increase of rent to owner until and unless the owner has complied with requirements of the HAP contract, including compliance with HQS. The owner may not receive any retroactive increase of rent for any period of noncompliance.

#### ***Rent Decrease***

If there is a decrease in the rent to owner, as established in accordance with program requirements such as a change in the FMR or exception payment standard, or reasonable rent amount, the rent to owner must be decreased regardless of whether the owner requested a rent adjustment, except where the PHA has elected within the HAP contract to not reduce rents below the initial rent under the initial HAP contract.

#### ***Notice of Rent Change***

~~Draft October 2017~~ Revised August 17, 2017

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**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**ITEM NO. 5**

**Presentation and Discussion of the Draft 2018 Public  
Housing Authority (PHA) Annual Plan**

**September 21, 2017  
Regular Meeting**



**HOUSING AUTHORITY OF THE CITY OF AUSTIN**  
**BOARD ACTION REQUEST**  
**PRESENTATION AND DISCUSSION**  
**EXECUTIVE DEPARTMENT**

**MEETING DATE:** October 18, 2017

**STAFF CONTACT:** Judy Paciocco, Sr Director of Operations

**ITEM TITLE:** Presentation and Discussion of the Draft 2018 Public Housing Authority (PHA) Annual Plan

**BUDGETED ITEM:** N/A

**TOTAL COST:** N/A

**ACTION**

Presentation and discussion of the Draft 2018 Public Housing Authority (PHA) Annual Plan which will go out for public comment for 45 days beginning Friday, October 20, 2017. The Board is being asked to review the Plan, approve staff taking the document out for a 45-day public comment period, and returning the Plan to the Board for final consideration at the December 2017 Board meeting.

**SUMMARY**

**Background:** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic housing authority policies, rules, and requirements concerning its operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the housing authority's mission, goals and objectives for serving the needs of low-income, very low-income, and extremely low-income families. High Performer housing authorities such as HACA utilize Form HUD-50075-HP to submit annual changes to its PHA Plan.

The draft 2018 PHA Plan incorporates proposed changes from both the Admissions and Continued Occupancy Policy and the Housing Choice Voucher Administrative Plan along with updates regarding the Rental Assistance Demonstration program and the agency's 5-Year Plan Goals and Objectives. The following are the updates to the Plan: the criminal background eligibility requirements, the Demolition/Disposition Activity regarding the Rental Assistance Demonstration program, the policies regarding Project Based Vouchers, and updates to the Agency's 5-Year Plan Goals and Objectives to include the Public Housing smoke-free policy.

**Criminal Background:**

In November 2015, HUD issued Notice PIH 2015-19 providing guidance to housing authorities on how to address the use of arrest records in housing decisions. HACA made initial policy changes to meet the requirements of the notice. However, best practices listed in the notice as well as those gained from HACA's participation in the local re-entry roundtable led staff to conduct a more thorough review of the eligibility requirements related to criminal background.

That review led to recommended changes that can be grouped into four categories:

- 1) Changes that reduce redundancy (i.e. Could be combined without changing policy);

- 2) Changes that reflect current terminology used by the criminal justice system (i.e. Indecency with a child instead of child molestation) and that reflect dangers faced by today's society (i.e. crimes involving terrorism);
- 3) Changes that reflect increased leniency and reduced administrative burden;
- 4) Changes that reduce or update the look-back period for certain criminal activities.

These proposed changes still maintain HACA's goal of providing safe housing while adding clearer language for staff and applicants to understand.

**Rental Assistance Demonstration Program:**

Updates have been provided regarding the outcomes for the RAD Phase I converted units for eleven properties. The seven remaining Public Housing properties will convert in several phases. As many of these properties will need extensive rehab, HACA will use different financing mechanisms, e.g. Low Income Housing Tax Credits/Bonds with Low Income Housing Tax Credits/FHA Financing, to provide full modernization. Some properties may require relocation of the residents for an extended period of time to complete all the modernization required. HACA is committed to have a "one for one replacement" and will assess the potential to provide additional affordable housing units at sites where feasible.

**Project Based Vouchers (PBVs):**

Per the Federal Register notice published in on January 18, 2017, the newly defined project-based voucher requirements are incorporated in the Annual Plan. HACA may attach PBVs to projects owned by HACA to improve, develop or replace its public housing property through the Rental Assistance Demonstration (RAD) conversions. A description of what work it plans to do on the property or site and how many PBV units will be added to the site would be later defined through an amendment to the Housing Choice Voucher Administrative Plan. HACA also included language regarding the Housing Opportunity Through Modernization Act of 2016 (HOTMA) which eliminated the project cap exemption for projects that serve disabled families and modified the exception for supportive services.

**Agency's 5-Year Plan Goals and Objectives:**

Updates were made to each of the agency's goals to reflect current activities and outcomes.

**Smoke-Free:**

In December 2016, HUD published its final rule on Smoke-Free Public Housing which went into effect on February 3, 2017. This final rule added language prohibiting the use of water pipes (also known as Hookahs) and mandating that all designated smoking areas be at least 25 feet away from existing units or administrative buildings. The proposed changes reflect the inclusion of these HUD requirements.

***Process:***

Staff is bringing these proposed changes to the Board for discussion and input at this time. After incorporating any Board recommendations, HACA will invite public comment on the proposed changes beginning at 8:00 am on Friday, October 20, 2017 through 5:00 pm on Monday, December 4, 2017. HACA will send the proposed changes to Texas Rio Grande Legal Aid, the Austin Tenants' Council and the residents at the remaining Public Housing properties. After receiving all comments, the proposed changes will be presented to the Board for final approval at the December 2017 Board Meeting.

***Staff Recommendation:***

The Board is being asked to review the Plan, approve staff taking the document out for a 45-day public comment period, and returning the Plan to the Board for final consideration at the December 2017 Board meeting.

**EXHIBITS**

Exhibit 1: Executive Summary of Changes

Exhibit 2: Draft 2018 PHA Annual Plan

# EXHIBIT 1



# Housing Authority of the City of Austin

*Established in 1937*

## **DRAFT 2018 PHA Annual Plan Executive Summary**

Per PIH Notice 2015-18, the template for the 2018 PHA Plan has changed to a streamlined version, as HACA is a high-performing agency. Many of the following updates and revisions to the 2018 PHA Plan are due to changes in criminal history criteria for applicants to HACA programs.

### **Revisions and Additions to the DRAFT 2018 Annual Plan version**

<b>Page</b>	<b>Section</b>	<b>Changes</b>
Pages 9-12	<b>Policies that Govern Eligibility, Selection and Admissions: Selection Method</b>	<p><b>Change:</b> Changes in criminal history screening criteria in response to HUD Notice PIH 2015-19 providing guidance to housing authorities on how to address the use of arrest records in housing decisions.</p> <p><b>Rationale:</b> Proposed changes reflect best practice guidance from Texas H.B. 1510 and maintain HACA's goal of providing safe housing while adding clearer language for staff and applicants to understand.</p>
Pages 29-32	<b>Demolition/Disposition</b>	<p><b>Change:</b> Updates on the Rental Assistance Demonstration program.</p>
Pages 36-38	<b>Project-Based Vouchers</b>	<p><b>Change:</b> Per the Federal Register notice published in on 01/18/17, the newly defined project-based voucher requirements are incorporated in the Annual Plan. HACA may attach PBVs to projects owned by HACA to improve, develop or replace its public housing property through the Rental Assistance Demonstration (RAD) conversions. HACA also included language regarding the Housing Opportunity Through Modernization Act of 2016 (HOTMA) which eliminated the project cap exemption for projects that serve disabled families and modified the exception for supportive services.</p>
Page 37-47	<b>5-Year Plan Goals and Objectives</b>	<p><b>Change:</b> Updates to HACA 5-Year Goals and Objectives, includes additional language regarding Smoke-Free Policies in Public Housing (P44).</p> <p><b>Rationale:</b> Required changes due to PIH Notice</p>

		2017-03, the Smoke-Free Policies must ban the use of prohibited tobacco products in all public housing living units, interior common areas and outdoor areas within 25 feet from public housing and administrative office buildings (collectively, "restricted areas").

# EXHIBIT 2

## Housing Authority of the City of Austin

# Draft 2018 PUBLIC HOUSING AUTHORITY ANNUAL PLAN



The Public Comment Period for the 2018 Draft Annual PHA Plan will commence on October 20, 2017 and conclude on Monday, December 4, 2017. Three Public Hearings will be held on the following dates: November 14, 2017, November 17, 2017 and November 28, 2017 to receive public input. The final draft will be presented for board approval at the December 21, 2017 HACA Board of Commissioners meeting.

Copies of the Draft 2018 Annual Plan and updates to the 2015-2019 Five-Year Plan will be available at all Public Housing sites, the HACA Central Office and on the HACA website, [www.hacanet.org](http://www.hacanet.org). All supporting documentation is available at the HACA Central Office or via the HACA website. Please submit written comments via email to [executive@hacanet.org](mailto:executive@hacanet.org) or to 1124 S. IH-35 Austin, TX 78704, attn Executive Office.



<b>5-Year and Annual PHA Plan</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires XX/XX/XXXX</b>
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

**Applicability.** Form HUD-50075-HP is to be completed annually by **High Performing PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, HCV-Only PHA, Small PHA, or Qualified PHA do not need to submit this form.

**Definitions.**

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, and that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment, and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceeds 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined, and is not PHAS or SEMAP troubled.

A.	PHA Information.														
A.1	<p> <b>PHA Name:</b> <u>Housing Authority of the City of Austin</u> <b>PHA Code:</b> <u>TX001</u>  <b>PHA Type:</b> <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performer  <b>PHA Plan for Fiscal Year Beginning:</b> (MM/YYYY): <u>04/2018</u>  <b>PHA Inventory</b> (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)  <b>Number of Public Housing (PH) Units</b> <u>781; however, HACA continues to covert to its Public Housing portfolio to the Rental Assistance Demonstration program.</u>  <b>Number of Housing Choice Vouchers (HCVs)</b> <u>5,597</u>  <b>Total Combined</b> <u>6,854</u>  <b>PHA Plan Submission Type:</b> <input type="checkbox"/> Annual Submission <input checked="" type="checkbox"/> Revised Annual Submission </p> <p> <b>Availability of Information.</b> A 45-Day Public Comment Period for the draft 2018 PHA Annual Plan will commence on Friday, October 20, 2017 and will conclude on Monday, December 4, 2017. There will be three Public Hearings to be held: November 14, 2017 at 10:00AM (Pathways at Georgian Manor 110 Bolles Circle 78753) to be held in conjunction with the Citywide Advisory Board Meeting, Friday, November 17, 2017 at 12:00PM to be held at the HACA Central Office (1124 S. IH-35 78704), and Tuesday, November 28, 2017, at 5:30PM to be held at the Henry Flores Education Training Center (1201 W. Live Oak 78704) to receive public input for the revisions to the 2017 Annual Plan. The draft will be presented to the HACA Board of Commissioners for approval at the December 18, 2017 Board of Commissioners meeting. </p> <p> Copies of the Draft 2018 Annual Plan and updates to the 2015-2019 Five-Year Plan are available at all Public Housing sites, the HACA Central Office and on the HACA website, <a href="http://www.hacanet.org">www.hacanet.org</a>. All supporting documentation is available at the HACA Central Office or via the HACA website. </p> <p> <input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below) </p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th rowspan="2" style="width: 20%;">Participating PHAs</th><th rowspan="2" style="width: 10%;">PHA Code</th><th rowspan="2" style="width: 20%;">Program(s) in the Consortia</th><th rowspan="2" style="width: 20%;">Program(s) not in the Consortia</th><th colspan="2" style="width: 30%;">No. of Units in Each Program</th></tr> <tr> <th style="width: 15%;">PH</th><th style="width: 15%;">HCV</th></tr> </thead> <tbody> <tr> <td>Lead PHA:</td><td style="text-align: center;">N/A</td><td style="text-align: center;">N/A</td><td style="text-align: center;">N/A</td><td style="text-align: center;">N/A</td><td style="text-align: center;">N/A</td></tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:	N/A	N/A	N/A	N/A	N/A
Participating PHAs	PHA Code					Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program							
		PH	HCV												
Lead PHA:	N/A	N/A	N/A	N/A	N/A										

<b>B.</b>	<b>Annual Plan Elements</b>
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**B.1**

**Revision of PHA Plan Elements.**

(a) Have the following PHA Plan elements been revised by the PHA since its last **Annual PHA Plan** submission?

Y   N

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Statement of Housing Needs and Strategy for Addressing Housing Needs.

Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.

Financial Resources.

Rent Determination.

Homeownership Programs.

Safety and Crime Prevention.

Pet Policy.

Substantial Deviation.

Significant Amendment/Modification

**(b) The PHA must submit its Deconcentration Policy for Field Office Review.**

**(c) If the PHA answered yes for any element, describe the revisions for each element below:**

**Statement of Housing Needs and Strategy for Addressing Housing Needs**

The 2017 published income limits\* for the Austin-Round Rock-San Marcos Metro Area based on a family of four:  
Extremely Low (0-30% Area Median Income (AMI)): 24,400  
Very Low (>30%-50% AMI): 40,700  
Low Income (>50%-80% AMI): 65,100

\* The 2008-2012, 5-year American Community Survey (ACS) is the basis of FY 2015 Income Limits for all areas of geography, except for the U.S. Virgin Islands and the Pacific Islands. A Consumer Price Index forecast published by the Congressional Budget Office (CBO) is used to bring the data from mid-2012 to the mid-point of the fiscal year, April, 2015. The 2011-2015 American Community Survey 5-Year Estimates shows the estimated population of Austin at 887,061. The population over age 62 is estimated to be 90,085.

From the data provided by the City of Austin Consolidated Plan 2014-19, there are over 74,000 renters who have a rent burden over 30% or more of their income.

Priority Housing Needs/Housing Problems

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Housing Cost burden greater than 50% of income	27,590	8,565	1,945	110	38,210	4,730	3,700	2,990	1170	15,200
Housing cost burden greater than 30% of income	2,570	12,865	14,875	2,105	32,415	1,010	2,100	6,140	4,390	33,325
Zero/Negative Income	3,645	0	0	0	3,645	554	0	0	0	554

Draft 2018 PHA Plan TX001v001

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The Housing Authority of the City of Austin is only able to address a small percentage of the need of affordable housing through its Public Housing and Housing Choice Voucher programs for the extremely low to very low income families in Austin. Thus, the Housing Authority of the City of Austin continues to have a high demand to provide services through its programs to address safe, decent, affordable, and accessible units that are located throughout Austin. The demand for extremely low to low-income assisted housing through the Public Housing and Housing Choice Voucher programs is shown below. The greatest demands for HACA are one-bedroom and two-bedroom units.

### Housing Needs of Families on the Waiting List

Waiting list type: (select one)

☒ Section 8 tenant-based assistance (The Section 8 waitlist will open for only Public Housing Goodrich Residents from October 23-27, 2017)

☐ Public Housing

☐ Combined Section 8 and Public Housing

☒ Public Housing Site-Based or sub-jurisdictional waiting list (optional)

If used, identify which development/sub jurisdiction: HACA changed to site based waiting lists in 2016.

Note: The following properties have converted to the RAD PBRA Properties in 2016/17: Bouldin Oaks, Georgian Manor, North Loop, Northgate, Coronado Hills, Shadowbend, Manchaca Village.

Manchaca II, Gaston Place, Meadowbrook and Booker T Washington.

	# of families		% of total families		
Waiting list total	PH 28,592	HCV 1,210	PH	HCV	
Extremely low income <=30% AMI	25617	992	89.59	82.26	
Very low income (>30% but <=50% AMI)	2560	183	9.15	15.17	
Low income (>50% but <80% AMI)	363	30	1.26	2.49	
Families with children	7846	574	49.14	47.60	
Elderly families	409	27	2.5	2.24	
Disabled	4930	267	30.88	22.14	
Single	2488	338	15.58	28.03	
White	15272	411	53.99	34.08	
Asian	686	21	2.03	1.74	
Native Hawaiian/Other Pacific Island	65	5	.40	.41	
Black/African American	11813	751	40.83	62.27	
American Indian/Alaska Native	134	17	2.05	1.41	
Not Assigned	150	1	.03	.08	
Ethnicity-Hispanic or Latino	6083	289	38.10	23.96	
Ethnicity-Not Hispanic or Latino	9877	917	61.87	76.04	

### Public Housing Site Based Waiting List as of 10/02/17

Property	# of Units	Efficiency Waitlist	1 Bedroom Waitlist	2 Bedroom Waitlist	3 Bedroom Waitlist	4 Bedroom Waitlist	5 Bedroom Waitlist	Total for property waitlist
Bouldin Oaks	144	0	871	541	466	207	0	2085
Booker T Washington (Plus 6 scattered site homes)	216	5	1653	1065	724	356	60	3863
Chalmers Courts	158	0	869	388	267	172	0	1696
Coronado Hills	48	0	809	538	581	0	0	1928
Gaston Place	100	0	538	93	1	0	1	633
Georgian Manor	94	0	661	355	303	161	0	1480
Goodrich Place	40	0	547	340	237	113	0	1237
Lakeside	164	60	848	156	1	2	0	1067
Manchaca II	33	0	671	375	325	148	0	1519
Manchaca Village	33	0	742	492	364	154	53	1805
Meadowbrook	160	0	5	1038	644	321	34	2042
Northgate (Plus 14 scattered site homes)	50	0	704	478	374	136	46	1738
North Loop	130	0	796	149	0	0	0	945
Rosewood Courts	124	44	638	307	225	136	0	1350
Salina	32	38	400	5	0	0	0	443
Santa Rita Courts	97	0	715	351	250	110	27	1453
Shadowbend Ridge (Plus 2 scattered site homes)	50	0	663	459	378	140	38	1678
Thurmond Heights	144	0	637	466	347	180	0	1630
<b>TOTAL</b>	<b>1839</b>	<b>147</b>	<b>12767</b>	<b>7596</b>	<b>5487</b>	<b>2336</b>	<b>259</b>	<b>28592</b>

Applicants –Gross and Adjusted Incomes			Property	Applicants and Qualifying Income				
Property	Average Gross Income	Average Adjusted Income		Over Limit for Low Income	Qualifying for Low Income (80%AMI)	Qualifying for Very Low Income (50%AMI)	Qualifying for Extremely Low Income (30%AMI)	Handicapped or Disabled
Booker T Washington	8148.61	1601.13	Booker T Washington	6	53	321	3483	1099
Bouldin Oaks	8897.01	2790.06	Bouldin Oaks	3	28	201	1853	603
Chalmers Courts	8203.91	1623.65	Chalmers Courts	5	14	134	1543	534
Coronado Hills	9086.00	2547.88	Coronado Hills	2	37	185	1704	538
Gaston Place	9105.28	2198.24	Gaston Place	3	8	36	586	486
Georgian Manor	9030.85	2750.17	Georgian Manor	2	16	140	1322	421
Goodrich Place	8418.36	1954.28	Goodrich Place	2	12	105	1118	397
Lakeside	9072.39	2287.67	Lakeside	3	12	72	980	827
Manchaca II	9077.83	3000.44	Manchaca II	1	16	164	1338	423
Manchaca Village	9356.00	2946.52	Manchaca Village	4	33	187	1581	508
Meadowbrook	9642.08	1445.36	Meadowbrook	4	30	225	1783	269
Northgate (Plus 14 scattered site homes)	9016.94	2675.93	Northgate (Plus 14 scattered site homes)	1	27	168	1542	439
North Loop	9493.75	3182.75	North Loop	3	11	73	858	665
Rosewood Courts	7919.22	1451.58	Rosewood Courts	1	10	105	1234	436
Salina	8837.45	1852.78	Salina	3	2	25	413	346
Santa Rita Courts	8032.66	1758.94	Santa Rita Courts	2	10	108	1333	450
Shadowbend Ridge (Plus 2 scattered site homes)	9155.78	3201.66	Shadowbend Ridge	4	18	173	1483	459
Thurmond Heights	8888.17	2065.51	Thurmond Heights	3	26	138	1463	427
<b>Average for All Waitlists</b>	<b>\$8854.57</b>	<b>\$2296.36</b>	<b>Total Number of Applications</b>	<b>52</b>	<b>363</b>	<b>2560</b>	<b>25617</b>	<b>9327</b>

### CLOSING OF PROPERTY-SPECIFIC WAITING LISTS

Due to high demand for public and affordable housing in the Austin community, the Housing Authority of the City of Austin (HACA) has received a high volume of applications for placement on the public housing waiting list at HACA properties. At a number of these properties, the anticipated waiting time for a unit is expected to exceed 36 months.

Due to estimated wait times greater than 36 months, the following property-specific waiting lists were closed December 15, 2016.

- Bouldin Oaks – all bedroom sizes
- Coronado Hills – all bedroom sizes
- Georgian Manor – all bedroom sizes
- Goodrich Place – all bedroom sizes
- Northgate – all bedroom sizes
- Manchaca Village – all bedroom sizes
- Manchaca II – all bedroom sizes
- Shadowbend Ridge – all bedroom sizes



- Thurmond Heights – all bedroom sizes
- Booker T. Washington – five bedroom units only
- Meadowbrook – five bedroom units only
- Santa Rita Courts – all bedroom sizes
- Northloop (designated elderly/disabled) – all bedroom sizes
- Gaston Place (designated elderly/disabled) – all bedroom sizes
- Salina (designated elderly/disabled) – all bedroom sizes
- Chalmers Courts – all bedroom sizes
- Rosewood Courts – all bedroom sizes

New applications for these waiting lists will not be accepted while the lists are closed. The following property-specific waiting lists will remain open until further notice and applications will continue to be accepted for:

- Booker T Washington – one, two, three, and four bedroom sizes
- Meadowbrook – two, three and four bedroom sizes
- Lakeside (designated elderly/disabled) – efficiency, one and two bedroom sizes

## **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions**

### **Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]**

The PHA's admission policy must be designed to provide for deconcentration of poverty and income-mixing by bringing higher income new tenants into lower income projects and lower income new tenants into higher income projects. A statement of the PHA's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)].

The PHA's deconcentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)]. The income targeting requirement states that at least 40% of all new admissions each year must be extremely low-income families (as defined by HUD).

Developments subject to the deconcentration requirement are referred to as 'covered developments' and include general occupancy (family) Public Housing developments. The following developments are not subject to deconcentration and income mixing requirements: developments operated by a PHA with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by a PHA with only one general occupancy development; developments approved for demolition or for conversion to tenant-based public housing; and developments approved for a mixed-finance plan using HOPE VI or Public Housing funds [24 CFR 903.2(b)].

### ***Steps for Implementation [24 CFR 903.2(c)(1)]***

To implement the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, the PHA must comply with the following steps:

Step 1. The PHA must determine the average income of all families residing in all the PHA's covered developments. The PHA may use the median income, instead of average income, provided that the PHA includes a written explanation in its annual plan justifying the use of median income.

#### **HACA Policy**

HACA will determine the average income of all families in all covered developments on an annual basis.

Step 2. The PHA must determine the average income (or median income, if median income was used in Step 1) of all families residing in each covered development. In determining average income for each development, the PHA has the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.

#### **HACA Policy**

HACA will determine the average income of all families residing in each covered development (not adjusting for unit size) on an annual basis.

Step 3. The PHA must then determine whether each of its covered developments falls above, within, or below the established income range (EIR), which is from 85% to 115% of the average family income determined in Step 1. However, the upper limit must never be less than the income at which a family would be defined as an extremely low income family (30% of median income).

Step 4. The PHA with covered developments having average incomes outside the EIR must then determine whether or not these developments are consistent with its local goals and annual plan.

Step 5. Where the income profile for a covered development is not explained or justified in the annual plan submission, the PHA must include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

Depending on local circumstances the PHA's deconcentration policy may include, but is not limited to the following:

- Providing incentives to encourage families to accept units in developments where their income level is needed, including rent incentives, affirmative marketing plans or added amenities.
- Targeting investment and capital improvements toward developments with an average income below the EIR to encourage families with incomes above the EIR to accept units in those developments.
- Establishing a preference for admission of working families in developments below the EIR.
- Skipping a family on the waiting list to reach another family in an effort to further the goals of deconcentration.
- Providing other strategies permitted by statute and determined by the PHA in consultation with the residents and the community through the annual plan process to be responsive to local needs and PHA strategic objectives.

A family has the sole discretion whether to accept an offer of a unit made under the PHA's deconcentration policy. The PHA must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under the PHA's deconcentration policy [24 CFR 903.2(c)(4)].

If, at annual review, the average incomes at all general occupancy developments are within the EIR, the PHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

#### HACA Policy

For developments outside the EIR, HACA will take the following actions to provide for deconcentration of poverty and income mixing:

HACA will ensure for the deconcentration of poverty in public housing by admitting new higher income tenants into lower income developments and new lower income tenants into higher income developments. HACA is assisted in this by its new site-based waiting lists. When a development is outside the EIR, HACA will focus on admitting higher or lower income families to help the development get back within the EIR.

It is also the goal of HACA to make housing available to assisted housing tenants in higher income areas than are traditionally available. In furtherance of this goal, HACA will intensify its marketing efforts to promote the participation of housing choice voucher program landlords whose rental properties are in relatively higher income areas.

It is the policy of HACA to utilize mixed-income criteria in the selection of conventional public housing tenants. The purpose of utilizing mixed-income criteria is to provide for the deconcentration of poverty and income-mixing by bringing higher income tenants into lower income developments and lower income tenants into higher income developments. This policy shall not be construed to impose or require any specific income or racial quotas for any development or developments.

When a Public Housing unit becomes vacant in an extremely low to very low income development, such unit will be offered to the first eligible family on the waiting list with a verified income above 30% and lower than 80% of median income, regardless of the applicant's rank on the wait list. This incentive will only be granted to the extent that it does not exceed the income targeting limits. Due to the nature of public housing needs, currently the majority of applicants on the conventional public housing waiting list have extremely low incomes. Therefore, when a conventional public housing unit becomes vacant in any other area other than those mentioned above, the selection from the waiting list shall be by rank and an incentive is not

necessary.

It shall be within the sole discretion of the family being offered an incentive to determine whether to accept or refuse the incentive. If the family refuses the incentive offer, HACA will not take adverse action against the family. If the family refuses the incentive, the family will be placed back on the waiting list according to their original application date and time and local preference, if any. Additionally, the family will not be offered an incentive from the waiting list again; the family will therefore have to wait until their name reaches the top of the waiting list before they are offered a unit again. Accordingly, for purposes of this provision, it shall not be considered an adverse action if a family on the waiting list that has refused an incentive is skipped in order to reach another family to implement this policy.

#### ***Order of Selection [24 CFR 960.206(e)]***

The PHA system of preferences may select families either according to the date and time of application or by a random selection process.

#### **HACA Policy**

Families will be selected from the waiting list based on preference. Among applicants with the same preference, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by HACA.

When selecting applicants from the waiting list, HACA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. HACA will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and HACA policy.

#### **Policies that Govern Eligibility, Selection, and Admissions**

##### **[24 CFR §903.7(b)]**

HACA is responsible for ensuring that every individual and family admitted to the Public Housing and Housing Choice Voucher programs meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by HACA to confirm eligibility and determine the level of the family's assistance.

To be eligible for the Public Housing and Housing Choice Voucher programs the applicant family must:

- Qualify as a family as defined by HUD and HACA.
- Have income at or below HUD-specified income limits.
- Qualify on the basis of citizenship or the eligible immigrant status of family members.
- Provide social security number information for family members as required.
- Consent to HACA's collection and use of family information as provided for in HACA-provided consent forms.
- HACA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or HACA.

The policies regarding the Eligibility, Selection and Admissions to both the Public Housing and Housing Choice Voucher programs in their entirety can be found on the HACA webpage: [www.hacanet.org](http://www.hacanet.org).

**The following are changes to both the Admissions and Continued Occupancy Policy (pp 36-44) and Housing Choice Voucher Administrative Plan (pp 71-74) regarding criminal activity and denial of admission:**

### **3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION**

HUD permits, but does not require the PHA to deny admission for the reasons discussed in this section.

