

THE HOUSING AUTHORITY OF THE CITY OF AUSTIN



BOARD OF COMMISSIONERS

Chairperson - Carl S. Richie, Jr.

Charles Bailey

Mary Apostolou

Tyra Duncan-Hall

Edwina Carrington

Michael G. Gerber, President & CEO

BOARD OF COMMISSIONERS

Regular Meeting

Wednesday, October 17, 2018

12:00 PM

HACA Central Offices

1124 S. IH 35

Austin, TX

**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
HACA Central Offices
1124 S. IH 35
Austin, TX
(512.477.4488)**

**Wednesday, October 17, 2018
12:00 PM**

CALL TO ORDER, ROLL CALL

CERTIFICATION OF QUORUM

Overview of International Housing Research through the National Association of Housing Redevelopment Officials

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

Citywide Advisory Board Update

CONSENT ITEMS

1. Presentation, Discussion, and Possible Action regarding the Approval of a Board Minutes Summary for the Board Meeting held on September 20, 2018

ACTION ITEMS

2. Presentation, Discussion, and Possible Action regarding Resolution No. 2569: Resolution Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development of the Elysium Apartments
3. Update on HACA's Rental Assistance Demonstration Program (RAD)
4. Presentation, Discussion, and Possible Action regarding Resolution No. 2570: Award of a contract to CVR to provide relocation, implementation and consulting services for the redevelopment of Chalmers Courts East through the Rental Assistance Demonstration Program
5. Presentation, Discussion, and Possible Action regarding Resolution No. 2571: Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development and Rehabilitation of Pathways at Salina Apartments
6. Presentation, Discussion, and Possible Action regarding Resolution No. 2572: Approving the Award of Contract for RAD Phase II Construction Services at Salina Apartments.
7. Presentation, Discussion, and Possible Action regarding Resolution No. 2573: Approval of Revisions to the Housing Choice Voucher Administrative Plan
8. Presentation and Discussion of the Draft 2019 Public Housing Authority (PHA) Annual Plan and 2019-2024 Five-Year Plan

9. Presentation, Discussion, and Possible Action regarding Resolution No. 2574: Approving Write-Off of the Uncollectible Accounts of Vacated Tenants for the six-month period Ending August 31, 2018

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.
- 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 esta reunión con una arma o pistola.

"En virtud de 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.

*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 x2104.

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

EXECUTIVE

ITEM NO. 1.

MEETING DATE: October 17, 2018

STAFF CONTACT: Michael Gerber, President & CEO

ITEM TITLE: Presentation, Discussion, and Possible Action regarding the Approval of a Board Minutes Summary for the Board Meeting held on September 20, 2018

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

The Board is being asked to review and approve the Board Minutes Summary for the Board Meeting held on September 20, 2018.

ATTACHMENTS:

- ▣ **20180920 HACA Minutes Summary**

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

SEPTEMBER 20, 2018

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 20, 2018, AND WAS HELD AT THE HACA CENTRAL OFFICE, 1124 S. IH 35, AUSTIN, TX

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 20, 2018, was called to order by Carl S. Richie, Jr., HACA Chairperson, at 12:16 pm. The meeting was held at the HACA Central Office, 1124 S. IH 35, Austin, TX

Roll call certified a quorum was present.

MEMBERS PRESENT:

Carl S. Richie, Jr., Chairperson
Charles Bailey, Vice Chairperson
Edwina Carrington, Commissioner
Mary Apostolou, Commissioner

MEMBER(S) ABSENT:

Tyra Duncan-Hall, 2nd Vice Chairperson

STAFF PRESENT:

Ann Gass, Andrea Galloway, Lisa Garcia, Martha Ross, Michael Gerber, Nidia Hiroms, Pilar Sanchez, Ron Kowal, Suzanne Schwertner, and Sylvia Blanco

ALSO IN ATTENDANCE:

Jim Ewbank, Cokinos, Bosien & Young
Barry Palmer, Coats Rose
Bill Walter, Coats Rose

CITIZENS COMMUNICATION – NONE.

CITYWIDE ADVISORY BOARD (CWAB) - CWAB President **Felicia Vargas** reported on behalf of the CWAB. •**Ms. Vargas** reported that a moment of silence was held in remembrance of 9/11 victims. •HACA's new APD Liaison, **Officer Paula Aguilar**, provided an update on the upcoming Apartment Residents on Watch (AROW) Training, to be held on October 9th at Lakeside. •APD Crime Specialist, **Joshua Visi**, will present the training for the Resident Council leaders. •**Officer Aguilar** suggested that each Resident Council have an AROW table at their National Night Out Celebration on October 2nd. •Staff from the *Austin Area Urban League* gave an update on their workforce development programs. •**Michael Gerber**, HACA President & CEO, handed out the new HACA Annual Reports and announced the groundbreaking at Goodrich Place on September 19th. •**Barbara Jackson**, HACA Acting Community Development Director, provided an update on Workforce Development and Jobs Plus, and introduced the new Workforce Development Manager, **Murphy Roland "Roland"**. •**Roland** encouraged residents to sign up for the "Senior" Job Fair for those 50 and older. •**Claudia Conner**, Workforce temporary, announced the upcoming American Gateways presentation at Meadowbrook. The presentation, scheduled for September 26th at 6:00 p.m., will address Immigration concerns. •**Felisa Jones-Epps**, HACA YES Manager, handed-out the new YES newsletter and discussed the date of the rescheduled (rain-out) family day at Barton Springs. •Felisa introduced **Julianna Hernandez**, the new ROSS Specialist for Santa Rita, Rosewood/Salina and Shadowbend. •**Andrea Smith**, HACA FSS Coordinator, announced that the FSS Luncheon will be 11:30 a.m. on October 30th, at the Omni Hotel.

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 16, 2018

Commissioner Apostolou moved to Approve the Board Minutes Summary for the Board Meeting held on August 16, 2018. **Vice-Chairperson Bailey** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

ACTION ITEMS

APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS

ITEM 2: Update on HACA's Rental Assistance Demonstration Program

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

ITEM 3: Presentation, Discussion, and Possible Action regarding Resolution No. 2563: Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development and Rehabilitation of Pathways at Rosewood Courts

Resolution No. 2563 is the authorization from the Board of Commissioners to allow AAHC to execute any and all documents and take any other action necessary to facilitate the closing for Pathways at Rosewood Courts.

As part of this conversion to RAD, HACA plans to make certain minor repairs to ensure the ongoing usefulness of the community space and units at Rosewood Courts. Improvements include updates to the Goodwill building such as: replacement of the air handler in the attic, new roofs on the ends of the building, new exterior door, new flooring, and cabinets and counters in the upstairs kitchen. Certain units will receive new bathtubs and work to reaffix or remove certain porch poles. Site work includes a new door to the water softener room and tree trimming throughout. This relatively minor scope of work does not include any demolition or substantial modification to the exteriors of the building. HACA hopes to undertake a more comprehensive redevelopment of Rosewood Courts in the next several years.

Commissioner Carrington moved to Approve Resolution No. 2563: Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development and Rehabilitation of Pathways at Rosewood Courts. **Commissioner Apostolou** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

ITEM 4: Presentation, Discussion, and Possible Action regarding Resolution No. 2564: Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development and Rehabilitation of Pathways at Santa Rita Courts

Resolution No. 2564 is the authorization from the Board of Commissioners to allow AAHC to execute any and all documents and take any other action necessary to facilitate the closing for Pathways at Santa Rita Courts.

The conversion process to RAD will provide for Santa Rita Courts to receive 50 exterior doors and storm doors, updates to the common area bathroom, new stair treads to 40 units, removal of unused water softener, cleaning and repair of mailboxes, updates to the community room including new ceiling tile and paint, clean and wax floor, new storage lockers and common area furniture.

Commissioner Apostolou moved to Approve Resolution No. 2564: Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development and Rehabilitation of Pathways at Santa Rita Courts. **Commissioner Carrington** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

ITEM 5: Presentation, Discussion, and Possible Action regarding Resolution No. 2565: Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development and Rehabilitation of Pathways at Thurmond Heights

Resolution No. 2565 authorizes the Housing Authority of the City of Austin to take such actions necessary or convenient to facilitate the development and rehabilitation of the Pathways at Thurmond Heights.

The conversion process to RAD will provide Thurmond Heights to receive shade covers for the playground, as well as significant updates to the community room, including window replacements, adding accessible path to entrance, adding a concrete pad under mail drop, removing a wall in the manager's office to make it accessible, abatement and replacement flooring throughout building, two storefront doors with a push button, painting throughout building, lever knobs on bathroom sinks, a new water heater and steaming clean and re-grouting of the bathrooms.

Commissioner Apostolou moved to Approve Resolution No. No. 2565: Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development and Rehabilitation of Pathways at Thurmond Heights. **Commissioner Carrington** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

ITEM 6: Presentation, Discussion, and Possible Action regarding Resolution No. 2566: Authorizing the Housing Authority of the City of Austin ("HACA") to take the following actions with regard to the Northwest Hills Apartments (the "Development") in Austin, Texas: (A) acquire the site of the development; (B) lease the development site to the owner of the development; and (C) such other actions necessary or convenient to carry out this resolution

Austin Affordable Housing Corporation was presented with an opportunity to partner with Community Development Trust (CDT) to purchase the Northwest Hills Apartments. AAHC and CDT are in discussions with the Austin Housing Conservancy (AHC) to add them as a third partner.

Northwest Hills Apartments, located at 3600 Greystone Drive, is a 314-unit apartment complex built in 1978. This property is situated in one of the highest opportunity areas of Austin, Texas. This area serves Austin's nurses, entry-level tech workers, teachers, and other individuals and families earning between 60% and 120% of median household income. Located within the

boundaries of one of the strongest rated schools in Austin ISD, this property meets AAHC's goals of close proximity to good jobs, schools, grocers and transit. Community amenities include two swimming pools with gazebo's and outdoor kitchen, a large two story clubhouse with full kitchen and business center. A 24-hour fitness center, a large 24-hour laundry facilities and covered parking. The property is home to many major employers in and around the area and feeds into the desirable NW Austin schools of Doss Elementary, Murchison Middle School and Anderson High School. This property will accept Housing Choice Vouchers upon acquisition. The unit mix will consist of 28 studio units ranging from 420 square feet to 553 square feet; 216 one bedroom one bath units ranging from 687 square feet to 828 square feet; and 70 two bedrooms and two baths units ranging from 1,026 square feet to 1226 square feet.

Commissioner Carrington moved to Approve Resolution No. 2566: Authorizing the Housing Authority of the City of Austin to take the following actions with regard to the Northwest Hills Apartments in Austin, Texas: (A) acquire the site of the development; (B) lease the development site to the owner of the development; and (C) such other actions necessary or convenient to carry out this resolution. **Commissioner Apostolou** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

ITEM 7: Presentation, Discussion, and Possible Action regarding Resolution No. 2567: Authorizing the Housing Authority of the City of Austin ("HACA") to take the following actions with regard to the Terracina Apartments (the "Development") in Austin, Texas: (A) acquire the site of the development; (B) lease the development site to the owner of the development; and (C) such other actions necessary or convenient to carry out this resolution

Austin Affordable Housing Corporation was presented with an opportunity to partner with Enterprise Community Partners to purchase the Terracina Apartments. AAHC and Enterprise have previously partnered, and wish to expand their partnership with the acquisition of the Terracina Apartments. AAHC and Enterprise Community Partners are in discussions with the Austin Housing Conservancy (AHC) to potentially include them as a third partner.

AAHC has entered into a purchase contract for the acquisition of the development and in order to complete this purchase, the Board of Commissioners of HACA was asked to approve and adopt this resolution and authorize its Chief Executive Officer to carry out any, and all actions required to facilitate this transaction.

Terracina Apartments is a 170-unit apartment complex built in 1971. Located at 8100 North Mopac Drive, the property is situated in one of the highest opportunity areas of Austin, Texas, and serves Austin's nurses, entry level tech workers, teachers, and other individuals and families earning between 60% and 120% of median household income. Located within the boundaries of several of the strongest rated schools in Austin ISD, this property meets AAHC's goals of proximity to jobs, schools, grocers and transit. Community amenities include two swimming pools with gazebos and outdoor kitchen, a large two story clubhouse with full kitchen and business center, a 24-hour fitness center, three 24-hour laundry facilities and covered parking. The property is in close proximity to many major employers in and around the area and feeds into the desirable NW Austin schools of Doss Elementary, Murchison Middle School and Anderson High School. This property will accept Housing Choice Vouchers upon acquisition. The unit mix will consist of 74 one bedroom one bath units ranging from 702 square feet to 759 square feet, and 96 two bedrooms two bath units ranging from 944 square feet to 1343 square feet.

Commissioner Apostolou moved to Approve Resolution No. 2567: Authorizing the Housing Authority of the City of Austin to take the following actions with regard to the Terracina Apartments in Austin, Texas: (A) acquire the site of the development; (B) lease the development site to the owner of the development; and (C) such other actions necessary or convenient to carry out this resolution. **Commissioner Carrington** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

Laura Bodai, HACA Admissions Director, reported on the status for the Housing Choice Voucher Wait List opening. As of 8 a.m. on September 20th, HACA received 10,933 applications. The 10,933 applications represent: 26,391 family members; 962 family members are 62 or older; 4280 are claiming disability; 13,536 are youth under 18; 78.2% are claiming a local address; 4,889 claimed experiencing homelessness; 264 claiming to be victims of involuntarily displacement; and 66% were submitted over a mobile phone. The Wait List will close on September 24th. HACA will randomly select 2,000 applications from all unduplicated applications received. Names will begin to be drawn from the list for interviews as soon as October.

ITEM 8: Presentation, Discussion, and Possible Action regarding Resolution No. 2568: A resolution by the Board of Commissioners of Housing Authority of the City of Austin ("HACA") authorizing the President and CEO of HACA to create South Congress Public Facility Corporation and any other actions necessary or convenient to carry out this resolution

Resolution No. 2568 authorizes the President and CEO of HACA to approve the formation of the PFC, South Congress Public Facility Corporation.

AAHC was presented with an opportunity to partner with the NRP Group to develop a property on South Congress called SOCO II. AAHC and NRP have previously partnered, and wish to further their partnership with the development of the SOCO II Apartments.

The property will be developed using a combination of equity from NRP Partners and conventional debt. The financing structure requires that a new PFC entity be created to facilitate a ground lease of both the land and the improvements to a new

partnership. HACA will be the landlord and lease both the land and the improvements for 75 years. Austin Affordable Housing Corporation will also receive a 10% limited partnership interest in the deal.

Once built, 50% of SOCO II Apartments' units will target individuals and families making 80% median family income and below. Located in a high opportunity area, this property meets AAHC's goals of providing housing in proximity to jobs, schools, grocers and transit. Located on South Congress between William Cannon and Slaughter Lane, the property is situated in a high opportunity area of Austin, Texas. Community amenities include swimming pools with gazebos and outdoor kitchen, a large clubhouse with full kitchen and business center, a 24-hour fitness center, three 24-hour laundry facilities and covered parking. The property is close to many major employers in and around the area. The property will accept Housing Choice Vouchers upon completion. SOCO II will provide 270 units ranging from studio units to three bedroom 2 bath units.

The expected start date of this project will be Fall of 2019 and HACA/AAHC will come back to the board in summer of 2019 with additional updates and final approval for this development.

Commissioner Apostolou moved to Approve Resolution No. 2568: A resolution by the Board of Commissioners of the Housing Authority of the City of Austin, authorizing the President and CEO of HACA to create South Congress Public Facility Corporation and any other actions necessary or convenient to carry out this resolution. **Commissioner Carrington** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

The Board recessed into Executive Session at 2:21 p.m.

The Board returned into Open Session at 3:06 p.m. No action was taken.

REPORTS

No additional reporting.

ADJOURNMENT

Vice-Chairperson Bailey moved to adjourn the meeting. **Commissioner Apostolou** seconded the motion. The motion Passed (4-Ayes and 0-Nays). The meeting adjourned at 3:07 p.m.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 2569

AUSTIN AFFORDABLE HOUSING CORPORATION

ITEM NO. 2.

MEETING DATE: October 17, 2018

STAFF CONTACT: Ron Kowal, Vice President of Housing Development/Asset Mgmt

ITEM TITLE: Presentation, Discussion, and Possible Action regarding Resolution No. 2569: Resolution Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development of the Elysium Apartments

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

The Board is being asked to approve Resolution No. 2569 to authorize HACA to take actions to facilitate the development of Elysium Grand Apartments.

SUMMARY

Background:

The Austin Affordable Housing Corporation (AAHC) a nonprofit subsidiary of the Housing Authority of the City of Austin (HACA), was created to own, engage in or assist in the development or operation of affordable housing, including but not limited to income producing projects whose proceeds are used to further HACA's mission of moving its stakeholders from poverty to self-sufficiency. Through one of its strategic goals, AAHC has committed through acquisition and or development a portfolio of 4040 units by the year 2020. Another goal of AAHC is to acquire and or develop affordable housing in high opportunity areas where housing choice for Section 8 voucher holders does not exist and to give low and moderate income families housing options in areas of better performing schools and services in locations outside the City of Austin's crescent of poverty.

Austin Affordable Housing Corporation has been presented an opportunity to partner with HLD Texas, LLC (an entity of LDG Multifamily, LLC), Saigebrook Development, LLC, and O-SDA Industries, LLC to develop a 7.1 acre tract of land located at 3300 Oak Creek Drive and Mopac Expressway in Austin. The development will be in an extremely high opportunity area where the average median income is \$85,417.

This 90 unit family project will consist of 69 units targeting 30%-60% of median family income and 21 units for market rate housing. The development will be home to 25 project based HUD-VASH Vouchers from HACA. The VASH vouchers will include a 15 year HAP contract from the Department of Housing and

Urban Development (HUD) with a 15 year option to extend. An onsite case manager will be provided by the Veteran's Administration and will be available to these residents.

Unit Distribution will consist of the following mix: 19 – One Bedrooms; 53 – Two Bedrooms; and 18 – Three Bedrooms.

Process:

The financing for this development will be a combination of 4% Housing Tax Credits, Tax Exempt Bonds, City of Austin General Obligation Bonds (GOB) and a conventional first mortgage. The City of Austin has approved a GOB amount of \$3,320,000.

Staff Recommendation:

Resolution No. 2569 authorizes the Housing Authority of the City of Austin to take such actions necessary or convenient to facilitate the development of the Elysium Grand Apartments.

RESOLUTION NO. 2569

Resolution authorizing the Housing Authority of the City of Austin to take the following actions with regard to the Elysium Grand Apartments (the “Development”) in Austin, Texas: (A) acquire the site of the Development; (B) lease the development site to the owner of the Development; and (C) such other actions necessary or convenient to carry out this Resolution

WHEREAS, the Housing Authority of the City of Austin (the “Authority”) plans to acquire the site on which the Development will be located (the “Land”); and

WHEREAS, the Authority and Elysium Grand, LP (the “Partnership”) desire to enter into a ground lease (the “Ground Lease”) granting site control of the Land to the Partnership;

WHEREAS, in order to finance construction of the Development, the Partnership desires to enter into (i) a loan by Austin Housing Finance Corporation (the “Governmental Lender”) of proceeds of its Multifamily Housing Revenue Bonds (Elysium Apartments) Series 2018A (“2018A Loan”); (ii) a loan by Governmental Lender of the proceeds of its Taxable Multifamily Housing Revenue Bonds (Elysium Apartments) Series 2018B (“2018B Loan”); and (iii) a loan by Governmental Lender of Rental Housing Development Assistance funds in the approximate amount not to exceed \$3,500,000 (“RHDA Loan”, and together with the 2018A Loan and the 2018B Loan, the “Loans”);

WHEREAS, it is deemed necessary and advisable that this Resolution be adopted;

NOW, THEREFORE, in connection with the development of the Development, the Board of Commissioners of the Housing Authority of the City of Austin hereby adopts the following resolutions:

BE IT RESOLVED, that any officer of the Authority (the “Executing Officer”), acting alone, is hereby authorized to review, approve and execute all certificates, affidavits, agreements, documents and other writings, including without limitation, the Ground Lease, any and all documents contemplated in connection with the Authority’s acquisition of the Land, and any documents contemplated in connection with the Loans that require the Authority’s signature in order to subordinate the Authority’s interest in the Ground Lease and/or for purposes of securing Governmental Lender’s liens against the Land (collectively, the “Agreements”), the Executing Officer shall deem to be necessary or desirable in the consummation of the transactions herein contemplated.

BE IT FURTHER RESOLVED, that all acts, transactions, or agreements undertaken prior hereto by the Executing Officer of the Authority, in connection with the foregoing matters are hereby ratified and confirmed as the valid actions of the Authority, effective as of the date such actions were taken; and

BE IT FURTHER RESOLVED, that the Executing Officer is hereby authorized and directed for and on behalf of, and as the act and deed of the Authority, to take such further action in the consummation of the transactions herein contemplated and to do any and all other acts and things necessary or proper in furtherance thereof, as the Executing Officer shall deem to be necessary or desirable, and all acts heretofore taken by the designee of the Executing Officer to such end are hereby expressly ratified and confirmed as the acts and deeds of the Authority.

This Resolution shall be in full force and effect from and upon its adoption.

PASSED, APPROVED AND ADOPTED this 17th day of October, 2018.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

HOUSING AUTHORITY OF THE CITY OF AUSTIN
REPORT
RENTAL ASSISTANCE DEMONSTRATION
ITEM NO. 3.

MEETING DATE: October 17, 2018

STAFF CONTACT: Ann Gass, Director of RAD

ITEM TITLE: Update on HACA's Rental Assistance Demonstration Program (RAD)

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

No action is being requested. Staff will provide an update to the Board regarding progress with HACA's Rental Assistance Demonstration Program, ongoing construction and rehabilitation of units in HACA's public housing portfolio, and implications for residents and the broader community.

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 2570

RENTAL ASSISTANCE DEMONSTRATION

ITEM NO. 4.

MEETING DATE: October 17, 2018

STAFF CONTACT: Ann Gass, Director of RAD

ITEM TITLE: Presentation, Discussion, and Possible Action regarding Resolution No. 2570: Award of a contract to CVR to provide relocation, implementation and consulting services for the redevelopment of Chalmers Courts East through the Rental Assistance Demonstration Program

BUDGETED ITEM: N/A

TOTAL COST: \$200,000

ACTION

The Board is being asked to approve the award of a contract in an amount not to exceed \$200,000 to CVR to provide relocation, implementation and consulting services for the redevelopment of Chalmers East through the Rental Assistance Demonstration Program.

SUMMARY

Background:

In October 2016, the U.S. Department of HUD awarded a Commitment to Enter into a Housing Assistance Contract (CHAP) for Chalmers Courts under the Rental Assistance Demonstration (RAD) Program. To complete the RAD conversion for Chalmers Courts, HACA applied for and was awarded 9%, competitive, low income housing tax credits through the Texas Department of Housing and Community Affairs (TDHCA). The redevelopment will involve demolition of the existing buildings and the construction of a new, larger property with additional units and modern amenities in its place. This will significantly improve the quality of life for the residents of Chalmers Courts and allow HACA to provide more affordable housing by increasing density.

In order to complete this redevelopment, residents must relocate from Chalmers Courts for 14-18 months. Chalmers residents will relocate primarily to Pathways at Chalmers South, a newly-constructed, 86-unit property that is directly across the street from Chalmers Courts. This will minimize the disruption and inconvenience to residents by allowing them to stay in their neighborhood, close to schools, places of worship, doctors, etc. In order to implement this plan in compliance with all the federal regulations outlined in the RAD notice and the Uniform Relocation Act (URA), HACA procured CVR to provide these services. The contract amount for this work will not exceed \$200,000. As demonstrated by CVR's proposal and the evaluation documents attached, staff found CVR to have exemplary experience and knowledge of the

regulations, as well as extensive reporting and tracking capabilities. They also share HACA's commitment to the utmost care and respect for the residents we serve.

Process:

A request for qualifications (RFQ) was issued on 5/10/18 and closed on 6/7/18. The request was advertised in the Austin American Statesman on two Sundays - 5/13/18 & 5/20/18 and posted on the HACA website. HACA sent the RFQ to five interested entities and received three proposals. The evaluation committee, made up of four HACA team members, evaluated the proposals and interviewed the top two candidates twice before arriving at the following recommendation.

Staff Recommendation:

With this resolution, staff is asking for the Board of Commissioners' approval of the contract with CVR to provide relocation implementation and consulting services at Chalmers Courts East.

ATTACHMENTS:

- ▣ **Exhibit 1 - Record of Distribution of Request for Qualifications.**
- ▣ **Exhibit 2 - CVR Proposal**
- ▣ **Exhibit 3 - Chalmers Court Evaluations**

RESOLUTION NO. 2570

AWARD OF A CONTRACT TO PROVIDE RELOCATION, IMPLEMENTATION AND CONSULTING SERVICES FOR THE REDEVELOPMENT OF CHALMERS COURTS EAST THROUGH THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM

WHEREAS, the Housing Authority of the City of Austin (HACA) continues to move forward with plans to transition its Public Housing properties to the Project Based Rental Assistance (PBRA) program through the Rental Assistance Demonstration (RAD); and

WHEREAS, those plans include the redevelopment of Chalmers Courts East, which will require temporary relocation of residents; and

WHEREAS, the Uniform Relocation Act (URA) sets very specific requirements for notifications and protection of residents requiring relocation; and

WHEREAS, the Rental Assistance Demonstration (RAD) also sets very specific requirements for notifications and protection of residents requiring relocation; and

WHEREAS, HACA issued a Request for Qualifications (RFQ) to procure services to implement HACA's relocation plans and maintain full compliance with the URA and the RAD, and through that RFQ process evaluated multiple respondents; and

WHEREAS, HACA staff selected CVR based on their extensive national experience working with diverse families from all income levels;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Housing Authority Board of Commissioners authorizes the award of a contract in an amount not to exceed \$200,000 to CVR to provide relocation, implementation and consulting services for the redevelopment of Chalmers Courts East through the Rental Assistance Demonstration Program.

PASSED, APPROVED AND ADOPTED this 17th day of October, 2018.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

Tabulation
HACA-18-Q-0229 RAD Resident Relocation Services
June 7, 2018 - 3:00PM/CST

COMPANY NAME	
1.	Unity Contractor Services
2.	Overland Pacific Cutler, LLC
3.	CVR Associates, Inc
4.	
5.	

Bid Official: Nora Mores Date: 6/7/18

Official Witness: Tina Benson Date: 6/7/18


RECORD OF DISTRIBUTION-INVIATION FOR BID

Contract: **HACA-18-Q-0229**

BID OPENING DATE/HR: June 7, 2018 3:00PM/CST

Description: **RAD Residential Moving Services**

Location: 1124 South IH35 78704

Date	Organization	Addendum
e 5/23	Aaron Adkins Vice President SR/WA, R/W-URAC, R/W-NAC, R/W-RAC  PINNACLE 4516 NW 36 th St. Ste. 100 Oklahoma City, OK 73122 Cell: (405) 640-8828 Office: (405) 879-0600 Email Address: aadkins@pinnaclegroup.biz	Addendum #: Date Notified: Received by: Date:
e 5/23	Company: OPC Services Chad Wakefield, PMP, SR/WA, R/W-RAC, R/W-NAC Program Manager Overland, Pacific & Cutler, LLC Phoenix, AZ (480) 435-0623 mail Address: cWakefield@opcservices.com	Addendum #: Date Notified: Received by: Date:
e 5/23	Marilyn G. Marquez Overland, Pacific & Cutler, LLC. Technical Writer (562) 304-2031 Email Address: mmarquez@opcservices.com	Addendum #: Date Notified: Received by: Date:
	Company: <u>Unity Contractor Services</u> Address: <u>6448 E Hwy 290 F113</u> <u>Austin TX 78723</u> Phone: <u>512 926 8065</u> Fax: Received by: <u>Patrick Carter</u> Email Address: '	Addendum #: Date Notified: Received by: Date:
	Company: <u>CVR Associates Inc</u> Address: <u>4501 N. Point Parkway Suite 260</u> <u>Alpharetta GA 30022</u> Phone: _____ Fax: Received by: <u>Ana Vargas - Fradigue Rocha</u> Email Address:	Addendum #: Date Notified: Received by: Date:
	Company: Address: _____ Phone: _____ Fax: Received by: Email Address:	Addendum #: Date Notified: Received by: Date:

BROADCAST REPORT

TIME : 05/23/2018 10:43
 NAME : HACA PURCHASING
 FAX : 5124773979
 TEL : 5124771496
 SER.# : C0N864722

PAGE(S)

01

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
05/23	09:58	APT	30	01	OK	
05/23	09:59	BLACK	30	01	OK	
05/23	10:06	HISPANIC	44	01	OK	
05/23	10:11	SMALL BUS	36	01	OK	
05/23	10:16	DEPT	32	01	OK	
05/23	10:19	BUS RESOURCE	31	01	OK	
05/23	10:27	ASIAN	00	00	BUSY	
05/23	10:28	CHAMBER	00	00	BUSY	
05/23	10:29	AGC	37	00	NG	
05/23	10:31	AUSTINCONTRACTO	00	00	BUSY	
05/23	10:32	CAP COMMERCE	00	00	BUSY	
05/23	10:34	HISPANIC CONTRA	00	00	BUSY	
05/23	10:35	MBDC	00	00	BUSY	
05/23	10:36	NAACP	00	00	BUSY	
05/23	10:38	TX ASIAN	00	00	BUSY	
05/23	10:39	TX HISPANIC	00	00	BUSY	
05/23	10:40	TAMBE	00	00	BUSY	
05/23	10:42	TX WOMEN	00	00	BUSY	
05/23	10:43	WOMEN CHAMBER	00	00	BUSY	

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX

Order Confirmation

Ad Order Number
0000359929

Customer
Housing Authority

Payor Customer
Housing Authority

PO Number

Sales Rep.
alejandro.cado

Customer Account
30650

Payor Account
30650

Ordered By
Nora Morales

Order Taker
justin.peterson

Customer Address
1124 S IH 35
Austin TX 787042614 USA

Payor Address
1124 S IH 35
Austin TX 787042614 USA

Customer Fax

Order Source
Non Web

Customer Phone
5124774488

Payor Phone
5124774488

Customer Email

Special Pricing

Invoice Text

Ad Order Notes

Net Amount
\$1,657.56

Tax Amount
\$0.00

Total Amount
\$1,657.56

Payment Amount
\$0.00

Amount Due
\$1,657.56

Ad Number
0000359929-01

Ad Type
Legal

Production Method
AdBooker

Production Notes

External Ad Number

Ad Attributes

Ad Released
No

Pick Up

Ad Size
1 X 57 li

Color

<u>Run Date</u>	<u>Product</u>	<u>Placement</u>	<u>Sched Cst</u>	<u>Disc/Prem</u>	<u>Color</u>	<u>Pickup</u>	<u>Tax</u>	<u>Subtotal</u>
05/13/2018	S-Austin American-Statesman	Legals	\$828.78	\$0.00	\$0.00	\$0.00	\$0.00	\$828.78
05/20/2018	S-Austin American-Statesman	Legals	\$828.78	\$0.00	\$0.00	\$0.00	\$0.00	\$828.78
05/13/2018 - 06/11/2018	S-Web	Legals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Ad Content



CVR Associates, Inc.

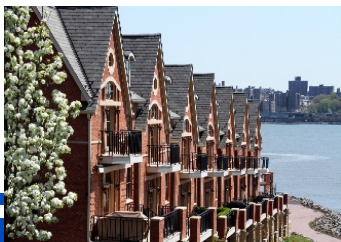
Response to Request for Proposals

Housing Authority of the City of Austin
Rental Assistance Demonstration (RAD)
Relocation Services

Due: June 7, 2018

RFP Contact:

Fradique A. Rocha, Co-CEO
2309 S. MacDill Avenue, Suite 200
Tampa, FL 33629
(678) 341-6950
www.cvrassociates.com





June 5, 2018

Nora Morales
Director of Purchasing
Housing Authority of the City of Austin
1124 S IH 35
Austin, TX 78704

RE: RFP – RAD Relocation Services

Dear Ms. Morales:

CVR Associates, Inc. (CVR) is pleased to respond to the Request for Proposals to provide the Housing Authority of the City of Austin (HACA) with RAD Relocation Services. CVR is a full-service, national consulting firm providing strategic planning, development consulting, financial and management advisory services exclusively to affordable housing public and private entities. CVR is a 100% MBE firm and Section 3 Business entity; founded in 1995 by housing professionals with an accomplished background in providing quality services and superior responsiveness to clients.

CVR's Project Director for this engagement, Melanie (Villalobos) Campbell, has over 25 years of executive experience in the affordable housing industry in Texas and in HUD's Office of the Assistant Secretary of Public and Indian Housing in Washington, DC. Ms. Campbell resides in the Dallas-Fort Worth area, and together with other members of the CVR Team, is currently providing similar RAD-related relocation consulting services to several area housing authorities, including the Fort Worth (TX) Housing Authority, the McKinney (TX) Housing Authority, and the Shreveport (LA) Housing Authority. Additionally, Ms. Campbell was involved in multiple HOPE VI and Choice Neighborhoods-related relocation projects while serving on the executive management team at the San Antonio Housing Authority. Ms. Campbell will serve as a local resource to HACA. Additionally, Kris Warren and Michael Tonovitz, with a combined 50 years of experience in senior level public housing management, will serve as Senior Project Advisors.

Thank you for your consideration of this proposal. We look forward to the opportunity to work with you. Should you have any questions regarding our submission, please do not hesitate to contact me at the office at 813.223.3100, by cell phone at 813.390.4475, or via email at fradique@cvrassociates.com.

Cordially,

A handwritten signature in blue ink, reading "Fradique A. Rocha". The signature is fluid and cursive, with a long horizontal line extending to the right.

Fradique A. Rocha
Co-Chief Executive Officer

TABLE OF CONTENTS

Qualifications	3
Primary Areas of CVR's Expertise.....	4
Mixed-Finance & RAD Program Management & Development Consulting	4
Financial Advising.....	4
Strategic Planning	5
Housing Choice Voucher Program / Section 8 / Mod Rehab.....	5
Operational Assessments.....	6
Program and Agency Management	6
Technology Services	6
Key Personnel.....	6
Firm Principals.....	6
Key Staff Assigned to this Engagement.....	7
MBE/WBE/DBE Section 3 Participation	10
Successful Relevant Experience	11
Relocation Planning	11
Relocation Software	11
Ongoing Technical Assistance	11
Relocation Counseling	12
Examples of Recent Work	13
East Chicago Housing Authority (ECHA), East Chicago, IN	13
Fort Worth Housing Solutions (FWHS), Fort Worth, TX.....	13
McKinney Housing Authority (MHA), McKinney, TX	13
St. Jude, Inc., Dallas, TX.....	13
The Alpert Group, Neptune, NJ	13
Ann Arbor Housing Commission (AAHC), Ann Arbor, MI	14
Ypsilanti Housing Commission (YHC), Ypsilanti, MI	14
Housing Development Corporation (HDC) of DeKalb, Decatur, GA.....	14
Housing Authority of the City of Shreveport (HACS), Shreveport, LA	14
References	15
Additional Information	16
Vendor Data Sheet	16
Statement of Bidder's Qualification	16
Non-Collusive Affidavit.....	16

Section 3 Forms.....	16
Representations, Certification, and Other Statements of Bidder's	16
IRS Form W-9.....	16
Statement of Bidder's Qualifications.....	17
Current Projects	17

QUALIFICATIONS

CVR has over 20 years of success serving the affordable housing industry

CVR has a strong national & local presence

CVR has a multi-disciplinary staff and unmatched industry resources

CVR has been selected by HUD to provide technical assistance to PHAs

CVR has successfully interpreted and implemented HUD regulations for two decades

CVR Associates, Inc. and its affiliated corporations (CVR) comprise a management consulting firm providing a comprehensive range of services to the affordable housing industry. The primary focus of the company is to assist public housing agencies (PHAs) to realize organizational efficiencies through systematic program management and technological enhancements. The CVR Team is highly qualified and prepared to bring creative, innovative, and practical solutions to any affordable housing program or project.

CVR is a 100% MBE firm, founded in 1995 by housing professionals with accomplished backgrounds in providing quality services. Its principals and associates have decades of affordable housing experience in senior and project management positions. CVR employs over 425 Team members in offices across the country, including Atlanta, Tampa, Chicago, New York, Newark, Gary, and Miami.

For over two decades, CVR has built a strong reputation, providing effective affordable housing consulting and efficient direct management of programs. This is demonstrated by the fact that the U.S. Department of Housing and Urban Development (HUD) has selected CVR to provide technical assistance and training to PHAs facing management and development challenges. The firm has been instrumental in turning around struggling PHAs and provided consulting services to help organizations achieve excellence. In doing so, CVR is also recognized as an industry leader in the private management of public housing programs, including the Housing Choice Voucher Program. On the development side, CVR has assisted PHAs in the planning, preparation and successful implementation of over \$2 billion of Choice Neighborhoods Initiative (CNI), Rental Assistance Demonstration (RAD), HOPE VI, and other mixed-finance, community revitalization projects.

CVR staff includes former Executive Directors and Senior-level Staff of PHAs and HUD, Comptrollers, CPAs, Attorneys, Urban Planners, Architects, Engineers, Property Appraisers, Construction Managers and Information System Specialists. These housing experts, with professional, managerial, program, financial, technological, and legal backgrounds, enable CVR to provide every project and assignment with the appropriate proven and practical expertise.

CVR welcomes the opportunity to serve HACA.

Primary Areas of CVR's Expertise

CVR works with housing industry clients to address specific challenges and operational inefficiencies. The firm's expertise covers virtually all areas of affordable housing operations, including:



Mixed-Finance & RAD Program Management & Development Consulting

For over 20 years, CVR has overseen the successful development of affordable housing, utilizing over \$2 billion of public and private funds by providing mixed-finance program management and development consulting services to HAs across the nation. CVR has utilized its experience to provide guidance to agencies that have elected to convert their public housing stock through HUD's Rental Assistance Demonstration (RAD) program. In addition to the standard development services, CVR has also helped clients navigate the complex requirements of RAD conversion implementation, the Uniform Relocation Act and the Project-Based Voucher Program.

CVR has provided services in multiple capacities – as a consultant, development manager, and owner's representative – to firms and agencies engaged in mixed-finance, mixed-income, and mixed-use projects, funded by CNI, HOPE VI, Low Income Housing Tax Credits, Capital Fund, and other public funds and private equity. CVR's services also include assisting clients with resident and stakeholder engagement, procuring developer partners, assuring that development plans match the client's goals, reviewing proposed financing plans, overseeing the mixed-finance proposal process and evidentiary document preparation, monitoring project implementation by the developer partner, and assuring effective operational startup.

Financial Advising

CVR's financial team includes CPAs, CFOs, and Controllers, all with extensive experience in public and private housing accounting. CVR offers two types of financial advising services:

Financial advice pertaining to development activities – including analyzing the feasibility of redevelopment projects and proposals, as well as the positioning of the HA in a given project. In addition, CVR works with

some of the nation's leading investment banking firms to assist in obtaining the maximum leveraging of funds for a given project.

Rental Assistance Demonstration (RAD) Program – performed feasibility analyses, evaluating the costs and benefits of converting public housing units under the RAD program, and preparing applications.

Consulting services regarding HA finances – including review of financial statements and audit opinions, as well as developing and executing action plans to overcome deficiencies in the financial reporting and the internal controls structure. CVR also undertakes workflow analyses and develops procedures relating to all areas of finance, including budgeting, payroll, accounts payable, tenant accounting, and grants accounting. Furthermore, CVR institutes a strategic planning process to address past audit findings, HUD limited review findings, and other financial deficiencies. As a key aspect of our approach, these reports establish a benchmark from which internal progress can be measured.

Strategic Planning

CVR has performed comprehensive strategic planning activities for public housing agencies, assisted housing agencies, and private-sector and non-profit companies. CVR has facilitated strategic planning retreats for agencies as they re-draft their mission and vision statements, develop continuous quality improvement plans, and establish their organizational and funding priorities. These services have also included the development of detailed funding projections, aligned with physical needs assessments, to develop recommendations for prioritization of Choice Neighborhood, HOPE VI and Comprehensive Grant Program (CGP) funding, utilization of homeownership programs, and management of Housing Choice Vouchers.

These services have included facilitating strategic initiatives relating to the restructuring of PHA operations to reflect RAD conversions, including full portfolio conversions as well as site specific conversions. Activities have included facilitating planning sessions to help staff envision the agency post-RAD, operational assessments to identify any needed departmental restructuring or capacity building, preparation of financial projections and operating budgets for RAD sites and COCC, updating written policies, and identifying opportunities for streamlining and cost cutting.

In each strategic planning engagement, CVR works with the client to develop short-term and long-term plans, along with tracking systems for sustained improvement, and training programs to improve staff efficiency.

Housing Choice Voucher Program / Section 8 / Mod Rehab

CVR has broad and extensive experience with the Housing Choice Voucher (HCV) Program and Section 8 / Mod Rehab, and offers a range of related services, including:

- Day-to-day program management
- Case management
- Intake: waiting list, eligibility determinations, new admissions
- Inspections operations
- Operational assessments
- Technical assistance
- Call center operations/management
- Administrative Plan review, update,
- Quality Control services: file reviews/ PIC submissions, SEMAP reviews
- Family Self-Sufficiency program training and assesment
- Landlord services

Today, CVR has over 46,000 vouchers and Mod Rehab units under management for housing agency clients, and conducts nearly 200,000 HQS inspections annually for more than 80,000 units. In the past four years alone, CVR has assessed program operations in various locales and conducted over 70,000 file reviews and related

corrections for clients nationwide. Since 2015, CVR has assisted in the opening of four waiting lists, gathering more than 300,000 pre-applications.

Operational Assessments

CVR conducts in-depth assessments for HAs of various systemic, structural and operational issues, including analysis and review of reports, audits and data. Assessments often include customized field questionnaires designed to gather input from knowledgeable staff and provide a clear picture of the current state of the program. The assessment reports are then used to develop funding priorities and detailed action plans and to determine training and technology needs. Targeted assessment reports have also been produced for such operations as procurement, technology, human resources, asset management and field maintenance, etc., to define departmental needs and provide action plans for progress and improvements. The goal of each engagement is to establish specific performance standards as measured against efficiency models and regulatory compliance.

Program and Agency Management

CVR has developed comprehensive procedures that encompass all facets of effective asset and property management, including occupancy, accounting, inventory management, maintenance, administration, and housing inspections. CVR produces deliverables that are used by HA staff as guidebooks for continued implementation and improvement. These procedures are developed in conjunction with overall improvement to the client's asset management practices and as a foundation for improved communications among the HA's many departments.

Technology Services

CVR is an industry innovator in providing technology services and software solutions to promote efficiency, customer service, and compliance for affordable housing providers. Information Technology professionals work alongside housing program experts to complete assessments and design tailor-made solutions that complement existing agency systems and meet HA needs. Software solutions include the Applicant Portal, Owner Portal, Inspections Management System, Quality Control Management System, and SharePoint Tracking system, which are in use at housing agencies across the country.