#### HACA Policy

##### **Preliminary Eligibility Criteria**

All applications will be screened for preliminary eligibility before they are added to the HACA public housing waiting list. If an applicant is found to be preliminarily ineligible, their application will not be added to the program's waiting list. The following criteria shall be used to determine preliminary ineligibility:

- HACA shall prohibit admission to the public housing program of an applicant for five years from the date of eviction or termination if a household or family member has been evicted or terminated from federally assisted housing for drug-related criminal activity.
- If the household or family vacated in lieu of eviction from a HACA property due to a household or family member engaging in drug-related criminal activity within 5 years from the date of application, HACA will prohibit the admission to the public housing program if the following criteria have been met:
  - HACA has documentation confirming the household or family member engaged in the drug-related criminal activity (e.g. criminal records, including but not limited to, probable cause affidavits, court records, police reports, criminal background report, and / or other official documents); and
  - HACA has documentation confirming that it started the eviction process with the family (e.g. issuance of a 30 day notice or termination lease letter, issuance of a 3 day notice to vacate letter, notice of intent to vacate in lieu of eviction signed by tenant, filing a forcible detainer lawsuit against the family and / or other records); and
  - The offender that is identified in the documentation is still listed as a member of the household or family on the new application.
- An applicant is deemed preliminarily ineligible and shall be rejected and not placed on the HACA waiting list if they were the head of household, spouse or cohead at the time of past residency at HACA and owes a move-out balance or debt to HACA which is not barred by a statute of limitations. There is a four-year statute of limitation, which ends the latter of:
  - Four years from the date the debt became delinquent, or
  - Four years from the date the final payment would have been due if a repayment agreement was signed by the former tenant.
- An applicant is deemed preliminarily ineligible and shall be rejected and not placed on the HACA waiting list if they were terminated or evicted for any reason other than drug-related activity from either program within a two-year period from date of new application. Abandonment of unit in the housing choice voucher program is considered a termination; abandonment of unit in the conventional public housing program is considered an eviction. This restriction applies only to the former head of household and/or spouse or co-head.
- If the family vacated in lieu of eviction from any HACA property for any reason other than drug-related criminal activity within the two years from the date of application, HACA will prohibit admission to the public housing program if the following criteria have been met:
  - HACA has documentation supporting the grounds for termination that would have led to the eviction of the household or family (e.g. criminal records including, but not limited to, probable cause affidavits, court records, police reports, criminal background reports, etc.; other records, including but not limited to Elite notes, photographs, resident ledgers, complaint records, HACA incident reports, prior tenant file documentation, etc; and / or other official documents); and
  - HACA has documentation confirming that it started the eviction process with the family (e.g. issuance of a 30 day notice of termination letter, issuance of a 3 day notice to vacate letter, notice of intent to vacate in lieu of eviction signed by tenant, filing a forcible detainer lawsuit against the family, and / or other records); and
  - The family member or members identified in that documentation are still listed as members of the family on the new application.
- An applicant is deemed preliminarily ineligible and shall be rejected if applying for the housing choice voucher program if they have been issued a voucher within one year from the date of



application, whether or not the voucher was utilized. Expiration of an unused voucher is not cause for preliminary ineligibility for the public housing program.

- An applicant is deemed preliminarily ineligible and shall be rejected and not placed on the HACA waiting list if currently housed in this same program and listed as the head of household or co-head of household.
- For the purpose of providing a housing opportunity to as many applicants as possible, 12 months should elapse before an applicant is preliminarily eligible to reapply for the same program they have just moved out of. This shall include voluntary move outs from the conventional public housing program.
- An applicant is deemed preliminarily ineligible and shall be rejected if applying for the same program for which they have already been denied admissions due to criminal history or derogatory rental history, unreported income or fraud within a 12-month period. The applicant will not be eligible to request an informal review of this rejection due to the fact that the applicant was offered an informal review when they were initially denied admissions for criminal history and/or derogatory rental history. Twelve months should elapse from the date of denial or date of the hearing decision whichever is later.
- An applicant is deemed preliminarily ineligible and shall be rejected if applying for the conventional public housing program and has rejected a public housing unit offer from HACA within the last 12 months from the date of the last housing offer.
- A family is deemed evicted if a lease termination/violation letter had been sent to the family alleging a breach of the lease based upon drug-related criminal activity, criminal activity, non-payment of rent or other breach and the family has voluntarily vacated, or if a judgment for eviction is rendered, or if the family vacated due to the oral threatened termination of the lease.
- HACA complies with all Fair Housing laws. Applicants have the right to request a Reasonable Accommodation. HACA will consider all Reasonable Accommodation requests under the Fair Housing Act and Section 504 of the American Disabilities Act. Information related to the Fair Housing Act, Section 504 and Requests for Reasonable Accommodation will be included in the denial letters.
- If the basis for the denial relates to family violence, the applicant may qualify for an exception under the VAWA Amendments. Information related to VAWA will be included in the denial letters.

#### **Criminal Activity [24 CFR 960.203 (c)]**

Under the Public Housing Assessment System (PHAS), PHAs that have adopted policies, implemented procedures and can document that they successfully screen out and deny admission to certain applicants with unfavorable criminal histories receive points.

The PHA is responsible for screening family behavior and suitability for tenancy. In doing so, the PHA may consider an applicant's history of criminal activity involving crimes of physical violence to persons or property and other criminal acts that would adversely affect the health, safety or welfare of other tenants.

#### HACA Policy

If any household member has engaged in or attempted any of the following criminal activities regardless of the date committed the family will be denied admission:

- capital murder
- murder/~~manslaughter~~
- kidnapping
- ~~child molestation~~
- rape or crimes of a sexual nature
- ~~incest~~
- ~~gross lewdness~~
- arson
- child molestation/indecency with a child
- first degree felony injury to a child, elderly individual or disabled individual
- crimes involving terrorism

- **crimes involving explosives**

If any household member is currently engaged in, or has engaged in any of the following criminal activities, ~~within the past four years~~ during the designated review period, the family will be denied admission:

- Within the past five years:
  - Manslaughter
  - Criminally Negligent Homicide
- Within the past four years:
  - Public lewdness
  - ~~(4)~~○ Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution or use of a drug or the possession of a drug with intent to manufacture, sell distribute or use the drug [24 CFR 5.100].
  - Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
  - ~~(2)~~○ Criminal activity that may threaten the health, safety or welfare of other tenants [24 CFR 960.203(c)(3)].
  - ~~(3)~~○ Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon.
  - ~~(4)~~○ Assault, aggravated assault, assault by threat, stalking.
  - ~~(5)~~○ Physical violence to persons or property, or criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
  - ~~(6)~~○ Criminal activity that may threaten the health or safety of HACA staff, contractors, subcontractors or agents.
  - ~~(7)~~○ Three or more incidences or convictions of alcohol-related criminal activity, including Driving under the Influence and Public Intoxication.
  - Burglary of a Habitation.
  - ~~(8)~~○ **Unlawful Restraint (misdemeanor)**

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years, the family will be denied admission:

- ~~(1)~~ ~~A pattern of abuse of alcohol, including, but not limited to, public intoxication and driving while intoxicated.~~
- ~~(2)~~ ~~(1) A pattern of fraud committed against a governmental entity.~~ **A pattern of misdemeanor possession of marijuana (two ounces or less).**
- ~~(3)~~ ~~(2) A pattern of theft or fraud.~~
- ~~(4)~~ ~~(3) A pattern of organized criminal activity.~~
- (4) A pattern of prostitution.**
- (5) A pattern of misdemeanor harassment.**
- (6) A pattern (for the purposes listed above) consists of three or more incidences, with a minimum of ~~one~~ two ~~incident~~ incidences occurring within the past three years.**

If an applicant has one offense of a Class C misdemeanor within the past four years, HACA will not deny the applicant. More than one Class C misdemeanor will be considered a pattern (for the purpose of determining eligibility) and the applicant may be subject to denial based on the nature of the offenses.

In making its decision to deny assistance, HACA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, HACA may, on a case-by-case basis, decide not to deny assistance. Evidence of such criminal activity includes, but is not limited to, any record of convictions, arrests or evictions for suspected drug-related or violent criminal activity of household members. A conviction for such activity will be given more weight than an arrest or an eviction.

HACA will not deny an application solely on the basis of an arrest. If HACA receives arrest information which may be for a disqualifying activity, HACA may request additional information. Additional information that may be considered, if available, include the following:

- The police report associated with the arrest which provides the reported circumstances of the arrest.
- Any statements made by witnesses or the applicant not included in the police report
- Whether criminal charges were filed
- Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal
- Any other evidence relevant to determining whether or not the applicant engaged in the disqualifying activity

Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property.

**Previous Behavior [960.203(c) and (d) and PH Occ GB, p. 48]**

HUD authorizes the PHA to deny admission based on relevant information pertaining to the family's previous behavior and suitability for tenancy.

In the event of the receipt of unfavorable information with respect to an applicant, the PHA must consider the time, nature and extent of the applicant's conduct (including the seriousness of the offense). As discussed in Section 3-III.F, the PHA may also need to consider whether the cause of the unfavorable information may be that the applicant is the victim of domestic violence, dating violence, sexual assault, or stalking.

**HACA Policy**

HACA will deny admission to an applicant family if HACA determines that the family:

- 1) Has been evicted for non-payment of rent at a federally subsidized housing program within the past two years.
- 2) Has a pattern of disturbance of neighbors, destruction of property or living or housekeeping habits at prior residences within the past two years which may adversely affect the health, safety or welfare of other tenants.
- 3) Has a pattern of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances). Abandonment of a unit in public housing is considered an eviction. This restriction only applies to the head of household and/or the cohead of household. If the head or cohead owes rent or other amounts to any other PHA or owner in connection with any federally subsidized housing program. Any amounts owed to HACA or other federally subsidized property will have to be repaid by the applicant before Admissions approval. HACA will not deny admissions if the head or cohead is moving from the HACA Public Housing program to the HACA Section 8 program (or vice versa) and is in compliance with their HACA repayment agreement. There is a four-year statute of limitations that ends the latter of:
  - a) Four years from the date the debt became delinquent, or
  - b) Four years from the date the final payment would have been due if a repayment agreement was signed by the former tenant.
- 4) Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent.
- 5) Has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program. This includes intentional misrepresentation of citizenship or immigration status **within the last four years.**
- 6) Refuses to sign and submit consent forms for obtaining information necessary to determine eligibility and continued eligibility for housing assistance.
- 7) Has engaged in or threatened violent or abusive behavior toward HACA personnel **within the last four years.**

Abusive or violent behavior towards HACA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

*Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

In making its decision to deny admission, HACA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, HACA may, on a case-by-case basis, decide not to deny admission.

HACA will consider the existence of mitigating factors, such as loss of employment or other financial

difficulties, before denying admission to an applicant based on the failure to meet prior financial obligations.

## SELECTION FOR PUBLIC HOUSING

### 4-III.B. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that HACA will use [24 CFR 960.206 & 24 CFR 982.202(d)].

#### **Local Preferences [24 CFR 960.206; ACOP p. 61-63]**

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits HACA to establish other local preferences, at its discretion. Any local preferences established must be consistent with HACA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

#### HACA Policy for the Public Housing Program

Eligible applicants shall be offered a dwelling unit based on the date and time of application, after taking into consideration the size of the unit and, if applicable, the appropriate local preference.

For purposes of establishing priority, applicants involuntarily displaced because of HACA action involving rehabilitation, demolition or other disposition of dwelling units will receive priority over all other local preference, and then other local preferences are weighted equally and each applicant family can be granted a maximum of one local preference at one time.

HACA will use the following local preferences on each of its public housing waiting lists:

(A) Involuntarily Displaced by HACA Action: Current HACA public housing families involuntarily displaced because of HACA action involving rehabilitation, demolition or other disposition of dwelling units will receive highest priority. This priority will apply to all public housing waiting lists and HACA's Housing Choice Voucher program waiting list.

(B) Elderly Preference: Families in which the head of household, spouse or co-head are age 62 or older are eligible for the Elderly preference.

(C) Disability Preference: Families in which the head of household, spouse or co-head meet HUD's definition of disability are eligible for the Disability preference.

The following mixed population developments will be reserved for elderly and/or disabled families:

- o Lakeside Apartments
- o Salina Apartments

(D) Involuntarily Displaced Preference: Families displaced as a result of natural disaster or government action are eligible for the Involuntarily Displaced preference. The following documentation will be used to verify displacement status:

- o Certification from a unit of government concerning displacement due to natural disaster; or
- o Certification from a unit of government concerning displacement due to code enforcement or public improvement/development or displacement by inaccessibility of a unit.

The displacement must have occurred within six months of requesting the involuntary displacement preference.

HACA is piloting an additional local preference in connection with the Jobs Plus program. As part of this pilot project, HACA will add an Upward Mobility preference for applicants on the waiting lists for Chalmers Courts and Booker T Washington Terraces. This preference will be weighted equally to the local preferences listed above.

- Upward Mobility Preference: Families in which the head of household, spouse, cohead or any other adult family member (does not include live-in aides or other nonfamily household members) who meet at least one



of the following eligibility criteria are eligible for the Upward Mobility preference.

- *Employed*: To meet this criteria, the family member must be working at least 20 hours per week.
- *GED Student*: To meet this criteria, the family member must be regularly attending a GED program that meets the standards of the Texas Education Agency or the equivalent in another state; and making progress toward earning their GED; or have completed a GED program within the last 12 months.
- *Higher Education Student*: To meet this criteria, the family member must be enrolled in an institution of higher education (as defined by HUD) and taking at least 6 credit hours; or have graduated from an institution of higher education within the last 12 months.
- *Job Training Participant*: To meet this criteria, the family member must be participating in a formal job training program designed to lead to a higher level of proficiency or to obtain employment; or have graduated from a job training program within the last 12 months.

The pilot project will last for the duration of the Jobs Plus grant program and will be evaluated for possible continuation at these properties and possible expansion to other HACA properties.

## **PART I: EMERGENCY TRANSFERS**

### **12-I.A. OVERVIEW**

HUD categorizes certain situations that require emergency transfers [PH Occ GB, p. 147]. The emergency transfer differs from a typical transfer in that it requires immediate action by the PHA.

In the case of a genuine emergency, it may be unlikely that the PHA will have the time or resources to immediately transfer a tenant. Due to the immediate need to vacate the unit, placing the tenant on a transfer waiting list would not be appropriate. Under such circumstances, if an appropriate unit is not immediately available, the PHA should find alternate accommodations for the tenant until the emergency passes, or a permanent solution, i.e., return to the unit or transfer to another unit, is possible.

### **12-I.B. EMERGENCY TRANSFERS**

If the dwelling unit is damaged to the extent that conditions are created which are hazardous to life, health, or safety of the occupants, the PHA must offer standard alternative accommodations, if available, where necessary repairs cannot be made within a reasonable time [24 CFR

966.4(h)].

HACA Policy

The following are considered an emergency circumstances warranting an immediate transfer of the tenant or family:

- ☐ Maintenance conditions in the resident's unit, building or at the site that pose an immediate, verifiable threat to the life, health or safety of the resident or family members that cannot be repaired or abated within 24 hours. Examples of such unit or building conditions would include: a gas leak, toxic contamination, serious water leaks, etc.
- ☐ A verified incident of domestic violence, dating violence, sexual assault, or stalking. For instances of domestic violence, dating violence, sexual assault, or stalking, the threat may be established through documentation outlined in section 17-VII.D of the Admissions and Continued Occupancy Policy.

HACA will immediately process requests for transfers due to domestic violence, dating violence, sexual assault, or stalking. HACA will allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available. If an internal transfer to a safe unit is not immediately available, HACA will assist the resident in seeking an external emergency transfer within HACA's PBRA and HCV programs.

HACA has adopted an emergency transfer plan, which is included as Exhibit 17-3 to the Admissions and Continued Occupancy Policy.

## **SELECTION FOR HCV ASSISTANCE**

### **4-III.A. OVERVIEW**

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families are selected from the waiting list depends on the selection method chosen by HACA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

HACA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to HACA's selection policies [24 CFR 982.204(b) and 982.207(e)].

#### **4-III.B. SELECTION AND HCV FUNDING SOURCES**

##### **Special Admissions [24 CFR 982.203]**

HUD may award funding for specifically named families living in specified types of units. In these cases, HACA may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list. These families are considered non-waiting list selections. HACA will maintain records showing that such families were admitted with special program funding. HACA will provide special admission to the following:

1. Current HACA public housing families involuntarily displaced because of HACA action involving rehabilitation, demolition or other disposition of dwelling units.
2. Families residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project.
3. Families residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term.

##### **Targeted Funding [24 CFR 982.204(e)]**

HUD may award HACA funding for a specified category of families on the waiting list. HACA must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, HACA may skip families that do not qualify within the targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

##### HACA Policy

HACA administers the following types of targeted funding:

Mainstream Vouchers for Persons with Disabilities

VASH – Veterans Affairs for Supportive Housing

Family Unification Program

Non-elderly Disabled

##### **Order of Selection – specified category vouchers**

When HACA resumes voucher issuance after a funding shortfall, HACA will first issue vouchers to specified category vouchers until HACA is assisting the required number of special purpose families.

##### **Regular HCV Funding**

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

#### **4-III.C. SELECTION METHOD**

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that HACA will use [24 CFR 960.206 & 24 CFR 982.202(d)].

##### **Local Preferences [CFR 982.207; HCV p. 4-16]**

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria.

HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits HACA to establish other local preferences, at its discretion. Any local preferences established must be consistent with HACA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

HACA Policy for the Housing Choice Voucher Program

Families can claim eligibility for any local preference any time from the date they applied verified once they have been drawn off the waiting list during the interview process. If HACA is unable to verify a preference claim, the family will be placed back on the waiting list without the preference.

HACA will open the waiting list or leave the waiting list open for certain preference groups as needed to meet the preference caps listed below.

1. Non-specified category vouchers will use the following local preferences for purposes of establishing priority. The local preferences are weighted differently, with the higher number representing a higher ranking. Each applicant family can be granted a maximum of one local preference plus the residency preference (if they qualify). Weights for each preference are as follows:

Elderly = 2  
Disabled = 2  
Involuntarily Displaced = 2  
Homeless = 3  
Families with Minor Children = 2  
Residency = 1  
RAD Choice Mobility = 3  
RAD Relocation = 4  
PH Special Accommodation = 3  
FUP Youth = 3  
HACA VAWA Emergency= 5

(A) **Elderly Preference:** HACA will give preference to elderly families. An elderly family is a family in which the head, spouse or co-head is age 62 or older.

(B) **Disabled Preference:** HACA will give preference to disabled families. A disabled family is a family in which the head, spouse or co-head is disabled using the current HUD definition of disability.

(C) **Involuntary Displacement Preference:** HACA will give preference to families displaced as a result of natural disaster or government action. The following documentation will be used to verify displacement status:

- Certification from a unit of government concerning displacement due to natural disaster; or
- Certification from a unit of government concerning displacement due to code enforcement or public improvement/development or displacement by inaccessibility of a unit.

The displacement must have occurred within six months of requesting the involuntary displacement preference. Also, HACA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.

(D) **Homeless Preference:** HACA will give preference to homeless applicants. Each fiscal year HACA will give a preference to no more than 100 applicants or 25% of all applicants drawn (whichever is less) meeting all of the following criteria:

- a) Meet the HUD definition of homeless. See definitions section at the end of the Administrative Plan.
- b) Are referred to HACA by a coalition of homeless service providers with whom HACA has executed a Memorandum of Understanding (MOU) outlining the provider's responsibilities with respect to the provision of housing search assistance and supportive services for the referred household.
- c) Have received a written commitment from the referring homeless service provider for housing search /

location assistance.

d) Have received a written commitment from the homeless service provider to offer support services on an as needed basis to help the household transition from homelessness to permanent housing; and

e) Have received a written commitment from the homeless service provider to offer supportive services to help the household maintain housing and comply with HCV rules.

While a referral from the coalition of homeless service providers is required for this preference, use of the offered supportive services is not a requirement. The choice of the applicant to refuse the offered services will not jeopardize any housing assistance for which they are eligible.

HACA will execute a Memorandum of Understanding with one entity representing a coalition of homeless service providers that will serve as the primary point of contact for communicating homeless referrals to HACA. HACA reserves the right to establish additional MOUs as necessary to ensure that homeless applicants have the opportunity to apply for housing assistance under this preference.

If it is determined that an applicant referred by a homeless service provider, as described above, does not meet the criteria described therein, the applicant will not receive the preference and:

if the applicant was only on the HCV waiting list because of the homeless referral, the applicant will be removed from the HCV waiting list

if the applicant was on the HCV waiting list through the regular application process, the applicant will return to their lottery position on the waiting list without the homeless preference.

If HACA denies an applicant's homeless preference claim, HACA will notify the applicant and referring service provider in writing, including the reason(s) for the preference denial. Applicants have the right to appeal the denial of eligibility for the homeless preference using the established process for informal hearings.

Persons transitioning out of the City of Austin's 1115 Waiver Permanent Supportive Housing Assertive Community Treatment Team program into permanent housing will be included as a priority group as part of this preference. This would require a referral from the current case manager as well as documentation that the family was homeless prior to entering into the current program. This documentation must be provided as part of the referral.

Individuals and families transitioning, or "moving up," from Permanent Supportive Housing (PSH) units will also be included as a priority group as part of this homeless preference. These are persons that were previously homeless prior to entry into a PSH program but who no longer require that level of supportive services. This would require a referral from the current case manager or PSH provider as well as documentation that the family was homeless prior to entering into the PSH unit. This documentation must be provided as part of the referral.

- (E) **Families with Minor Children Preference:** HACA will give preference to families with minor children. A minor child is a child under age 18 who meets HUD and HACA's definition of a family member (See Section 3.I.B for the definition of Family Members).

Minor children of a live in aide do not qualify the family for this preference.

Minor children that are foster children of an authorized adult member of the assisted family do not qualify the family for this preference.

- (F) **Residency Preference:** HACA will give preference to persons who reside in the following Texas Counties: Travis, Hays, Bastrop, Caldwell and Williamson counties. The residency status will be determined at the time of the eligibility interview. This preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, sexual orientation, religion, disability, or age of any member of an applicant family.

Applicants who are working or who have been notified that they are hired to work in a residency preference area will be treated as residents of the residency preference area with documented proof of employment in the residency preference area. Applicants who are graduates of, or active participants in, education and



training programs in a residency preference area are eligible for this preference if the education or training program is designed to prepare individuals for the job market.

- (G) **Rental Assistance Demonstration (RAD) Choice Mobility Preference:** As required by HUD and in accordance with all HUD RAD guidelines, if HACA participates in RAD, HACA will provide a Choice-Mobility option to residents of covered RAD projects in accordance with the following:

*Resident Eligibility.* Residents have a right to move with tenant based rental assistance (e.g. Housing Choice Voucher (HCV)) the later of: (a) 24 months from date of execution of the HAP or (b) 24 months after the move-in date.

*Voucher Inventory Turnover Cap.* Recognizing the limitation on the availability of turnover vouchers from year to year, HACA in any year, will only provide one-third of its turnover vouchers to the residents of covered projects. HACA will establish this voucher inventory turnover cap, and if implemented HACA will create and maintain a waiting list in the order in which the requests from eligible households are received.

*Project Turnover Cap.* Also recognizing the limited availability of turnover vouchers and the importance of managing turnover in the best interests of the property, in any year, HACA will limit the number of Choice-Mobility moves exercised by eligible households to 15 % of the assisted units in the project. HACA will establish this project turnover cap, and if implemented HACA will create and maintain a waiting list in the order in which the requests from eligible households are received.

- (H) **Rental Assistance Demonstration (RAD) Relocation Preference:** HACA may give preference to families that are currently housed in Public Housing properties that are undergoing significant renovation or redevelopment and would require long term (more than 6 months) relocation of residents. If HACA chooses to exercise this option for valid business purposes, HACA will have a special opening of the waiting list only for the identified properties. Families that select this option and apply during the open period will receive this preference.
- (I) **FUP Youth Preference:** HACA will give preference to FUP youth whose 18 month FUP voucher is expiring and they will lack adequate housing as a result of voucher expiration. To be eligible for this voucher, the FUP Youth must be referred by the Texas Department of Family Protective Services (TDFPS), Lifeworks or another social service agency. The referral must indicate that without continued voucher assistance, the FUP Youth will lack adequate housing. Receipt of this preference is not a guarantee of uninterrupted voucher assistance, as issuance of vouchers is dependent on funding availability.
- (J) **RAD Relocation Preference:** HACA may give preference to families currently housed in Public Housing properties that are undergoing significant renovation or redevelopment through RAD and would require long term (more than 6 months) relocation of residents. If HACA chooses to exercise this option for valid business purposes, HACA will have a special opening of the waiting list only for the identified properties. Families that select this option and apply during the open period will receive this preference.
- (K) **HACA VAWA Emergency Preference:** HACA will give preference to families living in a HACA owned Public Housing property or Project Based Rental Assistance (PBRA) property, who are victims of domestic violence, dating violence, sexual assault or stalking and meet the eligibility requirements outlined in HACA's VAWA Emergency Transfer Move Plan. Due to the potentially life-threatening nature of a VAWA emergency, this preference is the most heavily weighted preference.

## **Financial Resources**

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY 2018 grants)</b>		
a) Public Housing Operating Fund *excluding RAD Properties for 2017	\$3,557,448	
b) Public Housing Capital Fund	\$1,747,395	
c) HOPE VI Revitalization	-	
d) HOPE VI Demolition	-	
e) Annual Contributions for Section 8 Tenant- Based Assistance	\$49,965,003	
f) Resident Opportunity and Self-Sufficiency Grants	-	
g) Community Development Block Grant	-	
h) HOME	\$527,000	
Other Federal Grants (list below)		
<b>RAD Properties</b>	\$1,185,410	
<b>Continuum of Care Program</b>	\$704,371	
<b>Section 8 Mod-Rehab SRO</b>	\$312,000	
<b>Section 8 FSS Coordinator</b>	\$248,317	
<b>Jobs Plus</b>	\$450,000	
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>		
Public Housing Capital Fund	\$2,000,000	
Jobs Plus	\$1,600,000	
<b>3. Public Housing Dwelling Rental Income</b>	\$1,931,190	
<b>4. Other income (list below)</b>		
Interest	\$25,000	
Other Income	\$500,000	
<b>5. Non-federal sources (list below)</b>		
Component Unit	\$2,500,000	
<b>Total resources</b>	<b>\$67,253,134</b>	

## **Rent Determination**

### **INCOME AND RENT DETERMINATION**

A family's income determines eligibility for assistance and is also used to calculate the family's rent payment. The PHA will use the policies and methods described in this chapter to ensure that only eligible families receive assistance and that no family pays more or less than its obligation under the regulations.

The general regulatory definition of *annual income* shown below is from 24 CFR 5.609.

5.609 Annual income.

(a) Annual income means all amounts, monetary or not, which:

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- (3) Which are not specifically excluded in paragraph [5.609(c)].

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

In addition to this general definition, HUD regulations establish policies for treating specific types of income and assets.

#### **HOUSEHOLD COMPOSITION AND INCOME**

Income received by all family members must be counted unless specifically excluded by the regulations. It is the responsibility of the head of household to report changes in family composition. The rules on which sources of income are counted vary somewhat by family member. The chart below summarizes how family composition affects income determinations.

<b>Summary of Income Included and Excluded by Person</b>	
Live-in aides	Income from all sources is excluded [24 CFR 5.609(c)(5)].
Foster child or foster adult	Income from all sources is excluded [24 CFR 5.609(a)(1)].
Head, spouse or co head Other adult family members	All sources of income not specifically excluded by the regulations are included.
Children under 18 years of age	Employment income is excluded [24 CFR 5.609(c)(1)]. All other sources of income, except those specifically excluded by the regulations, are included.
Full-time students 18 years of age or older (not head, spouse or co head)	Employment income above \$480/year is excluded [24 CFR 5.609(c)(11)]. All other sources of income, except those specifically excluded by the regulations, are included.