Key Personnel

CVR plans on using a combination of CVR National team members and local resources to provide personnel that are qualified to provide the requested services. With this approach, CVR can leverage its resources and highly experienced professionals while maintaining a focus on the local community to be responsive to HACA's unique needs. The key CVR staff assigned to this engagement, listed below, have a familiarity with HACA and have flexibility in their current engagements. All will be available quickly upon contract award and will remain on the project team through the life of the engagement. Resumes are included, following staff bios.

Firm Principals

Fradique A. Rocha, Co-CEO

As co-founder and Co-CEO of CVR, Mr. Rocha provides contract oversight and hands-on management for CVR's public housing and HCVP engagements with housing authorities and HUD across the country (including the U.S. Virgin Islands and Puerto Rico) as well as CVR's contractual matters. Mr. Rocha's over 30 years of legal and industry experience includes program assessments, improvements plans, policy and procedure development, business improvement processes, efficiency assessments, hands-on technical assistance, and direct program management. He has been personally instrumental in turning around troubled agencies (Gary Housing Authority and Puerto Rico Public Housing Administration to name a few). Considered one of the nation's experts in the development arena, Mr. Rocha has worked with the HOPE VI program since its inception and has managed over \$1 Billion in HOPE VI redevelopment projects on behalf of CVR. A frequent speaker at various industry conferences and trade shows, he currently serves on the Board of Directors for the Housing Development Law Institute (HDLI).

Ana L. Vargas, Co-CEO

Ms. Vargas, co-founder and Co-CEO of CVR, has more than 25 years of extensive affordable housing industry and finance/CPA experience, giving her valuable insight to lead many of CVR's engagements. Ms. Vargas manages CVR's Housing Choice Voucher client work, as well as all Financial, Marketing, Quality Assurance, Training, and Information Systems functions, including oversight of the development of CVR's proprietary technology tools, such as the Owner Portal, Participant Portal, Inspections Management System (IMS), Quality Control Management System (QCMS), and multiple SharePoint tracking tools. Prior to CVR, she served as Deputy Executive Director of Finance & Administration for the Chicago Housing Authority and Denver Housing Authority. Previously, as Vice President for Prudential Securities, Investment Banking Public Finance Division, Ms. Vargas participated in the issuance of more than \$1 billion in bond financing. Additionally, Ms. Vargas also helped lead the successful waiting list opening engagement with the Housing Authority of the City of Los Angeles earlier this year.

Key Staff Assigned to this Engagement

Melanie (Villalobos) Campbell, Senior Vice President

Ms. (Villalobos) Campbell is based in the DFW area, and her 25-plus years of executive experience in the affordable housing industry has included work related to public housing, housing vouchers, housing development (Low Income Housing Tax Credits [LIHTC], Rental Assistance Demonstration [RAD]) Choice Neighborhoods [CNI]), fair housing programs, mobility initiatives, and related rules and regulations. Prior to joining CVR, she served as a Presidential Appointee to HUD's Office of Public and Indian Housing in Washington, DC, where she advised the HUD Secretary and Assistant Secretary on housing authority operations, governance, development, grant performance, and compliance. She has also served on the executive management team of the San Antonio Housing Authority, during which she led the agency's successful CNI Planning and Implementation Grant applications and activities, and served on the team that produced more than 5,000 new affordable housing units.

Kris Warren, Senior Vice President

Ms. Warren's vast knowledge and wide range of experience comes from over 25 years of affordable housing experience. Since joining CVR, Ms. Warren has assisted HUD and housing authority clients in a variety of areas, including resident relocation, asset repositioning and neighborhood revitalization. Prior to joining CVR, she worked as a Professional Staff Member on the U.S. Senate Housing and Urban Affairs Subcommittee, where she focused on affordable and public housing. In addition, Ms. Warren was a political appointee at the U.S. Department of Housing and Urban Development (HUD) in the office of the Assistant Secretary for Public and Indian Housing, where she focused on troubled housing assessments and recovery plans. Her previous positions include Deputy Executive Director for the Tampa Housing Authority, CEO for Miami-Dade Housing Agency, and COO for the Chicago Housing Authority.

Michael Tonovitz, Senior Vice President

Mr. Tonovitz nearly 25 years of extensive senior level management experience with both High Performing Public Housing and Housing Choice Voucher Programs. He will use this expertise to advise the project team on key policy and procedural issues. He serves in a similar capacity in all of CVR's other voucher management contracts. He has also been a key member of the Transition Team for all of CVR's voucher management contracts. He previously served as Executive Director/CEO in Newark, NY and HCV Director in Rochester, NY, as well as in related PHA and municipal capacities. He is currently, or has recently served CVR in many capacities, including: Project Director for several of CVR's current and recent RAD Relocation engagements including, but not limited to the McKinney Housing Authority, Buffalo Municipal Housing Authority, and Ypsilanti Housing Commission. He has served as Technical Advisor or Project Director for a multitude of CVR engagements, including projects for the Boston Housing Authority, Tampa Housing Authority, San Diego Housing Commission, and the District of Columbia Housing Authority. He has also served as the Project Director for several RAD conversion engagements and is a recognized expert with regard to Uniform Relocation Act compliance.

Mike Eddins, Vice President

Mr. Eddins is an experienced senior-level housing professional with 13 year of experience at two PHAs. Currently, he serves in a technical assistance and operational oversight position for CVR's administration of the Newark Housing Authority's Housing Choice Voucher Program. He is the Project Manager for technology implementations of CVR developed software at the New York State Housing and Community Renewal, and is the Project Manager for two relocation projects with the Housing Development Corporation of DeKalb, and provides operational expertise CVR's RAD relocation projects with the City of Shreveport and a Section 18 demo/diso relocation with the Virgin Islands Housing Authority under a HUD contract. Additionally, he provides management support and business analysis for other CVR-administered housing programs and contracts. Prior to joining CVR, Mr. Eddins served as the Director of Business and Director of Operations for the Housing Authority of DeKalb County and worked in a variety of management capacities at the Akron Metropolitan Housing Authority.

Zack Elliott, Senior Associate

Mr. Elliott is a certified Housing Development Finance Professional and has provided technical assistance to housing authority and HUD clients in: program management; training; grant applications; data and financial analyses; asset repositioning; and project management. He has served as the project manager for the RAD conversion of over 1,000 units for the Philadelphia Housing Authority (PHA), the Delaware State Housing Authority (DSHA), Fort Worth Housing Solutions, and the Housing Authority of the City of Shreveport (HACS), and has provided other RAD-related activities to housing authorities across the nation. He has also assisted in developing comprehensive asset repositioning strategies for the Detroit Housing Commission (DHC), the Puerto Rico Public Housing Administration (PRPHA), the Virgin Islands Housing Authority (VIHA), the Housing Authority of the City of Shreveport (HACS), the Marin County Housing Authority (MHA), and the Tulsa Housing Authority (THA), among others. He is HQS certified, holds an ESRI certificate in ArcGIS, and also has experience in resident relocation, Tax Credits, Project-Based Vouchers, Section 18 Demolition/Disposition, and the Capital Fund Program.

Lee Mitchell, Senior Associate

Mr. Mitchell has 10 years of accounting experience in the fields of public housing, construction, and education. Since joining CVR, he has provided development technical assistance to PHA and HUD clients through activities related to financial management, training services, policy review and creation, and relocation services. His expertise includes general ledger, financial statements, financial analysis, budgeting, cash management, reconciliation, internal and external reporting, human resources, benefits administration and procurement. Prior to joining CVR, he served as a Budget and Management Specialist/Accountant for the Housing Authority of New Orleans, where his duties included managing overall departmental budgets with a focus on thorough planning and timely obligation and expenditure of available funds. He also managed and reconciled grants and other sources of funding for modernization and development projects, and reviewed monthly financial reports to ensure compliance. Mr. Mitchell also participated in project planning to identify most appropriate funding sources, the timely availability of funds.

Danarda Anderson, Associate

Ms. Anderson is a public housing professional with more than 11 years of diverse experience, particularly with the Housing Choice Voucher Program. Most recently at CVR, Ms. Anderson has completed special projects for the Detroit Housing Commission and the Baltimore Regional Housing Partnership, where she conducted comprehensive data analysis and payment reconciliations and performed interim and annual re-examinations. She is currently working on CVR's engagements with New York State Housing and Community Renewal and the Buffalo Municipal Housing Authority. Ms. Anderson has completed hundreds of compliance reviews of transactions for CVR's contract with the Chicago Housing Authority. In addition, she provides direct onsite relocation counseling to residents for CVR's engagements with the Housing Development Corporation of DeKalb and assists in the Section 18 Relocation project for CVR's HUD contract with the Virgin Islands Housing Authority. Prior to joining CVR, Ms. Anderson worked with a PHA where she assisted with the HCV intake and

portability processes and ensured proper management of the HCV Waiting List. She has received her Low-Income Housing Tax Credit Certification from the Georgia Department of Community Affairs.

Shannon Simpson Cobb, Associate

Ms. Cobb is a certified Housing Specialist professional with 7 years of experience in the housing industry. Most recently, she served as a Housing Specialist Manager with the Marietta Housing Authority and oversaw a 3,200+ voucher program. Her responsibilities included monitoring staff performance, reconciling month end payments, and conducting annual recertifications. Prior to this role, she functioned as a Senior Marketing and Program Manager with Bellsouth Telecommunications. Ms. Cobb maintains certifications as a HCV Specialist, HCV Rent Calculation Specialist, in Supervision and Management, HCV Program Management, Fair Housing Laws, and HUD EIV / PIC Reporting and is proficient in HUD PIC/EIV, Yardi Voyager 6, Emphasys/Elite, File Vision, and Social Serve.

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

1995 - Present

Co-Chief Executive Officer

- Co-founder of a full-service consulting firm specializing in management solutions for affordable housing programs. The primary focus of the company is to assist housing agencies, non-profits, cities and industry service providers redirect their operations toward greater efficiency. Areas of expertise include: comprehensive Housing Choice Voucher Program management (Operations, HQS Inspections, Call Center, etc.); CNI and Mixed-Finance Development, Modernization, Capital Funds, and Public Housing Technical Assistance. Services include: Operational Assessments, Management and Development Consulting, Construction Management, Customized IT Solutions, Quality Assurance Systems, Training, Technical Assistance and Strategic Planning. CVR currently manages approximately 40,000 HCV vouchers for both large and small programs and over the course of nearly two decades, has managed well over \$2 Billion in Mixed-Finance Redevelopment Projects.
- Principal-in-Charge for all of CVR's Development Consulting contracts, including U.S. Department of HUD; U.S. Virgin Islands Housing Authority; Housing Authority of New Orleans; Punta Gorda Housing Authority and the Santa Fe Civic Housing Authority.
- Recognized within the industry as being at the forefront of drafting and negotiating contracts for the development and management of affordable housing properties, including public-private partnerships and mixed-income developments.

Boston Housing Authority

1992 - 1995

General Counsel

- Supervised ten attorneys and additional staff in legal, risk management and contracts departments handling a full range of issues including litigation, labor, corporate, insurance, real estate and all contract matters.
- Served as Corporate Secretary for the Authority and member of the four-person Executive Committee overseeing all facets of Authority operations, including the HOPE VI proposal and project for Mission Hill, which was the highest-rated proposal in the first-round of HOPE VI funding in 1993 and received the first HOPE VI implementation award in the nation.
- Involved in developing creative financing solutions for public housing; led efforts to successfully refinance housing bonds, generating substantial savings for owners and agency.
- Actively engaged in implementing various programs, which led to the removal of the agency from HUD's list of troubled housing authorities.

Law Office of Rocha & Associates**1987 - 1992**

- General practice with concentration in commercial litigation, real estate and corporate matters. Represented landlords, tenants, development companies and resident groups. Also served as outside general counsel for Boston Office Supply Co., Inc., Norstar Foods, Inc., Graham Transportation Co., Inc., and Reliable Bus Lines, Inc. Other representative clients and relationships: Copy-Corp. of Puerto Rico, Inc.; Mar-Mol Co., Inc. (Puerto Rico); Savin Dominicana CXA (Dominican Republic); VenSavin S.A. (Venezuela); and Dosdin Lda. (Portugal).

Law Office of O'Neill & Borges**1980 - 1986**

- Concentration in commercial litigation and general corporate matters for major corporations, including: Paine Webber, Inc., The First Boston Corporation, American Express Company, Ralston Purina Company and Apex Oil Company. Tried several major cases and supervised attorneys in litigation and negotiations.

EDUCATION AND PROFESSIONAL CERTIFICATION

- Certificate from the National Institute of Trial Advocacy
National Session, Boulder, Colorado, 1983
- Boston College Law School
Juris Doctor Degree, June 1980
- University of Massachusetts, Dartmouth, Dartmouth, Massachusetts
Bachelor of Arts – Summa Cum Laude, June 1977
- Completed training programs in Bankruptcy Law, Securities Law, RICO Litigation, Housing and Development Law issues, Management and Supervision, Negotiations, Tax-Credit Financing.
- Admitted to Massachusetts Bar and Puerto Rico Bar, Federal District Courts in Massachusetts and Puerto Rico, the Federal Court of Appeals for the First Circuit and the United States Court of International Trade.

OTHER RELEVANT EXPERIENCE

Mr. Rocha has spoken at numerous national conferences on a variety of topics pertaining to public and affordable housing. In addition, he formed part of a HUD Advanced-Funding Working Group and has served on numerous professional and community boards, including the Executive Committee of the Judicial Nominating Council for the Commonwealth of Massachusetts and the Managing Board of the NAACP Community Benefit Fund. Mr. Rocha has also served as Managing General Partner of a development group. Currently, he is active in various community service efforts and is also a member of the Board of Directors of the Housing Development Law Institute (HDLI). He is fluent in Spanish and Portuguese.

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

1995 - Present

Co-Chief Executive Officer

- Co-founder of a full-service, management consulting firm specializing in management solutions for affordable housing programs. The primary focus of the company is to assist housing agencies, non-profits, cities and industry service providers redirect their operations toward greater efficiency. Areas of expertise include: comprehensive Housing Choice Voucher Program management; HOPE VI and Mixed-Finance Development, Modernization, Capital Funds, and Public Housing. Services include: Technical Assistance, Operational Assessments, Management and Development Consulting, Construction Management, Customized IT Solutions, Quality Assurance Systems, Training, and Strategic Planning
- Oversee the management of approximately 34,000 vouchers for both large and small programs, to include over 65,000 file reviews using CVR proprietary QC software, Take ACTION
- Executive-in-Charge for multiple CVR efforts and engagements, ensuring completion of projects on-time and on-budget, including the Chicago Housing Authority HCVP and Housing Authority of the City of Pittsburgh
- Direct and manage CVR's overall business operations, Accounting, Marketing and Information Technology functions in the Atlanta office

Chicago Housing Authority (CHA)

1995 - 1997

Deputy Executive Director, Finance & Administration

- Chief Financial Officer for the agency with a total annual budget of approximately \$500 million; managed conversion from multiple non-integrated legacy systems to fully integrated relational database management system
- Responsible for all administrative functions of the agency, including accounting, human resources, MIS, risk management, marketing, etc.
- Prepared comprehensive financial reports and budgets for the first time in the history of the agency
- Converted to GAAP accounting in 1995-96 and obtained first unqualified audit opinion in agency's history

Denver Housing Authority (DHA)

1992 - 1995

Deputy Executive Director, Finance & Administration

- Responsible for managing DHA's financial assets, interacting with all departments regarding management issues



- Established and implemented DHA goals, policies and procedures
- Maintained, reviewed and implemented regulations pertaining to all aspects of the agency and cleared all Office of Inspector General and HUD audit findings
- DHA was a high performing agency for both PHAS and SEMAP during Ms. Vargas' tenure

Prudential Securities, Inc.**1989 - 1992****Vice President, Public Finance Department**

- Provided financial advice to state and local governments.
- Managed bond issues with par value of over \$600 million for a variety of tax exempt issuers
- Responsibilities included preparation of proposals and presentations, review of legal documents, financial analysis and structuring and preparation of marketing documents
- Obtained bond ratings and coordinated all functions with members of financing team

Prudential-Bache Capital Funding**1987 - 1989****Associate, Public Finance Department**

- Member of the new product group, developed and documented key programs including PRAMS (stripped municipal securities), interest rate SWAPS, and forward municipals
- Participated in over \$1 billion par amount of tax-exempt financing

Peat, Marwick, Mitchell & Company (KPMG)**1979 - 1980****Auditor**

- Audited major banks, manufacturing corporations and insurance companies
- Developed and implemented audit plans to ensure compliance with GAAP and other applicable regulations

EDUCATION AND PROFESSIONAL CERTIFICATION

- Columbia University, New York, N.Y.
Master's Degree in Business Administration, Finance
- University of Puerto Rico, San Juan, P.R.
Bachelor's Degree in Business Administration, Accounting, Magna Cum Laude
- Certified Public Accountant (CPA)

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

Jan. 2017 - Present

Senior Vice President

Provides consulting services to housing agencies nationwide on matters relating to housing programs (Housing Choice Voucher, Public Housing) and development (Choice Neighborhood Initiative (CNI), Rental Assistance Demonstration (RAD) program, Low Income Housing Tax Credits (LIHTC), redevelopment feasibility), as well as strategic planning, fair housing, mobility initiatives, Moving to Work, and related HUD rules and regulations.

Department of Housing and Urban Development

2015 - 2016

Special Policy Advisor

- Advised the offices of Public and Indian Housing (PIH) and HUD Secretary on matters relating to public housing, housing vouchers, fair housing initiatives, housing development (Low Income Housing Tax Credits (LIHTC), Rental Assistance Demonstration (RAD)), mobility initiatives, healthy homes (smoke- free, lead), opportunity initiatives (Choice Neighborhoods, ConnectHome, Jobs- Plus, Family Self-Sufficiency), and related rules and regulations.
- Assessed and problem-solved housing authority matters that had been elevated to Assistant Secretary's office for resolution.
- Represented PIH/HUD in meetings with Congressional offices, as well as state and local elected officials.
- Served as point-of-contact for affordable housing industry groups on policy and regulatory issues.
- Coordinated messaging with HUD's offices of Public Affairs, Public Engagement, and Congressional/ Intergovernmental Relations for accuracy and effectiveness.
- Wrote, edited, and supervised PIH communications for internal and external audiences, including nearly 4,000 public housing authorities, Congressional offices, industry organizations, and advocacy groups.

San Antonio Housing Authority

2003 - 2015

Policy, Planning and Public Affairs Officer

2009 - 2015

Chief of Staff, VP of Corporate Relations, PIO

2003 - 2009

- Advised the President/CEO, executive management team, Board of Commissioners, and internal departments on: housing program operations, communications, community partnerships, strategic planning, community development, and intergovernmental and legislative matters.
- Developed and maintained strong working relationships with stakeholders, including customers, public agencies, elected officials, industry leaders, community partners and local leaders.

- Directed the planning, development, and implementation of external and internal communication activities, programs and initiatives, including publications, newsletters, websites, annual reports, and news releases.
- Provided assessment, guidance and oversight on local, state and federal affordable housing policies.
- Served on the executive team that produced of more than 5,000 new affordable housing units through HOPE VI, Choice Neighborhoods, LIHTC, etc.
- Supervised staff and managed departmental budgets within the agency's \$170 million annual budget.
- Led the development of the agency's Strategic Plan, to include the implementation of systems to track and monitor performance metrics.
- Managed the agency's annual Moving to Work planning efforts and submission of required HUD reports.
- Oversaw the agency's GIS workgroup, which provided data gathering and support to housing programs, development services, and capital planning teams.
- Served as the agency's spokesperson regarding operations, programs and issues, and responded to media inquiries and requests.
- Led the development of all materials for meetings of the Board of Commissioners and Board Committees, to include meeting logistics.

Curnutt/Hovis, Inc.

1984 - 2003

Vice-President, Co-owner

- Performed consulting services for clients in the fields of: Housing, Government, Transportation, Healthcare and Manufacturing
- Managed operations, including budgets, staff, and client services for the public affairs and marketing firm.
- Supervised employees and contractors, conducting a wide range of client account service, including media relations, crisis communications, issues management, special event coordination, materials production and media buying.

EDUCATION AND PROFESSIONAL CERTIFICATION

- Trinity University, San Antonio, TX, Bachelor's Degree in Business Administration and Print Journalism, Magna Cum Laude
- Senior Professional Housing Manager (SPHM) certification – 2008, National Association of Housing and Redevelopment Officials (NAHRO), Masters Leadership Program – 2007-2008, Class IV
- Public Housing Manager (PHM) certification – 2006, NAHRO
- Section 8 Housing Manager (SHM) certification – 2006, NAHRO
- Numerous Awards of Merit And Excellence – 2006-2013, NAHRO

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

Aug. 2016 – Present

Senior Vice President

- Assist HUD and PHA clients in the variety of areas, including:
 - Resident relocation of 332 public housing families on behalf of HUD for the East Chicago Housing Authority
 - Asset repositioning and revitalization planning on behalf of HUD for the Alexander County (IL) Housing Authority
 - Rental Assistance Demonstration program implementation and development technical assistance for the Housing Authority of the City of Shreveport

Boulevard Group

2012 – 2016

Senior Vice President for Consulting Services

- As a Partner, Ms. Warren was tasked with utilizing her expertise to assist PHAs to improve or re-tool their business model as well as to provide technical assistance with their housing operations programs.
- Areas that she assisted with included:
 - Affordable Housing policy
 - HUD regulations
 - MTW innovativeness
 - Strategic Planning
 - Day-to-day PHA functions and organizational activities

Chicago Housing Authority (CHA)

Second-in-command at the 3rd largest housing agency in the country, the Chicago Housing Authority, and central contact for Washington DC relationships.

- Responsible for all aspects of management and oversight at the agency.
- Assisted in developing and implementing a \$900M+ annual budget that did not stray outside budget parameters while supervising and supporting 450+ staff.
- Provided business direction to staff and contractors who manage 50,000+ housing units (18,000 public housing and 38,000 HCV) for 100,000+ individuals.

Major accomplishments:

- Redefined policies for greater success with long-term strategic plan, including adding resources to adopt affordable housing approaches to increase breadth of portfolio

- Revised organizational structure that resulted in a decrease in upper management and line staff
- Realigned budget goals and dollar usage allowing for focus of spending on asset management needs instead of overhead
- Streamlined property management contracts which resulted in a downsizing from 14 contracts to 5
- Instituted quality control measures for the 2 largest subsidy programs that led to improved audit results
- Acted as the key internal contact for HUD and congressional staff on policy and regulatory impact questions as new initiatives were being developed or as operational questions were raised
- Referred to as the Chicago Housing Authority resource by HUD and other agencies for knowledge, expertise and guidance in the “affordable housing” arena

Previous Experience

- Ran the Miami-Dade Housing Agency as the Executive Director
- Managed the Tampa Housing Authority as the Deputy Executive Director
- Served as the Executive Assistant to the Assistant Secretary for Public and Indian Housing at the Department of Housing and Urban Development (HUD) — a role that primarily consisted of assessing troubled housing agencies and leading teams for housing authority takeover efforts as well as crafting recovery plans
- Worked as a professional Staff member for U.S. Senator Alan Cranston on the Banking, Housing and Urban Affairs Subcommittee

EDUCATION AND PROFESSIONAL CERTIFICATION

- Bachelor of Arts, 1989, University of the Pacific; Stockton, CA
- Masters’ of Business, 2003, University of South Florida, Tampa, FL

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

2006 – Present

Sr. Vice President

Consultant providing program management, training, technical assistance, guidance, and compliance monitoring to more than 20 housing agencies and Section 8 HCV Programs nationwide, including:

Sr. Project Advisor, NY State DHCR

2011 - Present

- Transition day-to-day management of the program to CVR
- Oversee management and supervision HCV Program Operations and HQS Inspections
- Implement Internal Control and Quality Assurance Systems

Project Director, Gary Housing Authority

2006 - Present

- Assistant Project Director with responsibility for Housing Choice Voucher Program
- Performed assessment of SEMAP compliance, conditions leading to Troubled Performer designation, and Office of Inspector General Findings and developed a work plan and related policies and procedures to ensure corrective action of conditions found during assessment

Special Projects Director, Chicago Housing Authority

2008 - Present

- Reporting, quality control, compliance, and special projects for 20,000 vouchers and HQS Inspections for 36,000 vouchers
- Independent Quality Control and ongoing program monitoring and reporting
- Administrative Policy Updates and development of MTW initiatives

RAD and PBV Advisor and Trainer (multiple clients)

2010 - Present

- Feasibility Assessments and Application Submission
- Compliance and Technical Assistance
- Uniform Relocation Act Compliance
- Training (NAHRO, NLHA, and PHADA)

Inspections Advisor (multiple clients)

2014 - Present

- Oversee HQS Inspections operations
- Provide technical guidance

Project Director, Syracuse Housing Authority

2012 - 2013

Project Director, Montgomery Housing Authority

2010 - 2011

- Assess program operations and develop a plan to improve program operations

- Transition day-to-day management of the program to CVR
- Manage and supervise HCV Program Operations
- Provide technical guidance with regard to Leasing and Funding

Project Director, Boston Housing Authority

May 2010 - July 2010

- Independent Compliance Audit and Review of not-for-profit management corporation managing large public housing site

Project Director, District of Columbia Housing Authority

2008 - 2010

- Assessed program operations and provided recommendations for improvement
- Technical Assistance with the implementation of biennial re-certifications
- Customized staff training
- Update to Administrative Plan and Owner and Tenant Guidebooks

Project Director, Westchester County Planning and Dev.

2006 - 2007

- Prepared Housing Choice Voucher training materials, coordinated activities with client and HUD, presented training, and oversaw training presented by other trainers

Rochester Housing Authority

2004 - 2006

Director of Leasing Operations

- Responsible for the administration of all leased housing programs for 8,200 subsidized units, supervision of 50 employees, preparation of \$40M Annual Budget, and High Performer Designation. Units included Section 8 Vouchers, Section 8 New Construction Program, and Shelter Plus Care

Housing Authority of Newark

1999 - 2004

Executive Director/CEO

- Responsible for all financial, administrative, human resource, grant management, Capital Fund and procurement functions for High Performing Agency
- Secured funding to expand the leased housing programs by adding 50% more units to program inventory by establishment and management of not-for-profit affiliates

Village of Newark

1997 - 1999

Administrator

- Responsible for all financial, administrative and human resource functions, oversight of Capital Projects, and HUD funded Economic Development Programs

EDUCATION AND CERTIFICATIONS

- Harvard University, 2004
- State University of New York at Brockport, 1997
- St. John Fisher College, 1995
- Passed all sections of CPA exam
- Project Management Certification
- Strategic Planning Facilitator Certification
- Certified Housing Manager
- Certified Occupancy Specialist
- HQS Certified
- NAHRO Member
- NLHA Board of Directors

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

July 2017 - current

Vice President

- Provide technical assistance, guidance and compliance monitoring as a Consultant to Public Housing Agencies.
- Analyzes program operations and data to identify operational inefficiencies.
- Strives to find technological solutions to improve operations, data quality, reporting and to improve the level of customer service provided to program participants and owners.
- Assesses and provides recommendations on Administrative Plans to bring Housing Authorities into compliance with new HUD regulations, eliminate inefficient administrative policies, and reduce Housing Assistance Payment costs.
- Utilizes the HUD 2-Year Tool in conjunction with analysis from program data to review annual budget authority and voucher utilization, in order to project and recommend the need for future voucher issuance.
- Technical advisor to the New York State Division of Housing and Community Renewal, Buffalo Municipal Housing Authority, and Newark Housing Authority.

Housing Authority of DeKalb County (HADC)

Jan. 2016 – July 2017

Housing Choice Voucher Program Director of Business

- Direct business operations, voucher utilization, budget, policy administration, project base voucher and RAD administration, internal department coordination and community development and collaboration.
- Develop and manage the annual budget of over \$50 million in HAP and administrative fees
- Monitor voucher program utilization with over 6,200 voucher; including 143 Family Unification Program (FUP) Voucher, 716 Veteran Affairs Supportive Housing (VASH) Vouchers, 1,600 incoming ports, 266 RAD vouchers and 696 Project Base Vouchers.
- Apply for HAP and Admin Fee set aside funding; including portability, PBV, VASH
- Provide subject matter expertise regarding all aspects of the Housing Choice and Project Based Voucher Programs.
- Prepare, submit and monitor VMS submissions
- Prepare, review and monitor the HCV monthly and annual budget
- Work across the three HADC non-profit affiliates regarding consulting services, resident services and real estate development. Specifically work with development for 4% and 9% LITCH projects using Project Based Vouchers and the implementation of onsite resident services.
- Submit PBV subsidy layering reviews to HUD for review and approval
- Develop relationships with community stakeholders, housing and service providers to collaborate on community initiatives

- Developed, collaborated, administer and negotiated a \$650,000 contract for Tenant Based Rental Assistance (TBRA) Program through the use of DeKalb County Community Development HOME funds, which provides subsidized housing for 12-24 months for homeless families who are residing in deplorable hotels with school age children.
- Created HADC policy preferences for Homeless families, Youth aging out of Foster Care and Foster Youth. These preferences were created in collaboration with the DeKalb Continuum of Care.
- Create, monitor and amend all policy related changes to the administrative plan, annual plan and five year plan.
- Ensured compliance for SEMAP and maintained High Performer status for three consecutive years
- Manage the Resident and Landlord Advisory Boards
- Speak on behalf of HADC at all community related functions
- Write the quarterly Resident and Landlord newsletters
- Serve on the DeKalb County Continuum of Care (CoC) Board and chair the Service Committee.
- In partnership with the DeKalb CoC, helped DeKalb County reach functional zero for veteran homelessness, the first jurisdiction in the state of Georgia to reach the designation
- Manage interns who are data analysts, who have assisted with the development of HADC Moving to Work application that I created, so HADC is prepared to apply once the application process opens.
- Present to the HADC Board of Commissions at Board meetings, create, and develop and present Board Resolutions.

Housing Choice Voucher Program Director

Feb. 2014 – Dec. 2015

- Direct operations for a program, with at the time over 5,800 Housing Choice Vouchers, with a staff of 41 and 3 direct reports.
- Implemented a non-mandatory Family Self Sufficiency Program
- Adopted several regulatory changes that have resulted in the significant operational savings
- Developed procedures, forms and training to increase the accuracy, knowledge base and efficiency of staff
- Reinstated the Family Unification Program in conjunction with the Department of Family and Children's Services in DeKalb County
- Created and implemented quality assurance measures to track rent calculation accuracy which has resulted in consistent improvement
- Improved agency knowledge and understanding of HCV Utilization, which resulted in the successful opening of the HADC wait list for the first time in eleven years and the successful issuance of HCV vouchers from the waiting list for the first time in 5 years

- Coordinated mass intake, eligibility and lease for new RAD and PBV properties
- Streamlined, centralized and simplified multiple areas of the HCV program to improve operational efficiencies and accuracy
- Presented at the National Association of Local Housing Finance Agencies regarding the HADC VASH program, which is the second largest allocation of VASH vouchers in the Southeast US.
- Developed and implemented a monthly production report for HADC management

Akron Metropolitan Housing Authority (AMHA) May 2012 – Feb. 2014
Housing Choice Voucher Program Manager

- Manage day to day operations for a program with over 5,000 Housing Choice Voucher holders. Lead a staff of 26 with 5 direct reports.
- Ensure compliance for all HCVP SEMAP indicators, with expert knowledge of all
- Communicate with owners and agents through annual meeting, quarterly new owners and agents meetings, and writing of the quarterly newsletter.
- Marketed, piloted and administer the “Landlord Portal,” which allowed AMHA to put owner and agent direct deposit statements online instead of mailing, thereby reducing the cost of mailing and printing over 2,000 statements per month.
- Created cross departmental trainings and a training manual for all operational departments (Eligibility, HCVP, and Public Housing, 35 admin staff and 15 supervisory staff), to create a consistent way to verify client information, calculate income and determine rent.
- Assist as needed with the completion of inspections, recertification’s, check run processing and quality control audits.

Continued Assistance Supervisor Sept. 2008 – May 2012

- Supervised 10 certification staff who were responsible for the timely and accurate processing of annual and interim recertification’s and 2 quality control staff responsible for auditing for SEMAP indicator 3 and compliance with EIV.
- Created expectations for the production and accuracy of staff, holding them responsible through the use of corrective action for failure to meet the expectations.
- Developed a staff capable of 80% or better monthly audit scores for SEMAP indicator 3.
- Created an automated spreadsheets to track staff audit scores and error types.
- Communicated with staff through biweekly team meetings and biweekly coaching sessions.
- Reviewed and authorized all back rents that were completed by staff, totaling nearly \$100,000 per year.
- Monitor and correct PIC and EIV errors.
- Created and conducted biannual training for staff.

- Automated the completion of verifications through the use of custom letter writing in our software program for HCVP, Public Housing and Housing Placement staff.

Housing Quality Standards Supervisor

Aug. 2007 – Sept. 2008

- Supervised 4 inspectors, 2 schedulers and a customer service representative who were responsible for scheduling and inspecting over 15,000 inspections annually.
- Conducted inspections when needed and completed Quality Control Inspections.
- Monitored failed quality control inspections to ensure the inspectors were properly inspecting units.
- Communicated monthly with staff to redevelop our HQS handbook, in order to improve the consistency of our inspections and completed monthly coaching sessions with staff.
- Developed a top fifty reference for owners and agents to improve the fail rates of the inspections.
- Audited all initial inspection paperwork to ensure all paperwork was completed accurately to ensure consistency and compliance of the HAP contracts.

Housing Placement Specialist/Quality Control Supervisor Jan. 2006 – Aug. 2007

- Assisted Housing Placement Manager in supervising staff; ensured vacant Public Housing units were scheduled for showings on a daily basis, created and monitored a quality control program for both Housing Placement and Public Housing recertification staff.
- Relocated over 250 public housing residents as a part of two separate HOPE VI projects and 30 private market residents in accordance with the Uniform Relocation Act (URA.)
- Maintained, monitored and offered housing to Public Housing residents on the housing transfer wait list.
- Participated in the editing and revising of the Admissions and Occupancy Policy.
- Audited 10 percent of all Public Housing recertification files and all files prior to being housed to insure proper rent calculations.

Certification Specialist Floater

May 2004 – Jan. 2006

- Completed rent reasonableness reviews and offered rents to owners and agents.
- Completed contracts and rent increases.
- Conducted interviews and completed annual and interim certifications for HCVP and Public Housing clients.

SOFTWARE

- Yardi Voyager
- Tenmast
- Excel
- Word
- PowerPoint
- PIC
- EIV
- VMS
- Outlook

EDUCATION

- Kent State University, Bachelor's Degree in Business Administration, Emphasis in Finance, 2004

VOLUNTEER WORK

- Rebuilding Together Volunteer 2004-2013
 - Board Member 2008-2010
 - Volunteer coordinator 2007-2010
- American Heart Association Team Leader 2010-2013
- City of Akron Green and Clean 2011-2012
- United Way Team Leader 2011
 - On a team that raised \$30,000
- DeKalb County Continuum of Care Board Member and Service Committee Chair 2014 – current
- Foster Care Alumni Association of Georgia Board Member 2016 – current

HOUSING INDUSTRY GROUP MEMBERSHIPS

- NHLA 2015 – current
- CLPHA 2017 – current
 - Participant in the HCV and Education work groups

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

Aug. 2011 - Present

Senior Associate, Multiple contracts

May 2014 - Present

*Project Manager, Detroit Housing Commission**Aug. 2014 - Present*

- Provided technical assistance and capacity building for DHC through the preparation of a redevelopment and repositioning strategy for the DHC's vacant and uninhabitable sites.
- Collected and analyzed PHA, HUD, local, and American Community Survey data to assist in the preparation of data tables and GIS maps to assess the sustainability and livability of the areas surrounding DHC's public housing sites.
- Assisted in the preparation of a comprehensive mixed-finance development procedures manual, complete with hyperlinks to federal and local regulations, guides, and other resources.

*Project Manager, U.S. Virgin Islands Housing Authority**Oct. 2014 - Present*

- Providing technical assistance and capacity building to VIHA through the preparation of a redevelopment and repositioning strategy for all of VIHA's public housing sites.
- Collecting and analyzing PHA, local, and Decennial Census data to assist in the preparation of data tables and GIS, and other, maps to assess the sustainability of the areas surrounding VIHA's sites.
- Assisted in the preparation of a comprehensive mixed-finance development procedures manual, complete with hyperlinks to federal and local regulations, guides, and other resources.
- Providing technical assistance through the preparation of a HUD demolition/disposition application for the mixed-finance redevelopment of one of VIHA's public housing sites.

*Project Manager, Puerto Rico Public Housing Administration/ Department of Housing**Jan. 2014 - Present*

- Assessed and evaluated business terms, budgets, contracts and schedules provided to the PRPHA by the selected development partner for three large mixed-finance redevelopment projects
- Assisted in the development of a mixed-finance training presentation aimed at training PRPHA and DOH staff on the mixed-finance process

*Technical Advisor, Palm Beach County Housing Authority**Oct. 2014 - Present*

- Assisting in the mixed-finance redevelopment of a 65-unit public housing site.
- Drafted HUD demolition/disposition application for the mixed-finance redevelopment

- Assisted in drafting board resolutions, proposed amendments and revisions to the agency and administrative plans, as well as, community and resident meeting materials

Technical Advisor, East Georgia Housing Partners

Nov. 2014 – Feb. 2015

- Presented to the boards of the EGHP consortium on the strategic planning process
- Assisted in the preparation of the PHA's Five-year Agency Plan
- Assisted in updating the consortium's Admission and Continued Occupancy Policy

Program Operations Intern

Aug. 2011 - May 2014

- Analyzed the Chicago rental market to assess the comparability of rents charged on the Chicago Housing Authority's (CHA) Housing Choice Voucher (HCV) program for the purposes of compliance and approval of rent increases.
- Audited and collected documentation to ensure CHA HCV file compliance.
- Assisted in the negotiation and review of rent reasonableness policy guidance for the CHA.
- Prepared training materials and conducted training for new administrative and intern staff on the HCV program and related HCV projects.
- Managed special projects for the HCV program with interns and administrative staff.
- Assisted in monitoring PHA and housing-related professional organization websites for potential solicitation opportunities.
- Assisted in assembling and proofreading completed proposals for potential and current PHA clients.
- Attended and tracked progress on company meetings related to contract transition and internal company projects.
- Analyzed 2010 voting patterns and created reports for party leaders.

EDUCATION AND AFFILIATIONS

- B.S. in Public Policy, Economic Development and Urban Planning, May 2014
- Andrew Young School of Policy Studies at Georgia State University, Atlanta, GA, Summa Cum Laude
- Housing Development Finance Professional Certification
- National Development Council, 2014-2015
- Andrew Young School Academic Excellence in Scholarship Award, 2014
- Certificate in Esri ArcGIS Levels I and II
- American Planning Association: Member
- National Association of Housing & Redevelopment Officials: Member

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

2017 - Present

Senior Associate

- Provides technical assistance for the Gary Housing Authority through the preparation of a HUD demolition/disposition applications and Emergency Funds grant applications and completing RAD applications
- Provides asset and financial management technical assistance and capacity building services for the East St. Louis Housing Authority
- Assists in facilitating and developing an Organizational and Management Analysis for RAD for Tampa Housing Authority

Associate, HUD OneCPD Program

2016 – 2017

- Managed and oversaw all project budget and reporting activities
- Prepared updates and maintenance of project milestones schedule and deliverables to HUD
- Prepared, monitored and reported project budgets, developments and operating budget for multiple projects and provide updates and reports to HUD
- Developed HUD Project Procedures Guidebook to be used by all CVR HUD Project Managers

Gulf Coast Housing Partnership

2015 - 2016

Staff Accountant

- Principally responsible for managing the accounting and related functions of the organization, including posting of accounting transactions and journal entries, maintenance of financial schedules, financial document management, planning and execution of multiple company audits and year-end information reporting. Responsibilities included:
 - Management of multiple company receivable, payables, bank accounts and credit card process; and preparation and maintenance of accounting, audit, compliance and financial reporting schedules
 - Preparation, posting and documentation of journal entries for multiple companies and consolidation entries for parent company

Miller McCoy Academy**2013 - 2015****Business Manager**

- Along with the Director of Finance and Operations, managed financial and accounting functions for a charter school reducing expenses by 11% annually
- Accountability extended to financial statements, profit and lost statements/cash flow analysis, budget versus actual statements with accompanying variance analysis reports
- Accounts Payable, month-end closing and quarterly and annual state reporting
- As management team member, participate in strategic planning, including expense forecasting, and cash management.
- Provided strong renegotiation and analysis of current contracts, including janitorial, healthcare and transportation that saved the organization more than \$400,000 of a \$3.5MM annual budget.
- Worked with external and internal auditors and provided reports to the CEO and Board of Directors

Insight Building Services**2012 - 2013****Accountant**

- Prepared month-end bank reconciliation, purchase orders, general ledgers entries, approved vendor invoices, matched to purchase orders and issued checks, prepared account receivables, and reconciled opened balance sheet accounts and bi-weekly payroll
- Developed construction budgets using historical data and prepared construction draws, developed cash flow schedules and other financial documents
- Prepared financial documents, "flow of funds schedules", "Sources and Uses Schedules", and "Yearly Operating Pro Formas" for various development proposals

Housing Authority of New Orleans**2010 - 2011****Budget and Management Specialist/Accountant**

- Managed overall departmental budget with a focus on thorough planning and timely obligation and expenditure of available funds
- Managed and reconciled grants and other sources of funding for modernization and development projects, including the preparation and coordination of reports and other compliance requirements with Finance and other departments
- Reviewed monthly reports from Finance to ensure compliance and the need for revisions
- Participated in project planning to identify most appropriate funding sources and the timely availability of funds

- Ensured compliance by staff with all HANO and departmental reporting procedures pursuant to established policies as they relate to budget, procurement, contract administration, and other related requirements, including periodic review of payment applications, change orders, solicitations and other files for compliance and quality control
- Developed and supervised the implementation of policies and procedures related to budget, professional services, contract administration, and procurement in coordination with other departments

Community Development Capital

2006 - 2009

Financial Analyst/Accountant

- Managed and serviced a \$2MM loan pool made up of commercial real estate loans
- Maintained and enhanced loan portfolio spreadsheets to accurately calculate interest receivables and track clients' construction draw schedules
- Originator and underwriter for \$800M in new commercial real estate loans for the development of affordable housing in New Orleans Post-Katrina
- Prepared annual budget for Board of Directors approval and prepared monthly and quarterly budget v. actual analysis and financial statements for investors and Board of Directors

EDUCATION AND HONORS

- Northwestern St. University, Bachelor's Degree in Accounting
- University of Pennsylvania, Center of Urban Redevelopment Excellence (CUREx), Rockefeller Foundation Fellow
- Selected as a Rockefeller Foundation Fellow after Hurricane Katrina as part of the Center of Urban Redevelopment Excellence effort to develop capacity for the rebuilding of New Orleans
 - The CUREx program was launched to build capacity for large-scale, comprehensive neighborhood revitalization and offers two-year placements with top urban redevelopment organizations nationwide
 - Fellows are placed in project management positions with significant mentorship from the organization's senior staff after undergoing in an intensive six-week cross-disciplinary training prior to starting their placements, site visits, and additional skills development once per quarter during their fellowship term
 - Served as a fellow while working with Community Development Capital

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

Sept. 2015 - Present

New Haven Housing Authority, New York State Homes and Community Renewal, Spartanburg Housing Authority (SHA), Buffalo Municipal Housing Authority (BMHA), Detroit Housing Commission (DHC), Baltimore Regional Housing Partnership (BRHP)

- Reviewed a sample of annual re-examinations, interim re-examinations, and transfers to provide a sufficient amount of reviews.
- Assisted with the initial assessment of NYS-HCR operations including reviewing the intake portability and waiting list process.
- Provides ongoing assistance to staff via CVRs file review tool Quality Control Management Site (QCMS).
- Conducted file reviews for the Housing Choice Voucher program and Public Housing Program according to the Administrative plan and ACOP for the agency.
- Reviewed 10 percent of files with protocol similar to HUD's RIM (Rental Integrity Monitoring) reviews.
- Generate monthly reporting via EIV that includes the Multiple Subsidy Report, Verification Report, Deceased Tenant Report, and Income Discrepancy Report.
- Trained and assisted staff with the system of record – Yardi, and interpreting HUD policy and the agencies Administrative plan.
- Analyzed records via two property management systems; Emphasys and Yardi, to update reports that reflect accurate disbursement to the owner.
- Trained and assisted staff with the data collection tool (excel spreadsheet) to accurately document
- Pull files and create logs for processing.