#### **Temporarily Absent Family Members**

The income of family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit [HCV GB, p. 5-18].

#### **Anticipating Annual Income**

The PHA is required to count all income “anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date” [24 CFR 5.609(a)(2)].

The PHA generally will use current circumstances to determine anticipated income for the coming 12-month period. HUD authorizes the PHA to use other than current circumstances to anticipate income when:

- An imminent change in circumstances is expected [HCV GB, p. 5-17]
- It is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income) [24 CFR 5.609(d)]
- The PHA believes that past income is the best available indicator of expected future income [24 CFR 5.609(d)]

PHAs are required to use HUD’s Enterprise Income Verification (EIV) system in its entirety as a third party source to verify employment and income information, and to reduce administrative subsidy payment errors in accordance with HUD administrative guidance [24 CFR 5.233(a)(2)].

#### **PART I: ASSETS [24 CFR 5.609(b)(3), and 24 CFR 5.603(b) and 24 CFR 960.259]**

On January 22, 2013 HUD issued Notice PIH 2013-03 which granted administrative relief to PHAs by allowing applicant and resident self-certification of assets and the income from assets with a net value of less than \$5000. This administrative relief was temporary and renewed through 2015.

On March 8, 2016, HUD published the Streamlining Rule in the Federal Register. This rule made permanent changes to the way assets were verified, although with modifications to the process outlined in Notice PIH 2013-03.

The approved method to reduce administrative burden and streamline income recertification efforts states the following:

- ☐ Applicants must provide full third party verification (i.e. bank statements) at the time of determination of income eligibility.
- ☐ For a resident family with net assets equal to or less than \$5,000, a PHA may accept, for purposes of recertification of income, a family's declaration that it has net assets equal to or less than \$5,000, without taking additional steps to verify the accuracy of the declaration. The declaration must state the amount of income the family expects to receive from such assets; this amount must be included in the family's income. However, the PHA must obtain full third-party verification of assets every three years.

The following HACA forms, which are signed by all adult family members, will serve as documentation of the family's self-declaration of asset income, public housing continued occupancy forms, HCV program's Annual Recertification form and How to Report a Change form. If the family has net family assets equal to or less than \$5,000, HACA will not request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. If the family has net assets in excess of \$5,000, HACA will request supporting documentation (e.g. bank statements) from the family to confirm the assets.

Any assets reported by the family will be reported on the HUD Form 50058.

#### **EARNED INCOME DISALLOWANCE [24 CFR 960.255]**

The earned income disallowance (EID) encourages people to enter the work force by not including the full value of increases in earned income for a period of time.

#### **PERIODIC PAYMENTS**

##### **Streamlined Income Determination of Fixed Income Sources [24 CFR 960.257]**

On March 8, 2016 HUD published the Streamlining Rule in the Federal Register. According to this rule, for any family member with a fixed source of income, a PHA may elect to determine that family member's income by means of a streamlined income determination. A streamlined income determination must be conducted by applying, for each fixed-income source, the verified cost of living adjustment (COLA) or current rate of interest to the previously verified or adjusted income amount.

##### **HACA Policy**

HACA will apply this streamlined income determination for all fixed income sources in the following way:

- ☐ HACA will only use the streamlined income determination as part of a reexamination. HACA will require third-party verification of all income for applicants during the admissions process.
- ☐ A "family member with a fixed source of income" is defined as a family member whose income includes periodic payments at reasonably predictable levels from one or more of the following sources:
  - o Social Security, Supplemental Security Income, Supplemental Disability Insurance;
  - o Federal, state, local, or private pension plans;
  - o Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts; or
  - o Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.
- ☐ HACA will use a COLA or current rate of interest specific to the fixed source of income in order to adjust the income amount. HACA will verify the appropriate COLA or current rate of interest from a public source or through tenant-provided, third party-generated documentation. If no such verification is available, then HACA will obtain third-party verification of income amounts in order to calculate the change in income for the source.
- ☐ For any family member whose income is determined pursuant to a streamlined income determination, HACA will obtain third-party verification of all income amounts every 3 years.

#### **PAYMENTS IN LIEU OF EARNINGS**



Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay, are counted as income [24 CFR 5.609(b)(5)] if they are received either in the form of periodic payments or in the form of a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment. If they are received in a one-time lump sum (as a settlement, for instance), they are treated as lump-sum receipts [24 CFR 5.609(c)(3)].

#### **WELFARE ASSISTANCE**

Welfare assistance is counted in annual income. Welfare assistance includes Temporary Assistance for Needy Families (TANF) and any payments to individuals or families based on need that are made under programs funded separately or jointly by federal, state or local governments [24 CFR 5.603(b)].

#### **PERIODIC AND DETERMINABLE ALLOWANCES [24 CFR 5.609(b)(7)]**

Annual income includes periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing with a tenant family.

#### **Regular Contributions or Gifts**

The PHA must count as income regular monetary and nonmonetary contributions or gifts from persons not residing with a tenant family [24 CFR 5.609(b)(7)]. Temporary, nonrecurring or sporadic income and gifts are not counted [24 CFR 5.609(c)(9)].

#### **ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME**

Other exclusions contained in 24 CFR 5.609(c) that have not been discussed earlier in this section include the following:

- Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member [24 CFR 5.609(c)(4)]
- The full amount of student financial assistance paid directly to the student or to the educational institution [24 CFR 5.609(c)(6)].

#### HACA Policy

Regular financial support from parents or guardians to students for food, clothing, personal items and entertainment is not considered student financial assistance and is included in annual income.

- Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred and which are made solely to allow participation in a specific program [24 CFR 5.609(c)(8)(iii)]
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS) [(24 CFR 5.609(c)(8)(ii)]
- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era [24 CFR 5.609(c)(10)]
- Adoption assistance payments in excess of \$480 per adopted child [24 CFR 5.609(c)(12)]
- Refunds or rebates on property taxes paid on the dwelling unit [24 CFR 5.609(c)(15)]
- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)]
- Amounts specifically excluded by any other federal statute [24 CFR 5.609(c)(17), FR Notice 05/20/14]. HUD publishes an updated list of these exclusions periodically. It includes:
  - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b))
  - (b) Payments to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
  - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))
  - (d) Income derived from certain sub marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e)
  - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home

- Energy Assistance Program (42 U.S.C. 8624(f))
- (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b)) (Effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931).)
  - (g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04) (j) Payments, funds, or distributions authorized, established, or directed by the Seneca Nations Settlement Act of 1990 (25 U.S.C. 1774f((b))
  - (h) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408)
  - (i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under the federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu) For Housing Choice Voucher (Section 8) programs, the exception found in §237 of Public Law 109-249 applies and requires that the amount of financial assistance in excess of tuition and mandatory fees shall be considered income in accordance with the provisions codified at 24 CFR 5.609(b)(9), except for those persons with disabilities as defined by 42 U.S.C. 1437a(b)(3)(E) (Pub. L. 109-249) (See Section 6-1.L. for exceptions.)
  - (j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
  - (k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent-product liability litigation*, M.D.L. No. 381 (E.D.N.Y.)
  - (l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721)
  - (m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q)
  - (n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j))
  - (o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433)
  - (p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
  - (q) Payments received under 38 U.S.C. 1833(c) to children of Vietnam veterans born with spinal bifida, children of women Vietnam veterans born with certain birth defects, and children of certain Korean service veterans born with spinal bifida.
  - (r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602)
  - (s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931)
  - (t) Any amount received under the Richard B. Russell School Lunch Act (42 U.S.C.1760(e)) and the Child Nutrition Act of 1966 (42 U.S.C. 1780(b)), including reduced-price lunches and food under the Special Supplemental Food Program for Women, Infants, and Children (WIC)
  - (u) Any amount in an "individual development account" as provided by the Assets for Independence Act, as amended in 2002
  - (v) Payments from any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts as provided by an amendment to the definition of annual income in the U.S. Housing Act of 1937 (42 U.S.C. 1437A) by section 2608 of the Housing and Economic Recovery Act of 2008 (Pub. L. 110-289)
  - (w) Compensation received by or on behalf of a veteran for service-connected disability, death, dependency, or indemnity compensation as provided by an amendment by the Indian Veterans Housing Opportunity Act of 2010 (Pub. L. 111-269; 25 U.S.C. 4103(9)) to the definition of income applicable to programs authorized under NAHASDA and administered by the Office of Native American Programs
  - (x) A lump sum or a periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in the case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, 816 F. Supp. 2d 10 (Oct. 5, 2011 D.D.C.), as provided in the Claims Resolution Act of 2010 (Pub. L. 111-291)
  - (y) Major disaster and emergency assistance received by individuals and families under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Pub. L. 93-288, as amended) comparable disaster assistance

- provided by States, local governments, and disaster assistance organizations shall not be considered as income or a resource when determining eligibility for or benefit levels under federally funded income assistance or resource-tested benefit programs (42 U.S.C. 5155(d)).
- (z) Payments made from the proceeds of Indian tribal trust cases as described in Notice PIH 2013-30. “Exclusion from Income of Payments under Recent Tribal Trust Settlements” (25 U.S.C. 117b(a))

## **PART II: ADJUSTED INCOME**

HUD regulations require PHAs to deduct from annual income any of five mandatory deductions for which a family qualifies. The resulting amount is the family’s adjusted income. Mandatory deductions are found in 24 CFR 5.611.

5.611(a) Mandatory deductions. In determining adjusted income, the responsible entity (PHA) must deduct the following amounts from annual income:

- (1) \$480 for each dependent;
- (2) \$400 for any elderly family or disabled family;
- (3) The sum of the following, to the extent the sum exceeds three percent of annual income:
  - (i) Unreimbursed medical expenses of any elderly family or disabled family;
  - (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and
- (4) Any reasonable childcare expenses necessary to enable a member of the family to be employed or to further his or her education.

## **PERMISSIVE DEDUCTIONS [24 CFR 5.611(b)(1)]**

Permissive deductions are additional, optional deductions that may be applied to annual income. As with mandatory deductions, permissive deductions must be based on need or family circumstance and deductions must be designed to encourage self-sufficiency or other economic purpose. If the PHA offers permissive deductions, they must be granted to all families that qualify for them and should complement existing income exclusions and deductions [PH Occ GB, p. 128].

The *Form HUD-50058 Instruction Booklet* states that the maximum allowable amount for total permissive deductions is less than \$90,000 per year.

### HACA Policy

HACA will deduct child support payments up to \$480 annually, per child, made by any member of the family for the support and maintenance of any child who does not reside in the household. In order to verify payment, such payments must be tendered through an appropriate, governing child support collection entity. Payments must be verifiable by HACA.

## **PART III: CALCULATING RENT**

The first step in calculating income-based rent is to determine each family’s total tenant payment (TTP). Then, if the family is occupying a unit that has tenant-paid utilities, the utility allowance is subtracted from the TTP. The result of this calculation, if a positive number, is the tenant rent. If the TTP is less than the utility allowance, the result of this calculation is a negative number, and is called the utility reimbursement, which may be paid to the family or directly to the utility company by the PHA.

### **TTP Formula [24 CFR 5.628]**

HUD regulations specify the formula for calculating the total tenant payment (TTP) for a tenant family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30% of the family’s monthly adjusted income (adjusted income is defined in Part II).
- 10% of the family’s monthly gross income (annual income, as defined in Part I, divided by 12).
- The welfare rent (in as-paid states only).

- A minimum rent between \$0 and \$50 that is established by the PHA.

The PHA has authority to suspend and exempt families from minimum rent when a financial hardship exists.

**Welfare Rent [24 CFR 5.628]**

HACA Policy

Welfare rent does not apply in this locality.

**Minimum Rent [24 CFR 5.630]**

HACA Policy

The minimum rent for this locality is \$25.

**Optional Changes to Income-Based Rents [24 CFR 960.253(c)(2) and PH Occ GB, pp. 131-134]**

PHAs have been given very broad flexibility to establish their own, unique rent calculation systems as long as the rent produced is not higher than that calculated using the TTP and mandatory deductions. At the discretion of the PHA, rent policies may structure a system that uses combinations of permissive deductions, escrow accounts, income-based rents and the required flat and minimum rents.

The PHA's minimum rent and rent choice policies still apply to affected families. Utility allowances are applied to PHA designed income-based rents in the same manner as they are applied to the regulatory income-based rents.

The choices are limited only by the requirement that the method used not produce a TTP or tenant rent greater than the TTP or tenant rent produced under the regulatory formula.

HACA Policy

HACA chooses not to adopt optional changes to income-based rents.

**Ceiling Rents [24 CFR 960.253 (c)(2) and (d)]**

Ceiling rents are used to cap income-based rents. They are part of the income-based formula. If the calculated TTP exceeds the ceiling rent for the unit, the ceiling rent is used to calculate tenant rent (ceiling rent/TTP minus utility allowance). Increases in income do not affect the family since the rent is capped. The use of ceiling rents fosters upward mobility and income mixing.

Because of the mandatory use of flat rents, the primary function of ceiling rents now is to assist families who cannot switch back to flat rent between annual reexaminations and would otherwise be paying an income-based tenant rent that is higher than the flat rent.

Ceiling rents must be set to the level required for flat rents (which will require the addition of the utility allowance to the flat rent for properties with tenant-paid utilities) [PH Occ GB, p. 135].

HACA Policy

HACA has implemented ceiling rents, which are set at a level equivalent to the flat rent schedule, plus utility allowance, if applicable.

**Utility Reimbursement [24 CFR 960.253(c)(3)]**

Utility reimbursement occurs when any applicable utility allowance for tenant-paid utilities exceeds the TTP. HUD permits the PHA to pay the reimbursement to the family or directly to the utility provider.

HACA Policy

HACA will make utility reimbursements to the family.

**PRORATED RENT FOR MIXED FAMILIES [24 CFR 5.520]**

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. The PHA must prorate the assistance provided to a mixed family. The PHA will first determine TTP as if all family members were eligible and then prorate



- the rent based upon the number of family members that actually are eligible. To do this, the PHA must:
- (1) Subtract the TTP from the PHA-established flat rent applicable to the unit. The result is the maximum subsidy for which the family could qualify if all members were eligible (family maximum subsidy).
  - (2) Divide the family maximum subsidy by the number of persons in the family to determine the maximum subsidy per each family member who is eligible (member maximum subsidy).
  - (3) Multiply the member maximum subsidy by the number of eligible family members.
  - (4) Subtract the subsidy calculated in the last step from the PHA-established flat rent applicable to the unit. This is the prorated TTP.
  - (5) Subtract the utility allowance for the unit from the prorated TTP. This is the prorated rent for the mixed family.

#### HACA Policy

Revised Public Housing flat rents will be applied to a family's rent calculation at the first interim or annual reexamination after the revision is adopted. In instances where a mixed family's TTP is higher than the current flat rent amount for the family's bedroom size, HACA will apply the higher TTP for purposes of determining family rent.

### **FLAT RENTS AND FAMILY CHOICE IN RENTS [24 CFR 960.253]**

#### **Flat Rents [24 CFR 960.253(b)] (Reference to 6-III.E. in the HACA ACOP)**

The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

There is no utility allowance or reimbursement with flat rents. When the family elects to pay the flat rent, the flat rent amount quoted to the family by the PHA is the amount the family pays. Changes in family income, expenses or composition will not affect the flat rent amount because it is outside the income-based formula.

Public housing flat rents are needed also used to prorate assistance for a mixed family. A mixed family is one whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigrations status [24 CFR 5.504].

#### **Family Choice in Rents [24 CFR 960.253(a) and (e)]**

Once each year, the PHA must offer families the choice between a flat rent and an income-based rent. The family may not be offered this choice more than once a year. The PHA must document that flat rents were offered to families under the methods used to determine flat rents for the PHA.

#### HACA Policy

The annual HACA offer to a family of the choice between flat and income-based rent will be conducted upon admission and upon each subsequent annual reexamination.

HACA will require families to submit their choice of flat or income-based rent in writing and will maintain such requests in the tenant file as part of the admission or annual reexamination process.

The PHA must provide sufficient information for families to make an informed choice. This information must include the PHA's policy on switching from flat rent to income-based rent due to financial hardship and the dollar amount of the rent under each option. However, if the family chose the flat rent for the previous year the PHA is required to provide an income-based rent amount only in the year that a reexamination of income is conducted or if the family specifically requests it and submits updated income information.

#### **Switching from Flat Rent to Income-Based Rent Due to Hardship [24 CFR 960.253(f)]**

A family can opt to switch from flat rent to income-based rent at any time if they are unable to pay the flat rent due to financial hardship. If the PHA determines that a financial hardship exists, the PHA must immediately allow the family to switch from flat rent to the income-based rent

#### HACA Policy

Upon determination by HACA that a financial hardship exists, HACA will allow a family to switch from flat rent to income-based rent effective the first of the month following the family's request.

Reasons for financial hardship include:

- The family has experienced a decrease in income because of changed circumstances, including loss or

reduction of employment, death in the family or reduction in or loss of earnings or other assistance.

- The family has experienced an increase in expenses, because of changed circumstances, for medical costs, child care, transportation, education or similar items.
- Such other situations determined by the PHA to be appropriate.

#### HACA Policy

HACA considers payment of flat rent to be a financial hardship whenever the switch to income-based rent would be lower than the flat rent [PH Occ GB, p. 137].

**Establishing Flat Rents** [24 CFR 960.253(b), United States Housing Act of 1937 (42 U.S. Code § 1437a(a)(2)(B)(i), Notice PIH 2014-12 and Notice PIH 2015-13]

Flat rents for public housing units are based on the market rent charged for comparable units in the private unassisted rental market. The flat rent should be equal to the estimated rent for which the PHA could promptly lease the public housing unit after preparation for occupancy. As required by Section 210 of the 2014 Appropriations Act and further amended by the 2015 Appropriations Act, PHAs must ensure that the flat rent is no less than the lower of 80 percent of:

1. the applicable Fair Market Rents established under Section 8(c) of the United States Housing Act of 1937; or
2. at the discretion of the Secretary, such other applicable fair market rental established by the Secretary that the Secretary determines more accurately reflects local market conditions and is based on an applicable market area that is geographically smaller than the applicable market area used for purposes of the applicable fair market rental under Section 8(c) of the United States Housing Act of 1937.

Notice PIH 2015-13 further identifies that the Small Area Fair Market Rentals (SAFMR) established by HUD satisfies the criteria identified as the second option. Whether the PHA chooses the FMR or the SAFMR, the flat rent is subject to utility adjustments. PHAs are now required to apply a utility allowance to flat rents. Flat rents at 80 percent of the FMR or SAFMR must be reduced by the amount of the unit's utility allowance, if any. Should the 80 percent threshold increase a family's existing rental payment by more than 35 percent, the new flat rent must be phased in to ensure existing rental payments do not increase by more than 35 percent annually.

#### **Review of Flat Rents**

The PHA must ensure that flat rents continue to mirror market rent values as well as comply with the provisions laid out in the 2014 Appropriations Act and PIH Notice 2014-12. No later than 90 days after HUD publishes new annual FMRs, PHAs must revise flat rents as necessary based on the rent reasonableness analysis and changes to the FMR. The PHA must offer changes to the flat rent to all new admissions and to existing families at the next annual rent option.

If the FMR falls from year to year, the PHA may, but is not required to, lower the flat rent to 80 percent of the current FMR.

#### HACA Policy

HACA will review flat rents on an annual basis, and adjust them as necessary to ensure that flat rents continue to mirror market rent values, are no less than 80% of the current applicable Fair Market Rents (FMR) or Small Area Fair Market Rents (SAFMR) and will not cause a family's existing rental payment to increase more than 35%. If the FMR or SAFMR is lower than the previous year, HACA may reduce flat rents to at least 80 percent of the current FMR or SAFMR.

PHAs that determine that reasonable rents would be less than 60 percent of the applicable FMR may choose to request an exception flat rent. In order to demonstrate the need for an exception flat rent, PHAs are required to submit a market analysis methodology that demonstrates the value for the unit. While HUD does not prescribe a particular formula for determining the market analysis, PHAs must compare the public housing unit in the area using the following factors:

- Location, quality, size, unit type, age of the unit, and
- Amenities, housing services, maintenance, and utilities the PHA will provide under the lease.

#### HACA Policy

If HACA determines that reasonable rents would be less than 60 percent of the applicable FMR, the HACA will request an exception flat rent and conduct the market survey.

#### **Flat Rents and Earned Income Disallowance [A&O FAQs]**

Because the EID is a function of income-based rents, a family paying flat rent cannot qualify for the EID even if a family member experiences an event that would qualify the family for the EID. If the family later chooses to pay income-based rent, they would only qualify for the EID if a new qualifying event occurred. A family currently paying flat rent that previously qualified for the EID while paying income based rent and is currently within their 24 month period would have the 12 months of full (100 percent) and phase-in (50 percent) exclusion continue while paying flat rent as long

as the employment that is the subject of the exclusion continues, and the 24-month lifetime limit would continue uninterrupted. A family paying flat rent could therefore see a family member's 48 24-month lifetime limit expire while the family is paying flat rent.

#### **Flat Rents and Mixed Families [A&O FAQs]**

Mixed families electing to pay flat rent must first have a flat rent worksheet completed to see if the flat rent must be prorated. The worksheet is located in Appendix III of the *Form HUD-50058 Instruction Booklet*.

#### **Posting of Flat Rents**

##### HACA Policy

HACA will publicly post the schedule of flat rents in a conspicuous manner in the applicable HACA community's bulletin board as well as at HACA's Central Office.

#### **Documentation of Flat Rents [24 CFR 960 Interim Rule]**

The PHA is not required to maintain documentation regarding the PHA's methods of determining a unit's flat rent, as the process setting flat rents is now less reliant upon discretionary actions by the PHA, except in the case of exception requests, which require documentation provided by PHAs.

#### **CHANGES AFFECTING INCOME OR EXPENSES**

Interim reexaminations can be scheduled either because HACA has reason to believe that changes in income or expenses may have occurred, or because the family reports a change.

#### **Emergency Transfer**

#### **Criteria of Substantial Deviation and Significant Amendments**

U.S. Department of Housing and Urban Development (HUD) statute, Public and Indian Housing (PIH) Notice 99-51, requires that public housing authorities explain "substantial deviations" from the 5-Year Plan in their Annual Plans. The statute also provides that, while public housing authorities may change or modify their plans or policies described in them, any "significant amendment or modification" to the plan would require public housing authorities to submit a revised PHA Plan that has met full public process requirements. The Housing Authority of the City of Austin defines the following circumstances will constitute as a significant amendment/modification to this agency's PHA plan:

\*Changes made to the admissions policies, organization of the waiting list and/or tenant rent payments;

\*Addition of non-emergency work items (items not included in the current Annual Statement or 5-Year Action Plan) or changes in use of replacement reserve funds under the Capital Fund in the amount of 20% or more of the annual grant;

\*Any changes with regard to demolition or disposition, designation, homeownership programs or conversion activities.

A substantial deviation may be defined as a loss and/or inadequate funding for a program, reallocation of funding to sustain programs and/or a change in regulatory requirements governing a program, thus requiring the PHA to amend

	<p>its agency plan.</p> <p>As part of the Rental Assistance Demonstration (RAD), HACA is redefining the definition of a substantial deviation from the PHA Plan to exclude the following RAD-specific items per PIH Notice 2012-32, Rev-2:</p> <ul style="list-style-type: none"> <li>a. The decision to convert to either Project Based Rental Assistance or Project Based Voucher Assistance;</li> <li>b. Changes to the Capital Fund Budget produced as a result of each approved RAD Conversion, regardless of whether the proposed conversion will include use of additional Capital Funds;</li> <li>c. Changes to the construction and rehabilitation plan for each approved RAD conversion; and</li> <li>d. Changes to the financing structure for each approved RAD conversion.</li> </ul>																											
	<p><b>New Activities.</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <table border="0"> <tr> <td>Y</td> <td>N</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Hope VI or Choice Neighborhoods.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Mixed Finance Modernization or Development. (See Conversion of Public Housing under RAD)</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Demolition and/or Disposition.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Conversion of Public Housing to Tenant Based Assistance.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Conversion of Public Housing to Project-Based Assistance under RAD.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Project Based Vouchers.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Units with Approved Vacancies for Modernization.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</td> </tr> </table> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p> <p><b><u>Demolition and/or Disposition</u></b></p> <p>HACA currently operates 22 scattered site homes as part of our public housing inventory. <b>Through the submitted "Many to One" application to the U.S. Department of Housing and Urban Development, the subsidy associated with these homes will be transferred to the anticipated redevelopment of Chalmers Courts.</b> In Fiscal Year 2017-2018, HACA will consider the disposition of these homes at Fair Market Value and use the net proceeds of sales for gap funding to finance extensive renovations as HACA continues its RAD transition, or alternatively, an application for the disposition of these scattered site homes under Section 32 of HUD's Homeownership Program. Should HACA proceed with the latter option, HACA will request HUD approval to transfer these homes into Equity Community Land Trust (CLT) to be placed in HACA's Homeownership Program. Regardless of which option HACA pursues, each scattered site tenant will have the First Right of Refusal to purchase their unit. Those tenants not interested or not able to purchase their unit may be offered a tenant protection voucher to move to suitable alternate housing.</p> <p>HACA has submitted a disposition/retention application to the HUD Special Application Center for the disposition of Lot 2 of the Meadowbrook Courts Development. This lot is comprised of 1.156 acres and contains non-dwelling building(s) that house a childcare facility independently operated and maintained by Mainspring School, a nonprofit preschool. Approval of disposition will separate Lot 2 from the Meadowbrook Courts property, thereby creating two distinct parcels. HACA would continue to have retention of title, through the conveyance of this property to Austin Affordable Housing Corporation, a nonprofit subsidiary of HACA. Through this disposition request, HACA ensures the use of the non-dwelling building(s) will continue to serve and support low-income families through a long-term, forty year restricted use agreement to provide childcare and preschool services to the most economically disadvantaged children including HACA families. No displacement to the families residing at Meadowbrook and no disruption to the current business activities of the Mainspring School will occur as a result of this disposition.</p>	Y	N		<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hope VI or Choice Neighborhoods.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mixed Finance Modernization or Development. (See Conversion of Public Housing under RAD)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Demolition and/or Disposition.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conversion of Public Housing to Tenant Based Assistance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Conversion of Public Housing to Project-Based Assistance under RAD.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project Based Vouchers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Units with Approved Vacancies for Modernization.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).
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## **Conversion of Public Housing under Rental Assistance Demonstration (RAD) Program**

HACA is firmly committed to improving the quality of life for its residents and providing deeply affordable housing to extremely low to moderately low income individuals and families. Through the Rental Assistance Demonstration (RAD) program, HACA will continue to own its properties and provide its residents with expanded choices and opportunities. HACA will also have the ability to evaluate and immediately address many needed capital improvements and provide additional amenities currently not offered in its public housing portfolio. HACA will continue to serve the same population, provide workforce development, health & wellness, and educational programs/assistance, as well as access new funding sources for property and amenity improvements. The RAD program offers HACA an opportunity to transition from its current public housing funding platform to a more stable, predictable and sustainable funding source, the Project Based Rental Assistance (PBRA) program, administered by HUD. The same families who are eligible today for public housing will be eligible for the PBRA program.