CVR Associates, Inc.

Dec. 2011 - Dec. 2014

Quality Assurance Specialist

- Effectively ensure that programmatic and policy compliance of files maintained to determine Housing Choice Voucher participant families. Thereby increasing efficiencies by at least 25%.
- Review, correct and ensure the accuracy of approximately 100 recertification files monthly according to HUD regulation and CHA policies and procedures.
- Responsible for reviewing and approving biennial re-examinations of participants to determine continued eligibility.
- Complete correction tasks to ensure compliance of assigned participants' files.
- Ensure that all rent calculations are completed accurately and are properly supported through documentation.
- Determine that all information on the HUD form 50058 is accurate and properly supported.
- Accurately verify information collected from multiple sources based on HUD prescribed verification procedures and Administration Plan.

- Accurately correct participants' files as a result of Quality Control or file review findings.
- Communicate with Housing Specialists and other team members to coordinate completion of files.
- Request and collect necessary core and unit documents for participants' files as needed.
- Certify that completed files are accurate and ready for audit.
- Make recommendations for owner termination when appropriate.

The Housing Authority of DeKalb County

2004 – Dec. 2011

Intake Specialist/Coach

2011 to December 2011

- Pioneered the operations of the Housing Choice Voucher portability intake process.
- Processed incoming portability applicants and participants, coordinated and conducted Portability Briefings, and maintained resident files.
- Processed the necessary paperwork associated with the briefing and issuance of the Housing Choice Voucher.
- Systemized the intake process by assimilating tracking devices for all incoming paperwork and billing.
- Coached and managed new employees on Incoming Portability procedures and systematic functions.

Housing Community Specialist

Jan. 2007 - Dec. 2011

- Maintained 12 waiting lists of 5,641 applicants to ensure compliance of the selection and withdrawal process.
- Accessed Project Based applications and updates, making all appropriate changes in the Yardi system in an accurate and timely manner.
- Generated Housing Assistance Payment Agreements and Housing Assistance Payment contracts for new properties and managed lease-up activities for new and existing developments.

Portability Billing Specialist

2004 – Dec. 2006

- Reconciled with smaller Initial Housing Authorities on a quarterly basis and larger Housing Authorities on a monthly basis, so as to ensure all receivables were collected, in a timely manner.
- Initiated contact with Housing Authorities to reconcile and collect all accounts
- Processed billing for 1,841 tenants, 384 Housing Authorities and managed all accounts.

CERTIFICATIONS

- Certification Nan McKay and Associates, Inc. – Nan McKay and Associates, Inc.
- Certification in Housing Choice Voucher Specialist – Nan McKay and Associates, Inc.
- Certification in Housing Choice Voucher Rent Calculation – Nan McKay and Associates, Inc.
- Low Income Housing Tax Credit Certification – Georgia Department of Community Affairs

EDUCATION AND PROFESSIONAL CERTIFICATION

- Shorter University, Candidate for Bachelor of Science in Business Management, February 2011 – Present

PROFESSIONAL EXPERIENCE

CVR Associates, Inc.

2018 - Present

Associate

- Perform Quality Control reviews for RAD PBV MTW Agency, including Jobs Plus program
- Modify/Approve 50058 HCV, PBV, RAD transactions
- Execute relocation strategy for Elderly/Disabled PBV community
- Assist in development of custom QCMS application

Marietta Housing Authority

2011 – 2018

Housing Specialist Manager

- Supervised Housing Specialist team overseeing a 3,228 voucher program, (including HCV, HUD VASH, Homeownership, Family Self Sufficiency and Project Based Voucher programs) for a High Performing agency
- Monitored and reported on staff performance and compliance in accordance with annual SEMAP, financial and internal audit requirements
- Reconciled month end payments to landlords and participant families, late HQS inspections and annual recertifications
- Enforced HCV participant and landlord compliance requirements according to MHA, HUD, Dept. of Veteran's Affairs and state of GA policies
- Conducted annual recertifications, interim reviews, new admissions and port ins for participant families in compliance with HUD and the MHA administrative plan guidelines, using Yardi software
- Maintained comprehensive participant and landlord electronic files in accordance with MHA internal and HUD auditing standards, using File Vision software
- Investigated and monitored allegations of program abuse and fraud by HCV participants and landlords
- Developed internal and external communications as program administration needs occur
- Provided excellent customer service by ensuring internal and external partnership, participant and landlord issues are addressed and resolved in a timely manner

BellSouth Telecommunications (AT&T)

1998 – 2006

Senior Marketing and Program Manager

- Field sales support manager, training on products offers to sales team and other affiliate sales channels
- Provided sales presentations to market base



- Developed and executed Business and Consumer offers and promotions through the creation of segmentation strategies which included managing the development of a target database, management of core research team and focus group concepts for analysis
- Worked other cross entities including R&D, Legal, Finance, IT, Media, Advertising and Supply Chain to effectively implement marketing campaigns
- Managed business partnership and co-branding with National home security company which provided services in the BellSouth nine-state region
- Managed the development, distribution and response analysis of print collateral, print media, radio and web communications within approved budgets
- Served on a special committee to build IT requirements for a new consumer product
- Managed team budget including annual forecasting and actual expenses
- Served as editor of customer newsletter and coordinated publication content with market managers; Managed distribution of publication through web platform
- Coordinated and managed special sales events, including trade shows

OTHER RELEVANT EXPERIENCE

- Earth Search Communications, Marketing and Operations Manager 8/2007 – 7/2008
- Right at Home, Staffing Coordinator 12/2010 – 4/2011

CERTIFICATIONS AND TRAINING

- | | |
|---|----------------|
| ▪ HCV Specialist | Nan McKay 2011 |
| ▪ HCV Rent Calculation Specialist | Nan McKay 2015 |
| ▪ Supervision and Management | Nan McKay 2016 |
| ▪ HCV Program Management | Nan McKay 2017 |
| ▪ Fair Housing Laws | 2011 / 2015 |
| ▪ HUD EIV / PIC reporting | 2011 – 2018 |
| ▪ HUD VASH Screening & Selection Criteria and Program Management | |
| ○ 2012 – 2018 | |
| ▪ Proficient in HUD PIC/EIV, Yardi Voyager 6 and 7, Emphasys / Elite, Visual Homes, File Vision, Social Serve, SharePoint | |

EDUCATION

- B.A., Corporate Communications, College of Charleston, Charleston, SC 1997

MBE/WBE/DBE SECTION 3 PARTICIPATION

CVR was created over 22 years ago as a 100%-owned Minority Business Enterprise. It has grown from a company of three employees to a group of companies with over 425 employees. At every step of growth, CVR has sought opportunities to promote the interests of minority and economically-challenged employees and sub-contractors, while firmly committing to provide opportunities to the best qualified individuals regardless of race, ethnicity, or any other such distinction. Today, the majority of CVR employees are women and minorities, many of whom were in economically-challenged circumstances prior to their employment with CVR. CVR also regularly engages women and minority-owned businesses as sub-contractors.

CVR affirms that it is a certified MBE with a proven track record of providing opportunities for both individuals and business enterprises owned by women and minorities.

CVR has always been committed to the concept and spirit of Section 3 of the 1968 Housing Act, promoting opportunities for individuals and businesses covered by the economic criteria of the Section 3 concept, and has a proven track record of providing such opportunities and then supporting the employees with training and mentoring.



One example of CVR's commitment to Section 3 can be found at its operation at the Gary Housing Authority. The line staff hired for the operation at GHA is comprised of Section 3 personnel. CVR is proud to have hired, trained, and promoted this 100% Section 3 staff.

CVR's commitment to Section 3 hiring practices is not just evident in Gary, but nationwide as well. In Chicago, for example, over 40% of CVR employees were hired under Section 3 program guidelines. Nationally, CVR's outstanding record in hiring, training, and supporting Section 3, women, and minority businesses and individuals speaks for itself.

CVR will continue its current recruiting and hiring practices to assure that Section 3 residents have employment opportunities through CVR if additional personnel are hired for this engagement.

In summary, CVR has created and maintained many Section 3 positions over the course of its existence, and is dedicated to continuing this commitment to the letter and spirit of the Section 3 laws. To the greatest extent feasible, employment and economic opportunities resulting from this engagement shall be directed to low- and very low-income persons, especially those who are recipients of HUD housing assistance.

SUCCESSFUL RELEVANT EXPERIENCE

CVR has provided a wide range of relocation consulting services to housing authorities and developers. Through these engagements, CVR has demonstrated its value as a key member of a collaborative redevelopment and relocation team, while providing leadership throughout the relocation process. With CVR's deep bench of relocation and housing professionals, we have the capacity to take on multiple relocation projects concurrently.

Relocation Planning

Advance planning is key to a successful relocation process. This planning includes facilitating initial resident meetings, surveying residents, determining relocation options, and developing Relocation Plans that comply with the Uniform Relocation Act (URA), the unique RAD requirements of PIH Notice 2016-17, and any other applicable regulations. This planning also includes the preparation of relocation RAD deliverables such as the RAD FHEO Checklist. Relocation projects tend to be very fluid, with a lot of moving parts because there are three or more distinctly different stakeholders involved: the residents, the developer/construction team, and the Housing Authority. CVR has experienced staff who understand the needs of each of the stakeholders. This experience allows CVR to create comprehensive and effective relocation plans, while also adapting to the deviations that may arise due to unforeseen circumstances that often happen during relocation projects.

Relocation Software

CVR's IT Team has developed a proprietary, web-based Relocation Tool to track and monitor relocation activities. This industry-leading software utilizes dashboards that provide users with visual graphics of the project status and real-time reporting. The Tool is customized to the scope and needs of each specific relocation project. In addition, the tool allows for multiple users to access and update the site simultaneously, with inputs for case notes as well as the scanning and uploading of client documents into each resident file, which allows for paperless files and remote compliance monitoring. The site is accessible to HACA-approved users, which makes the relocation process and project transparent.

Ongoing Technical Assistance

The ongoing Relocation Technical Assistance provided by CVR can include, but is not limited to, providing guidance to ensure RAD and URA compliance; assisting in preparation of all required notifications to ensure that all requirements are met; providing assistance regarding the proper sequence of internal transfers and off site relocations; advising on any other RAD or voucher issues that may arise as a result of relocation activities; planning for residents' meetings and other resident notifications; participating in resident meetings; facilitating collaboration with other community partners; advising on reporting and tracking requirements; aiding with responses to fair housing inquiries; and assisting with set up of local, day-to-day relocation counseling.

Relocation Counseling

CVR has provided direct relocation counseling services to affected residents on behalf of numerous clients. These services include: preparing and distributing all applicable notices to tenants; performing needs assessments and resident surveys; providing relocation and fair housing counseling; providing other advisory services and referrals to service provider partners as needed; identifying comparable relocation units; procuring and coordinating movers; setting up tracking systems; and completing all required tracking and forms.

The table below lists CVR's recent relocation engagements:

Client	Total Households	Date	Program
<i>Buffalo Municipal Housing Authority</i>	87	2017 - present	<i>RAD</i>
<i>The Alpert Group</i>	98	2017 - present	<i>CDBG</i>
<i>St. Jude's</i>	93	2017	<i>CDBG</i>
<i>Avalon</i>	17	2017 - present	<i>HOME</i>
<i>Alexander County Housing Authority</i>	278	2017 - present	<i>Section 18</i>
<i>Housing Development Corporation of DeKalb</i>	240	2017 - present	<i>LIHTC</i>
<i>Fort Worth Housing Authority</i>	412	2017 - present	<i>RAD</i>
<i>Shreveport Housing Authority</i>	132	2016-2017	<i>RAD</i>
<i>East Chicago Housing Authority</i>	333	2016-2017	<i>Section 18</i>
<i>Lamphere Court</i>	196	2016 - present	<i>LIHTC</i>
<i>Santa Fe Civic Housing Commission</i>	374	2012 - present	<i>RAD/LIHTC</i>
<i>Spring St. Associates</i>	27	2015	<i>LIHTC</i>
<i>Wastenaw County</i>	6	2016	<i>HOME</i>
<i>St. John the Baptist Housing Authority</i>	36	2015-present	<i>RAD</i>
<i>Palm Beach County Housing Authority</i>	66	2014-present	<i>Section 18</i>
<i>McKinney Housing Authority</i>	65	2014-2016	<i>RAD</i>
<i>Ypsilanti Housing Commission</i>	198	2014-2017	<i>RAD</i>
<i>Ann Arbor Housing Commission</i>	265	2014-2015	<i>RAD</i>
<i>Waterfront</i>	172	2013-2014	<i>RAD</i>
<i>Unity Park</i>	84	2013-2014	<i>RAD</i>
<i>Montgomery Housing Authority</i>	350	2011	<i>HOPE VI</i>
<i>Niagara Falls Housing Authority</i>	136	2006-2011	<i>HOPE VI</i>

EXAMPLES OF RECENT WORK

The following are examples of some of CVR's recent work preparing and implementing Relocation Plans and services to support LIHTC-financed and HUD-financed, including RAD.

East Chicago Housing Authority (ECHA), East Chicago, IN

HUD engaged CVR to provide technical assistance to ECHA to develop a Relocation Plan to ensure compliance with URA relocation requirements and HCV rules and regulations as they pertain to Tenant Protection Vouchers. This relocation was required as a result of contaminated soil and other environmental hazards. CVR built ECHA's capacity to prepare and distribute all applicable notices to tenants, provide tenant advisory services as needed, and complete all required tracking and forms. The technical assistance provided also enhanced ECHA's capacity to identify comparable units, provide all required counseling and URA benefits, and address any Fair Housing issues arising during the relocation. Targeted assistance addressed families being permanently displaced to another community via portability and to ensure each household's case was properly processed by the receiving PHA. CVR assisted ECHA in coordinating activities with HUD, the EPA, the Department of Health, and other local PHAs. CVR also provided guidance regarding community and media relations.

Fort Worth Housing Solutions (FWHS), Fort Worth, TX

CVR provides a wide range of RAD Consulting Services, including relocation assistance, for FWHS' full portfolio RAD conversion. FWHS is undertaking a complex approach to its portfolio conversion by targeting more than 30 RAD transactions in order to deconcentrate poverty across the city. This resident relocation approach is being implemented through lotteries, in which current public housing residents select into the lotteries for their preferred RAD properties. CVR's relocation guidance to FWHS has included the development of a customized web-based Relocation Tool, to track resident lottery participation, as well as all the information needed to comply with HUD's RAD Resident Log requirements. Additionally, CVR has provided guidance on many relocation issues, including but not limited to regulatory requirements, notice requirements and Relocation Plan development.

McKinney Housing Authority (MHA), McKinney, TX

CVR provided technical assistance to MHA to develop a Relocation Plan to ensure compliance with URA, RAD, and HOME relocation requirements. CVR built MHA's capacity to prepare and distribute all applicable notices to tenants, provide tenant advisory services as needed, and complete all required tracking and forms. The technical assistance CVR provided also enhanced MHA's capacity to identify comparable units, provided all required counseling and URA benefits, and addressed any HCV or PBRA issues arising during the conversion. Direct planning and technical assistance was provided to plan the sequence of relocation activities to minimize displacement times. Targeted assistance addressed families being permanently displaced to ensure each household was given proper notice and opportunity to comment/object, gave proper consent to the displacement, and were provided all rights and benefits to which they were entitled. CVR assisted MHA in coordinating activities with HUD's HQ, local Field Office, and Regional Relocation Specialists.

St. Jude, Inc., Dallas, TX

CVR provided St. Jude, Inc. with Relocation Advisory services relating to a CDBG-funded project. CVR actively assisted in the preparation of all required notifications and reviewed relocation activities to determine the level of compliance with URA. Technical assistance was provided regarding the establishment of a Relocation Counseling Program, the provision of required benefits to households that are permanently and temporarily displaced, and the tracking and documentation requirements of the Uniform Relocation Act.

The Alpert Group, Neptune, NJ

CVR is providing ongoing Relocation Advisory Services for the Alpert Group's Winding Ridge Project. CVR was initially engaged to prepare a Corrective Action Plan for submittal to HUD's State of New Jersey Office, to

address prior relocation deficiencies. CVR is currently reviewing relocation activities to date, to determine the level of compliance with URA, reviewing the current Relocation Plan and providing any recommendations for revision in instances where the plan may not comply with the URA, and assisting in the preparation of all required notifications. In addition, CVR provides technical assistance regarding the establishment of a Relocation Counseling Program, provision of required benefits to households that are permanently and temporarily displaced, and the tracking and documentation requirements of the URA. CVR also provides technical assistance on any other relocation issues that may arise as a result of relocation activities, and interacts with State and HUD officials as required.

Ann Arbor Housing Commission (AAHC), Ann Arbor, MI

CVR provided technical assistance to AAHC to develop three separate Relocation Plans, ensure URA compliance, and to plan relocation multi-phase activities that met RAD-specific relocation requirements. CVR staff worked to build AAHC's capacity to prepare and distribute all applicable notices to tenants, provide tenant advisory services as needed, and complete all required tracking and forms. CVR's technical assistance also enhanced AAHC's capacity to coordinate with other housing providers to locate comparable units, provide all required counseling and URA benefits, and address any issues arising during the conversion.

Ypsilanti Housing Commission (YHC), Ypsilanti, MI

CVR provided technical assistance to YHC to develop Relocation Plans to ensure URA compliance and plan multi-phase relocation activities that met the RAD-specific relocation requirements. CVR built YHC's capacity to prepare and distribute all applicable notices to tenants, provide tenant advisory services as needed, and complete all required tracking and forms. The technical assistance provided also enhanced YHC's capacity to coordinate with other housing providers to locate comparable units, provide all required counseling and URA benefits, and address any HCV or PBV issues arising during the conversion. Direct planning and technical assistance was provided to plan the sequence of relocation activities to minimize displacement times.

Housing Development Corporation (HDC) of DeKalb, Decatur, GA

CVR provides ongoing onsite relocation management and operational services for the Housing Development Corporation of DeKalb (HDC), accounting for 240 residents. CVR created Relocation Plans to ensure compliance for both the URA and The Georgia Department of Community Affairs (DCA). CVR develops and distributes all required notices, coordinates with property management for the onsite relocation of residents, coordinates with the moving company to schedule resident packing, moving and unpacking, coordinates with the Housing Authority of DeKalb County (HADC) who has issued Housing Choice Vouchers for residents to be relocated, and moderates ongoing communication between Property Management, HADC, onsite Resident Services and HDC.

Housing Authority of the City of Shreveport (HACS), Shreveport, LA

The CVR Team is providing RAD relocation planning and implementation for HACS' 132-unit RAD conversion of two non-adjacent properties. These relocation efforts require a complex coordination with resident and the redevelopment team, to maximize efficiency through single on-site moves whenever possible. This relocation features four phases of rehabilitation construction at each of the two properties. CVR is overseeing and managing all aspects of this relocation, including planning, resident meeting, resident surveys, resident notifications, and direct oversight of local staff assigned to relocation.

REFERENCES

Client	Contact	Scope of Work
Fort Worth Housing Authority	Mary-Margaret Lemons, <i>President</i> P: 817.333.3401 E: mmlemons@fwhs.org	RAD Relocation Consulting
McKinney Housing Authority	Roslyn Miller, <i>Executive Director</i> P: 972.542.5641 E: rmiller@mckinneyha.org	RAD Relocation Consulting
Shreveport Housing Authority	Bobby Collins, <i>Executive Director</i> P: 318.698.3640 E: brcollins@shvhousauth.com	Development Consulting

ADDITIONAL INFORMATION

Vendor Data Sheet

Statement of Bidder's Qualification

Non-Collusive Affidavit

Section 3 Forms

Representations, Certification, and Other Statements of Bidder's

IRS Form W-9

Statement of Bidder's Qualifications

CVR Associates, Inc. (CVR), a Florida-based corporation, is located at 2309 S. MacDill Ave., Suite 200, Tampa, FL 33629. CVR is a 100% MBE (American Hispanic) firm founded in 1995 and has engaged in its contracting under this name since 1995. CVR is owned by two 50% shareholders, Ana L. Vargas and Fradique A. Rocha who jointly serve as the firm's Co-CEOs.

CVR is a full-service management consulting firm providing services to public and private entities in the affordable housing industry, including the direct management of programs. The firm employs over 400 team members at offices across the country including Tampa, Atlanta, New York, New Jersey, Chicago, Gary, and Miami. CVR has a successful history of completing all contracts it's awarded and does not maintain a bonding company.

Current Projects

Client	Contact	Scope of Work
Fort Worth Housing Authority	Mary-Margaret Lemons, <i>President</i> P: 817.333.3401 E: mmlemons@fwhs.org	RAD Relocation Consulting
McKinney Housing Authority	Roslyn Miller, <i>Executive Director</i> P: 972.542.5641 E: rmiller@mckinneyha.org	RAD Relocation Consulting
Shreveport Housing Authority	Bobby Collins, <i>Executive Director</i> P: 318.698.3640 E: brcollins@shvhousauth.com	Development Consulting

CVR has not previously providing consulting services to the Housing Authority of the City of Austin.

Evaluation HACA-18-Q-0229
RAD Resident Relocation Services June 7, 2018 3:00PM/CST

	Vendor #1	Vendor #2	Vendor #3
EVALUATION CRITERIA	Unity Contractor Services	OPC	CVR Associates
1. Qualifications and experience of the firm's personnel	Comments- Low Did not observe qualified experience in resident relocation field. A lot of construction and construction project management, but no housing authority resident relocation experience shown in qualifications. Unity appears to have relocated offices at housing authorities, but not actual residents- per past performance on similar projects page.	Comments- High 38 years of experience in relocation. 50,000 residential, commercial and industrial relocation cases. Proven experience with HACA/RAD relocation.	Comments- High Over 20 years in affordable housing . Key staff assigned to this engagement (8) all have 10+ years in affordable housing. Most are 20+years. Michael Tonovits recently served as project dire tor to McKinney HA, Buffalo Municipal HA and Ypsilanti Housing commision. Recognized expert with URA compliance. Most of the assigned staff has relocation experience.
2. Minority Participation	Comments- High Minority owned	Comments- High Minority owned	Comments- High 100% MBE firm
3. Past Performance of the firm/demonstrated ability to provide services in a timely manner	Comments- Medium Currently working with Unity on a construction project I have first hand witnessed that Unity strives to keep on schedule and keeps to schedule to complete jobs in a timely manner. Their communication is great and response time to inquiries is typically within a few hours if not following day. I would think they would be the same in this case.	Comments- Medium OPC has worked with many housing authorities and shown they are well versed in the regulations we need to keep in mind. In fact, HACA has turned to OPC in instances where we had questions. Very helpful to have a knowledgeable staff on hand to assist with questions. Although sometimes they do exceed deadlines (paperwork), they are quick to to get paperwork in ASAP.	Comments- High Clearly have a lot of experience with relocation. Developed web-based relocation software. Extensive experience in different conversion types, RAD, CDBG, HOME Section 18, LIHTC HOPE VI Provided references.
4. Previous experience with HUD/Housing Authorities	Comments- Medium Although they have much experience with HUD/ HAs they seem to not have much with relocation of residents which is concerning. Several HACA jobs observed always with proper documentation (S3) and paperwork to back up draws etc.	Comments- High OPC shows they are very experienced with Has and public and private entities. All staff OPC has sent has been experienced and needed very little if any guidance at all. This firm knows what HACA expects and has proven they can meet expectations.	Comments- High Provided references there were many HUD contracts and they work exclusively in affordable housing. They have plenty of experience.
5. Firm's ability to complete the work	Comments- Medium Concerns with cost to bring on more staff. UCS was recently awarded another contract (construction) with HACA at 3 different properties. Assuming this is not their usual line of business, I think they would outsource or hire on new people which may drive up price. They have listed that they will have 3 relocation staff on this project, one of which is Patrick Carter, and two others. Although I have faith staff is capable of completing work, concerns with conflicting work that was just awarded.	Comments- High Firm has shown they are capable of completing this work	Comments- High They seem capable of providing the services we are looking for in relocation. Although they seem to be more agency focused rather than client or resident focused. I would like to know how involved they get with- If it all- with residents.
6. Overall quality of firm's submission	Comments- Medium Some errors, incomplete pages, overall showed an understanding of what the relocation plan entails and how the process works.	Comments High Complete. Very detailed in processes to be used. Contacts included. Per submission nothing on schedule would prevent them from doing work. Large team to work on relocation.	Comments- Medium Excellent- if they were pitching for RAD Consultants, but they are trying to be our Relocation Consultant. I would have liked to see a little more resident focus and what they can do for our residents.
7. Section 3 experience	Comments- High Has shown great amount of experience in this area. Knows paperwork to submit and to submit it in a timely manner. No concerns.	Comments- Low Not a Section 3 Business Concern	Comments- High Is a Section 3 business entity
Recommended:			
	CVR		
Evaluator: Angie Towne	Date: 8/22/18		

EVALUATION CRITERIA	Vendor #1 UNITY CONTRACTOR SERVICES 47.5 POINTS	Vendor #2 OPC, LLC 81 POINTS	Vendor #3 CYR ASSOCIATES 100 POINTS	Vendor #4	Vendor #5
1. Qualifications and experience of the firm's personnel	Comments: Would only recommend a small project w/ limited # of units if awarded to this vendor. w/ intensive oversight. H for this Scope of Services	Comments: Providing relocation services since 1980 High level of experience with RAD + PHA relocation projects H	Comments: Highly qualified + experienced Housing-related staff. H	Comments	Comments
2. Minority Participation	Comments: 100% minority-owned. MBC certified. H	Comments: Non const. Contractor ownership is 100% male/caucasian not MB.WB concern L	Comments: 100% MBE firm not small, not women-owned but is minority business enterprise. H	Comments	
3. Past Performance of the firm/demonstrated ability to provide services in a timely manner	Comments: no references. L for this Scope of Services	Comments: 7 past/current Relocation projects from 2012-2020 across the U.S. H for this Scope of Services	Comments: Relocation Projects 9 RAD 1 RAD / LITC 3 LITC 13 Programs like ours 22 overall housing Relo. H	Comments	
4. Previous experience with HUD/Housing Authorities	Comments: HUD/HA. M for experience with HA.	Comments: at least 8 projects with PHAs multiple projects with various HUD funded programs. H	Comments: most staff have PHA/HUD background 22 overall housing Relo. projects - most recent H	Comments	
5. Firm's ability to complete the work	Comments: For these services, their ability is largely unknown. Unknown Scope 18-20 years ago. L	Comments: currently prompt/80% active projects. H Depending on how many of our relocation projects they are awarded capacity may be at issue if receive all contracts.	Comments: have a Relocation Software developed to assist with relocation specific projects. large # of H	Comments	
6. Overall quality of firm's submission	Comments: a few formatting, grammar issues. No direct experience with these relocation services. L to M.	Comments: Submission had high level of detail - putting meat on the bones" of this type of project. H	Comments: Highly qualified staff + firm + like projects - Focus on Advisory rather than implementation. But implementing in 2019 H	Comments	
7. Section 3 experience	Comments: for construction + tree trimming services, they seem to comply. Unclear of S3 relative to these kinds of services. H	Comments: no S3 foreseen for this contract not a S3 bus. concern. L	Comments: Section 3 Business concern. H high S3 hire rate is showcased in their proposal	Comments	

105 TOTAL POINTS AVAILABLE

L = 5 POINTS	M = 10 POINTS	H = 15 POINTS	VENDOR #1	VENDOR #2	VENDOR #3
			47.50 POINTS	85 POINTS	105 POINTS
			45%	81%	100%

S3 + MINORITY PARTICIPATION

VENDOR 2 + 3 EQUAL EXCEPT FOR POINTS AWARDED FOR PARTICIPATION

evaluator scored each section as H, M, or L for each vendor's proposal

Recommended:

Evaluator Kelly Crawford

Date 8/20/18

Evaluation HACA-18-Q-0229 - RAD Resident Relocation Services

	Unity	CVR	OPC
Qualifications and experience of the firms personnell	MEDIUM - 25+ yrs. experience (Sr. Exec.); Project Manager (20+ yrs of professional services in large-scale integration projects); Relocation Specialist (30+ yrs experience in the education field and 5 years healthcare case management); Relocation Admin (40+ years working in Austin community; excellent communication and writing skills; proficient in Spanish)	HIGH - National consulting firm providing strategic planning, development consulting, financial and management advisory services exclusively to affordable housing public and private entities. Project Director has 25+ years of executive experience in the Texas affordable housing industry and HUD's PIH Assistant Secretary. Providing RAD-related relocation consulting services to Fort Worth HA, McKinney HA, and Shreveport HA. Involved in multiple HOPE VI and Choice Neighborhoods-related relocation projects. Served on executive management team at SAHA. <i>Director resides in Fort Worth.</i> Project Advisors have combined 5-years experience in senior level public housing management. Senior Vice President - 25 yrs. experience in affordable housing. Professional staff member on U.S. Senate Housing and Urban Affairs Subcommittee; political appointee at HUD, focused on troubled housing assessments and recovery plans; Senior Vice President - 25 years senior level management experience with public housing and HCV programs; policy and procedural issues; voucher management.	HIGH - 38+ yrs assisting public agencies and private entities with relocations assistance; has handled more than 50,000 residential, commercial, and industrial relocation cases. Excellent working relationship with several HUD regional offices and HUD headquarters. In addition to RAD, also has experience working with LIHTC, HOME, CDBG, Section 202, NSP, and other federal, state, and local funding resources. Well versed in funding program regulations. Accustomed to developing and managing full-service relocations programs for complex, politically sensitive, and heavily scrutinized projects. Experience with community outreach. Local Austin office. elocatoin agents will read, write, and speak fluent Spanish. Team will be available to meetings with HACA and residents daily, at least 4 days/week. Program Manager - planning and project managemetn for temp relocation of over 400 public housing units (HACA's Phase I and II conversions); Project Manager - 25+ yrs. experience managing and delivering public projects involving relocations and real estate acquisition.
minority participation	HIGH - 100% minority-owned	HIGH - 100% owned Minority Business Enterprise. Majority of CVR employees are women and minories, many of whom were in economically-challenged circumstances prior to employment. Regularly engages women and minority-owned business as sub-contractors.	LOW - 83% of the company is male/caucasian; not minority or women-owned.

<p>past performance of the firm / demonstrated abilities to provide service in a timely manner</p>	<p>LOW - No defaults. Have worked with different tenants, including elderly disabled, and those with income barriers and challenges.</p>	<p>MEDIUM - Relocation planning that complies with Uniform Relocation Act, RAD requirements, and other applicable regs. Relocation tool to track and monitor relocation activities; provides real-time reporting and project status. Paperless files and remote compliance monitoring, makes project transparent. Ongoing technical assistance to ensure RAD and URA compliance. Relocation Counseling services to affected residents - preparing and distributing notices, performing needs assessments and resident surveys; relocation and fair housing counseling, other advisory services and referrals to service provider partners, identifying relocation units, coordinating movers, setting up tracking systems, and completing tracking and forms.</p>	<p>HIGH - Extensive experience with HUD-related relocation programs - Amtex: relocation planning and implementation services for 22 households; Port of Corpus Christi: subcontractor for relocation assistance services for 450 households; San Francisco HA: relocation planning and general consulting for 220 households; Berkeley HA: relocation advisory services and relocation implementation services for 75 households; Housing Authority of the County of Sacramento: relocation planning services for 220 households (in progress); San Joaquin County HA: relocation planning and implementation services for 27 households (in progress); Housing Authority of the County of Contra Costa: relocation planning and assistance services for 83 households (in progress). Track record w/HACA to deliver services on time and on budget.</p>
---	--	---	--

previous experiences with hud/housing authorities	MEDIUM - HACA - Thurmond Heights (renovations), BTW (construction/renovations), Meadowbrook (renovations), tree trimming and grounds maintenance; HACA office move in 2000; HATC; COA - Parks & Rec; AISD - tree trimming; City of Cedar Park - trimming	HIGH - Selected by HUD to provide technical assistance and training to PHAs with management and development challenges. Leader in private management of public housing programs, including HCV. Has assisted PHAs in planning, preparation, and implementation of over \$2 billion of Choice Neighborhoods Initiative, RAD, HOPE VI, and other mixed-finance, community revitalization projects. RAD - performed feasibility analyses for public housing authorities under the RAD program and preparing applications. Worked with HAs and restructuring operations to reflect RAD conversions. CVR has over 46,000 vouchers and Mod Rehab units under management for housing agency clients and conducts nearly 200,000 HQS inspections annually for more than 80,000 units. RAD relocations - Buffalo Municipal Housing Authority - 87 households (in progress); Fort Worth HA - 412 households (in progress); Shreveport HA - 132 households; St. John the Baptist Housing Authority - 36 households (in progress); McKinney HA - 65 households; Ypsilanti Housing Commission - 198 households; Ann Arbor Housing Commission - 265 households; Waterfront - 172 households; Unity Park - 84 households.	HIGH - Extensive experience providing relocation services for HUD RAD programs; consulting services for HACA regarding RAD; relocation assistance for the Phase I and II projects including Goodrich. Project Mngr. experience working with Corpus Christi HA to relocate over 450 households. Agent - lead for HACA's Phase I and II conversions. Resident outreach, case management, relocations planning. Staff well-versed working with Section 8 and public housing households and HUD regs. Staff is sensitive to low-income families who require additional support and advisory services. Experience with Housing Authorities - HACA relocation of 400 units; RAD Program; temp and perm. relocation. Housing Authority of City of Los Angeles: relocation plan, 660 tenant interview; RAD Program; tax credits, bonds, local and state funds. Fresno HA: relocation plan, 370 households; RAD Program; LIHTC and HOME funds. Housing Authority of Contra Costa Co.: relocation plan; 83 perm. relocations; RAD Program; voluntary relocation program; HCV.
firms ability to complete the work	MEDIUM - Assigned project manager, relocation specialist; and a relocation administrator to schedule services; Language Line available 24 hrs/day, provides 3-way communication service (resident, interpreter, relocation rep). Pre-move services; individual needs assessment interview; development of individualized implementation plan	MEDIUM - Assigned director stationed in Fort Worth. Would require remote communication which may make the process more difficult. Proposal is very much geared toward housing authority services rather than client services. Minimal mention and focus on client specific services. No mention of whether bilingual staff will be available to best communicate with families or focus on working with specific target population.	HIGH - Assigned Program Manager, Project Manager, and Agent. Over 35% of staff is bilingual Spanish/English. Thorough and detailed scope of work from project initiation, planning, strategy, housing identification, referral, transition to relocation execution and monitoring and control.

overall quality of firm's submission	MEDIUM - Submission shows a general understanding of the RFP. Company has experience in various fields, not limited to relocations.	MEDIUM - Submission is well presented but company's experience is more in line with development and improvement to assist housing authorities in their operations, not with relocation services.	HIGH - Submission shows a strong attention to detail, which is essential in execution of requested tasks. In depth understanding of expectations, familiarity with RAD, and extensive experience on HUD and Housing Authority expectations.
section 3 experience	HIGH - at least 30% (66%) of permanent full-time employees are Section 3 residents or were Section 3 residents w/in 3 yrs. of first hire date	MEDIUM - Created and maintained many Section 3 positions over the course of its existence and is dedicated to commitment of Section 3 laws. The greatest extent feasible, employment and economic opportunities shall be directed to low and very low-income persons, especially those who are recipients of HUD housing assistance. No Section 3 forms provided.	LOW - Not a Section 3 business. Should the need to hire, subcontract, or train arise, OPC will make every effort to contract opportunities to Section 3 business concerns.
Total Points:	75	85	85
Recommended:	CVR and OPC		
Evaluator:	Elvira Lathrop	Date: 8/21/2018	
<i>Point System:</i>	<i>Low = 5 pts.</i>		
	<i>Medium = 10 pts.</i>		
	<i>High = 15 pts.</i>		

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 2571

RENTAL ASSISTANCE DEMONSTRATION

ITEM NO. 5.

MEETING DATE: October 17, 2018

STAFF CONTACT: Ann Gass, Director of RAD

ITEM TITLE: Presentation, Discussion, and Possible Action regarding Resolution No. 2571: Authorizing the Housing Authority of the City of Austin to take such Actions Necessary or Convenient to Facilitate the Development and Rehabilitation of Pathways at Salina Apartments

BUDGETED ITEM: N/A

TOTAL COST: N/A

ACTION

Motion to authorize the Housing Authority of the City of Austin to take such actions necessary or convenient to facilitate the development and rehabilitation of the Pathways at Salina.

SUMMARY

Background:

The Rental Assistance Demonstration (RAD) Program was authorized by the Consolidated and Further Continuing Appropriations Act of 2012. RAD is a tool that enables Public Housing Authorities to convert public housing subsidies into long-term, Section 8 rental assistance subsidy. This is beneficial to PHAs because historically public housing subsidies and funding for capital projects have been unpredictable and fluctuate annually due to federal budget cuts. The project based rental assistance program provides a much more stable and predictable annual subsidy, benefitting PHAs and their residents.

More importantly, the RAD program provides PHAs an opportunity to make substantial physical improvements to its properties, resulting in a higher quality of life for residents. Additionally, provisions with RAD ensure that existing residents are protected and enjoy more choices on where they wish to reside. The Housing Authority of the City of Austin (HACA) submitted applications and received a “Commitment to enter into a Housing Assistance Payment Contract” (CHAP) award for Salina Apartments.

The conversion process to RAD will allow HACA to address the needed repairs and renovations determined by a third party physical needs assessment. With the RAD conversion, Salina Apartments will receive updates to the common areas including the community building, laundry room and courtyard, as well as work in the maintenance shop.

Staff Recommendation:

Resolution No. 2571 asks the Board of Commissioners to authorize the Housing Authority of the City of Austin to take such actions necessary or convenient to facilitate the development and rehabilitation of the Pathways at Salina Apartments.

RESOLUTION NO. 2571

Resolution authorizing the Housing Authority of the City of Austin (the “Authority”) to take such actions necessary or convenient to facilitate the development and rehabilitation of the Pathways at Salina (the Project”)

WHEREAS, the Authority owns the site containing the Project (the “Land”);

WHEREAS, the Authority and Pathways at Salina, LLC (the “Company”) desire to enter into a ground lease (the "Ground Lease") granting site control of the Land to the Company;

WHEREAS, the Authority desires to convey title to the improvements comprising the Project to the Company via a bill of sale;

WHEREAS, the Authority may grant or loan demolition, relocation, capital and/or other financing funds to the Austin Affordable Housing Corporation to facilitate the redevelopment of the Project;

WHEREAS, the Authority has submitted an application with the United States Department of Housing and Urban Development (“HUD”) for approval under the Rental Assistance Demonstration (“RAD”) Program to designate certain units within the Project as RAD units, and upon receipt of HUD approval, the Authority desires to implement the RAD units;

NOW, THEREFORE, in connection with the development, rehabilitation and equipping of the Project, the Board of Commissioners hereby adopt the following resolutions:

BE IT RESOLVED, that the President and CEO of the Authority and/or his designee is hereby authorized to review, approve and execute all certificates, affidavits, agreements, documents and other writings, including, without limitation, the Ground Lease and all documents relating to the RAD units (collectively, the "Agreements"), the President and CEO shall deem to be necessary or desirable in the consummation of the transactions herein contemplated;

BE IT FURTHER RESOLVED, that all acts, transactions, or agreements undertaken prior hereto by the President and CEO of the Authority or his designee, in connection with the foregoing matters are hereby ratified and confirmed as the valid actions of the Authority, effective as of the date such actions were taken; and

BE IT FURTHER RESOLVED, that the President and CEO is hereby authorized and directed for and on behalf of, and as the act and deed of the Authority, to take such further action in the consummation of the transactions herein contemplated and to do any and all other acts and things necessary or proper in furtherance thereof, as the President and CEO shall deem to be necessary or desirable, and all acts heretofore taken by the designee of the President and CEO to such end are hereby expressly ratified and confirmed as the acts and deeds of the Authority.

This resolution shall be in full force and effect from and upon its adoption.

PASSED, APPROVED AND ADOPTED this 17th day of October, 2018.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 2572

RENTAL ASSISTANCE DEMONSTRATION

ITEM NO. 6.

MEETING DATE: October 17, 2018

STAFF CONTACT: Ann Gass, Director of RAD

ITEM TITLE: Presentation, Discussion, and Possible Action regarding Resolution No. 2572: Approving the Award of Contract for RAD Phase II Construction Services at Salina Apartments.

BUDGETED ITEM: No

TOTAL COST: \$298,700

ACTION

Approving the Award of Contract for RAD Construction Services at Salina Apartments in an amount not to exceed \$298,700.

SUMMARY

Background:

This award is to approve a contract for work associated with the Rental Assistance Demonstration Program (RAD) at Salina Apartments. Salina received significant and major upgrades including rehabilitation of every unit in four phases between 2004 and 2008. This work was funded through the Capital Fund Program. Accordingly, major renovations are not needed at this time. A more extensive redesign may be considered in the future.

Improvements to be made as part of the RAD conversion include updates to the common areas including the community building, laundry room and courtyard, as well as work in the maintenance shop.

Process:

The Invitation for Bid was advertised in The Austin American Statesman on Sunday, September 2, 2018, Sunday, September 9, 2018, Sunday, September 16, 2018, and again on September 23, 2018 and faxed Monday, September 10, 2018 to the minority/small business organizations designated in the HACA Procurement Policy. The Invitation for bid was also distributed to nine plan rooms and placed on the HACA website. The bid opening took place on 10/4/18 and one bid was received from Unity Contractor Services, Inc.