Through the conversion to RAD, HACA currently has 781 units of traditional public housing and 1,058 units of Project Based Rental Assistance units. For the past 16 years, HACA has achieved a High Performer designation in the operations of our public housing program. Due to ongoing federal budget cuts and the implications of those cuts for public housing authorities across the country, HACA submitted applications/ reservations in December of 2013 for the entire public housing portfolio to be entered onto the Rental Assistance Demonstration program waiting list. The RAD program provides the authority to convert various housing programs to long-term project-based Section 8 rental assistance and serve as a tool in addressing the large capital needs of public housing by providing HACA with access to private sources of capital to repair and preserve its affordable housing assets. More specifically, this program may allow HACA the ability to address needed capital improvements and offer additional amenities, including safety improvements, air conditioning, electrical and plumbing system upgrades, interior and exterior renovations, site enhancements, and grounds and landscaping for greater accessibility for families, persons with disabilities and others with special needs. -

In April 2015, HACA received nine (9) Commitments to enter into a Housing Assistance Payments Contract (CHAPs) for the properties listed below under RAD Phase I. Additionally, HACA completed the required RAD Physical Condition Assessments (RPCAs) for each property to determine the amount of capital improvements needed. To continue with the RAD conversion process, HACA submitted Financing Plans to the U.S. Department of Housing and Urban Development (HUD) to include state tax credit applications/modernization plans for eight properties. HACA removed Gaston Place from RAD Phase I conversions. HACA received RAD Conversion Commitments (RCC) for these properties and they closed November 2016. HACA submitted the Financing Plan for Gaston Place in December 2016 and closed the transaction in July 2017.

Completed Improvements for RAD Converted Properties Phase I (Bouldin Oaks, Manchaca II, Coronado Hills): Playground Canopy/Lighting, Garbage Disposals, Microwave Range Hoods, and Laundry Room (Bouldin Oaks only-construction nearly completed).

Current Construction Improvements for RAD Converted Properties Phase I for HACA Pathways , LLC (Georgian Manor, Manchaca Village, North Loop, Northgate and Shadowbend): Parking Lots, Playground, Picnic area with Grills, Upgrades to Community Room, New Kitchen and Appliances, New Bathrooms, New Floors, New Paint, New Ceiling Fans/Lights, New Water Heaters, and New Washer/Dryers.

It is for all of these reasons that RAD is more than just another HUD program. HACA refers to the RAD program as “PIC” – Protections, Improvements and Choice, because that more accurately reflects the impact of this program on the lives of HACA residents.

Through RAD, HACA residents receive “Protections”:

- Affordable rent based on their ability to pay (30% of their adjusted household income)
- A fair and effective lease (Using the HUD Model Lease)
- HUD and HACA’s commitment to provide safe, decent and affordable housing in Austin for 40 years by

- signing a 20 year Housing Assistance Payment (HAP) contract with automatic 20 year renewal
- A Resident Protection Team (established by HACA) to assist residents through the entire process of conversion, rehabilitation, temporary relocation and return to their improved unit.

HACA residents will see significant “Improvements” to the properties and their quality of life through:

- Improved living spaces (new appliances, new flooring, new kitchens, new bathrooms)
- Improved properties (playground covers, security cameras, improved lighting, new landscaping)
- Improved education, employment, health and wellness opportunities through quality and impactful resident services

HACA residents have new “Choices” which will give them more control of their lives, including:

- Choice over where to live through site-based waiting lists
- Opportunities to receive a Housing Choice Voucher through Choice Mobility and open their housing options to properties throughout the city and nation.
- A voice in what improvements are being brought to each property

The Resident Protection Team (RPT) was formed by HACA to provide personalized support and addresses resident concern and issues throughout the relocation process. RPT partners -- including Communities in Schools, Boys and Girls Club, Austin Independent School District, Meals on Wheels, Austin Energy, Google Fiber, the U.S. Postal Service, and Austin Energy-- work together to ensure residents are engaged and feel empowered as HACA moves forward with modernization of its properties. HACA has a webpage to inform residents of all RAD activities: <https://www.hacanet.org/residents/rad/>.

As part of rehab or redevelopment of RAD converted properties, some HACA residents are required to temporarily relocate. HACA contracted with LACAL Consulting, Inc to prepare relocation plans for each property, and has contracted with Overland, Pacific and Cutler (OPC) to implement these plans. These plans are in conformance with the applicable provisions of the Uniform Relocation Act (46 U.S.C. § 4600 et seq.), its implementing regulations (49 C.F.R. Part 24), the TDHCA Relocation Handbook, the HUD Handbook 1378 (Guidelines), and the RAD relocation requirements identified in HUD Notice PIH 2017-17.

On May 19, 2016, the HACA Board of Commissioners approved, by resolution, the submission of the Phase II Public Housing applications to the Rental Assistance Demonstration (RAD) Program. This board action allowed HACA to submit applications to the U.S. Department of Housing and Urban Development (HUD) to convert the remaining nine Public Housing properties under the Rental Assistance Demonstration Program: Chalmers Courts (TX1), Rosewood Courts (TX2), Santa Rita Courts (TX3), Meadowbrook Apartments (TX4), Booker T. Washington Terraces (TX5), Lakeside (TX7), Salina Apartments (TX8), Thurmond Heights (TX11), Goodrich (TX13) and Scattered Sites. These applications for the Phase II properties were submitted on July 15, 2016. HACA received the award of the Commitments to enter into a Housing Assistance Payments Contract (CHAPs) for these properties on October 17, 2016.

Planning for these conversions began upon receipt of the CHAPs. HACA submitted Financing Plans for Booker T Washington and Meadowbrook in April and closed both transactions in October 2017. The final seven properties will convert in several phases. As many of these properties will need extensive rehab, HACA will use different financing mechanisms, e.g. Low Income Housing Tax Credits/Bonds with Low Income Housing Tax Credits/FHA Financing, to provide full modernization. Some properties may require relocation of the residents for an extended period of time to complete all the modernization required. HACA is committed to have a “one for one replacement” and will assess the potential to provide additional affordable housing units at sites where feasible.

The Housing Authority of the City of Austin (“HACA”) hereby declares that Chalmers Courts, Santa Rita Courts, Rosewood Courts, Meadowbrook Courts, Booker T. Washington Terraces, Lakeside Apartments, Salina Apartments, Gaston Place Apartments, Thurmond Heights Apartments, Georgian Manor Apartments, Goodrich Apartments, North Loop Apartments, Northgate Apartments, Manchaca Village Apartments, Manchaca II Apartments, Coronado Hills Apartments, Shadowbend Ridge Apartments and Scattered Sites, which will be converting from the Public Housing program to a RAD PBRA contract, complies with the Site Selection requirements set forth at Appendix III of PIH Notice 2012-23 Revision 1, the Fair Housing Act, Title VI of the Civil Rights Act of 1964 including implementing regulations at 24 CFR §1.4(b)(3), Section 504 of the Rehabilitation Act of 1973 including the implementing

regulations at 24 CFR §8.4(b)(5), and the American with Disabilities Act.

**Public Housing Developments Converted to RAD**

Property/ PIC ID	Type of Units Pre-RAD and Post-RAD *no change	Change in # Units	# of Units	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom	CONVERSION DATE, effective HAP contract	CONSTRUCTION COMPLETION DATE
Gaston Place **/ TX001000009	Elderly / Disabled*	None	100	96	4	-	-	-	8/1/17	
Bouldin Oaks / TX001000010	Family*	None	144	54	58	22	10	-	12/1/16	
Georgian Manor / TX001000012	Family*	None	94	38	38	14	4		12/1/16	
North Loop / TX001000015	Elderly / Disabled*	None	130	125	5	-	-	-	12/1/16	
Northgate / TX001000016	Family*	None	50	20	18	8	3	1	12/1/16	
Coronado Hills / TX001000016	Family*	None	48	12	32	4	-	-	12/1/16	9/15/17
Shadowbend / TX001000017	Family*	None	50	18	20	9	2	1	12/1/16	8/24/17
Manchaca Village /TX001000017	Family*	None	33	12	12	6	2	1	12/1/16	8/24/17
Manchaca II / TX001000017	Family*	None	33	12	13	7	1	-	12/1/16	7/30/17
Booker T Washington/ TX001000005	Family*	None	216	15	60	108	35	4	11/1/17	
Meadowbrook/ TX001000004	Family*	None	160	0	100	37	20	3	11/1/17	
<b>TOTAL</b>			682	387	200	70	22	3		

**Public Housing Developments Converting to RAD**

Property/ PIC ID	Type of Units Pre-RAD and Post- RAD	Change in # Units *	# of Units	Efficiency Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom	Transfer of Assistance / De Minimis Reduction / Unit Configura- tion	Capital Fund Allocation **
Chalmers Courts / TX001000001	Family	None*	158	0	82	48	18	10	0	*	0
Rosewood Courts / TX001000002	Family	None*	126	8	48	50	14	6	0	*	\$75,000*
Salina/ TX001000008	Elderly / Disabled	None*	32	16	16	0	0	0	0	*	*shared
Santa Rita Courts / TX001000003	Family	None*	97	0	15	36	34	10	2	*	
Lakeside / TX001000007	Elderly / Disabled	None*	164	48	92	23	1	0	0	*	\$175,000
Thurmond Heights /TX001000011	Family	None*	144	0	54	58	22	10	0	*	\$375,000
Goodrich / TX001000013	Family	None*	40	0	16	15	4	5	0	*	0
Scattered Site Homes / TX001000017/13	Family	None*	2	0	0	0	2	0	0	*	
Scattered Site Homes /	Family	None*	22	0	0	3	11	0	0		\$100,000
<b>TOTAL</b>			785	72	323	233	106	41	2		\$725,000

\*Change in #Units: For the seven remaining properties to be converted under RAD, HACA does anticipate there will be some displacement of residents and a possible change in the types or number of units during or after the RAD conversion process. This may include new additional units to each property as feasible and or a transfer of units to other properties existing in current HACA Public Housing properties or Austin Affordable Housing Corporation's portfolio, a subsidiary of HACA.

\*\* Capital Fund Allocation: HACA owes \$5,729,922.10 as the remaining balance of the existing Energy Performance Contract loan.

**Conversion Process:**

HACA will receive \$725,000 in Capital Fund Program grant for the remaining Public Housing properties converting in RAD Phase II. With the RAD conversions, HACA has established a Reserve for Replacement account, which is held by the lender. This account funds ongoing capital replacement and repair items to ensure the long term preservation of HACA's properties. In addition to a substantial initial deposit, each property contributes an additional \$350 per unit per year.

***RAD Program Elements Affecting Resident Rights and Participation , Waiting List and Grievance Procedures for PBRA (Note: these requirements have been adopted)***

Under RAD, HACA residents will continue to receive many of the same protections as they currently do under the HACA Public Housing program. These protections include, but are not limited to: 1.) no re-screening of current residents; 2.) same selection criteria and income limits used; 3.) families have the right to return and receive relocation assistance if displaced due to rehabilitation or construction; 4.) resident councils will continue to advocate for residents; 5.) families may stay in an under-occupied unit until an appropriate size unit becomes available; 6.) rents are still calculated based on 30% of income 7.) grievance and termination policies would remain the same; 8.) current participants of the Family Self-Sufficiency program will continue to be eligible; 9.) current residents who are receiving the Earned Income Disregard (EID) exclusion will continue to receive the exclusion; and 10.) current residents can continue to have pets. Other protections will also apply.

**Project Based Rental Assistance Requirements**

(Section 1.7 of PIH Notice 2012-32, REV-2 and the Joint Housing PIH Notice H-2014-09/PIH -2014-17)

**Tenant Protections Under Joint PIH Notice H-2014-09/ PIH 2014-17**

**1. Right to Return and Relocation**

Any resident that may need to temporarily be relocated to facilitate rehabilitation or construction has the right to return to an assisted unit at the Covered Project once rehabilitation or construction is completed. Permanent involuntary displacement of residents may not occur as a result of a project's conversion of assistance, including, but not limited to, as a result of a change in bedroom distribution, a de minimis reduction of units, the reconfiguration of efficiency apartments, or the repurposing of dwelling units in order to facilitate social service delivery. Where the transfer of assistance to a new site is warranted and approved, residents of the Converting Project will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete.

**Tenant Protections Under Section 1.7.B (PBRA)**

**1. No re-screening of tenants upon conversion**

Pursuant to RAD Statute, at conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion.

**2. Under-Occupied Unit**

If at the time of conversion, an eligible family assisted under the HAP contract is occupying a unit that is larger than appropriate because of the family's composition, the family will be permitted to continue to occupy the unit until such a time as an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the under-occupied unit must move to the appropriate-sized within a reasonable period of time. In order to allow the family to remain in the under-occupied unit until an appropriate sized unit becomes available in the Covered Project, HUD is waiving the portion of 24 CFR § 880.605 that assumes the unit has become under-occupied as the result of a change in family size.

**3. Phase-in of tenant rent increased**

If resident's monthly rent increases by the greater of 10 percent or \$25.00 purely as a result of conversion, the rent increase will be phased in over 3 years, which a PHA may extend to 5 years. To implement this provision, HUD is specifying alternative requirements for section 3(a)(1) of the Consolidated and Further Continuing Appropriations Act of 2012 (the Act), as well as 24 CFR § 880.201 (definition of "total tenant payment"), to allow for the phase-in of tenant rent increases. A PHA must set the length of the phase-in period to be three years, five years or a combination depending on circumstances. HACA has set the length of the phase in period to three years.

**4. FSS and Ross-SC programs**

Public Housing residents that are currently Family Self-Sufficiency (FSS) participants will continue to be eligible for FSS once their housing is converted under RAD. All Project Owners will be required to administer the FSS program in accordance with the requirements of 24 CFR 984, the participants' contracts of participation, and future guidance published by HUD. Project Owners will be allowed to use any funds already granted FSS coordinator salaries until such funds are expended. All Project Owners will be required to provide both service coordinators and payments to the escrow until the end of the Contract Participation for each resident. Upon



conversion, already escrowed funds for FSS Participants shall be transferred into the PBRA escrow account and be considered PBRA funds, thus reverting to PBRA if forfeited by the FSS participant. Through waiver in PIH Notice 2012-32 (HA), REV-2, FSS funds awarded in FY14 and prior FSS funds may be used to continue to serve FSS participants living in the units converted under RAD to PBRA. Pursuant to FY 2015 Appropriations Act any FSS funds awarded in FY 2015 (and forward if the provision is extended), may be used to also serve any other PBRA resident, affected by RAD or not.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future ROSS-SC grants nor will its residents be eligible to be served by future ROSS-SC, as ROSS-SC, by statute, can serve only public housing residents.

#### **5. Resident Participation and Funding**

Residents of Covered Projects with assistance converted to PBRA will have the right to establish and operate a resident organization in accordance with 24CFR Part 245 (Tenant participation in Multifamily Housing Projects). In addition, residents will be eligible for resident participation funding.

#### **6. Termination Notification**

Pursuant to RAD Statute, HUD is incorporating additional termination notification requirements to comply with Section 6 of the Act for public housing projects converting assistance under RAD, that supplement notification requirements in regulations at 24 CFR § 880.607 and the Multifamily HUD Model Lease.

a. Termination of Tenancy and Assistance

The termination procedure for RAD conversions to PBRA will additionally require that Project Owners provide adequate written notice of termination of the lease which shall not be less than:

- i. A reasonable period of time, but not to exceed 30 days:
  - o If the health or safety of other tenants, Project Owner employees, or persons residing in the immediate vicinity of the premises is threatened; or
  - o In the event of any drug-related or violent criminal activity or any felony conviction; or
- ii. 14 days in the case of nonpayment of rent.

b. Termination of Assistance

In all other cases, the requirement at 24 CFR § 880.603, the Multifamily HUD Model Lease, and any other HUD multifamily administrative guidance shall apply.

#### **7. Grievance Process**

Due to the requirements in the RAD statute, HUD is incorporating resident procedural rights to comply with the requirements of Section 6 of the Act. In addition to program rules that require that tenants are given notice of covered actions under 24 CFR Part 245 (including increases in rent, conversions of a project from project paid-utilities to tenant-paid utilities, or a reduction in tenant paid utility allowances), HUD requires that:

- a. Residents be provided with notice of the specific grounds of the Project Owner's proposed adverse action, as well as their right to an informal hearing with the Project Owner;
- b. Residents have the opportunity for an informal hearing with an impartial member of the Project Owner's staff within a reasonable period of time;
- c. Residents have the opportunity to be represented by another person of their choice, to ask questions of witnesses, have others make statements at the hearing, and to examine any regulations and any evidence relied upon by the Project Owner as the basis for the adverse action. With reasonable notice to the Project Owner, prior to the hearing and at the resident's own cost, residents may copy any documents or records related to the proposed adverse action; and
- d. Project Owners provide the resident with a written decision within a reasonable period of time stating the grounds for the adverse action and the evidence the Project Owner relied on as the basis for the adverse action.

The Project Owner will be bound by decisions from these hearings, except if the:

- a. Hearing concerns a matter that exceeds the authority of the impartial party conducting the hearing.
- b. Decision is contrary to HUD regulations or requirements, or otherwise contrary to federal, State, or local law.

If the Project Owner determines that it is not bound by a hearing decision, the Project Owner must promptly notify the resident of this determination, and of the reasons for the determination.

**8. Earned Income Disregard**

Tenants who are employed and are currently receiving the EID exclusion at the time of the conversion will continue to receive the EID exclusion after conversion, in accordance with the regulations at 24 CFR § 960.255. After conversion, no other tenants will be eligible to receive the EID. If a tenant receiving the EID exclusion undergoes a break in employment, ceases to use the EID exclusion, or the EID exclusion expires in accordance with 24 CFR § 960.255, the tenant will no longer receive the EID exclusion and the Owner will no longer be subject to the provisions of 24 CFR § 960.255. Furthermore, tenants whose EID ceases or expires after conversion shall not be subject to the rent phase-in provision, as described in Section 1.7.B3; instead, the rent will automatically be adjusted to the appropriate rent level based upon tenant income at that time.

**9. Jobs Plus** (HACA was awarded a Jobs Plus Grant in 2016 with an ending date of 2020.)

Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target project(s) under RAD will be able to finish out their Jobs Plus grant at that site unless significant relocation and/or change in the building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at HUD's discretion, choose to end the Jobs Plus program at the project. If the program is continued, the Project Owner must agree to continue to implement the program according to HUD's program requirements.

**10. When Total Tenant Payment Exceeds Gross Rent**

Under the PBRA program, assisted families are responsible for paying 30% of adjusted gross income towards rent and utilities, referred to as Total Tenant Payment (TTP). Under normal PBRA rules, a Project Owner must process a termination of assistance pursuant to section 8-5C of Housing Handbook 4530.3, REV-1 when the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e. Gross Rent). In addition, section 8-6A.1 provides that, when terminating a tenant's assistance, the owner is to increase the tenant rent to the contract rent (assuming that the tenant does not receive the benefits of any other type of subsidy).

For residents in place at the time of conversion to PBRA, as well as for new admissions, however, when TTP exceeds the contract rent plus any utility allowance, the Project Owner must refrain from processing a termination of assistance and must charge a tenant rent that is 30% of the household adjusted income, less the utility allowance in the contract. To this end, HUD is waiving sections 8-5 C and 8-6 A.1 of Housing Handbook 4350.3, REV-1. In such cases, the tenant will still be considered a Section 8 tenant and will still have the rights and be subject to the requirements of Section 8 tenants: Tenants will retain all the rights under the Model Lease, including the right to occupy the unit, as well as those provided through this Notice, and tenants will still be subject to the Section 8 tenants, including the requirements concerning reexamination of family income and composition found in 24 CFR § 5.657 and 880.603(c). Owners are not required use the Enterprise Income Verification (EIV) system for such families. Assistance may be subsequently may be reinstated if the Tenant becomes eligible for assistance. In the event that the tenant moves out, the Project Owner must select an applicant from the waiting list who meets the applicable income limits for the project.

The Project Owner is not required to process these individuals through Multifamily Housing's Tenant Rental Assistance Certification System (TRACS). All normal actions for the contract rent shall continue for these units, including application of the Operating Cost Adjustment Factor (OCAF) adjustment to the contract rent indicated in the HAP contract-since the OCAF adjusted rent will still be in effect whenever the unit is occupied by a family eligible for rental assistance.

### Tenant Protections Under Section 1.7.C (PBRA)

**1. Establishment of Waiting List**

The Project Owner can utilize a project-specific or community waiting list. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:

- i. Transferring an existing site-based waiting list to a new site-based waiting list. If the PHA is transferring the assistance to another neighborhood, the PHA must notify applicants on the wait-list of transfer of assistance, and on how they can apply for residency at the new project site or other sites. Applicants on a project-specific waiting list for a project where the assistance is being transferred shall have priority on the newly formed waiting list for the new project site in accordance with the date and time of their application to the original project's waiting list.
- ii. Informing applicants on the site-based waiting list on how to apply for a community-wide waiting list.
- iii. Informing applicants on a public housing community-wide list on how to apply for a new

community-wide or site-based waiting list. If using a site-based waiting list, PHAs shall establish a waiting list in accordance to 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure the applicants on the PHA's public housing community-wide waiting list have been offered placement on the converted project's initial waiting list. In both cases, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing community-wide waiting list, given the number of applicants, PHA resources, and admission requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing, advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Applicants on the agency's public housing community-wide waiting list who wish to be placed on the newly established site-based waiting list must be placed in accordance with the date and time of their original application to the centralized public housing waiting list. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and the obligation to provide meaningful access for persons with limited English proficiency (LEP).

A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations.

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 880.603 regarding selection and admission of assisted tenants. However, after the initial waiting list has been established, the PHA shall administer its waiting list for the converted project in accordance with 24 CFR § 880.603.

## **2. Choice Mobility**

HUD seeks to provide all residents of Covered Projects with viable Choice-Mobility options. PHAs that are applying to convert the assistance of a project to PBRA are required to provide a Choice-Mobility option to residents of Covered Projects in accordance with the following:

- i. **Resident Eligibility.** Residents have a right to move with tenant-based rental assistance (e.g., Housing Choice Voucher (HCV) the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-in date.
- ii. **Voucher Inventory Turnover Cap.** Recognizing the limitation on the availability of turnover vouchers from year to year, a voucher agency would not be required, in any year, to provide more than one-third of its turnover vouchers to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received.
- iii. **Project Turnover Cap.** Also recognizing the limited availability of turnover vouchers and the importance of managing turnover in the best interests of the property, in any year, a PHA may limit the number of Choice-Mobility moves exercised by eligible households to 15% of the assisted units in the project. While a voucher agency is not required to establish a project turnover cap, if such a cap is implemented the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received.

HUD's goal is to have all residents in the Demonstration offered a Choice-Mobility option within a reasonable time after conversion. However, as HUD recognizes that not all PHAs will have vouchers sufficient to support this effort, HUD will take the following actions:

- Provide voucher agencies that make such a commitment bonus points provided under the Section Eight Management Assessment Program (SEMAP) for deconcentration.
- Grant a good-cause exemption from the Choice-Mobility Requirement for no more than 10% of units in the Demonstration. HUD will consider requests for good-cause exemptions only from the following types of PHAs:
  - Public housing-only agencies, defined as agencies that own units under a public housing ACC, but do not administer, directly or through an affiliate, a Housing Choice Voucher program; or
  - Combined agencies that currently have more than one-third of their turnover vouchers set-aside for veterans, as defined for the purpose of HUD-VASH, or homeless

populations, as defined by 24 CFR § 91.5. To be eligible for this exemption, the PHA's admission policies must have been formally approved by the PHA's board prior to time of application. See Attachment -Choice Mobility Policy

Separate from the RAD required Choice Mobility, HACA may also give a preference on the Housing Choice Voucher Program waiting list to residents at RAD properties undergoing significant renovation or redevelopment that would require long term (more than 6 months) relocation of residents. If HACA chooses to exercise this option for valid business purposes, HACA will have a special opening of the waiting list only for the identified properties. Families that select this option and apply during the open period will receive this preference.

### **Project-Based Vouchers**

The project-based voucher (PBV) program allows PHAs that already administer a tenant-based voucher program under an annual contributions contract (ACC) with HUD to take up to 20 percent of its voucher program budget authority and attach the funding to specific units rather than using it for tenant-based assistance [24 CFR 983.6]. PHAs may only operate a PBV program if doing so is consistent with the PHA's Annual Plan, and the goal of deconcentrating poverty and expanding housing and economic opportunities [42 U.S.C. 1437f(o)(13)].

#### **OWNER PROPOSAL SELECTION PROCEDURES [24 CFR 983.51(b)]**

The PHA must select PBV proposals in accordance with the selection procedures in the PHA Housing Choice Voucher Administrative Plan. The PHA must select PBV proposals by either of the following two methods.

PHA request for PBV Proposals. The PHA may solicit proposals by using a request for proposals to select proposals on a competitive basis in response to the PHA request. The PHA may not limit proposals to a single site or impose restrictions that explicitly or practically preclude owner submission of proposals for PBV housing on different sites.

The PHA may select proposal that were previously selected based on a competition. This may include selection of a proposal for housing assisted under a federal, state, or local government housing assistance program that was subject to a competition in accordance with the requirements of the applicable program, community development program, or supportive services program that requires competitive selection of proposals (e.g., HOME, and units for which competitively awarded LIHTCs have been provided), where the proposal has been selected in accordance with such program's competitive selection requirements within three years of the PBV proposal selection date, and the earlier competitive selection proposal did not involve any consideration that the project would receive PBV assistance. The PHA need not conduct another competition.

#### **Units Selected Non-Competitively [FR Notice 1/18/17]**

For certain public housing projects where the PHA has an ownership interest or control and will spend a minimum amount per unit on rehabilitation or construction, the PHA may select a project without following one of the two processes above.

- This exception applies to projects in which the PHA is engaged in an initiative to improve, develop, or replace a public housing property or site.
- *Ownership interest* means that the PHA or its officers, employees, or agents are in an entity that holds any direct or indirect interest in the building, including, but not limited to an interest as: titleholder; lessee; stockholder; member, or general or limited partner; or a member of a limited liability corporation.
- Further, the PHA must be planning rehabilitation or construction on the project with a minimum of \$25,000 per unit in hard costs.
- The PHA must include in the administrative plan what work it plans to do on the property or site and how many PBV units will be added to the site.

#### **PHA Policy**

HACA may attach PBVs to projects owned by HACA to improve, develop or replace its public housing



property through the Rental Assistance Demonstration (RAD) conversions. Before taking such an action, HACA would amend this Administrative Plan, including seeking public comment and offer specific information of what work it plans to do on HACA property or site and how many PBV units will be added to the site.

### **CAP ON NUMBER OF PBV UNITS IN EACH PROJECT**

#### **25 Percent per Project Cap [24 CFR 983.56]**

In general, the PHA may not select a proposal to provide PBV assistance for units in a project or enter into an agreement to enter into a HAP or a HAP contract to provide PBV assistance for units in a project, if the total number of dwelling units in the project that will receive PBV assistance during the term of the PBV HAP contract is more than the greater of 25 units or 25 percent of the number of dwelling units (assisted or unassisted) in the project.

#### **Exceptions to 25 Percent per Project Cap [FR Notice 1/18/17]**

Exceptions are allowed and PBV units are not counted against the 25 percent or 25-unit per project cap if:

- The units are exclusively for elderly families
- The units are for households eligible for supportive services available to all families receiving PBV assistance in the project
- The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates

The Housing Opportunity Through Modernization Act of 2016 (HOTMA) eliminated the project cap exemption for projects that serve disabled families and modified the exception for supportive services. Projects where these caps were implemented prior to HOTMA may continue to use the former exemptions and may renew their HAP contracts under the old requirements, unless the PHA and owner agree to change the conditions of the HAP contract. However, this change may not be made if it would jeopardize an assisted family's eligibility for continued assistance in the project.

HACA may operate a project-based voucher program that utilizes up to 200 tenant based vouchers. By project-basing some vouchers, HACA can offer greater choice to program participants. Project-based vouchers provide opportunities for greater resident services designed to help low-income individuals improve their quality of life through education, workforce development, and improved health and wellness.

HACA may decide to project-base vouchers above the 200 voucher limit (but no more than 20 percent of its voucher program budget authority), if HUD publishes a notice making available PBV for HUD-VASH vouchers or for other PBV special purpose vouchers or for a project that would provide affordable housing for low-income or homeless veterans.

For the entire policy on project-based vouchers, please refer to the Section 8 Administrative Plan, Chapter 17, located on the HACA website: [www.hacanet.org](http://www.hacanet.org).