Staff Recommendation:

Unity is a long-time, highly satisfactory contractor to HACA, having performed more than \$8.5M in

renovations, and services over 20 years with HACA, including two separate phases of the highly successful Thurmond Heights property-wide unit and site renovations. Workmanship has always been of excellent quality. Unity is currently under contract for the BTW & Meadowbrook RAD project. All work has been exemplary and compliant with all contract requirements. Additionally, Unity is an MBE/HUB and a Section 3 business, that has provided work and training opportunities on projects whenever possible. The recommendation of bid acceptance is made with firm trust in Unity's ability to provide a project that will meet our budget, project needs, and that the agency can be proud of.

ATTACHMENTS:

- ▣ **Exhibit 1 - Bid Process**
- ▣ **Exhibit 2 - Reference Verification**

RESOLUTION NO. 2572

AWARD OF CONTRACT FOR RAD PHASE II CONSTRUCTION SERVICES AT SALINA APARTMENTS

WHEREAS, On October 4, 2018, the Housing Authority of the City of Austin opened and publicly read a single bid for RAD Phase II Construction Services at Salina Apartments; and

WHEREAS, Unity Contractor Services, Inc. is a long time partner with HACA and has performed in a highly satisfactory manner on many successful projects; and

WHEREAS, it is the recommendation of the President and CEO that the bid submitted by Unity Contractor Services, Inc., be accepted as the most responsible and responsive bid; and

NOW, THEREFORE, BE IT RESOLVED, that the Housing Authority Board of Commissioners authorizes the President and CEO to accept the bid as submitted by Unity Contractor Services, Inc. and award such contract in the amount of \$298,700.

PASSED, APPROVED AND ADOPTED this 17th day of October, 2018.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

BID PROCESS: The Invitation for Bid was advertised in *The Austin American Statesman* on September 2, 2018, Sunday, September 9, 2018, Sunday, September 16, 2018, and again on September 23, 2018 and faxed Monday, September 10, 2018 to the minority/small business organizations designated in the HACA Procurement Policy. The Invitation for bid was also distributed to nine plan rooms and placed on the HACA website.

Fourteen (14) Project Manuals were distributed and One (1) Bid Proposals were submitted. Sealed bids were received, opened and read aloud on October 4, 2018 at 2:00 p.m., local time.

Plan Holder	Bid Amount	MBE/WBE
Virtual Builders Exchange 4047 Naco-Perrin Suite 100 San Antonio, TX 78217 210-564-6900; Contact: Heather Hope	<u>NO BID RECEIVED</u>	NO
McGraw Hill Construction Dodge Reports 4300 Beltway Place Suite 180 Arlington, TX 76018 817-375-2955; Contact: Plan Center/Kirstin Klutch	<u>NO BID RECEIVED</u>	NO
Reed Construction Data 30 Technology Parkway South Suite 500 Norcross, GA 30092-2912 800-876-4045; Contact: Lourd Abad/Document Processing Center	<u>NO BID RECEIVED</u>	NO
Associated General Contractors of America San Antonio Chapter 10806 Gulfdale San Antonio, TX 78216 210-349-4921; Contact: Mary Lugo/Dana Marsh	<u>NO BID RECEIVED</u>	NO
Construction Data-CDC-News 4201 West Parmer Lane Bldg. # Suite 200 Austin, TX 78727 800-872-7878; Contact: Plan Room Center/Toni Lawson	<u>NO BID RECEIVED</u>	NO
AGC Austin 609 South Lamar Austin, TX 78704 512-804-2796; Contact: Toni Osberry	<u>NO BID RECEIVED</u>	NO
CMD 333 E. Butterfield Road, Suite 600 Lombard, IL 60148 630-258-7983; Contact: Sherwin De Peralta/Fonda Rosenfeldt	<u>NO BID RECEIVED</u>	NO
iSqFt Plan Room 4500 Lake Forest Drive, Suite 502 Cincinnati, OH 45242 1-800-364-2059, ext 702; Contact: Kyle Bellomy	<u>NO BID RECEIVED</u>	NO
AMTEK Information Services (Austin Plan Room) 7801 N. Lamar, Suite-A137 Austin, TX 78752 512-323-0508; Contact: John Rugh	<u>NO BID RECEIVED</u>	NO
Pyramid Contracting Services, Inc. P.O. Box 142162 Austin, TX 78723 512-775-6363; pyramidinc1@gmail.com ; Rafael Aguinaga	<u>NO BID RECEIVED</u>	MBE

Estimating CRU, Ltd. Central Road and Utility, Ltd. 100 Whitestone Blvd. Suite 148 #344 Cedar Park, Texas 78613; 512-989-2602 512-989-2698; estimating@crultd.com ; Lily	<u>NO BID RECEIVED</u>	MBE
Gibraltar Construction Co., Inc. 42 Hudson Street, Suite 107 Annapolis, MD 21401; 410-573-1000; 510-573-1004; NNelson@gibconst.com ; Nathan Nelson	<u>NO BID RECEIVED</u>	NO
Unity Contractor Services, Inc. 6448 E Highway 290 Suite F-113 Austin, TX 78723 512-926-8065; Contact: Samantha House/Pat Carter	<u>\$298,700.00</u> Completion Time: 150 Calendar Days	MBE
S & L Specialty Contracting 315 S Franklin St Syracuse, NY 13202; 609-598-2317; 315-471-8807 mmcshane@slcontracting.com ; Michael McShane	<u>NO BID RECEIVED</u>	NO

- **AWARD OF CONTRACT:** Bids were opened and read aloud by James Teasdale, Planning & Development Director, recorded by Christina Huerta, Modernization Specialist and witnessed by Angie Towne, RAD Coordinator.
- Bidder, was determined to be responsive – Bid Proposal, Non-Collusive Affidavit, Representations, Certifications, and Other Statements of Bidders, Certification of Bidder Regarding Equal Employment Opportunity, and Contractor's Qualification Statement, Section 3 Certification were complete & executed, as required.
- Reference verifications were performed, with all positive results.

REFERENCE VERIFICATION:

COMPANY:

PROJECT: #2018-09- RAD Phase II Salina Apartments

Source:

1. Vandenberg AFB Vandenberg CA-Phone: 805-588-4889

Contact: Mr. Bill Deem in the amount of approximately \$2.6 million over five years.

Comments: The contract is for tree trimming of housing area on base and maintenance facilities work basewide. We have had a working relationship with contractor for about two years. Very pleased with performance and quality of work. Bob Reeder is very knowledgeable; Patrick and Lenzy are very responsive. Staff usually consists of one supervisor and four workers, which do good work. Would definitely work with contractor again.

2. Taylor Housing Authority – Phone: 512-352-3231; Extension 110

Contact: Ms. Ebby Green, Executive Director in the amount of approximately \$123,000.

Comments: The contract was for flooding damage repair and major clean up of forty-one vacant units that took place in May of 2015 including an office and maintenance shop. Very Professional. Very impressed. Performed very good work. Cleanliness of the units was outstanding. This project was first working relationship with firm. No significant change orders one the project, one change order was owner request to expand scope on a few items. The performance and quality of work was excellent. Timely start of project and impressed with early completion. Very fast. No safety issues on project. Would definitely work with them again.

3. Construction Flight 2d Contracting Squadron Barksdale AFB, LA 71110 – Phone: 318-456-6833;

Contact: Ms. Marla Poirer in the amount of approximately \$2.2 million.

Comments: Unity provided all labor, materials and supplies to complete a formal design process then construct the required HVAC replacement at the facility. The new system will incorporate a VAV AHU's and VAV boxes with reheat coils. New system will also incorporate an EMCS that is 100% compatible with the JCI N2 architecture and able to communicate with the existing NAE without the use of 3rd party devices or programs. HVAC units and upgrading the electrical system was required. Project currently underway. No safety issues on project. Would work with them again.

4. Housing Authority of the City of Austin - Phone 512-477-4488 Extension 1124

Contact: Mr. James Teasdale in the amount of approximately \$8.4 million.

Comments: Past performance with housing authority very satisfactory. Projects completed for the authority includes, but not limited to:

Tree Trimming –PHA-Wide

Grounds Maintenance-PHA-Wide

Phase II& Phase IV- Interior & Accessibility @ Salina Apartments

Phase I-Kitchen and Bath Renovations @ BTW Terraces

Phase III-Interior/Exterior Renovations @ Thurmond Heights

Phase IV-Interior/Exterior Renovations @ Thurmond Heights

Phase II- RAD Conversions @ BTW and Meadowbrook

Phase II- RAD conversions @ Rosewood, Santa Rita & Thurmond

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 2573

ASSISTED HOUSING ITEM NO. 7.

MEETING DATE: October 17, 2018

STAFF CONTACT: Lisa Garcia, Vice President of Assisted Housing

ITEM TITLE: Presentation, Discussion, and Possible Action regarding Resolution No. 2573: Approval of Revisions to the Housing Choice Voucher Administrative Plan

BUDGETED ITEM: No

TOTAL COST: N/A

ACTION

The Board is asked to approve Resolution No. 2573 adopting revisions to the Housing Choice Voucher Administrative Plan. These revisions were discussed extensively at the August 2018 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 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 policy changes to meet the requirements of this notice by adopting changes to the criminal screening criteria in the HCV Administrative Plan in December 2017. Since that time, it has become evident that the current screening criteria still creates a barrier to housing homeless individuals and families.

A recent review of 287 sample criminal history reports, made available by ECHO, showed that 37% of the sample applicants experiencing homelessness would have been denied admissions to the HCV program with

application of HACA's current screening criteria. The majority of the denials would have been for assault, drug possession, and a pattern of alcohol-related criminal activity such as public intoxication.

Recently, HACA applied for and received 89 Mainstream Vouchers to provide housing to non-elderly disabled homeless households and to non-elderly disabled individuals who are currently living in a nursing, rehab, medical facility, psychiatric hospital or another type of congregate setting. Considering the known barriers in housing individuals and families experiencing homelessness, the use of our current criminal screening criteria could potentially result in the denial of 37% of Mainstream Voucher referrals. Staff is therefore recommending changes to the criminal history screening criteria. The changes would reduce the denial percentage from approximately 37% to 18% for homeless individuals referred through the current homeless preference and/or those being referred through future programs that seek to provide housing to persons experiencing homelessness. The proposed changes were informed by the Austin/Travis County Reentry Roundtable's criminal screening recommendations with full consideration of how adjustments to the criminal history screening criteria could be made while continuing to provide safe housing for all and allow a better opportunity for individuals and families experiencing homelessness to move from the streets into stable housing.

Lifetime look-back periods remain intact for convictions of the following: capital murder, kidnapping, rape or crimes of a sexual nature, indecency with a child, first degree felony injury to a child and felony crimes involving terrorism.

Nan McKay Revisions:

The following summarizes changes as a result of updates provided by Nan McKay's revision service:

- Additional changes with respect to the Lead-Based Paint final rule.
- Updates to Project-based Voucher policies as a result of Notice PIH 2017-21 and FR Notice 1/18/17.
- Other clarifications and corrections to bring the content current with HUD regulations and guidance.

Policies were also added with regards to wait list preferences and the referral process for eligible Mainstream voucher individuals and families.

Process:

On August 23, 2018, the notice of proposed changes was publicly posted and sent to Texas RioGrande Legal Aid, Austin Tenants' Council and ECHO (Ending Community Homeless Coalition). The 30-day public comment period ended at 5:00 p.m. on September 21, 2018.

HACA received written comments from Austin Tenants' Council, the Reentry Round Table, and ECHO. Additionally, at the August Board of Commissioners meeting, HACA received oral comments in support of the proposed changes to the criminal screening criteria from leaders of Austin Tenants' Council, Integral Care, the Reentry Round Table, ECHO and the Austin Apartment Association.

While HACA thoroughly reviewed and took all comments under careful consideration, at this time HACA will proceed with its proposed revisions as posted. These revisions reflect substantive changes that will greatly reduce barriers to housing for homeless individuals and families while striking a sensitive balance with community safety. A copy of the comment letters are included as Exhibits 3-5.

Staff Recommendation:

Staff is asking the Board of Commissioners' approval of revisions to HACA's Housing Choice Voucher Administrative Plan.

ATTACHMENTS:

- **Exhibit 1: HCV Summary of changes**

- ▣ **Exhibit 2: Effective Sections of HCV Admin Plan**
- ▣ **Exhibit 3: ECHO written comments**
- ▣ **Exhibit 4: Tenant Council's written comments**
- ▣ **Exhibit 5: Reentry Round Table's written comments**

RESOLUTION NO. 2573

REVISIONS TO THE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN

WHEREAS, the Housing Authority of the City of Austin (HACA) is responsible for administering the Housing Choice Voucher Program; and

WHEREAS, the Housing Choice Voucher Program, as mandated by the Department of Housing and Urban Development (HUD), is required to adopt a Housing Choice Voucher Administrative Plan establishing its policies as required under federal regulations; and

WHEREAS, the Housing Authority of the City of Austin posted the proposed revisions to the HCV Administrative Plan for public comment beginning on August 23, 2018 and ending at 5:00 p.m. on September 21, 2018; and

WHEREAS, HACA received written comments from Austin Tenant's Council, the Reentry Round Table, and ECHO (Ending Community Homeless Organization). While HACA thoroughly reviewed and took all comments under careful consideration, at this time HACA will proceed with its proposed revisions as posted. These revisions reflect substantive changes that will greatly reduce barriers to housing for homeless individuals and families while striking a sensitive balance with community safety; and

WHEREAS, The Housing Authority of the City of Austin's Housing Choice Voucher Program seeks to formally adopt the revised Housing Choice Voucher Administrative Plan to incorporate updates to the criminal background eligibility requirements and updates regarding a number of policy items to be in compliance with current federal regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Housing Authority of the City of Austin's Board of Commissioners approves and adopts the revised Housing Choice Voucher Administrative Plan.

PASSED, APPROVED AND ADOPTED this 17th day of October, 2018.

Carl S. Richie, Jr., Chairperson

Michael G. Gerber, Secretary

Section	Page Numbers	Summary of Changes Made in Admin Plan
Chapter 3: 3-I.B Definition of Family and Household	50-51	Change: Revised HACA's policy regarding the definition of family to be in compliance with HUD's definition and guidance regarding defining a family.
Chapter 3: 3-III.B. & C. PERMITTED REASONS FOR DENIAL OF ASSISTANCE	69-76	<p>Change: Changes to the criminal screening portion of the eligibility criteria.</p> <p>Rationale: Proposed changes to the current criminal screening criteria to reduce barriers to individuals and families experiencing homelessness so they can have a better opportunity to move from the streets into stable housing. HACA recently applied for Mainstream vouchers to serve non-elderly disabled homeless households. The current criminal screening criteria could result in a 37% denial of vulnerable individuals referred to receive Mainstream Housing Choice Vouchers. The proposed revisions would reduce the denials from approx 37% to 18%. Lifetime look periods remain in tack for capital murder, kidnapping, rape or crimes of a sexual nature, indecency with a child, first degree felony injury to a child, crimes involving terrorism, arson and crimes involving explosives.</p>
	69-70	Change: No change to Mandatory denials. Deleted definition that was misplaced in this section.
	71	<p>Addition: The current admission's screening criteria considers the arrest date as the start of the review period. The following language has been added to define the current policy.</p> <p>"If any household member has been convicted of the following criminal activities, during the designated review (look back) period, the family will be denied admission. The designated review period commences as of the date of the criminal offense."</p>

Section	Page Numbers	Summary of Changes Made in Admin Plan
	71-72	<p>Change: Lifetime look back periods remain in tack for all crimes previously included in this section to include: capital murder, kidnapping, rape or crimes of a sexual nature, indecency with a child, first degree felony injury to a child, crimes involving terrorism, arson and crimes involving explosives.</p> <p>For all denials in this section, changed to convictions and removed engaged in or attempted.</p>
	72	<p>Change: Manslaughter and Criminally Negligent Homicide - No change to look back period.</p> <p>Deleted words “currently engaged in or has engaged in”</p>
	72-73	<p>Change: <i>Specific crimes in this section continue to have a 4 year look back period from date of conviction except for alcohol related criminal activity. Alcohol related criminal activity was reduced to 1 year for DWI/DUI conviction. Deleted words “currently engaged in or has engaged in.”</i></p> <p>Crimes that are in this 4 year look back category include the following:</p> <p>(1) Drug-related offenses for Manufacture, distribution, or possession with intent to distribute (2) Robbery-related offenses (3) Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon (4) Physical violence to persons to include assault, aggravated assault, assault by threat, terroristic threat and domestic violence offenses (5) Physical violence to property to include vandalism (6) fraud committed against a government entity (7) Burglary of a habitation (8) Unlawful Restraint (changed to conviction from misdemeanor)</p>

Section	Page Numbers	Summary of Changes Made in Admin Plan
	73-74	<p>Change: This section has been changed to reflect the following:</p> <p><u>Three year review (look back) period</u> If any household member has been convicted of the following criminal activities, the family will be denied admission:</p> <ul style="list-style-type: none"> (1) Stalking felony (2) Theft or fraud committed against a non-government entity (3) Public lewdness and indecent exposure offenses <p><u>Two year review (look back) period</u></p> <p>Drug-related offenses for possession - felony conviction. Removed a pattern of misdemeanor possession of marijuana.</p> <p><u>One year review (look back) period</u></p> <ul style="list-style-type: none"> (1) DWI/DUI - felony conviction <p>Patterns of criminal activity A pattern consists of three or more incidences, with a minimum of two or more incidences occurring within the last three years.</p> <ul style="list-style-type: none"> (1) A pattern of organized criminal activity (2) A pattern of prostitution (3) A pattern of misdemeanor harassment or domestic violence offenses (4) Added a pattern of misdemeanor terroristic threat offenses

Section	Page Numbers	Summary of Changes Made in Admin Plan
	74	<p>Addition: Clarifying language regarding the use of arrest records as follows: HACA will not deny an application solely on the basis of an arrest. If, however, HACA receives arrest information for a disqualifying activity, in addition to a prior conviction within a respective look-back period, it may take that arrest into consideration in making a decision with regard to an applicant's assistance. Additional information may be considered, if available, including police reports, statements, disposition of criminal charges such as abandonment, plea, dismissal, prosecution or acquittal, and any other evidence relevant to determining whether or not the applicant engaged in the disqualifying activity. In sum, any evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety of residents and/or property.</p> <p>Addition: Clarifying language regarding individualized assessment as follows: In making its decision to deny assistance, HACA will consider the criminal background discussed in Sections <u>3-III.E</u> and <u>3-III.F</u>, on an individual and case-by-case basis taking into consideration the nature and gravity of the offense and any other mitigating factors known and available.</p>
	76	<p>Moved: Threatened violent or abusive behavior language against HACA staff or contract employees' policy has been moved from crimes section to previous behavior section. The look back period remains the same "within last four years."</p>

Section	Page Numbers	Summary of Changes Made in Admin Plan
Applicant's Grievance Procedure	77-78	<p>Addition: Applicant's Grievance Procedure Included clarifying language regarding denials based on a criminal record or sex offender registration information and the applicants right to present mitigating and extenuating reasons why they should be considered as follows:</p> <p>"Individuals denied admissions based on a criminal record or sex offender registration information will be permitted to present mitigating and extenuating reasons for why they should be considered in light of a conviction including facts and circumstances surrounding criminal conduct, age at the time of conviction, evidence of good tenant history, employment, or rehabilitation."</p> <p>Changed: formatting</p>
Chapter 4: Applications, Waiting List and Tenant Selection	104	<p>Addition: Added Mainstream Vouchers in the targeted funding section in anticipation of receiving Mainstream Vouchers for non-elderly persons with disabilities who are homeless or who are transitioning out of institutions or other segregated settings</p>
	105 & 110	<p>Addition: Required by the Mainstream NOFA application added preference for non-elderly persons with disabilities who are homeless and transitioning out of institutions or other segregated settings</p>
	108 & 109	<p>Addition: Added Project Based Rental Assistance (PBRA) to (H) Public Housing Special Accommodation Preference section</p>
	111 & 112	<p>Addition: Added policy to allow HACA to accept referrals from other agencies in addition to ARCIL (Area Resource Center for Independent Living) for the Non-Elderly Disabled Program and added verification and eligibility requirements.</p>

Section	Page Numbers	Summary of Changes Made in Admin Plan
	112 & 113	Addition: Added waiting list and referral policy for new Mainstream Vouchers in the event that HACA receives an award of these new vouchers.
	196	Addition: Added language regarding need for independent students to provide prior year income tax returns to verify the student is independent. Also, added that vulnerable youth doesn't need to provide written certification from a parent identifying the amount of support they'll provide.
Chapter 8: Housing Quality Standards	220	Addition: Lead-based paint policy added to be in compliance with new HUD requirements
Chapter 11: 11-I.E. Determining Ongoing Eligibility of Certain Students	255	Addition: Added clarifying policy regarding verifying income for families with 90% of income from fixed sources
Chapter 16: Program Administration	346-348 357	Addition: Added clarifying policy regarding repayment thresholds as defined in Notice PIH 2017-12 Addition: Added clarifying policy regarding reporting requirements for HACA and property owners who have children living in their property with elevated blood lead levels as defined and required in Notice PIH 2017-13

Section	Page Numbers	Summary of Changes Made in Admin Plan
Chapter 17: Project-Based Voucher	380	Change: Considering the future need to project-base vouchers for RAD conversions and redevelopment activities changed from the option to operate a project-based voucher program that utilizes up to 200 tenant base vouchers to 400 units.
	384	Change: To allow flexibility to project-base vouchers at Chalmers South added the following language. "HACA may elect to project-base vouchers not to exceed 43 units at Chalmers South or no more than half of the total units at Chalmers South."
	380, 381, 382, 383, 391, 392, 393, 398, 421, 422, 426	Other changes throughout the chapter as a result of Notice PIH 2017-21 and FR Notice 1/18/17
Chapter 18: Choice Mobility	436, 437, 438	Change: Minor changes to policies as a result of discussions in the Choice Mobility Committee meetings to include changing the selection of 1/3 of monthly vouchers issued rather than drawn from HCV waiting list.