### **Units with Approved Vacancies for Modernization**

As of April 10, 2017, HACA currently has 32 units off-line for the modernization of Thurmond Heights (TX11). Scope of work includes, but is not limited to, improved floor plans for better functionality of units, with adjusted kitchen cabinet layouts, relocating washer/dryer connections, adding cabinets, ceramic tile floors, new/upgraded trim and case work, utilizing tank-less water heaters, for improved efficiencies, all new insulation, replacing & upgrading elec. wiring systems for higher capacity, exterior siding replacements and full exterior re painting, and other modernization facets. Units are also being retrofit with new, central HVAC systems that include high efficiency air conditioning.

### **Emergency Safety and Security Grants**

	<p>Awarded June 23, 2016, HACA received \$248,569 through the 2016 Capital Fund Emergency Safety and Security Program to provide increased security measures at its Thurmond Heights property. This year's grant will provided much needed security fencing to deter trespassing, loitering and drug activity at the Thurmond Heights property, increase cameras focused on the management office and community room that have suffered multiple break-ins, and provide additional lighting to include higher and brighter lights across the property. This work will be completed by the end of October 2017.</p>
<b>B.3</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.</p> <p><b>5-Year Plan Goals and Objectives.</b></p> <p><b>We are committed to Affordable Housing:</b> We will revitalize our public housing assets, seek additional rental assistance vouchers, and advance innovative affordable housing solutions.</p> <ul style="list-style-type: none"> <li>• <b>Obtain additional rental assistance vouchers</b></li> <li>• <b>Revitalize HACA's 19 public housing sites</b></li> <li>• <b>Increase the number of affordable housing units</b></li> <li>• <b>Improve collaboration with community and national partners</b></li> <li>• <b>Increase the number of HACA residents who reach homeownership</b></li> </ul> <p>HACA currently administers 464 VASH (Veterans Affairs Supportive Housing) vouchers.</p> <p>HACA has completed PHASE II of an Energy Performance Contract for nine public housing developments totaling nearly 1,000 units. This work included the installation of new centralized heating, ventilation and air conditioning (HVAC) systems, Energy Star windows, upgraded electrical panels, new bathroom vents and insulation.</p> <p>Austin Affordable Housing Corporation, a nonprofit subsidiary of HACA, currently provides over 3,100 additional affordable housing units in Austin, helping to meet our community's need for additional affordable housing opportunity. AAHC has in its construction pipeline another 1,317 units to be completed by the end of 2018.</p> <p>HACA has partnered with Google Fiber, Austin Free Net, Rackspace, Austin Community College and many other community partners and funders to launch Unlocking the Connection, a first of its kind digital inclusion program that offers free Internet access, computer training and computers to all HACA public housing residents. This nationally recognized program served as the model for the White House initiative, ConnectHome, which aims to connect 275,000 low-income households and nearly 200,000 children. Since the first-of-its-kind digital literacy model began, about 80% of the residents in three HACA properties have signed up for free gigabit Google Fiber internet service.</p> <p><b>Unlocking the Connection Phase I</b> - Computers are earned by residents who complete at least 80 percent of digital literacy classes – from 32 to 60 hours of instruction. The innovative feature of HACA's program is each individual who earns a device is trained on how to use the device and received Internet access. About 30 Section 8 households have earned refurbished computers. HACA's Austin Pathways provided digital inclusion services to about 450 HACA households.</p> <p>HACA has successfully assisted 104 homeowners through its \$10,000 down payment assistance program administered by Austin Affordable Housing Corporation.</p> <p><b>We are committed to Resident Self Sufficiency and Quality of Life:</b> We will promote individual responsibility and high expectations, and foster results-based community partnerships and programs focused on workforce development, wellness, safety and education.</p> <p><b><u>Workforce Development</u></b></p> <ul style="list-style-type: none"> <li>• <b>Public Housing residents will participate in job training and be placed in jobs.</b></li> <li>• <b>Public Housing residents will participate in educational opportunities focused on employment.</b></li> <li>• <b>Public Housing residents will participate in educational opportunities.</b></li> </ul>

- **Public Housing residents will obtain training on financial literacy.**
- **Coordinate other services for Public Housing residents that will lead to self-sufficiency.**
- **Coordinate services for the Housing Choice Voucher residents that will lead to self-sufficiency.**
- **Improve the employment skills and education level of Public Housing residents.**

#### **Earn A Device**

A critical component of Unlocking the Connection is access to a computer device. Austin Community College has committed to donating its retired devices to this initiative for all Public Housing residents who enroll in the “Earn a Device” program. This program provides residents an opportunity to earn a free refurbished computer upon completion of digital literacy education. In August, 2016, about 70 HACA households are expected to complete digital literacy training. Over 650 earned devices have been deployed since March 2015.

#### **Child Inc./Mainspring School:**

HACA partners with Child Inc. and Mainspring School to provide Early Head start programming to HACA children age infant to 3 years. Child Inc. provides the federal Head Start grant; Mainspring Schools provides the teachers and curriculum and HACA provides the renovated building at Meadowbrook that was the former property management office. Thirty-two new children will be served per year with this program. W. Currently, all 16 slots in the new Early Head Start Classrooms have been filled, with 75% of them filled by HACA children. Mainspring has surpassed its current target of 70% (22 of 32) of slots filled with HACA children within the first six months, and hopes to maintain this ratio as families transition in and out of the program. Three newly enrolled Early Head Start participants also have siblings recently enrolled in Mainspring Schools preschool program, through HACA’s childcare voucher system, allowing significant support for these families to maintain employment and work toward self-sufficiency.

#### **Jobs Plus Pilot Program- Booker T Washington and Chalmers Courts**

The Jobs Plus ATX program was established by a four-year, \$2.7 million grant from HUD, and will expand job opportunities to residents at Chalmers Courts and Booker T. Washington. This is the largest competitive grant HACA has ever received for resident services. The Jobs Plus Pilot Program kicked off on July 1, 2016 with a celebration at Chalmers Courts. Special guests included community partners collaboratively as part of the Jobs Plus program: Workforce Solutions Capital Area, the African American Youth Harvest Foundation, Austin Area Urban League, Austin Community College, BiG Austin, Capital IDEA, Economic Growth Business Incubator, Goodwill of Central Texas, Literacy Coalition, and Skillpoint Alliance. Many BTW and Chalmers residents attended and learned about the employment and training services available to them through Jobs Plus partners.

#### **Job Plus ATX Success to date:**

- 113 Families have gone to work or increased their income resulting in \$183,176 additional earned income
- 141 individuals have started new employment since the Jobs Plus ATX program began on July 1, 2016
- 18 residents have served as Community Liaisons, earning a stipend to reach out and encourage their neighbors, family and friends
- \$15,000 paid in childcare assistance to help working residents with the cost of childcare services

#### **Freedom Schools**

During summer programming, HACA youth accrued 1,482 hours of summer programming provided by Freedom Schools. During the six weeks of programming provided to HACA youth grades 1<sup>st</sup> thru 8<sup>th</sup> at Oak Springs Elementary School, the students focused on literacy and STEM (Science, Technology, Engineering and Mathematics).

#### **Lab Apprentice Program - LAP**

Begun in September 2015, the LAP program offers computer lab assistance and support at various HACA properties through the use of paid apprentices who have receive foundational and ongoing monthly training in digital skills and computer lab monitoring. The Lab Apprentice Program is an opportunity for residents to build their technology skills and confidence, to support and train fellow residents, to assist their community, and to support skill-building and potential employment amongst themselves and their peers. For example, at Booker T. Washington lab apprentices will specialize in helping residents use digital tools to access and pay utilities and to use app-enabled transportation such as B-Cycle and Car2Go. The contract includes the Pilot PC Community Loan program agreement, which provides one-year loaner laptops to HACA Scholarship recipients.

#### **Goodwill Industries:**

HACA currently contracts with Goodwill for one full-time Career Navigator who maintains office hours at the Job Source Center at Rosewood, as well as at Meadowbrook, Booker T. Washington, Chalmers Courts and Georgian Manor. Goodwill was awarded funds through HACA's Workforce Development Continuum RFP to provide services to residents and is a key partner in HACA's Jobs Plus initiative. A new Career Navigator was hired to work with HACA residents in July, and replaces a staff member who left Goodwill to become part of the HACA Jobs Plus team. The new Career Navigator began performing full duties in August.

**Austin Community College(ACC):**

ACC services are being offered for 2016-2017 at five HACA locations. HACA's new Adult Education contact at ACC has shared that other standardized tests will be offered to adults in 2017 for high school equivalency from various providers; these are different than the current GED (General Education Diploma) exams that have long been the standard. These tests, referred to as HSE or High School Equivalency tests, will be discussed more with HACA staff so that they have a better understanding of how to market services to residents and help them choose the option to meet their needs. ACC offers High School Equivalency Level 1 at Booker T. Washington and Thurmond Heights, Levels 2 and 3 at Georgian Manor, and ESL classes at Meadowbrook.

**Education**

- **Public Housing residents will reach their full educational potential. Certifications that improve employability will be obtained.**
- **Children will participate in case management in school and after school programming.**
- **Children will participate in after school enrichment programming.**
- **Students in higher education will participate in supportive services.**
- **Students will receive scholarships to assist with the cost of higher education.**
- **Parents will participate in parenting classes.**
- **Children will receive high scores on their report cards.**

**Scholarships**

In 2017, HACA and its nonprofit subsidiary, [Austin Pathways](#), awarded 42 renewable scholarships totaling \$80,000 to residents of its Public Housing and Housing Choice Voucher programs to pursue post-secondary education opportunities at local institutions of higher education. Since 2001, over \$1 million in scholarships have been awarded to low-income students.

**YES! Incentive Program:**

HACA provides a \$15 gift card as an award to HACA youth who have achieved A/B honor roll and/or perfect attendance for each nine-week grading period. This year, HACA staff rewarded 211 youth who achieved A/B honor roll and/or perfect attendance for the entire school year day with an end of the year incentive trip to Austin Park and Pizza to celebrate their academic achievements.

**Creative Action Program:**

Creative Action summer camps had an over-arching theme: "This is Me." The goal of this curriculum was to have youth think about how they interact with others, manage conflicts as well as using tools to self-regulate one's own actions. Creative Action offered cooking classes where the students learned new recipes, as well as healthy alternatives to some of their favorite snacks. And, fieldtrips to the Sustainable Food Center reinforced healthy eating as the students were provided the opportunity to not only see how some foods are grown, but they were able to pick the foods and used them to make delicious recipes.

**Boys & Girls Club Programs:**

The Boys & Girls Club provides on-site, off-site, afterschool, school break and summer activities for HACA youth. Programs include educational, cultural, drug-prevention, technology and recreational activities at the clubs throughout the year. The Boys and Girls Club reported a fun and educational-filled summer! From saving birds to enjoying impromptu splash pads! During the summer months, they attended 4+ field trips. A total of 227 HACA youth participated in the summer programming across three sites: Chalmers, Meadowbrook and Thurmond Heights.

**CIS School-Based Case Management:**

CIS provides school-based case management to HACA youth who live at Rosewood, BTW, Chalmers, Santa Rita, Meadowbrook and Bouldin Oaks; Elementary school sites include Oak Springs, Zavala, Becker and Dawson; Middle



school sites include Kealing and Fulmore; Travis High is the only High School site. Per the CIS Annual Report, submitted on August 15, 2016, there were 249 elementary, 66 middle and 30 high school aged that received regular and ongoing school based case management services throughout the school year – though 364 students were served in total, year-to-date. In the summer CIS provides grade level transition camps to HACA elementary school aged youth and museum and other educational outings to middle and high school aged youth.

#### **CIS SmartKids Tutoring Program:**

CIS SmartKids provides afterschool tutoring and enrichment activities at four HACA sites: BTW and Santa Rita (also serving Chalmers youth) – each four times per week, and Meadowbrook and Bouldin Oaks – each twice per week. During the duration of the school year, there were approximately 241 HACA youth that attended SmartKids, with 160 qualifying as “participants” by having attended the program ten times or more. The SmartKids Afterschool Tutoring program, which is part of the larger continuum of CIS services and works to complement CIS in-school Case Management and programming. 2016 outcomes for SmartKids participants include:

- 97% demonstrated improvement in at least one or more areas (academics, behavior, attendance).
- 71% identified with attendance needs demonstrated improvement in attendance.
- 86% identified with behavior needs demonstrated improvement in behavior.

#### **Austin Independent School District (AISD)**

AISD provides level-one ESL classes for HACA residents in the Jobs Plus program. These free classes are located at Booker T. Washington Apartments and serve residents from 12 different countries. The class meets for 6 hours per week.

#### **Fatherhood Initiative:**

I-DADS (Involved Dads of Action, Development, and Success) identifies fathers and father figures living on and/or frequently visiting HACA properties, and provides connections to job search, education, mentorship and resources for building healthy relationships. An overarching goal of the program is to provide support to fathers or important male figures who may have been absent from their children’s lives for some time, but who are making efforts to reengage with their children and their children’s mother, to receive the resources necessary to do that. With only one program cohort in 2015, serving as a pilot, the Community Development team began to roll out this program to other HACA properties in April 2016. HACA has expanded its I-DADs program for fathers/father figures with a \$45,000 grant from the O’Neill Foundation. The program provides support for positive family growth, healthy relationships, managing family expectations and positive choices.

#### **Read and Feed Program**

At each site that participated in the Central Texas Food Bank program, Bookspring provided volunteers to read to the kids each Friday. The volunteers also provided learning activities such as puppet making, bookmark making, etc. Each child was also able to take a book (or two) home with them after lunch.

#### **Any Baby Can:**

Any Baby Can (ABC) provides parenting and leadership opportunities to HACA residents and their children. During the summer, Any Baby Can provided “Strengthening Education and Leadership for Families” parenting classes at Shadowbend and Georgian Manor. Any Baby Can began its parenting classes at Rosewood/Salina in September. The parenting classes are free to HACA residents. Classes rotate between Booker T. Washington, Bouldin Oaks, Georgian Manor, Santa Rita, Chalmers Courts, Rosewood, Shadowbend, and Northgate communities.

#### **Girl Scouts of Central Texas**

The HACA Girl Scouts hosted Girl Scout Recruitment parties during the back to school events resulting in the registration of 38 girls. Girl Scouts of Central Texas serves HACA youth from Georgian Manor, Santa Rita, Shadowbend, Manchaca Village, Booker T. Washington and Northgate communities.

#### **First Tee of Greater Austin**

This summer HACA piloted a program with First Tee of Greater Austin. This program was initiated to provide HACA youth development through the game of golf. Golf camps not only taught the logistics of the game of golf, but also focused on character building, life enhancing values and promote healthy choices. It is scheduled to continue in Summer of 2018.

### **Elderly/Safety**

- **Senior Residents will participate in supportive services.**
- **Provide health service screening and education to vulnerable populations.**
- **Ensure for close relationship with the Austin Police Department.**
- **Ensure all public housing properties have HACA-paid patrols by peace officers at Public Housing sites.**
- **Ensure all public housing properties have a safety initiative.**
- **Provide HIV/AIDS education.**

### **SENIOR WELLNESS / AGING IN PLACE PROGRAM HIGHLIGHTS:**

HACA's Elders Living Well program, in partnership with Family Eldercare, continues to promote a community in which older adults are active and engaged and the barriers to aging in place are proactively addressed. On-site Service Coordinators provide services that include: needs assessment, service coordination, case management, educational seminars, benefits counseling, and referral to evidence-based practices at each of HACA's Elderly/Disabled designated properties.

Services are maintained through HACA funding, as well as City of Austin Social Service and St. David's Foundation grants to Family Eldercare. Funds through the most recently awarded City of Austin grant became available in October 2015, allowing some previous evidence-based programs, wellness, exercise and socialization activities to be resumed at the properties – including brain boosters, creative writing classes, medication management training, and low-impact exercise. Family Eldercare's most recent contract amendment with HACA includes additional HACA funds to support the maintenance of three full time Service Coordinators (combined with Family Eldercare's aforementioned grants). Currently, Family Eldercare plays 57% of the cost for the three Service Coordinators for HACA residents and HACA pays 43%. The smallest of the HACA elderly/disabled designated properties, Salina has received less ongoing programming than the other participating properties, though individual service coordination has still been offered. In October of 2017, HACA will be adding another Family Eldercare Service Coordinator to serve seniors living at our public housing family sites through funding provided by private foundations.

### **CommUnity Care Health Clinic**

A full service "Mobile" health care clinic continues to be held at the Flores Education and Training Center at Meadowbrook. On average, 15 – 18 HACA residents are seen across the two clinics provided each month, in addition to approximately another 30 local community members.

### **Central Texas Food Bank (CTFB) – Summer Lunch Program**

For the fifth year in a row, HACA has partnered with the Central Texas Food Bank (formerly the Capital Area Food Bank) to participate in the USDA's Summer Lunch Program. Central Texas Food Bank served.

### **Huston-Tillotson Collaboration**

Through a recent Memorandum of Agreement with Huston-Tillotson University (HT), HT is providing outreach, education and prevention tools for substance abuse and HIV to 18-24 year olds at HACA's east Austin properties. De-identified resident information was provided to HT to allow them to conduct targeted outreach to households with members in this age group. HT's goal is to provide education and prevention mechanisms to support in this targeted age group from engaging in risky behaviors. Groups and services are offered to those that are interested. HT staff has been marketing the program at Resident Council meetings and attended the Jobs Plus kick-off event. HACA looks forward to continuing to strengthen its partnership with HT, who has also offered presentations on the new community health center on campus. To date, outreach has gone well, and HT has recruited a few program participants for its prevention program.

### **Austin Police Department:**

HACA contracts with the Austin Police Department one full-time officer to serve as a community liaison for all HACA programs. Currently, HACA contracts 47 officers to patrol its public housing properties and to maintain public safety.

### **Resident Safety Meetings:**

Public Housing resident councils and the Citywide Advisory Board meet on a monthly basis to voice safety concerns. These meetings are also attended by HACA staff and APD's police liaison who provide input and proactively address

the needs of the residents.

#### **National Night Out**

For 16 years, HACA has participated and hosted National Night Out at many of its Public Housing properties. National Night Out is designed to heighten crime and drug prevention awareness; generate support and participation in crime efforts; and strengthen neighborhood spirit and police community relations.

#### **Smoke-Free Public Housing**

HACA implemented a smoke-free public housing policy **effective September 1, 2015** that prohibits smoking all forms of tobacco, including e-cigarettes, within public housing units and common area and celebrated one year of resident success stories at the October 2016 Citywide Advisory Board meeting. HACA will follow the guidelines provided by the U.S. Department of Housing and Urban Development (HUD) Public and Indian Housing (PIH) Notice 2012-25 and **PIH Notice 2017-03** and will continue with the Smoke-Free Policies in Public Housing **to include policy barring the use of prohibited tobacco products in all public housing living units, interior common areas and outdoor areas within 25 feet from public housing and administrative office buildings (collectively, “restricted areas”). HACA is committed to assisting residents who are working to stop smoking with health resources.**

#### **We are committed to Exceptional Service:**

We will ensure a resident, partner and customer focused environment where all are treated with dignity and respect.

- **Improve customer service to residents, partners and other customers.**
- **Increase opportunities for staff to better understand the people we serve.**
- **Improve communication and collaboration with partners.**

#### **Customer Survey**

Since 2004, HACA has annually conducted a customer survey for all Public Housing residents, Section 8 clients, Section 8 landlords and agency vendors. For 2017, HACA increased its customer satisfaction score from 83.3 to 85.6%. HACA values input from our customers and clients, as well as vendors, to improve our operations and services.

#### **Employee Volunteer Opportunities**

HACA encourages all full-time employees to participate in agency-related and agency-promoted volunteer opportunities during working hours. Employees may volunteer up to eight (8) hours per month.

#### **Partner Communication**

HACA seeks the input of many partners to be successful. HACA sought partner collaboration for the recent opening of the Housing Choice Voucher waitlist and continued collaboration on digital inclusion.

#### **We are committed to Employee Engagement:**

We will invest in our staff, ensure accountability and effective communication, and promote an innovative, healthy and safe work environment, with training and leadership development opportunities.

- **Increase methods to communicate with employees.**
- **Decrease the number of employee accidents.**
- **Increase staff tenure.**
- **Decrease health insurance utilization rate.**
- **Increase leadership/professional growth opportunities.**

HACA's communication to employees has expanded from a monthly newsletter to weekly electronic updates, a "Week in Review," and instantaneous postings on social media, i.e. Facebook, Twitter. HACA is in the process of redesigning its current website.

#### **Safety:**

Monthly safety meetings are held to address current safety issues. Annual driver safety awareness class is provided to all staff to reduce the number of HACA vehicle accidents. HACA has engaged with the Austin Police Department to

provide active shooter/terroristic threat training for all employees and is in the process of finalizing its revised Emergency Action Plan.

**Staff Tenure:**

HACA currently has 248 employees. The average length of employment at HACA is 6.87 years a drop from 6.91 years in 2016. All HACA employees participate in a 401(a) defined contribution plan. Employees are vested at the rate of 20% per year and are fully vested after 5 years.

**Health Insurance Utilization Rate**

HACA holds on annual basis a Biometric screening for all employees and on-site flu shots. HACA encourages all employees to take advantage of various health programs provided on-site or through partnering vendors. In 2016, HACA partnered HACA's health insurance provider to offer health classes to all employees.

**Tuition Reimbursement/Growth**

In 2015, HACA instituted a tuition reimbursement policy designed to help full-time employees of HACA and its subsidiaries pay for job-related or prospective job-related courses. HACA continues to fund this program to allow employees to take individual courses that are directly related to improving the knowledge and skills needed to perform the critical elements of the employee's current job at HACA, or needed for special job assignments or prospective job duties deemed mutually beneficial to HACA and the employee.

**We are committed to Corporate and Environmental Sustainability:**

We will pursue new funding sources and entrepreneurial opportunities, ensure stewardship, maximize efficiency and promote environmentally friendly initiatives.

- **Increase sustainable cash flows through Southwest Housing Compliance Corporation.**
- **Increase sustainable cash flows through Austin Affordable Housing Corporation.**
- **Increase number of foundation or other grant funding.**
- **Decrease HACA's impact on the environment.**
- **Increase efficiency through the use of technology.**
- **Increase value of investments and reduce the interest expense.**
- **Ensure a sustainable and competitive salary structure.**

**Southwest Housing Compliance Corporation (SHCC)**

SHCC was founded by HACA in 2000 to serve as the Performance Based Contract Administrator for Texas and Arkansas providing administrative oversight for HUD's Project-Based Section 8 housing portfolio.

In this highly specialized work, SHCC has built a reputation for excellence, creativity and integrity in the multifamily industry. Further SHCC, has been widely recognized for its work with owners and agents to meet challenging HUD and other federal program requirements. Annually, SHCC administers \$370 million on behalf of HUD. Revenue generated from SHCC operations is used by HACA to support critical community development and self-sufficiency programming, including education, job training and health and wellness programs.

**Blueprint Housing Solutions**

In its third year, HACA and SHCC launched Blueprint Housing Solutions, a national consulting and services company, that assists public and private sector clients to deliver exceptional affordable housing and community development programs.

Blueprint provides a full range of services to public housing authorities (PHAs), owners and agents of HUD subsidized multifamily housing and other affordable housing programs. The team is comprised of highly skilled and experienced HACA and SHCC senior level administrators with decades of experience, creativity and technical know-how.

**Austin Affordable Housing Corporation**

Recent studies underscore that Austin is now the most expensive rental market in Texas. The need for affordable rental housing far outweighs the current supply. Recognizing this critical need, HACA, through AAHC, is doing its part with a goal to increase its affordable housing inventory to "2020 by 2020" in the next five years. AAHC has exceeded this goal and currently has over 2,600 units in its portfolio. AAHC continues to grow and currently has 804 units in the construction pipeline to be completed by 2018. In addition to serving as the catalyst for additional



affordable housing, AAHC provides another source of revenue to fund HACA self-sufficiency programs.

#### **HUD STEM Energy and Economic Development (SEED) Demonstration Partnership**

On May 24, 2016 a kickoff meeting was held with **Austin Energy, Austin Water, Texas Gas and Pecan Street** as HACA SEED Project Charter signatories. This meeting also included representatives from HUD and the Department of Energy. These new partners will implement water and energy efficiency education, technology and tools at three HACA sites. Austin Energy will design a programmable thermostat energy efficiency study, create custom energy efficiency training for HACA residents and Energy Ambassadors, and evaluate how to provide HACA with improved Utility Allowance data. Austin Energy will provide about \$40,000 in LED light bulbs (~9,000 bulbs) to HACA as a result of this partnership. As a part of the agreement with Austin Energy, HACA will test Nest thermostats at Shadowbend and Thurmond Heights. Additionally, HACA resident Energy Ambassadors will provide educational support and assistance to others. HACA has already converted its Central Administrative Office to LED lighting.

#### **Austin Pathways Foundation Funding**

With generous funding from sponsors including the Ford Foundation, Open Society Foundations, GTOPs and KDK-Harmon Foundation, the Unlocking the Connection initiative has been able to provide digital literacy services to residents from early childhood, to K-12 STEM programming, workforce development and senior services. These service providers include: United Way, Skillpoint Alliance, Latinitas, Goodwill of Central Texas, Boys and Girls Club and Austin Free-Net. Other key partners include: American YouthWorks, Any Baby Can, Communities in Schools and Family Eldercare. In total HACA has received almost \$850,000 in both monetary and gifts- in-kind donations.

#### **Recycling/Paperless Initiative**

HACA is a recognized Waste Smart partner with the City of Austin. HACA ensures the proper disposal of fluorescent lamps, light ballasts and batteries and has a robust recycling program at its properties. In 2015, HACA began its initial phase to “go paperless” by incorporating Laserfiche for the creation and retrieval of documents and continues with this process. When completed, this initiative will eliminate the need to store thousands of files and provide quick and convenient access to the customers we serve.

#### **We are committed to Equal Opportunity for Housing:**

We will create an effective administration process to resolve complaints of poor customer service, discrimination and improve public relations.

- **Ensure equal opportunity and affirmatively further fair housing by undertaking affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, age, familial status, and disability. In addition, HUD regulations provide for additional protections regarding sexual orientation, gender identity, and marital status.**
- **Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, age, familial status, disability, sexual orientation, gender identity and or marital status;**
- **Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required;**
- **Comply with the Violence Against Women Act (Victims of Domestic Violence) and any other federal, state or local law that provides greater protection for victims of domestic violence, dating violence sexual assault or stalking.**
- **Continue its efforts to support and assist children and adult victims of domestic violence, dating violence, sexual assault, and stalking and will continue to establish collaborative programs with domestic violence service providers.**
- **Provide Fair Housing training to HACA employees and community housing partners**
- **Provide HACA clients with an opportunity to provide input and to evaluate HACA customer service.**

HACA has updated the Admissions and Continued Occupancy Policy (ACOP) and Housing Choice Voucher (Section 8)Administrative Plan and incorporated the new VAWA guidelines per the VAWA Final Rule. These policies were adopted by the HACA Board of Commissioners at the August 17, 2017 meeting.

HACA is committed to full compliance with federal, state and local fair housing laws and ordinances. Over the past year, HACA staff and the staff of our subsidiaries have attended programs and workshops to deepen understanding with fair housing rules and procedures, as well as the rules and guidance related to Section 3

	<p>opportunities for public housing residents and rental assistance clients.</p> <p>With the issuance of HUD's new Affirmatively Furthering Fair Housing Rule, HACA has formed a committee that is working with the City of Austin and Travis County in their development of HUD's new Assessment of Fair Housing (AFH) to be completed by October 2019. Through this joint effort, HACA seeks to ensure fair housing compliance, equal access and equal opportunity throughout our community. Through future efforts to implement the results of the AFH, HACA commits to the goal of ensuring a policy framework that creates meaningful choice and opportunity for "all types of housing for all types of people in all parts of Austin."</p> <p><b><u>Most Recent Fiscal Year Audit</u></b></p> <p><b>B.4</b></p> <p>(a) Were there any findings in the most recent FY Audit?  Y    N  <input type="checkbox"/>   <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<p><b>Other Document and/or Certification Requirements.</b></p>	
<p><b>C.1</b></p>	<p><b>Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan</b></p> <p><u>Form 50077-ST-HCV-HP</u>, <i>Certification of Compliance with PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<p><b>C.2</b></p>	<p><b>Civil Rights Certification.</b></p> <p><u>Form 50077-ST-HCV-HP</u>, <i>Certification of Compliance with PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>

<b>C.3</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the PHA Plan? HACA will hold a meeting on November 14, 2017 at 10:00AM (Pathways at Georgian Manor 110 Bolles Circle 78753) to be held in conjunction with the Citywide Advisory Board Meeting.</p> <p>Y    N  <input checked="checked" type="checkbox"/>   <input type="checkbox"/></p> <p>If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<b>C.4</b>	<p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD 50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>D</b>	<p><b>Statement of Capital Improvements.</b> Required in all years for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).</p>
<b>D.1</b>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD. <b>See HUD Form 50075.2 approved by HUD on 04/01/2016.</b></p>
<b>E.1</b>	<p><b>RAD Choice Mobility</b></p>

**Attachment C.1**  
**Certification Listing Policies and**  
**Programs that PHA has Revised since last Submission of its Annual Plan**



# Housing Authority of the City of Austin

*Established in 1937*

## DRAFT 2018 PHA Annual Plan Executive Summary

Per PIH Notice 2015-18, the template for the 2018 PHA Plan has changed to a streamlined version, as HACA is a high-performing agency. Many of the following updates and revisions to the 2018 PHA Plan are due to changes in criminal history criteria for applicants to HACA programs.

### Revisions and Additions to the DRAFT 2018 Annual Plan version

Page	Section	Changes
Pages 9-12	<b>Policies that Govern Eligibility, Selection and Admissions: Selection Method</b>	<p><b>Change:</b> Changes in criminal history screening criteria in response to HUD Notice PIH 2015-19 providing guidance to housing authorities on how to address the use of arrest records in housing decisions.</p> <p><b>Rationale:</b> Proposed changes reflect best practice guidance from Texas H.B. 1510 and maintain HACA's goal of providing safe housing while adding clearer language for staff and applicants to understand.</p>
Pages 29-32	<b>Demolition/Disposition</b>	<p><b>Change:</b> Updates on the Rental Assistance Demonstration program.</p>
Pages 36-38	<b>Project-Based Vouchers</b>	<p><b>Change:</b> Per the Federal Register notice published in on 01/18/17, the newly defined project- based voucher requirements are incorporated in the Annual Plan. HACA may attach PBVs to projects owned by HACA to improve, develop or replace its public housing property through the Rental Assistance Demonstration (RAD) conversions. HACA also included language regarding the Housing Opportunity Through Modernization Act of 2016 (HOTMA) which eliminated the project cap exemption for projects that serve disabled families and modified the exception for supportive services.</p>
Page 37-47	<b>5-Year Plan Goals and Objectives</b>	<p><b>Change:</b> Updates to HACA 5-Year Goals and Objectives, includes additional language regarding Smoke-Free Policies in Public Housing (P44).</p> <p><b>Rationale:</b> Required changes due to PIH Notice 2017-03, the Smoke-Free Policies must ban the use of prohibited tobacco products in all public housing living units, interior common areas and outdoor areas within 25 feet from public housing and administrative office buildings (collectively, "restricted areas").</p>

**PHA Certifications of Compliance with the PHA Plan  
and Related Regulations including Required Civil Rights Certifications**

**Certifications of Compliance with  
PHA Plans and Related Regulations  
(Standard, Troubled, HCV-Only, and  
High Performer PHAs)**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 02/29/2016

**PHA Certifications of Compliance with the PHA Plan and Related Regulations including  
Required Civil Rights Certifications**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or ^ Annual PHA Plan for the PHA fiscal year beginning 2018 \_\_\_, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
7. For PHA Plans that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.



12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Housing Authority of the City of Austin  
PHA Name

TX001  
PHA Number/HA Code

☒ Annual PHA Plan for Fiscal Year 2018

☐ 5-Year PHA Plan for Fiscal Years 20\_\_ - 20\_\_

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Authorized Official  
Carl S. Richie, Jr

Title Chairman

Signature

Date 12/21/2017



**Attachment C.2  
Civil Rights Certification  
And  
Fair Housing**

**Civil Rights Certification**  
**(Qualified PHAs)**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB Approval No. 2577-0226  
Expires 02/29/2016

**Civil Rights Certification**

**Annual Certification and Board Resolution**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official, I approve the submission of the 5-Year PHA Plan for the PHA of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the public housing program of the agency and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those program, addressing those impediments in a reasonable fashion in view of the resources available and working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.

Housing Authority of the City of Austin  
PHA Name

TX001  
PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Carl S. Richie, Jr	Title	Chairman
Signature		Date	12/21/2017

**THE HOUSING AUTHORITY OF THE CITY OF AUSTIN  
FAIR HOUSING PLAN**



**REASONABLE STEPS TO AFFIRMATIVELY FURTHER FAIR HOUSING**



**Housing Authority of the City of Austin  
1124 S. IH 35  
Austin, TX 78704  
512-477-4488**

**REASONABLE STEPS TO AFFIRMATIVELY FURTHER FAIR HOUSING****Background**

The Housing Authority of the City of Austin is aware that Federal and State fair housing laws make it illegal to discriminate in the rent or sale of housing based on race, color, national origin, religion, familial status, disability and sex. HACA is committed to full compliance with federal, state and local fair housing laws and ordinances. HACA understands and is committed to its obligation to affirmatively further fair housing in our community.

With the issuance of HUD's new Affirmatively Furthering Fair Housing Rule, HACA has formed a committee that is working with the City of Austin and Travis County in their development of HUD's new Assessment of Fair Housing (AFH) to be completed by October 2019. Through this joint effort, HACA seeks to ensure fair housing compliance, equal access and equal opportunity throughout our community. Through future efforts to implement the results of the AFH, HACA commits to the goal of ensuring a policy framework that creates meaningful choice and opportunity for "all types of housing for all types of people in all parts of Austin."

To comply with fair housing laws and to promote fair housing rights in all of its housing programs, the Housing Authority of the City of Austin and its subsidiaries, Southwest Housing Compliance Corporation and Austin Affordable Housing Corporation, abide by all Federal, state and local non-discrimination laws, as well as the regulations governing Fair Housing and Equal Opportunity in housing and employment.

The Housing Authority of the City of Austin (HACA) fully complies with the Fair Housing Act of 1968 and is obliged and dedicated to affirmatively furthering fair housing. Through implementation of its Housing Choice Voucher (Section 8) Administrative Plan, Public Housing Authority (PHA) Annual Plan, Public Housing Continued Occupancy Policy, Admissions Policy, Family Self-Sufficiency Plan, and Southwest Housing Compliance and Austin Affordable Housing Corporation Policies, HACA is committed to:

- Overcoming the effects of impediments to fair housing choice that were identified in the City of Austin's Fair Housing Analysis (2000 and 2009);
- Remedying discrimination in housing; and
- Promoting fair housing rights and fair housing choice.

What follows is information on the actions that the Housing Authority of the City of Austin takes to affirmatively further fair housing.

**OVERCOMING THE EFFECTS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

Fair housing is based on the belief that everyone, regardless of race, color, national origin, religion, familial status, disability and sex should have the opportunity to choose where they want to live unfettered by discrimination. To make this goal a reality, Congress enacted fair housing legislation. The primary federal Fair Housing laws and mandates to which the Housing Authority of the City of Austin complies are: Fair Housing Act of 1968; Fair Housing Amendments Act of 1988; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Age Discrimination Act of 1975; Executive Order 11063; and the Violence Against Women Reauthorization Act of 2005.

**In July 2009, the City of Austin's Neighborhood Housing and Community Development Department published its *Fair Housing Analysis*.** This report outlined impediments to fair housing experienced by constituents living in the City of Austin and Travis County, and was a follow-up to the City of Austin's *Analysis of Impediments to Fair Housing Choice* published in 2000. Each year, the City of Austin's Annual Action Plan sets forth the City's recommended strategies to address impediments to Fair Housing, and the Consolidated Annual Performance and Evaluation Report (CAPER) evaluates the implementation of those targeted actions and strategies.

**The Housing Authority of the City of Austin works in close collaboration with the City of Austin's Neighborhood Housing and Community Development Department (COA NHCD) to ensure that ongoing efforts are undertaken to remove impediments to fair housing and fair housing choice.** As separate housing entities, with similar overarching goals, HACA and COA NHCD continually support one another in the implementation of fair housing initiatives. The following table outlines the City of Austin's identified impediments to fair housing, recommended actions to remove those impediments, COA NHCD's efforts to address impediments and HACA's parallel efforts to address impediments.

Through performance audits by the Quality Control Department, HACA continually examines its programs to ensure compliance with Federal and State fair housing requirements, local ordinances and internal fair housing policies and procedures. The agency also assesses the steps that need to be taken to assure fair housing rights and fair housing choice in new and proposed programs.





**City of Austin Fair Housing Analysis & Action Plan (2009)** [Update / expansion to 2000 Report]

<u>Impediment</u>	<u>Recommended Actions</u>	<u>City of Austin NHCD Actions</u>	<u>Housing Authority of the City of Austin (HACA) Actions</u>
<b>1. Lack of accessible housing to meet the need of the disabled community in Austin. (2000)</b>	A. City should provide education on accessibility and how to comply with the Fair Housing Act and the American Disability Act (ADA) standards.	The City of Austin Equal Employment Fair Housing Office (EEFHO) works on enforcement, and education, and inspections of properties. The City has provided financial resources to the Austin Tenant's Council to provide Renter's Rights and Fair Housing Counseling, and to provide the S.M.A.R.T. Housing program through NHCD. The City funds a third-party contractor to perform accessibility review and inspection for City-funded multi-family developments. City staff inspects for compliance with Visitability Ordinance standards for city-assisted single-family homes, duplexes and triplexes adopted in October 1998/revised January 2004 and June 2005. The City's EEFHO & Human Rights Commission also work to inform the public of their rights. In addition, City Staff works on capacity building with: Mayor's Committee for People with Disabilities, Austin Tenant's Council, Human Rights Commission, Mayor's Mental Health Task Force, the CHDO Roundtable and the Homeless Task Force.	HACA works with ADAPT Texas, Austin Resource Center for Independent Living (ARCIL), Texas Department of Aging and Disability Services, Texas Commission for the Blind, Family Eldercare, Austin Resource Center for the Homeless (ARCH), AIDS Services of Austin, Austin Travis County Integral Care, Safe Place, LifeWorks, Texas School for the Deaf and other agencies to plan for and provide accessible services to disabled Austinites. HACA shares information regarding its accessible housing opportunities w/ local agencies & agencies educate HACA staff on circumstances affecting the families they serve. HACA also administers a number of HUD-funded programs designed to meet needs of individuals suffering from varying disabilities -- Shelter Plus Care (35 vouchers for homeless individuals w/ mental illness, 20 vouchers for individuals with AIDS/Substance Abuse); Mainstream Program (59 vouchers for individuals with various disabilities); and local housing preferences for elderly & disabled individuals. Through the HUD Capital Fund, HACA also continually strives to increase its inventory of accessible units (504), to modernize and upgrade accessible units (recently 147), & to increase "visitability" of PH properties.
	B. City should adopt the 2003 International Building Code or an equivalent, in order to enforce the accessibility standards on developers and builders.	The City Council adopted the 2003 International Building code on December 15, 2005. All building permit applications filed after December 31, 2005 are subject to the accessibility provisions of the 2003 International Building Code (IBC) Accessibility Standards.	HACA is currently not in the business of developing and building new housing -- developments or single-family homes. Nonetheless, any new properties that HACA plans to acquire through its non-profit subsidiary Austin Affordable Housing Corporation (AAHC), that have been built after December 31, 2005 will meet 2003 IBC accessibility standards. Housing Choice Voucher/Section 8 units that are leased throughout the community, which were built after December 31, 2005 meet the accessibility provisions of the 2003 IBC Accessibility Standards.
	C. City should offer incentives to get private developers to plan their construction process in anticipation of future conversions for accessibility.	The S.M.A.R.T. Housing Initiative adopted in April 2000 and revised in June 2005 creates incentives with requirements for accessibility and visitability standards that reduce future costs for retrofitting existing housing for people with disabilities. The policy stipulates that all single-family units certified meet visitability standards reflected in the City's ordinance. All multi-family developments must comply with federal, state and local accessibility standards and at least 10% of multifamily housing units must be accessible. Developments that meet these prerequisites are given expedited review under the City's development process and reductions/exemptions for certain development and construction fees. The S.M.A.R.T Housing Policy is now incorporated as part of Austin's Land Development Code as a result of	N/A: HACA is currently not in the business of developing and building new housing developments, thus providing incentives to private developers is not applicable to HACA's operations. Nonetheless, the City of Austin's Neighborhood Housing and Community Development Department does offer accessibility and "visitability" incentives to housing developers, who may ultimately house participants in HACA's Housing Choice Voucher Program in accessible units that they have developed.

**City of Austin Fair Housing Analysis & Action Plan (2009)** [Update / expansion to 2000 Report]

<u>Impediment</u>	<u>Recommended Actions</u>	<u>City of Austin NHCD Actions</u>	<u>Housing Authority of the City of Austin (HACA) Actions</u>
		recommendations from the City Council –appointed Affordable Housing Incentives Task Force. In Fiscal Year 2008-2009, 688 new single-family and 653 multi-family units were completed that met S.M.A.R.T. standards.	
<b>2. Lack of Affordable Housing in Austin</b> (2000, 2009)	A. City should continue the production of affordable housing units in existing low-income neighborhoods through the Austin Housing Finance Corporation and the Neighborhood Housing and Community Development Office.	Consolidated Plan 2009-2014, states that a significant component of Austin's housing strategy for the next five years will be implementing housing affordability components of neighborhood plans/master plans adopted by the City Council. NHCD will work to respond to the housing affordability components of adopted neighborhood plans and City task force reports on gentrification mitigation in the next five years by providing S.M.A.R.T. Housing™ incentives and other housing program resources for new single-family and multi-family developments. NHCD will offer other housing services in order to implement the goals of plans and reports. Efforts in areas without neighborhood plans or master plans may also be in priority neighborhoods. Priority neighborhoods are defined by the amount of eligible census tracts in each neighborhood area. HUD defines an eligible census tract as having the following components: 50 percent of its households with incomes below 80 percent of the Area Median Gross Income or having a poverty rate of 25 percent. Because Inclusionary Zoning, allowing jurisdictions to require housing developments of a certain size to include a portion of affordable housing, is illegal in Texas, Austin has to rely on its S.M.A.R.T incentives and neighborhood plans to continue affordable production.	Through its non-profit subsidiary, Austin Affordable Housing Corporation, HACA is involved in acquiring and preserving affordable housing units. AAHC owns <u>or</u> operates a non-subsidized affordable housing stock of 785 units composed of 743 multi-family property units and 42 single-family homes. Purchased in 2004, Sterling Village has 207 units, of which 71 are restricted to residents who fall into HUD's low and very low-income classifications. Bent Tree Apartments, also purchased in 2004 has 126 units, and while there are no income restrictions or designations on any of the units at Bent Tree, each of the units is rented at a price below market rate. Sweetwater Apartments, purchased in 2008, has 152 units, with 52 units designated for low and very low-income individuals or families. And Park at Summers Grove, purchased in 2008 has 240 units, of which 220 are designated for residents below 60% AMFI and 20 are designated for below 50% AMFI. In August 2008, AAHC purchased 18 of 23 accessible and affordable units of housing for the elderly at Leisure Time Village and intends to purchase the additional five as they become available. With additional land at Leisure Time, AAHC will also develop 10 affordable units in partnership with ADAPT of Texas to serve individuals with disabilities. Finally, AAHC's 16 additional single-family homes do not have rental restrictions, but are rented at rates below market value for the area.
	B. City should work towards increasing affordable housing in census tracts that currently do not provide affordable housing for low-income citizens.	NHCD has a number of strategies to create and retain affordable housing opportunities in Austin. Many projects are centered on low-income areas, but with the S.M.A.R.T. Housing™ program there have been projects in areas not typically low-to-moderate income, offering reasonably priced housing available to low- and moderate-income households. To be eligible to utilize a federally funded housing program, the household must be at or below 80 percent Median Family Income, regardless of the MFI for the census tract. NHCD currently gives funding preference through a scoring matrix to projects that assist in the distribution of affordable housing stock throughout the community, to focus on areas where there is a shortage of affordable housing.	Through its non-profit subsidiary, Austin Affordable Housing Corporation, HACA seeks to acquire affordable housing properties in census tracts that provide limited affordable housing for low-income citizens. AAHC's Vice President of Housing Development continually explores opportunities for purchase in areas where additional affordable housing is needed, to ensure that affordable housing is geographically dispersed and poverty in Austin is deconcentrated. HACA has developed a Community Land Trust that holds affordable housing units (for ownership and rental) in perpetuity. Though separate entities, HACA's Community Land Trust

**City of Austin Fair Housing Analysis & Action Plan (2009)** [Update / expansion to 2000 Report]

<u>Impediment</u>	<u>Recommended Actions</u>	<u>City of Austin NHCD Actions</u>	<u>Housing Authority of the City of Austin (HACA) Actions</u>
			complements the City of Austin's Community Land Trust. Finally, HACA's Housing Choice Voucher program employs a dedicated Landlord Outreach Specialist to enroll landlords of properties in census tracts with limited affordable housing, as providers of affordable housing through the Housing Choice Voucher program (Section 8).
	C. City should work with local employers to design and implement Employer-Assisted Housing Programs.	At the current time, there are no proposed projects to provide employer-assisted housing; however, the City is exploring the employer partnership as part of the community dialogue on Community Land Trusts.	At the current time, HACA is not involved in providing employer-assisted housing; Similar to the City of Austin's NHCD Department, HACA may explore employer partnerships as part of its development of its Community Land Trust. HACA / AAHC staff have attended presentations on employer-assisted housing programs, to learn more about these unique partnerships.
	D. City should create additional housing development incentives beyond the S.M.A.R.T Housing Initiative	1) As part of Austin's Downtown Master Planning Process, the City of Austin is considering a density bonus ordinance with an affordable housing requirement that will include a fee-in-lieu. These programs can allow for the payment of a fee-in-lieu of the requirement to develop affordable housing on site. Recommendations should be completed in FY 2009-2010. 2) In 2005, the City adopted a Transit-Oriented Development Ordinance (TOD), setting affordable housing goals for new or redevelopment surrounding commuter rail stations. In 2009 the Council adopted three station area plans that specify the goals set forth in the ordinance. The goal is for 25% of new units in these areas to house households at 80% or below MFI for homeownership and 60% or below MFI for rental. 3) The City developed a master plan to redevelop the low density auto-oriented North Burnet/Gateway area into a higher density, mixed-use neighborhood which is more pedestrian and transit friendly – the density bonus/fee-in-lieu is applicable. 4) The City, in 2007, adopted changes to the commercial design standards regarding Vertical Mixed Use. For developments that request certain exemptions, they must provide 10% of units as affordable housing for 40 yrs.	N/A: HACA is currently not in the business of developing and building new housing developments, thus providing incentives to private developers is not applicable to HACA's operations. Nonetheless, HACA commends the City of Austin's Neighborhood Housing and Community Development Department for establishing and continually exploring new development initiatives to increase affordable housing across the City of Austin.
	E. The City should explore additional partnerships with private entities to develop affordable housing.	The City of Austin is exploring additional public/private partnerships. Partnerships with private developers can offer multiple public benefits, such as mixed-use, mixed-income, and increased density, and can allow low-income households to locate near schools, amenities, employment opportunities, and public transportation. One key partnership has been the Robert Mueller Municipal Airport Redevelopment (RMMA). Envisioned in 1996, the redevelopment goals outlined aggressive affordable housing requirements – with 25% of units, or approximately 1,200 homes affordable for residents below Austin's MFI. Catellus, the master developer, reports semiannually on progress toward the affordable housing goals. The City continues to negotiate the inclusion of affordable housing into developer agreements with market-rate developers. Two recent projects – Residences at the Domain and Robertson Hill have provided 10% of affordable housing units to those at 65% and 80% of MFI or below,	Through its non-profit subsidiary, Austin Affordable Housing Corporation, HACA is involved in acquiring affordable housing units. While AAHC has acquired property in existing low-income neighborhoods, AAHC's Vice President of Housing Development also continually explores opportunities for purchase in areas where additional affordable housing is needed, to ensure that affordable housing is geographically dispersed and poverty in Austin is deconcentrated. While AAHC is not working with private entities in the development of affordable housing, it general works with private owners in the purchase of affordable units. Many of the properties AAHC purchases through private owners have existing Land



**City of Austin Fair Housing Analysis & Action Plan (2009)** [Update / expansion to 2000 Report]

<u>Impediment</u>	<u>Recommended Actions</u>	<u>City of Austin NHCD Actions</u>	<u>Housing Authority of the City of Austin (HACA) Actions</u>
		and remaining affordable through 2028 and 2020, respectively. Finally, the City continues to explore how to encourage affordable housing in other city redevelopment efforts.	Use Restriction Agreements (LURA), meaning there must be an agreed upon number of low-income units for a certain period of time.
	F. The City should expand alternate revenue sources to increase rental and homeownership opportunities for low and moderate income households	1) In November 2006, the citizens of Austin approved the use of General Obligations Bonds to increase rental and homeownership opportunities for low to moderate income households. \$33 million dedicated to rental units, \$22 million dedicated to homeownership units and \$2 million dedicated to home repair for low-income families. 2) The City considers Tax Increment Financing to be an important tool to create new revenue for affordable housing and is currently exploring opportunities to use TIFs to increase affordable housing funding. The Homestead Preservation District in Central East Austin was authorized by State legislation to create and retain affordable housing through a land bank, community land trust and reinvestment zone, and will use Tax Increment Financing to preserve and create affordable housing. 3) Housing Trust Fund: Since 2000, the Austin City Council has directed \$8.8 million in local funds to the Housing Trust Fund. The council also dedicates 40% of all City property tax revenues from developments built on City-owned lands to affordable housing. This policy is anticipated to generate revenue in perpetuity to the Housing Trust Fund. Finally, the City uses revolving loans for several loan programs that provides a revolving funding source. When a loan is repaid by the recipient, the funds are recycled back into the program creating a fiscally responsible model for asset creating.	In 2004, Austin Affordable Housing Corporation (AAHC), one of HACA's non-profit subsidiaries, began a Down Payment Assistance (DPA) program to assist public housing and Section 8 residents who had achieved self-sufficiency transition into homeownership. Non-federal and deregulated DPA funds were provided through HACA's other non-profit subsidiary, Southwest Housing Compliance Corporation. In 2008, AAHC received a \$250,000 grant from the Texas Department of Housing and Community Affairs (TDHCA) to augment its DPA program. As of June 1, 2010, 52 HACA residents have gone into homeownership. When TDHCA funds are expended, HACA will continue to fund a DPA program for its residents, and seek additional funding to maintain homeownership opportunities for its residents.
<b>3. Discrimination of minorities in housing rental and sales market.</b> (2000, 2009)	A. City should work with other agencies to increase the fair housing knowledge of the public and raise the visibility and resolution process of fair housing.	NHCD's Fair Housing survey found that the majority of respondents who felt they had faced housing discrimination in the past did not report it, as just 10 percent of residents filed complaints. If residents felt they had experienced discrimination, they would first look for resources on the Internet; low-income respondents would prefer to have contact with a lawyer/legal aid or find information through local government sources. NHCD is making efforts to ensure that all fair housing resources are more widely available in Austin so that residents who feel they have experienced discrimination can more readily take actions to address fair housing violations if they have occurred. The Mayor's Committee for People with Disabilities was formed to increase coordination between the following departments: Transportation, Planning and Sustainability, HHSD, NHCD, Parks and Recreation, Aviation, Office of the Police Monitor, Austin Police and Fire, City Auditor. NHCD works with the Mayor's Committee for People with Disabilities, the City's Office of Equal Employment and Fair Housing, the Human Rights Commission and the Austin Tenants Council to increase fair housing knowledge. The Austin Tenants Council has a very visible presence in Austin, receiving 365 fair housing complaints in 2008 and educating 3x that number of individuals on fair housing rights. Austin's Fair Housing office received 100 complaints in 2008, of which 30 were conciliated. The City's Equal Employment and Fair Housing office is working to make its website more user-friendly to those filing complaints, and provide greater written and online information regarding fair housing and fair housing complaints.	HACA works with the Austin Human Rights Commission, Austin Tenant's Council, ADAPT Texas, Advocacy, Inc., Legal Aid of Central Texas, as well as the aforementioned disability-services agencies to provide education on discrimination and ensure that discrimination does not occur in the provision of its programs. HACA provides information to program applicants and recipients on equal housing opportunity and makes discrimination hotline numbers accessible, should individuals feel they were treated unfairly. HACA also works with NHCD to increase fair housing knowledge through trainings and events for both staff and the public. Additional information provided in addendum narrative.

**City of Austin Fair Housing Analysis & Action Plan (2009)** [Update / expansion to 2000 Report]

<b><u>Impediment</u></b>	<b><u>Recommended Actions</u></b>	<b><u>City of Austin NHCD Actions</u></b>	<b><u>Housing Authority of the City of Austin (HACA) Actions</u></b>
<b>4. Erroneous beliefs by property managers concerning family occupancy standards.</b> (2000)	A. City should work with other agencies to increase the knowledge that family occupancy standards do not exist.	The City's Equal Employment and Fair Housing Office and the Austin Tenants Council work to inform the public of fair housing rights, and work directly with renters and homeowners who believe their fair housing rights have been violated. These two entities work together to provide training on Occupancy Standards, as occupancy standards may be a violation of fair housing laws if they unfairly limit the housing options because of familial status. Any policy that directly or indirectly excludes families could be a violation of the fair housing laws, if the occupancy standards unreasonably limit the ability of families with children to obtain housing in a specific apartment community. Before 2001, the Texas Human Rights Commission had a "Maximum-Persons-Per-Bedroom" Occupancy Policy For Families". On May 23, 2001, HUD's Keating Memorandum superseded the previous policy. The Keating Memorandum provides guidelines but not a definitive test for, essentially removing a hard and fast family occupancy standard. The City of Austin NHCD, EEFHO Office and Austin Tenant's Council educate property owners of the current standards and how they should be considered and followed.	AAHC's Property Development Specialist is well versed in general occupancy standards and serves as a resource for managers at AAHC-owned affordable housing properties who have occupancy standard related questions. All of HACA's Public Housing Property Managers and Section 8 Housing Eligibility Specialists are also versed in occupancy standard guidelines, and both ensure compliance with these guidelines and answer resident questions regarding occupancy standards.
<b>5. Imbalance of neighborhood-based development.</b> (2009)	A. City should conduct targeted education and programming in minority neighborhoods.	Neighborhood groups are very involved and influential in Austin's residential and commercial land use and development process. The city's neighborhood-based planning process has done very little to facilitate the development of affordable housing on a citywide basis, as not all neighborhood plans have affordable housing as one of their goals. It is not uncommon for neighborhood groups and residents to resist the development of affordable housing, dense housing and/or alternative types of housing developed in proximity to their residences (NIMBYism – Not In My Backyard). With the implementation of a citywide comprehensive plan in May 2009, NHCD began to capitalize on planning initiatives and develop tools to further educate neighborhoods of the importance of affordable housing. These initiatives will help address barriers in developing affordable and accessible housing in certain neighborhoods. The city will work with neighborhood group leaders to provide them the tools to educate peers and enforce fair housing issues within their communities.	Although HACA is currently not in the business of developing housing, the agency supports the geographic dispersion of affordable housing and the deconcentration of poverty. As previously noted, HACA aims to achieve these goals through the solicitation of Section 8 landlords in neighborhoods all across Austin, and the purchase of properties in areas where additional affordable housing is needed. HACA supports a comprehensive city planning and the development for affordable housing in neighborhoods that have not housed low or moderate individuals in the past. HACA staff has attended City public hearings to provide input on affordable housing development and affordable housing initiatives.
<b>6. Geographic concentration of loan denials</b> (2009)	A. City should conduct targeted education and programming in minority neighborhoods.	Home Mortgage Disclosure Act (HMDA) data suggests that residents in east Austin receive a higher proportion of loan denials than in other portions of the city. These neighborhoods also have traditionally contained higher proportions of African American and Hispanic Residents. Data showed that African Americans and Hispanics received more loan denials than Caucasian residents in Austin, but that denials were not as high for these groups when they applied for loans through banks based in Austin. The reasons for loan denials were more diverse for Austin residents as a whole, as compared to reasons for denials given by Austin-based banks. Based on these findings, the City of Austin/NHCD are working on three initiatives to be launched: 1) Promote a model loan application program, which will outline how applicants should be informed about existing loan resources and products so they do not apply for the wrong products, and will provide information to assist with the loan application process. 2) Conduct targeted "road shows" to educate citizens, landlords, housing providers and real estate professionals about the specifics of fair	As part of Austin Affordable Housing Corporation's programming, the agency's Homeownership Coordinator provides case management to Public Housing and Housing Choice Voucher residents interested in transitioning to homeownership. As part of this case mgmt. the Homeownership Coordinator discusses the loan process and loan products in depth. HACA provides CreditSmart classes to residents monthly, through collaboration with Austin Habitat for Humanity – with AAHC's Homeownership Coordinator and Habitat staff working together to provide both financial management and homebuyer education training. The homebuyer education component of the training provides a significant amount of information on the lending process.

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		housing discrimination that are most prevalent by area. 3) Work with local banks, because they have a good history of providing loans to applicants of all races and ethnicities, to ensure interest in local residents and ensure correct products are being marketed.	AAHC also provides \$10,000 in down payment assistance to qualified public housing and housing choice voucher residents in order to improve the tenants' chances of qualifying for prime lending products. This \$10,000 loan will be forgiven in five years unless the participant sells, transfers, refinances or converts the home to a rental property within the five year time period and the participant is not in default.
<b>7. Predatory lending practices.</b> (2000, 2009)	A. City should provide education on the hazards of this type of lending.	Austin Housing Finance Corporation, a subsidiary of the City of Austin's Neighborhood Housing and Community Development Department, developed in 2006 a housing counseling program called Housing Smarts. The program provides comprehensive community seminars on homebuyer counseling and foreclosure prevention in addition to a Train-the-Trainer program. A series of free sessions for Austin residents focus on financial literacy and understanding your credit, assessing your readiness to buy, predatory lending, selecting and maintaining a home, and foreclosure prevention.	As part of Austin Affordable Housing Corporation's programming, the agency's Homeownership Coordinator provides case management to Public Housing and Housing Choice Voucher residents interested in transitioning to homeownership. As part of this case mgmt. the Homeownership Coordinator discusses predatory lending practices, and provides tips to avoid predatory lending and subprime mortgage offers. CreditSmart Classes for residents focus on financial literacy, credit repair, homebuyer education and lending. AAHC refers residents to Consumer Credit Counseling Services as needed, and in 2009 contracted with Austin Habitat for Humanity to provide post-purchase counseling and foreclosure prevention training to HACA residents who have transitioned to homeownership. AAHC absolutely does <u>not</u> work with sub-prime lenders.
<b>8. Disparity in lending practices.</b> (2000)	A. City should work with lenders to expand homeownership and credit counseling classes to the public.	The NHCD Housing Information and Referral Program inform callers of local HUD-approved credit counselors and housing counseling agencies. In addition, NHCD train staff as certified homebuyer counselors. Austin Housing Finance Corporation's housing counseling program, Housing Smarts, works with Mortgage Credit Certificate (MCC) lenders who not only originate loans but who may also have their own housing counseling programs. NHCD also works with MCC lenders at events like homebuyer fairs to educate the public concerning available mortgage products. Although, data from 2009 suggests that Austin banks are approving loan applications and equally serving Austin residents of different races and ethnicities, non-local mortgage lenders are favoring Caucasian applicants versus African American and Hispanic applicants. NHCD and AHFC recognize the need to continue to educate potential homebuyers of these practices and connect applicants with the appropriate products and resources.	AAHC's Homeownership Coordinator has formed ongoing partnerships with local lenders interested in catering to the needs of low-income and minority families focusing on the ultimate goal of homeownership. The lenders that AAHC partners with have the tools and programs to meet the needs of individuals and families who have been living in subsidized housing, and they provide individualized credit repair and homeownership information to complement the case management that residents are receiving. AAHC absolutely does <u>not</u> work with sub-prime lenders.
<b>9. Insufficient financial literacy education.</b> (2000)	A. City should work with agencies to provide financial literacy education to the public.	Austin Housing Finance Corporation, a subsidiary of the City of Austin's Neighborhood Housing and Community Development Department, developed in 2006 a housing counseling program called Housing Smarts. The program provides comprehensive community seminars on homebuyer counseling and foreclosure prevention in addition to a Train-the-Trainer program. A series of free sessions for Austin residents focus on financial literacy and understanding your	HACA provides CreditSmart classes to residents monthly, through collaboration with Austin Habitat for Humanity – with AAHC's Homeownership Coordinator and Habitat staff working together to provide both financial management and homebuyer education training. AAHC refers residents to Consumer Credit Counseling Services as needed.

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		credit, assessing your readiness to buy, predatory lending, selecting and maintaining a home, and foreclosure prevention. AHFC outreaches to community and faith-based organizations seeking financial literacy and homebuyer education training as well.	Additionally, AAHC partners with the Financial Literacy Coalition of Central Texas to provide targeted training at public housing properties. AAHC has recently contracted with Austin Habitat for Humanity to provide post-purchase counseling and foreclosure prevention training to HACA residents who have transitioned to homeownership.
<b>10. Insufficient income to afford housing.</b> (2000)	A. City should continue to work to expand job opportunities.	The City offers a range of services for small businesses in the Austin community from technical assistance to loan services to enhance small businesses success and encourage the creation of jobs for low- to moderate-income households. The Neighborhood Commercial Management Program (NCMP) provides financial assistance in the form of business loans to existing businesses looking to expand their operations. The Community Development Bank (CDB) provides flexible capital loans and technical assistance to small and minority businesses that are expanding or relocating to low-income areas. The Micro-enterprise Technical Assistance Program offers training and technical assistance to qualified micro-enterprises in the City of Austin. The Community Preservation and Revitalization Program (CP&R) Business Loan Program provides financial assistance in the form of small business loans to financially and geographically qualified small businesses in East Austin. The <u>Small Business Development Program</u> fosters job creation and supports the growth of new and existing businesses by providing capacity building information, tools and resources. The <u>Small and Minority Business Resources Department (SMBR)</u> assists small, minority-owned and women-owned business enterprises pursue contracting opportunities with the City.	HACA manages both a Public Housing and a Housing Choice Voucher Family Self-Sufficiency Program (FSS). While the general resident population may receive job training services, nearly 300 FSS participants receive targeted case management, job training and job readiness services to prepare them for entering or re-entering the workforce. HACA focuses on getting FSS participants the preparation they need to obtain jobs that will eventually earn them a family-sustaining wage. HACA partners with many workforce development service providers to provide these services. FSS participants also maintain escrow accounts that are dispersed after completion of the FSS program (5 yrs.), and which can be utilized for further education or homeownership. HACA, in partnership with the City and Greater Austin Hispanic Chamber of Commerce also began a small business incubator in 2008 that has graduated 30+ participants as of January 1, 2010.



## II. REMEDYING DISCRIMINATION IN HOUSING

It is the policy of the Housing Authority of the City of Austin to comply fully with all Federal, State, and local laws and regulations governing Fair Housing and Equal Opportunity. HACA does not and shall not discriminate based on race, religion, color, sex, disability, family status, age, sexual preference or national origin in providing a family or individual the opportunity to apply for or receive assistance under any program administered by the agency or its subsidiaries. HACA periodically reviews all of its policies and procedures to assure compliance with all housing and civil rights requirements including, but not limited to: the Fair Housing Act of 1968; Fair Housing Amendments Act of 1988; Title VI of the Civil Rights Act of 1964; American's with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; Architectural Barriers Act of 1968; Age Discrimination Act of 1975; Title IX of the Education Amendments Act of 1972; and Executive Orders 11063 and 13166. Staff of the Housing Authority of the City of Austin is educated on the content of fair housing and civil rights laws and is trained on the prevention of housing discrimination through ongoing professional training. In recent years, HACA has provided annual fair housing training for all Housing Choice Voucher Eligibility Specialists and Public Housing Property Managers, in cooperation with the City of Austin Fair Housing Office, Legal Aid and the Austin Tenant's Council. This training is open to both HACA staff and the staff of other housing and social services agencies. HACA will strive to provide similar training on an annual basis.

HACA prominently posts Fair Housing and Equal Opportunity Posters and the toll-free Fair Housing Complaint Hotline number (1-800-669-9777) at each of its public housing properties and in multiple areas at its Central Office, with particular attention to its reception and admissions areas. Applicants with hearing or speech impairments are informed that they may access the Fair Housing hotline via TTY by calling the Federal Information Relay Service at 1-800-887-8339. HACA assists any family that claims illegal discrimination has prevented them from leasing a suitable unit administered by the Housing Authority of the City of Austin, by giving the family information on how to file a housing discrimination complaint. Additionally, HACA ensures that all families applying for its programs receive HUD's handout "Fair Housing Is Your Right!". Individuals deemed ineligible for HACA services or terminated from HACA's public housing programs for non-compliance, has a right to an informal review hearing with HACA's dedicated Hearing Officer prior to filing a formal fair housing/discrimination claim, unless terminated for drug-related or violent criminal activity. Section 8 participants terminated for drug-related or violent criminal activity are entitled to a hearing.

The Housing Authority of the City of Austin provides reasonable accommodations to housing applicants and its residents, upon request. Accommodations include but are not limited to access to alternative communications such as sign language and foreign language interpretation, and assistance with completing application paperwork. For individuals with disabilities, HACA has made provisions to conduct annual eligibility and re-examination appointments in residents' homes under extenuating circumstances, should a resident not have access to Special Transportation Services through Capital Metro. Individuals with disabilities may also be eligible for upgrades in unit size based on specific medical and accessibility needs. Additionally, all of HACA's public housing Property Managers and Housing Choice Voucher Housing Eligibility Specialists maintain specific information on accessible units and their unique accommodations. Finally, public housing residents with disabilities may request that accessibility modifications be made to their assigned unit, should those accommodations be deemed necessary and reasonable.

The Housing Authority of the City of Austin also provides referral to other local programs and organizations that address fair housing discrimination, and who receive support from the City of Austin to provide these services. These organizations include the following:

City of Austin Equal Employment and Fair Housing Office: The City of Austin Equal Employment & Fair Housing Office (EE/FHO) is empowered to enforce four City Ordinances and the following federal statutes: Title VII and Title VIII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act of 1990 (ADA), and the Age Discrimination in Employment Act of 1967 (ADEA). The City's [Housing Ordinance](#) and the [Fair Housing Act](#) protect an individual in the area of housing (terms and conditions, rental, leasing, buying or selling) based on race, sex, religion, national origin, familial status, and physical or mental disability. The ordinance also protects an individual from discrimination based on age (18 years or older), status as a student, sexual orientation, gender identity and marital status. Persons who believe that they have been treated differently because of their protected class in their pursuit to acquire housing, may file a charge of discrimination with City of Austin Equal Employment/Fair Housing Office at 974-3251. The charge will be assigned to an Investigator who will gather and review information. The Investigator may interview witnesses, conduct on-site visits and use other means to make certain that a complete investigation is made. Within 10 working days from the date of filing the charge, the Respondent will be served a notice that a charge of discrimination has been filed against them. The Respondent will be given 15 working days from the date they received the charge to respond. The investigation continues until both parties (Charging Party and Respondent) agree to a settlement (No Fault Settlement) or until a determination has been reached by the Administrator (Cause or No Cause)

Austin Tenants' Council: The Austin Tenants' Council provides counseling, mediation, advocacy and educational services related to housing discrimination, landlord/tenant disputes, housing repair and rehabilitation, and affordable housing. The Council publishes a

guide to affordable housing, provides telephone and in-house bilingual counseling to tenants (with a particular focus on low-income tenants), and provides mediation services. A HUD recognized Fair Housing Initiative Program, the Austin Tenants' Council helps anyone in the Austin Metro area who has been discriminated against in the rental, sale, financing, appraisal or insurance of housing.

**Austin Human Rights Commission:** Appointed by the City Council, this Commission is composed of 11 volunteer commissioners representing the various racial and ethnic groups of Austin. The Commission investigates complaints of discriminatory employment practices as well as fair housing. As a HUD-certified Fair Housing Assistance Program agency, they act as an advisory body on non-discrimination policies, conduct education programs, and investigate complaints of prejudice and discrimination.

**ADAPT OF TEXAS:** ADAPT IS AN ACTION-ORIENTED GROUP THAT ADVOCATES AND DEMONSTRATES FOR ACCESSIBLE PUBLIC ACCOMMODATIONS, ATTENDANT PROGRAMS, TRANSPORTATION, AND DISABILITY RIGHTS.

**Advocacy, Inc.:** This agency provides legal assistance to developmentally disabled persons who have been discriminated against due to their handicap.

### **Promoting Fair Housing Rights and Fair Housing Choice**

The City of Austin maintains a Fair Housing Ordinance that is substantially equivalent to federal fair housing statutes. The Ordinance is administered by the City's Human Rights Commission and provides similar protection and relief from discrimination as its federal counterpart. The Commission investigates alleged discriminatory housing practices and seeks conciliation. After hearing complaints, the Commission determines if discrimination has or is going to occur and refers cases to the judicial system if violations fall under the Ordinance. Civil penalties range from \$10,000 to \$50,000 plus reasonable legal fees, court costs and other equitable relief. The City goes beyond federal law, including protected classes. As part of the 1981 Ordinance, amended in 1994, the City extended equal housing protection regardless of age, creed, status as a student, marital status or sexual orientation. Thus, a broader constituency enjoys the right of equal housing opportunity in Austin as opposed to the country at large (excerpted from the 2005-2010 City of Austin Consolidated Plan).

Through the efforts of HACA staff, Housing Choice Voucher, Public Housing, and AAHC's affordable housing applicants and recipients are advised of their rights under the local and federal laws, as described above. Applicants and recipients will receive assistance in resolving any issues relating to potential fair housing impediments through a referral process. As many agencies within the local community have demonstrated expertise in the areas of fair housing rights and fair housing choice, referring participants to these agencies is the most productive and unbiased way to ensure appropriate measures are taken to resolve any impediment issues that arise in the provision of services by the Housing Authority of the City of Austin.

In addition to working with the aforementioned community-based agencies that address fair housing discrimination, HACA also works closely with a number of additional local agencies that serve or focus on protected classes of individuals. These agencies include Texas Rio Grande Legal Aid, Austin Resource Center for Independent Living (ARCIL), Texas Commission for the Blind, Family Eldercare, Austin Resource Center for the Homeless (ARCH), AIDS Services of Austin (ASA), Austin Travis County MHMR, Safe Place (Domestic Violence services), LifeWorks (homeless and at-risk youth services), and Texas School for the Deaf. Through partnerships with the highlighted agencies and other agencies, HACA shares information regarding housing opportunities and each agency educates HACA staff on circumstances that affect the families they serve.

Through ongoing quality control audits and program evaluation efforts, the Housing Authority of the City of Austin assesses the implementation of its fair housing strategies and refines and enhances its actions as needed.

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### **Additional Steps to Affirmatively Further Fair Housing in HACA's Housing Choice Voucher, Public Housing and Other Affordable Housing and Special Programs**

The Housing Authority of the City of Austin (HACA) is dedicated and committed to taking reasonable steps to affirmatively further fair housing in all of its programs and to maintain records of those steps and their impacts. In addition to its Housing Choice Voucher and Public Housing Programs, and their respective Family Self-Sufficiency programs, HACA implements steps to affirmatively further fair housing in a variety of special housing programs. These programs are primarily Housing Choice Voucher programs and include HUD's: Tenant Based Rental Assistance (TBRA) Program; Section 8 Mod Rehab Program; Disaster Voucher Program; Disaster Housing Assistance Program; Housing Choice Voucher Mainstream Program; Shelter Plus Care Program; Veterans Affairs Supportive Housing Program; Family Unification Program; and Non-Elderly with Disabilities Voucher Program. Moreover, Austin

Affordable Housing Corporation, HACA's non-profit subsidiary, works with the management companies that oversee its tax credit and other affordable housing properties to ensure that steps are being taken to affirmatively further fair housing at those properties.

The steps that HACA takes to further fair housing in its Housing Choice Voucher, Public Housing and special housing programs include:

**Marketing all housing programs to all eligible persons, including persons with disabilities and persons with Limited English Proficiency (LEP)**

The Housing Authority of the City of Austin markets its Housing Choice Voucher, Public Housing and special housing programs to individuals and families throughout the Austin area, through a variety of different means, including online marketing, print marketing and word of mouth. Additionally, a great deal of HACA's marketing is achieved through referral of applicants to HACA from other community-based social service agencies serving similar population of low-income and high need individuals and families. Most of HACA's special housing choice voucher programs serve specific populations of individuals including veterans, those with disabilities, those experiencing homelessness, substance abuse, HIV/AIDS, involvement with the child welfare and foster care system, and those who have relocated after natural disasters. Thus, HACA works in close partnership with local social services agencies that serve each of these specific populations to market its housing programs and establish appropriate referral networks and protocols.

Applicants that are deemed eligible for the HACA's Housing Choice Voucher, Public Housing or special voucher programs, and who have been informed that a voucher or unit is readily available to them, are invited to and required to attend a resident orientation which provides a comprehensive overview of the rules and regulations of participating in the respective housing program. Housing orientations are held weekly for the Housing Choice Voucher and Public Housing Programs, and as needed or on a small group basis for special housing programs. HACA's special voucher program orientations provide a detailed overview of the particular eligibility criteria and limitations that govern these specific programs and that differ from the general Housing Choice Voucher Program. When there are not enough eligible individuals on HACA's waitlist to fill the vacancies in special housing choice voucher programs, the agency may open up the waitlist to individuals who meet the specific eligibility criteria for the program(s) that has openings. When this is the case, HACA works with its partner agencies and special projects coordinators to market these openings to potentially eligible applicants.

As part of the Housing Choice Voucher, Public Housing and special housing program orientations, HACA's Family Self-Sufficiency Coordinators provide an overview of the Family Self-Sufficiency program to incoming residents. HACA's Housing Choice Voucher and Public Housing Family Self-Sufficiency programs currently serve approximately 150 participants, and maintain a waitlist of approximately 90 potential participants (2016). The Family Self-Sufficiency waitlist is opened approximately once a year, to replenish the pool of potential candidates that are interested in the program, and a 30-day notice regarding the waitlist opening is posted at HACA's central office and is provided to all eligible participants. The Housing Choice Voucher Program's Housing Eligibility Specialists and the Public Housing program's Family Self-Sufficiency Specialists and Property Managers also market the Family Self-Sufficiency Program to eligible participants during annual and interim recertification appointments. Information on the Family Self-Sufficiency program is provided to current residents in monthly newsletters. Participants in HACA's special housing choice voucher programs are eligible to participate in the Housing Choice Voucher Family Self-Sufficiency Program, unless the special program they are participating in precludes it, or the special housing program is time limited and conflicts with the requirements of the Family Self-Sufficiency Program.

The Housing Authority of the City of Austin provides reasonable accommodations to individuals applying to all of its programs, upon request. Accommodations include but are not limited to access to alternative communications such as sign language and foreign language interpretation, assistance with completing application paperwork, and alternative technology. HACA's housing operations and admissions staff continues to monitor and assess the language needs of current and potential residents to determine which vital documents need to be translated in order to make the agency's programs accessible to all participants.

**Making buildings and communications that facilitate applications and service delivery accessible to persons with disabilities**

As noted, the Housing Authority of the City of Austin provides notices of availability regarding all of its housing programs and its Family Self-Sufficiency Programs to eligible residents through means including written materials such as newsletter and flyers (currently in English and Spanish); website postings; and face-to-face communication through HACA's Admissions Department and at housing orientations held at HACA's central office. HACA provides reasonable accommodation and furnishes assistance such as alternative communication systems to individuals with disabilities, upon request, so that these individuals have equal opportunity to apply for and participate in all of the agency's programs and services. Moreover, HACA provides information to housing residents on partner agencies and other community-based organizations that also provide accessible services and facilities.

The Housing Authority of the City of Austin's central office building and public housing sites, which are the primary spaces where services are provided and appointments are conducted with housing program applicants Family Self-Sufficiency participants, are

accessible to individuals with physical disabilities. For individuals with disabilities, HACA has made also provisions to conduct annual eligibility re-examination appointments and Family Self-Sufficiency Program appointments in residents' homes under extenuating circumstances, should a resident not have access to Special Transportation Services through Capital Metro or require individually prescribed accessibility devices that cannot be made readily available at HACA's offices. HACA provides local housing preferences for disabled and elderly individuals, and will provide a preference for disabled individuals transitioning out of community health institutions, including nursing homes and particular psychiatric facilities, that are eligible for the Non-Elderly with Disabilities Housing Choice Voucher Program if the program is funded. Individuals with disabilities may also be eligible for upgrades in unit size based on specific medical and accessibility needs.

All of HACA's Housing Choice Voucher Housing Eligibility Specialists and public housing Property Managers maintain specific information on accessible units and their unique accommodations. HACA also grants reasonable accommodations to public housing residents who request accessibility features to be added to existing units or units offered, or offers unit transfers if the requested modifications to the existing units are not feasible. Finally, HACA's Housing Choice Voucher Landlord Outreach Specialist solicits landlords/owners who have accessible housing units to participate in the Housing Choice Voucher Program. A descriptive list of accessible units is available to voucher holders who are seeking such a unit.

The Housing Authority of the City of Austin takes all reasonable steps necessary to ensure that all housing applicants and residents with disabilities, who are interested in participating in any of the agency's housing programs or the Family Self-Sufficiency program, are not excluded from participation or discriminated against in any way.

### **Providing fair housing counseling services or referrals to fair housing agencies**

Please refer to the *Promoting Fair Housing Rights and Fair Housing Choice* and *Remedying Discrimination in Housing* portions of the general section of this Addendum for extensive information on how the Housing Authority of the City of Austin provides fair housing counseling and referral to fair housing agencies.

### **Informing participants on how to file a fair housing complaint**

HACA prominently posts Fair Housing and Equal Opportunity Posters and the toll-free Fair Housing/Discrimination Complaint Hotline number (1-800-669-9777) in multiple areas at its Central Office where Austin residents apply for the agency's Public Housing and Housing Choice Voucher programs, with particular attention to its reception, admissions and Family Self-Sufficiency Conference Room areas. HACA also posts these posters and numbers at each public housing property's administrative office. Applicants with hearing or speech impairments are informed that they may access the Fair Housing hotline via TTY by calling the Federal Information Relay Service at 1-800-887-8339. The same posters and informational flyers are also posted at all 19 of HACA's public housing properties. HACA assists any family that claims illegal discrimination has prevented them from leasing a suitable unit administered by the Housing Authority of the City of Austin, by giving the family information on how to file a housing discrimination complaint with Legal Aid, Austin Tenants' Council or the City of Austin Equal Employment and Fair Housing Office. Additionally, HACA ensures that all families applying for its programs receive HUD's handout "Fair Housing Is Your Right!" Individuals deemed ineligible for HACA services or terminated from HACA's public housing programs for non-compliance, has a right to an informal review hearing with HACA's dedicated Hearing Officer prior to filing a formal fair housing/discrimination claim, unless terminated for drug-related or violent criminal activity. Section 8 participants terminated for drug-related or violent criminal activity are entitled to a hearing.

### **Recruiting landlords and service providers in areas that expand housing choice to program participants, and supporting homeownership across the Austin community**

The Housing Choice Voucher program employs a dedicated Landlord Outreach Specialist to enroll landlords of properties in census tracts with limited affordable housing, as providers of affordable housing through the Housing Choice Voucher program. HACA utilizes the U.S. Census and yearly American Community Survey (ACS) updates to determine and review in which areas of Austin there is little affordable housing, and low minority and socioeconomic status distribution. HACA's Landlord Outreach Specialist then seeks landlords in these areas to participate in the Housing Choice Voucher program in an effort to de-concentrate poverty, diversify areas of the city, and ensure that affordable housing is available across the community and is accessible to areas of high job concentration and high performing schools. Additionally, HACA's Family Self-Sufficiency Coordinators maintain extensive information on local social service providers, child care providers, and transportation routes that FSS participants are likely to utilize, so that FSS participants can make informed housing choices.

HACA's subsidiary, Austin Affordable Housing Corporation, operates a continuum of homeownership preparation and assistance programs. AAHC's Down Payment Assistance Program and Lease-to-Own program both encourage HACA residents who are prepared to transition to homeownership to explore affordable housing opportunities throughout the city of Austin, nearby unincorporated areas, and in surrounding counties – in an effort to find housing that will best meet their needs.



## **Record-keeping of affirmatively furthering fair steps and their impacts**

The Housing Authority of the City of Austin maintains a database on all reasonable accommodations requests that are made, whether those requests are granted or denied. This includes information on both communication and accessibility requests.

HACA also maintains extensive demographic information on both program applicants and residents, including information on language preferences. This information allows HACA to assess the needs of its constituents and to make critical decisions regarding and changes necessary in its approach to serving clients.

HACA also maintains files on individuals and families that are denied acceptance to or terminated from HACA's housing programs, and who file for an informal hearing with HACA's Hearings Officer. The individual or family's request for hearing is filed with notes from the hearing, any back-up documentation provided, and the final hearing decision rendered by the Informal Hearing's Officer. Any appeals or open fair housing complaints made by the plaintiff are also filed.

## **Helping program applicants and participants gain access to supportive community service**

The Housing Authority of the City of Austin staff has extensive knowledge of community based services that can support the needs of program applicants and participants. HACA's Admissions Specialists, Housing Choice Voucher Eligibility Specialists, Family Self-Sufficiency Specialists, Family Self-Sufficiency Coordinators, Resident Outreach Specialists, Youth Educational Success Coordinator and Outreach Specialist, Special Programs Coordinators, Property Managers and Community Directors all provide information and referral to supportive community services at various levels of program participation.

Admissions staff provides basic resource information to housing program applicants before they are accepted into HACA's Housing Choice Voucher or Public Housing Programs, and may refer housing applicants to other interim housing programs and programs that provide basic needs assistance. Housing Choice Voucher Eligibility Specialists provide basic information and referral to social services to Housing Choice Voucher participants, once they are enrolled in the program. Family Self-Sufficiency Specialists and Coordinators provide participants in HACA's Family Self-Sufficiency Programs with case management, assistance in developing Individual Training and Service Plans, and referral and advocacy for workforce development, education, family support and child care services. HACA's Family Self-Sufficiency Coordinators also educate other HACA staff on social services available in the community. HACA's Resident Outreach Specialists work specifically at HACA's Elderly/Disabled designated public housing properties and have a wealth of knowledge on programs that provide services to meet the unique needs of these populations. Moreover, HACA has been fortunate enough to partner with Family Eldercare on an Administration on Aging Grant focused on community innovations in aging in place. Each of HACA's Elderly/Disabled designated public housing properties now has a Service Coordinator, who is a licensed social worker, and provides intensive case management and service coordination services for seniors. The Service Coordinators develop and coordinate health and wellness programs, recreation programs, volunteer programs, caregiver support and benefits counseling and advocacy for seniors in public housing in order to help these individuals age in place in their communities with wraparound services.

Special Programs Coordinators oversee the agency's special housing choice voucher programs, and have specialized knowledge in serving the populations who receive special vouchers (i.e. individuals who are disabled, veterans, child welfare involved, substance abusers, etc.). Special Program Coordinators have established deep relationships with the partner agencies that provide supportive services to special housing program participants and they maintain open communication with the staff at these community-based organizations to best assist the individuals and families participating in these programs.

HACA's Youth Educational Success Coordinator and Youth Outreach Specialist coordinate development programs for HACA youth, focused on academic achievement and social enrichment. They oversee approximately fifteen partnerships with youth-serving agencies that serve over 1,000 HACA youth each year, and maintain close relationships with each of the elementary, middle and high schools that serve HACA's public housing properties.

Finally, HACA's Public Housing Property managers work closely with the property's Resident Outreach Specialists or Family Self-Sufficiency Specialists to provide residents with referrals to appropriate community resources. HACA's Community Directors, all of who have extensive experience working with social service agencies in Austin, develop and coordinate property and community wide events that highlight social service providers and community-based organizations that benefit residents.

While each of the aforementioned staff provides information and referral to residents for supportive community resources, staff informs housing applicants or participants that acceptance of such supportive services is not a condition of continued participation in the program.

**Identify public and private funding sources to assist participants with disabilities in covering the cost of structural alterations and other accessibility features**

All of HACA's Housing Choice Voucher Housing Eligibility Specialists and public housing Property Managers maintain specific information on accessible units and their unique accommodations. HACA also grants reasonable accommodations to public housing residents who request accessibility features to be added to existing units or units offered, or offers unit transfers if the requested modifications to the existing units are not feasible. Finally, HACA's Housing Choice Voucher Landlord Outreach Specialist solicits landlords/owners who have accessible housing units to participate in the Housing Choice Voucher Program. A descriptive list of accessible units is available to voucher holders who are seeking such a unit.

In most cases the Housing Authority of the City of Austin's Capital Fund Program provides the funding necessary to cover the cost of feasible structural alterations and other accessibility features in public housing units. These include alterations and features requested under reasonable accommodation requests, as well as alterations that HACA has chosen to make to a number of units to increase the accessibility of these units for those with physical disabilities. The only cases in which Capital Funds will not cover alterations are if the costs are excessive and unreasonable, or a resident has already made arrangements for cost to be covered through other modification programs.

HACA's Capital Fund Program does not provide funding to cover the cost of structural alterations and other accessibility features in Housing Choice Voucher units owned by landlords in the community. However, HACA's Housing Choice Voucher Landlord Outreach Specialist maintains information on sources of funding that can support landlords in making accessibility modifications to units that they own. These include funds provided by the local area agency on aging, Texas Department of Aging and Disability Services, Texas Department of Housing and Community Affairs, the State Housing Finance Agency, the local independent living center, Neighborworks and other community organizations.

**Approve higher rents to owners that provide accessible housing units with structural modifications for persons with disabilities**

According to rent reasonableness requirements outlined at 24 CFR 982.507 and in the U.S. Department of Housing and Urban Development's Office of Public and Indian Housing PIH 2009-51 Notice, a PHA's HCV program may not approve a lease until the PHA determines that the initial rent to owner is a reasonable rent. In order for the rent to be reasonable, the rent may not be more than rent charged for comparable units in the private unassisted market. In addition, the rent may not be more than rent charged by the owner for comparable unassisted units on the premises. In other words, the owner is not permitted to charge the HCV program more for rent than what unassisted tenants in comparable units are paying. The owner must give the PHA information requested by the PHA on rents charged by the owner for other units in the premises or elsewhere.

However, for an individual or family that requires an accessible unit with structural modifications, the accessible features may justify a higher rent. For such households, the rent reasonableness determination must take those features into account. In a community where there are few such units, or a significantly greater need than the number of accessible units available, the PHA is justified in allowing a higher rent. HACA will approve higher rents to owners that provide accessible housing units with structural modifications for persons with disabilities, based on HUD guidelines.

**Provide technical assistance, through referrals to local fair housing and equal opportunity offices, to owners interested in making reasonable accommodations or units accessible to persons with disabilities.**

HACA's Housing Choice Voucher Landlord Outreach Specialist makes referrals to fair housing organizations, equal opportunity offices and local disability rights and advocacy organizations for owners interested in making reasonable accommodations or accessibility modifications. As noted, these organizations include the: City of Austin Equal Employment and Fair Housing Office, Austin Tenants' Council, Austin Human Rights Commission, ADAPT of Texas, Advocacy Inc., Austin Resource Center for Independent Living, Texas Department of Aging and Disability Services, Texas Commission for the Blind, Family Eldercare, Austin Resource Center for the Homeless (ARCH), AIDS Services of Austin, Austin Travis County Integral Care, and the Texas School for the Deaf

**Not deny other housing opportunities, or otherwise restrict access to PHA programs to eligible applicants who choose not to participate**

Applicants that are deemed eligible for the HACA's Housing Choice Voucher, Public Housing or special voucher programs, and who have been informed that a voucher or unit is readily available to them, are invited to and required to attend a resident orientation which

provides a comprehensive overview of the rules and regulations of participating in the respective housing program. However, should a participant who has been accepted into any of HACA's housing programs ultimately choose not to participate in the program offered, HACA may not restrict access to other PHA programs in the future.

#### **Provide housing search assistance**

Housing orientations for HACA's general Housing Choice Voucher and special housing programs provide a detailed overview of the particular eligibility criteria and limitations that govern these programs. While there is not a staff person dedicated to providing 1:1 assistance to voucher recipients in finding a rental unit, HACA's Landlord Outreach Specialist provides extensive information on searching for units at each orientation. Additionally HACA maintains a bulletin board and binders at its central office that voucher recipients can reference to find landlords accepting Housing Choice Vouchers. The Housing Choice Voucher Program's Special Program Coordinators, who work closely with special service providers, are also a valuable resource for providing referrals to landlords who accept special housing vouchers.

#### **Advertising widely in the community for positions in HACA's housing programs should positions become open and available**

The Housing Authority of the City of Austin advertises the agency's vacant positions widely and equitably by marketing the available positions through many different venues. HACA advertises vacant positions on its agency website; local and regional job classified listings (both web and newspaper-based – such as Craigslist.org and the Austin American-Statesman); national job classified websites (Monster.com, Careerbuilder.com); local university job listings; and through regional and national industry list serves and publications including NAHRO and TX NAHRO postings, and non-profit industry websites. HACA also markets its positions on property and at its central office in support of HUD's Section 3 program.

**Attachment C.3**  
**Resident Advisory Board (RAB) Comments**



## **2018 Draft Public Housing Authority Annual Plan Public Hearings**

A 45-Day Public Comment Period for the draft 2018 PHA Annual Plan will commence on Friday, October 20, 2017 and will conclude on Monday, December 4, 2017. There will be three Public Hearings to be held: November 14, 2017 at 10:00AM (Pathways at Georgian Manor 110 Bolles Circle 78753) to be held in conjunction with the Citywide Advisory Board Meeting, Friday, November 17, 2017 at 12:00PM to be held at the HACA Central Office (1124 S. IH-35 78704), and Tuesday, November 28, 2017, at 5:30PM to be held at the Henry Flores Education Training Center (1201 W. Live Oak 78704) to receive public input for the revisions to the 2017 Annual Plan. The draft will be presented to the HACA Board of Commissioners for approval at the December 18, 2017 Board of Commissioners meeting.

**Attachment C.4**  
**Certification by State or Local Officials**

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**Attachment D.1**  
**Statement of Capital Improvements**





## **Attachment E.1**

### **Choice Mobility**

## Choice Mobility Policy



Created 5/19/2016

# HACA Choice Mobility Policy

## I. Definitions:

1. *Covered Project*: Any Public Housing property that has converted to the Project Based Rental Assistance (PBRA) program through RAD.
2. *Choice Mobility*: The opportunity for families to request a Housing Choice Voucher (HCV) and move into the private rental market with voucher assistance.
3. *Turnover Caps*: The maximum number of families that can receive a voucher in a calendar year. PHAs can establish caps for the maximum number of families that can receive a voucher from each property in the calendar year. PHAs can also establish caps for the maximum number of vouchers from all properties combined that can receive a voucher in a calendar year.

## II. Eligibility and Voucher Caps

HUD seeks to provide all residents of Covered Projects with viable Choice Mobility options. The Housing Choice Voucher (HCV) program provides the most options for families to choose where they want to live within that housing authority's jurisdiction.

PHAs that are applying to convert the assistance of a project to PBRA are required to provide a Choice-Mobility option to residents of Covered Projects in accordance with the following:

- A. ***Resident Eligibility***. Residents have a right to move with tenant-based rental assistance (e.g., Housing Choice Voucher (HCV)) the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-in date.
- B. ***Voucher Inventory Turnover Cap***. Recognizing the limitation on the availability of turnover vouchers from year to year, a voucher agency would not be required, in any year, to provide more than one-third of its turnover vouchers to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received.

## HACA Policy

HACA will provide all residents the opportunity to request a Housing Choice Voucher after the later of a) 24 months from the date of the execution of the HAP contract, or b) 24 months from the date of move in.

- If a family moves from one covered project to another covered project, their 24 month clock resets. These families will have to wait for 24 months from the date of move in to the new property, before they can exercise Choice Mobility.
- If a family transfers within the same covered project, their 24 month clock does not reset. They will be eligible to request a Choice Mobility voucher at the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-

- in date.
- A family may request the choice mobility voucher at any time after completing the 24 month requirement. They remain eligible as long as they continue living at the same covered project.
- A family that receives a Choice Mobility voucher, but allows it to expire without using it, can request another Choice Mobility voucher. However, they must wait 1 year from the date of the issuance of the expired voucher before requesting another Choice Mobility voucher. When they do request again, they will start the process from the beginning and are subject to any waiting lists in place at that time.

HACA will implement the voucher inventory cap. Each calendar year, the HCV program will only make 1/3 of its turnover vouchers available to families exercising Choice Mobility from any of its 18 covered projects transitioning into PBRA through the Rental Assistance Demonstration (RAD). HACA will establish an agency-wide Choice Mobility waiting list for times when there are more requests for vouchers than vouchers available due to the cap.

HACA will not implement the project turnover cap.

The HCV program also provides the opportunity to move to other parts of the country by exercising the portability options. Families will be required to follow the housing authority's guidelines regarding when they can exercise the portability option.

### **HACA Policy**

In order to be eligible for the Choice Mobility option, families have to live in Austin, in a HACA owned PBRA property for at least 2 years. These families meet HACA's HCV program requirements and are eligible to exercise portability when they first receive a voucher.

### **III. Notification of Eligibility**

In keeping with HUD's goal to provide viable Choice Mobility options to residents of all covered projects, PHAs should provide clear notification and explanation of the Choice Mobility options available to them.

### **HACA Policy**

At the time of the initial lease signing, HACA will provide a copy of the Choice Mobility policy to the family and explain the Choice Mobility option. HACA will provide clear direction and guidance regarding how to request a Choice Mobility voucher. Residents will be asked to sign a certification indicating that they received the Choice Mobility policy.

In addition, HACA will provide a written notification to the residents as part of the 90 Day letter that each families receives before their annual recertification appointment. (See Appendix 1)

If anything changes in the method for requesting the Choice Mobility voucher, HACA will provide written notification to the residents at least 30 days in advance of the change becoming effective.



#### **IV. Waiting Lists**

PHA's that establish a voucher turnover cap are required to create a waiting list for families that request the Choice Mobility voucher.

##### **HACA Policy**

HACA will establish a Choice Mobility waiting list for all eligible families that request a voucher. The waiting list will be managed by HACA's centralized Admissions Department.

Since HACA is not implementing a project turnover cap, there will be no project specific waiting lists. Eligible families that request the voucher will be placed directly onto the Choice Mobility waiting list.

HACA will remove families from the Choice Mobility waiting list who move out of the covered project before receiving a voucher.

- If a family moves out of the covered project into the private rental market after being placed on the Choice Mobility waiting list, they are no longer eligible for the voucher and their name will be removed from the Choice Mobility waiting list.
- If a family moves from one covered project to another covered project after being placed on the Choice Mobility waiting list, their 2 year clock resets. They will be removed from the Choice Mobility waiting list. They can re-apply once they have lived at the new covered project for 2 years.

Families that are already on the regular HCV waiting list will be allowed to request a Choice Mobility voucher if they are eligible. Families will be allowed to keep their place on both lists until one of the following happens:

- The family moves out of the covered project and is no longer eligible to be on the Choice Mobility list. The family will be removed from the Choice Mobility waiting list, but maintain their position on the regular HCV waiting list.
- The family voluntarily withdraws their name from one or both lists.
- The family receives a voucher and exercises the voucher by leasing up in the voucher program. The family will then be removed from the other list.
  - If a family receives a voucher through the regular HCV waiting list, but does not exercise the voucher (i.e. lease up in the voucher program), they will remain on the Choice Mobility waiting list.

#### **V. Exercising the Choice Mobility Option**

In order to ensure that all residents at all covered projects have an equal and fair opportunity to request and receive a Choice Mobility voucher, PHAs should provide clear guidance and instructions regarding how to apply for the voucher.

##### **HACA Policy**

In order to maintain a safe, orderly and fair process for families to request a Choice Mobility voucher, HACA will implement the following:

- ***Voucher Request:***
  - When a family is eligible to request a voucher, they must do so in writing using the voucher request form provided at the property (See Appendix 2).
  - The written request must be submitted to the management office at the covered property or at HACA's Central Administration building.
  - Once received, the property management staff or central office staff will forward the request to the Admissions Department to be placed on the Choice Mobility waiting list.
- ***Acknowledgement of Request:***
  - Once the request is received and processed onto the Choice Mobility waiting list, the Admissions Department will send the family a notice acknowledging receipt of the voucher request (See Appendix 3).
  - This is the family's confirmation that they are on the Choice Mobility waiting list.
  - The acknowledgement of request will be sent to the family within 5 business days of receipt of the request.
- ***Random Sorting:***
  - Once there are families on the Choice Mobility waiting list, HACA will select 1/3 of its monthly draw from the Choice Mobility waiting list.
  - Before each draw, HACA will conduct a random sort of the Choice Mobility waiting list.
  - The random sort protects each individual property from high volume resident turnover, while providing each family an equal opportunity to receive a voucher.

When a family is drawn from the Choice Mobility waiting list, they will be invited to attend the Housing Choice Voucher (HCV) program eligibility interview.

## **VI. Screening Process for the Choice Mobility HCV Voucher**

In order to receive a Housing Choice voucher, families will be required to meet all the eligibility requirements for the HCV program in effect at the time of their eligibility processing. These requirements can be found in the HCV Administrative Plan.

### **HACA Policy**

HACA will screen all Choice Mobility families using the same criteria as for all other families. However, HACA will streamline the eligibility determination process in the following ways:

- HACA will use the certifications of identification, age, social security number and citizenship that it already has on file for the family.
- HACA will review the most recent certification and 50059 for basic information about the family composition and annual household income.
- HACA will only require new verification of income if the verifications for the most recent certification are too old to meet the criteria for the HCV program.

If eligible to receive a voucher, families will follow the HCV program rules and guidelines for

using the voucher. Families are reminded of the following:

- ***The voucher has an expiration date.*** If extensions are available, families must follow the HCV program guidelines in effect at that time to request an extension. Failure to use the voucher before it expires will result in loss of the voucher.
- ***Receipt of a voucher is not a guarantee that the family will be able to find a place to use the voucher.*** Landlords have their own screening criteria which families will have to meet to be able to live at that property.
- ***The family's lease at their current property requires at least 30 days notice to vacate.*** The family must provide this notice to their current property management staff.

## **VII. Transitioning from Project Based Rental Assistance to the Housing Choice Voucher Program**

When transitioning from PBRA to the HCV program with a Choice Mobility voucher, program participants are required to fulfill their obligations to the terms of the PBRA lease as well as all HCV requirements. Families are not allowed to receive assistance from both programs at the same time. To assist with the transition process and prevent duplicate assistance, PHA's should develop policies and guidelines to ensure that both program requirements are met.

### **HACA Policy**

Residents at a HACA PBRA property will be required to complete the following when transitioning to HACA's HCV program with a choice mobility voucher:

- Remain current on all rent, fees or other balances owed to the PBRA property.
  - Families with outstanding debts who are in a repayment agreement and who are current on their payments within the agreement are considered eligible.
  - Families with active repayment agreements must continue to make all payments until the balance is paid in full or risk losing their voucher assistance.
- Provide at least 30 days notice of their intent to vacate the unit to the property management.
- Participate in the move out inspection.
- Turn in their keys to the property management.
- Pay all move out expenses that may be charged after moving to their new home with voucher assistance.
  - If necessary, repayment agreements can be established to pay any outstanding move out balances.
  - Failure to pay the move out balance or to remain current in any repayment agreements that are established is grounds for termination of the family's voucher assistance.
- Pay all moving expenses related to the move from the PBRA property to their voucher assisted unit.

HACA and PBRA property staff will work to facilitate this process by doing the following:

- Communicate between departments information related to the issuance of the voucher, move out notices, voucher extensions and specific dates of move out / move in.

- Note: Coordination of communication between departments does not remove any of the family's obligations.
- Communicate the move out date from the PBRA program to the HCV Intake Team to prevent the overlapping of assistance.
  - The move out from PBRA will not be effective until the property manager receives the keys from the resident family.
  - The family will be required to pay the full rental cost for any days that they have moved in to their new unit before returning the keys to the PBRA property management.
  - The voucher assistance will not start until the day after the family provides the keys to the PBRA property management.

For a detailed flow chart of the transition process, please see Appendix 4.

### **VIII. Promoting Self-Sufficiency Through Choice Mobility**

The decision about where to live can have a significant impact on a family's journey toward self-sufficiency. Through the Choice Mobility voucher option, families living in the PBRA property are given the opportunity to make that decision. Therefore PHA's should strategize how to maximize the use of the Choice Mobility voucher as a self-sufficiency tool.

#### **HACA Policy**

Within available resources, HACA will intentionally strategize and leverage the utilization of specific supportive services to provide a solid foundation for the use of the Choice Mobility voucher as a self-sufficiency and resource building tool.

- HACA will explore how to efficiently and effectively use the 2 + years that families are living in PBRA to offer community development services that focus on preparing families for transition to use of a voucher in the private rental market. Such services may include, but are not limited to, financial literacy training, credit counseling and credit improvement, addressing rental history, increasing income through employment, financial coaching, and home maintenance and upkeep among others.
- HACA will explore how to use the resources available (i.e. opportunity mapping) to help direct families toward areas of higher opportunity when they are searching for neighborhoods and housing that meets their needs and where they can use the voucher. This will include helping families to understand how to use these tools to gain information on items such as schools, supportive services and transportation.





# Housing Authority of the City of Austin

*Established in 1937*

## Annual Recertification Notice - 90 DAY REMINDER

Name  
Address  
Austin, TX

Date  
Account No:  
Client No:

Dear :

It will soon be time to renew your housing lease. In order to complete your lease renewal in a timely manner, you will need to provide us with updated documentation regarding your household's income, assets and expenses. If you have lived at [name of property] for at least 2 years, you will also have opportunity to request a Housing Choice Voucher through Choice Mobility.

You will be receiving a letter in the next few weeks scheduling you for your lease renewal appointment. It is very important that you attend this appointment and bring all documentation listed below that applies to your household.

### **ALL BENEFIT LETTERS MUST NOT BE MORE THAN 120 DAYS OLD.**

#### **INCOME:**

- Proof of all income received by all household members. Income sources and proper documentation include but are not limited to: letter from employer on company letterhead; consecutive pay stubs for at least the last 2 months; TANF letter; Social Security/SSI/SSDI award letters; child support payment history printouts; unemployment benefits statements; pension statements; annuity payments; military pay; Workman's compensation; severance pay; etc.

#### **ASSETS:**

- Most recent three months' bank statements for checking/savings accounts owned by all household members.
- Most recent quarterly statements for any certificates of deposit, money market, IRA/Keogh, stocks, bonds, treasury bills, trust funds, universal life policies, etc.
- Most recent property appraisal/tax statement for any real estate owned.

#### **EXPENSES:**

- Proof of ongoing childcare expenses for children under 13 years of age (example: CCMS contract, receipts or payment history printout from childcare provider).
- Disabled or elderly household only: Proof of ongoing unreimbursed medical expenses not covered by insurance (examples: Pharmacy printouts, medical/dental receipts, payments of medical insurance premiums, payments for live-in aides, etc.)
- Proof of full-time enrollment in college/higher education for family members age 18 years and older (must NOT be the head of household/co-head/spouse).

#### **OTHER:**

- Birth certificates and Social Security cards for any new family members residing with you.

**NOTE:** Failure to attend your scheduled appointment and/or submit all necessary documents to complete your lease renewal will jeopardize your family's housing. If you are unable to keep your appointment, you must contact us within three (3) days from the date of this letter to reschedule.

Sincerely,  
Management





# Housing Authority of the City of Austin

*Bringing Opportunity Home*

## Choice Mobility Voucher Request

Date: \_\_\_\_\_ Client No. \_\_\_\_\_

Acct. No. \_\_\_\_\_ Property: \_\_\_\_\_

Head of Household: \_\_\_\_\_

Present Address: \_\_\_\_\_

### Family Composition:

Co-Head of Household: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Has Resident lived in PBRA at this property for at least two (2) years? ( ) Yes ( ) No

Does the Resident owe any balance to HACA? ( ) Yes ( ) No

Is there an Eviction and/or Lease Termination pending? ( ) Yes ( ) No

Resident Signature: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### DO NOT WRITE IN THIS BOX – FOR ADMISSIONS OFFICE ONLY

Date Received: \_\_\_\_\_

Date Acknowledgment Letter Sent: \_\_\_\_\_

Admissions Director: \_\_\_\_\_ Date: \_\_\_\_\_





# Housing Authority of the City of Austin

*Bringing Opportunity Home*

## ACKNOWLEDGMENT OF VOUCHER REQUEST

NAME  
ADDRESS  
CITY, ST ZIP

DATE  
CLIENT NO.:

Dear "CLIENT NAME",

This letter is to inform you that we have received your request to receive a Choice Mobility voucher. Your name has been placed on the Choice Mobility waiting list.

There are several things to remember about the Choice Mobility vouchers:

- The Housing Authority of the City of Austin (HACA) has capped the number of available Choice Mobility vouchers at 1/3 of the voucher program turnover rate. That means that each time HACA issues vouchers, only 1/3 will come from the Choice Mobility waiting list.
- HACA will conduct a random sort (lottery) each time it draws names off the Choice Mobility Waiting List. As a result, it is difficult to tell you when you will be invited in for eligibility screening.
- When your name is drawn from the list, you will be contacted by mail and invited to the eligibility interview. At that time we will review all information related to the voucher program eligibility criteria including (but not limited to) criminal background, rental history, and household income.

While you are on the waiting list, you can do the following:

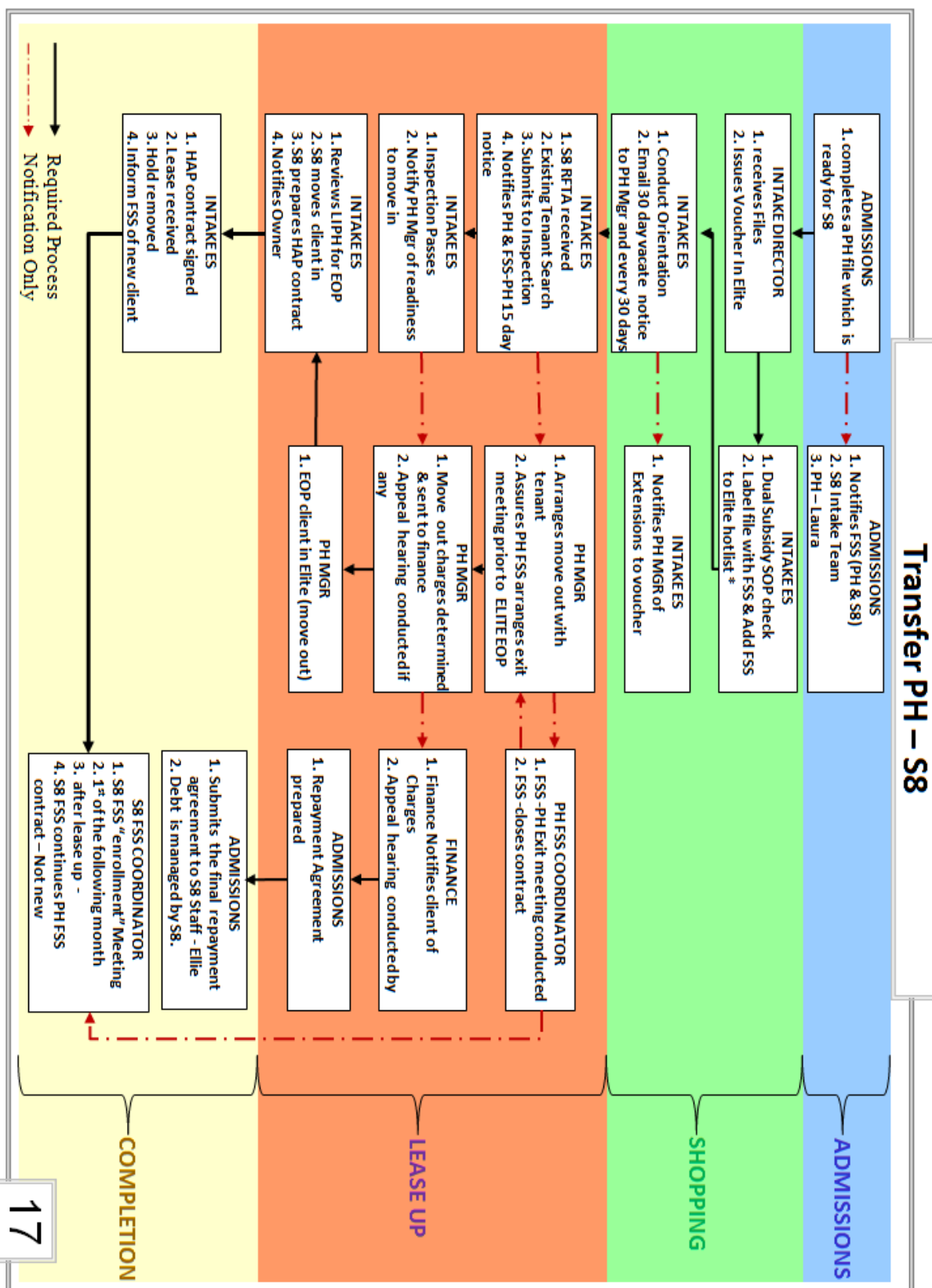
- Prepare a plan for how you will pay for the costs of moving (Security Deposits, Pet Deposits, Application Fees, Moving Expenses, etc)
- Review your credit history and rental history and if necessary seek assistance to repair that history. Many landlords review this information before approving rentals.
- Consider what areas of town would provide the best opportunities for you and your family.

If you have additional questions about the Choice Mobility Voucher, please contact the Admissions Department at (512) 477-4488.

Sincerely,  
Admissions Department



## Appendix 4: Transfer Process from PBRA to HCV



**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**ITEM NO. 6**

**Update on HACA's Rental Assistance Demonstration  
Program**

**September 21, 2017  
Regular Meeting**



**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**ITEM NO. 7**

**Presentation and Update on the Jobs Plus Demonstration  
Workforce Program**

**September 21, 2017  
Regular Meeting**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**EXECUTIVE SESSION**

**The Board may go into Executive Session (close its meeting to the public)  
Pursuant to:**

- a. § 551.071, Texas Gov't Code, consultations with Attorney regarding legal advice, pending or contemplated litigation; or a settlement offer;**
- b. §551.072, Texas Gov't Code, discussion about the purchase, exchange, lease or value of real property;**
- c. §551.074, Texas Gov't Code, discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee; including but not limited to the evaluation of the President/CEO**
- d. §551.087, Texas Gov't Code, discuss certain economic development negotiations.**

**Return to Open Session for discussion, consideration and possible action of matters discussed in Executive Session**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**ADJOURNMENT**

**September 21, 2017  
Regular Meeting**