Family

To be eligible for assistance, an applicant must qualify as a family. *Family* as defined by HUD includes, but is not limited to the following, regardless actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, disabled person, near-elderly person, or any other single person; or a group of persons residing together. Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family), an elderly family, a near-elderly family, a disabled family, a displaced family, or the remaining member of a tenant family. The PHA has the discretion to determine if any other groups of persons qualify as a family.

Gender Identity means actual or perceived gender characteristics.

Sexual orientation means homosexuality, heterosexuality, or bisexuality.

HACA Policy

A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.

Each family must identify the individuals to be included in the family at the time of application and must notify HACA if the family's composition changes.

~~A family also includes two or more individuals who are related by blood, marriage (either licensed or Texas common law), consensual sexual relationship, legal adoption or other operation of law, who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family and will be living in the same dwelling unit. .~~

~~Notwithstanding anything to the contrary, in order to qualify as a family in the context of a~~

~~head of household with~~ For minors who are not the head of household's children, the head of household must provide either:

- (1) A court order establishing custody, or
- (2) An affidavit from the parent, which establishes custody with the head of household, is required.
- (3) If the parent or legal guardian is deceased, their whereabouts are unknown, or they are unresponsive, the head of household must provide an affidavit declaring one of the foregoing and that the child(ren) is/are residing with him/her and also provides proof of kinship care by producing documents relating to school, TANF, Medicaid or medical records.

~~A family does not include:~~

~~(1) A group of unrelated non-elderly and/or disabled persons under 62 years of age living together;~~

~~(2) A housekeeper or live-in aide; or~~

~~(3) foster children and/or foster adults.~~

~~Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.~~

Household

Household is a broader term that includes additional people who, with HACA's permission, live in an assisted unit, such as live-in aides, foster children, and foster adults.

3-I.C. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY

Family Break-up [24 CFR 982.315]

Except under the following conditions, HACA has discretion to determine which members of an assisted family continue to receive assistance if the family breaks up:

- ☐ If the family breakup results from an occurrence of domestic violence, dating violence, sexual assault or stalking, HACA must ensure that the victim retains assistance. (For documentation requirements and policies related to domestic violence, dating violence, sexual assault and stalking, see section 16-IX.D of this plan.)
- ☐ If a court determines the disposition of property between members of the assisted family, HACA is bound by the court's determination of which family members continue to receive assistance.

HACA Policy

When a family on the waiting list breaks up into two otherwise eligible families, only one of the new families may retain the original application date. Other former family members may make a new application with a new application date if the waiting list is open.

If a family breaks up into two otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted. The family may request a change of Head of Household unless HACA determines, in its sole discretion that the requested change is for the purpose of the family obtaining a benefit by circumventing a limitation or requirement of the housing program, federal statute, regulation or other PHA Policy.

If a court determines the disposition of property between members of the applicant or resident family in a divorce or separation decree, HACA will abide by the court's determination.

In the absence of a judicial decision or an agreement among the original family members, HACA will determine which family will retain their placement on the waiting list or continue to receive assistance. In making its determination, HACA will take into consideration the following factors: (1) the interest of any minor children, including custody arrangements; (2) the interest of any ill, elderly, or disabled family members; (3)

Prohibited Reasons for Denial of Program Assistance [24 CFR 982.202(b), 24 CFR 5.2005(b)]

HUD rules prohibit denial of program assistance to the program based on any of the following criteria:

Age, disability, race, color, religion, sex, or national origin (See Chapter 2 for additional information about fair housing and equal opportunity requirements.)

Where a family lives prior to admission to the program

Where the family will live with assistance under the program. Although eligibility is not affected by where the family will live, there may be restrictions on the family's ability to move outside HACA's jurisdiction under portability. (See Chapter 10.)

Whether members of the family are unwed parents, recipients of public assistance, or children born out of wedlock

Whether the family includes children

Whether a family decides to participate in a family self-sufficiency program

Whether or not a qualified applicant is or has been a victim of domestic violence, dating violence, sexual assault or stalking if the applicant is otherwise qualified for assistance (See section 3-III.G.)

3-III.B. MANDATORY DENIAL OF ASSISTANCE [24 CFR 982.553(a)]

HUD requires HACA 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 also permits public housing authorities to adopt a policy to deny admissions or terminate assistance if any member of the family has been evicted from federally assisted housing in the last five years (24 CFR 982.552 (c) (1) (ii)). HUD also permits, but does not require, HACA to admit an otherwise-eligible family if the household member has completed HACA-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

For families evicted from federally-assisted housing, HACA will deny assistance if they were evicted from federally-assisted housing in the last five years.

~~If HACA 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.~~

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

~~If HACA 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.~~

~~HUD requires denial of Any household member that 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

HUD requires denial of any household member that has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing. In accordance with and furtherance of HUD's requirements, HACA will deny ~~if~~ any household member that has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine in any location, not just federally assisted housing, ~~and the family will be denied admission.~~

~~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 ASSISTANCE

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

— ~~I~~HACA will conduct an individualized assessment of each candidate's application. In ~~a~~ making ~~its~~ a 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.

Preliminary Eligibility Criteria

All applications will be screened for preliminary eligibility before they are added to the HACA voucher 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.

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 been convicted of the following criminal activities, during the designated review (look back) period, the family will be denied admission. The designated review period commences as of the date of the criminal offense.†

If any household member has been convicted of ~~engaged in or attempted~~ any of the following

criminal activities **regardless of the date** committed the family will be denied admission:

- ~~Ceapital m-murder~~
~~_____~~
Kidnapping
- ~~Rrape~~ or crimes of a sexual nature
~~_____~~
~~Aarson~~
- ~~iIndecency~~ with a child
- ~~Ffirst~~ degree felony injury to a child
- ~~Cerimes~~ involving terrorism
- ~~Cerimes~~ involving explosives- ~~felony conviction~~

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

Five year review (look back) period

If any household member has been convicted is of the following criminal activities, the family will be denied admission:

- Manslaughter – felony conviction
- Criminally Negligent Homicide – felony conviction

Four year review (look back) period

If any household member has been convicted is of the following criminal activities, ~~within the past four years,~~ the family will be denied admission:

- Drug-related offenses for Manufacture, distribution, or possession with intent to distribute – felony conviction
- Robbery-related offenses – felony conviction
- Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon - felony conviction
- Physical violence to persons that has one of its elements the use or threatened use of physical force against the person or property of another such as assault, aggravated assault, assault by threat, terroristic threat and domestic violence

offenses – felony conviction.

- Physical violence to property to include vandalism – felony conviction
- Fraud committed against a government entity – felony conviction
- Burglary of a habitation – felony conviction
- Unlawful Restraint – felony conviction

Three year review (look back) period

If any household member has been convicted ~~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 misdemeanor possession of marijuana (two ounces or less).~~
Stalking – felony conviction
- ~~2. A pattern of~~ Theft or fraud committed against a non-government entity – felony conviction:
- ~~3. Public lewdness and indecent exposure offenses – felony conviction~~
- ~~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 two or more incidences occurring within the last three years.~~

Two year review (look back) period

If any household member has been convicted of the following criminal activities, the family will be denied admission:

- Drug-related offenses for possession – felony conviction

One year review (look back) period

If any household member has been convicted of the following criminal activities, the family will be denied admission:

- DWI/DUI – felony conviction

Patterns of Criminal Activity

If any household member has been convicted of or has a pattern of engaging in any of the following criminal activities the family will be denied admission. A pattern consists of three or more incidences, with a minimum of two or more incidences occurring within the last three years.

1. A pattern of organized criminal activity
—A pattern of prostitution
2.
—
3. ~~2.~~—A pattern of misdemeanor harassment or domestic violence offenses
—
4. ~~3.~~—A pattern of misdemeanor terroristic threat offenses

If an applicant has one ~~offense of a Class C misdemeanor~~ misdemeanor offense within the past four years, HACA will not deny the applicant. More than one ~~Class C~~ misdemeanor ~~will~~ may 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.

HACA will not deny an application solely on the basis of an arrest. If, however, HACA receives arrest information for a disqualifying activity, in addition to a prior conviction within a respective look-back period, it may take that arrest into consideration in making a decision with regard to an applicant's assistance. Additional information may be considered, if available, including police reports, statements, disposition of criminal charges such as abandonment, plea, dismissal, prosecution or acquittal, and any other evidence relevant to determining whether or not the applicant engaged in the disqualifying activity. In sum, any evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety of residents and/or property.

Individualized Assessment

In making its decision to deny assistance, HACA will consider the ~~factors~~ criminal background discussed in Sections

3-III.E and 3-III.F, on an individual and case-by-case basis taking into consideration the nature and gravity of the offense and any other mitigating factors known and available. 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 ~~that 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 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.

3-III.D. SCREENING

Screening for Eligibility

HACA is authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to the HCV program. This authority assists HACA 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 HACA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

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 a consent form has been signed. The 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), in addition to reviewing the criminal history report provided by HACA's third party vendor or other government agency.

HACA 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 982.553(a)(2)(i)].

HACA Policy

An online National Sex Offender check covering sex offender registries in all states is performed for all adults.

Additionally, HACA must ask whether the applicant, or any member of the applicant's household, is subject to a lifetime registered sex offender registration requirement in any state [Notice PIH 2012-28].

Applicants' ~~Greivance~~Grievance Procedure

If HACA proposes to deny admission based on a criminal record or on ~~lifetime~~ sex offender registration information, HACA 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)]. ~~Individuals denied admissions based on criminal record or sex offender registration information will be permitted to present mitigating and extenuating reasons for why they should be considered in light of a conviction including~~ ~~include~~ facts and circumstances surrounding criminal conduct, age at the time of conviction, evidence of good tenant history, employment, or rehabilitation.

HACA Criminal Record Policy & Process

- ~~HACA does not obtain criminal conviction records directly from law enforcement agencies.~~

HACA complies with HUD requirements, including 24 CFR 5.903(f) and 5.905(d) in the following manner:

- Authorization -- HACA will require each household member age 17 and older to sign a consent form
- allowing HACA to request the criminal history report.
- Criminal Records -- Once the consent is signed, HACA will request the criminal history report from its third party vendor or other government agency. HACA does not obtain criminal conviction records directly from law enforcement agencies.

— Information Sharing --

Upon review of the criminal history report, if there is information on the report that may be grounds for denial, HACA will share the information with the applicant and provide an opportunity for the family to dispute the accuracy of the information or provide additional

relevant information.

-

—Notice of Denial--

- After review of the report and any information provided by the family, HACA will determine if a denial is applicable. If a denial is warranted, a written notice of denial will be given to the family if they are present or mailed if they are not. The notice will provide the detailed summary of the criminal history that caused the reason for the proposed denial.

—Right to Appeal --

- Additionally, the denial notice will advise the applicant of the right to request an informal hearing to dispute the accuracy of the data and the basis for the denial. The request must be made in writing within 15 calendar days of the date of the denial notice. If the family fails to request an informal hearing within 15 calendar days of the date of the official denial letter, the denial shall become final.

~~If the family fails to request an informal hearing within 15 calendar days of the date of the official denial letter, the denial shall become final.~~

Screening for Suitability as a Tenant [24 CFR 982.307]

HACA has no liability or responsibility to the owner for the family's behavior or suitability for tenancy. HACA has the authority to conduct additional screening to determine whether an applicant is likely to be a suitable tenant.

HACA Policy

HACA will not conduct additional screening to determine an applicant family's suitability for tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. HACA must inform the owner that screening and selection for tenancy is the responsibility of the owner. An owner may consider a family's history with respect to factors such as: payment of rent and utilities, caring for a unit and premises, respecting the rights of other residents to the peaceful enjoyment of their housing, criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

HUD requires HACA to provide prospective owners with the family's current and prior address (as shown in HACA records) and the name and address (if known) of the owner at the family's current and prior addresses. HUD permits HACA to provide owners with additional information, as long as families are notified that the information will be provided, and the same type of information is provided to all owners.

HACA may not disclose to the owner any confidential information provided to HACA by the family in response to a PHA request for documentation of domestic violence, dating violence, sexual assault or stalking except at the written request or with the written consent of the individual providing the documentation [24 CFR 5.2007(a)(4)].

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

Mainstream Vouchers for non-elderly persons with disabilities
who are homeless or who are transitioning out of institutions or
other segregated settings

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 982.202(d)].

Local Preferences [24 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

Families can claim eligibility for any local preference any time from the date they applied up until the time their name is drawn off the waiting list. Preference claims will be 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
PH Special Accommodation	= 3
FUP Youth	= 3
NED+Homeless/Institutionalized	= 2
RAD Relocation	= 4
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

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.

(L)

Non-Elderly Disabled Preference for those transitioning from institutions or are homeless: HACA will provide a preference in its administrative plan for non-elderly persons with disabilities transitioning out of institutional and other congregate settings, or who are non-elderly persons with disabilities who are homeless.

- 2. Specified category vouchers waiting list selection criteria.
- A. **Family Unification Program Vouchers** (targeted funding) Waiting list policy:

Placing FUP eligible families referred by CPS on HACA's HCV waiting list:

The waiting list will remain open for FUP eligible referrals. Eligibility for the FUP vouchers will be based on the respective HUD Notice of Funding Availability and may be limited to referrals from the Texas DFPS. When HACA receives a completed application and referral from the Texas Department of Family and Protective Service (DFPS), the applicant will be placed on the waiting list in order according to the date and time when HACA first received both documents. FUP eligible applicants are granted a preference over all other applicants not eligible for FUP vouchers. Applicants certified eligible for the FUP vouchers will be coded as such on HACA's waiting list. This preference will be granted only for the issuance of FUP vouchers and not any other voucher. If FUP vouchers are not available, FUP eligible families will maintain their original place on the waiting list for the issuance of non-FUP vouchers. All families granted a FUP preference will be prioritized based on date and time of being certified eligible and any other applicable preference (elderly, disable, displaced, homeless, residency).

participates in RAD, HACA will provide a Choice-Mobility option to residents of covered RAD projects in accordance with policies outlined in Chapter 18 of this HCV Administrative Plan.

(H) **Public Housing Special Accommodation Preference:** HACA will give

preference to families that are currently housed in Public Housing or Project-Based Rental Assistance developments (PBRA) and waiting on the transfer list for a unit with an accessible accommodation as well as to families that have been certified eligible off the Public Housing or PBRA waiting list and are waiting for a unit with an accessible accommodation. To qualify for this preference, the family must meet all of the following criteria:

For current Public Housing or PBRA families waiting on the transfer list to be eligible, they must:

- a) Be currently housed in Public Housing or PBRA and waiting on the transfer list for a unit with the needed special accommodation;
- b) Have a documented need for a reasonable accommodation which requires a specific type of housing unit (including but not limited to wheelchair accessibility, no stairs, etc).
- c) Have waited more than 9 months since the reasonable accommodation was approved and they were placed on the transfer waiting list without receiving a housing offer specifically because the availability of the needed accommodation is limited within HACA's portfolio and all units with that accommodation are occupied by families needing that accommodation.

If the needed accommodation is not structurally or economically feasible in HACA's existing Public Housing or PBRA portfolio, the family will not be required to wait 9 months.

- d) Have verified income at the time of their last annual or interim recertification which was below the current income limit for the Housing Choice Voucher program.

For families drawn off the Public Housing or PBRA waiting list and waiting for their first housing offer, they must:

- a) Have a current application on the Public Housing **or PBRA** waiting list which was drawn according to the regular rules and guidelines of the Public Housing **or PBRA** waiting list.
- b) Have completed eligibility certification and are eligible for the Public Housing **or PBRA** program.
- c) Have a documented need for a reasonable accommodation which requires a specific type of housing unit (including but not limited to wheelchair accessibility, no stairs, etc).
- d) Have waited more than 9 months since completing the eligibility process for Public Housing **or PBRA** without receiving a housing offer specifically due to either
 - 1. The needed accommodation is not economically feasible to be done in HACA's existing Public Housing **or PBRA** portfolio; or
 - 2. The availability of the needed accommodation is limited within HACA's portfolio and all units with that accommodation are occupied by families needing that accommodation.
- e) Had verified income at the time of their eligibility processing which was below the current income limit for the Housing Choice Voucher program.

For both current Public Housing **or PBRA** families and families drawn off the Public Housing waiting list:

- a) If the family chooses the special accommodation preference for HCV, they will be placed on the HCV waiting list with the special accommodation preference.
 - b) When the family's name is drawn from the waiting list, they will be required to meet the eligibility requirements for the HCV program at that time in order to receive a voucher.
 - c) The total number of families (from the combination of both the current Public Housing **or PBRA** families and families drawn off the Public Housing **or PBRA** waiting list) eligible to receive this preference will be capped at no more than 10 families per calendar year.
- (I) **FUP Youth Preference:** HACA will give preference to FUP youth whose ~~18~~³⁶ 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

If a youth or family coded as FUP ceases to meet the criteria for FUP eligibility before the family has moved into an assisted unit, HACA will remove the FUP coding. If the family or youth was previously on the Housing Choice Voucher waiting list, they will maintain their original place on the waiting list. If the youth or family was only on the waiting list due to a FUP referral, they will be removed from the waiting list or lose their voucher if already issued.

B. Non-Elderly Disabled Program vouchers (targeted funding) waiting list policy:

For the issuance of Non-Elderly Disabled (NED) vouchers, only applicants certified eligible for NED Vouchers will be issued a NED voucher. To be an eligible application for a NED voucher, HACA will have to receive both (1) a completed application and (2) a completed referral from the Texas Department of Aging and Disability Services (DADS) through their service provider ARCIL (Area Resource Center for Independent Living) or verification of age, verification of disability, verification of residence in an eligible institution, and confirmation from another independent agency or organization that routinely provides care and case management services to persons transitioning from institutions that the agency will provide such services to the applicant. Until both are received, the application will not be considered an eligible application. The applicant will only be placed on the waiting list once both documents have been received.

Therefore, NED eligible applicants are granted a preference over all other applicants not eligible for NED vouchers. Applicants certified eligible for the NED vouchers will be coded as such on HACA's waiting list. This preference will be granted only for the issuance of NED vouchers and not any other voucher. If NED vouchers are not available, NED eligible families will maintain their original place on the waiting list for the issuance of non-NED vouchers. All families granted a NED preference will be prioritized based on date and time of being certified eligible and any other applicable preference (elderly, disable, displaced, homeless, residency).

- (a.) Identifying NED eligible families currently on HACA's HCV waiting list
 - (i) Upon receipt of the list of NED families referred by Texas DADS through ARCIL, HACA will compare the names with those of families already on HACA's HCV waiting list. Any family currently on the HCV waiting list that matches the referral list, will be coded as NED, and will be granted a NED preference for NED vouchers. For issuance of non-NED vouchers, these applicants will be assisted in order of their original position on HACA's HCV waiting list in accordance with HACA's admissions policies. Therefore they will not lose their original position on the waiting list as a result of receiving a NED preference.

- (b.) Placing NED eligible families referred by ARCIL or by direct application with necessary supplemental documentation on HACA's HCV waiting list:

Those eligible applicants on the current waiting list will have priority over families not on the waiting list. If additional funding is available, and all eligible families on the waiting list are exhausted, the waiting list will remain open for NED eligible families. Eligibility for the NED vouchers will be based on the respective HUD Notice of Funding ~~Availability and may be limited to referrals from the Texas Department of Aging and Disability Services and their service partners.~~ When HACA receives a completed application and referral from ARCIL or necessary supplemental documents, the applicant will be placed on the waiting list after all lottery applicants and in order according to the date and time when HACA first had received both documents.

If a family coded as NED ceases to meet the criteria for NED eligibility before the family has moved into an assisted unit, HACA will remove the NED coding. If the family was previously on the waiting list, they will maintain their original place on the waiting list. If the family was only on the waiting list due to a NED referral, or direct application for an NED voucher, they will be removed from the waiting list or lose their voucher if already issued.

- C. **Veterans Affairs Supportive Housing (VASH):** HACA accepts VASH applicants as referrals in the order received from the Veterans Affairs administration.
- D. **Mainstream:** HACA will assist the minimum number of families defined in the original grant and will replace any vacancies with eligible disabled households from the HCV waiting list.
- E. **Mainstream NED for homeless or institutional transitions (targeted funding) waiting list policy:**
For the issuance of Mainstream NED vouchers, only applicants certified eligible for Mainstream NED Vouchers will be issued a Mainstream NED voucher. To be an eligible application for a Mainstream NED voucher, HACA will have to receive both (1) a completed application and (2) a completed referral from ECHO, Integral Care, ARCIL, or verification of age, verification of disability, and verification of homelessness or verification of residence in an eligible institution or eligible segregated setting. Until both are received, the application will not be considered an eligible application. The applicant will only be placed on the waiting list once both documents have been received.

Therefore, Mainstream NED eligible applicants are granted a preference over all other applicants not eligible for Mainstream NED vouchers. Applicants certified eligible for the Mainstream NED vouchers will be coded as such on HACA's

waiting list. This preference will be granted only for the issuance of Mainstream NED vouchers and not any other voucher. If Mainstream NED vouchers are not available, Mainstream NED eligible families will maintain their original place on the waiting list for the issuance of other vouchers. All families granted a Mainstream NED preference will be prioritized based on date and time of being certified eligible and any other applicable preference (elderly, disable, displaced, homeless, residency).

(a.) Placing Mainstream NED eligible families referred by ECHO, Integral Care, or ARCIL, or by direct application with necessary supplemental documentation on HACA's HCV waiting list:

waiting list:

Those eligible applicants on the current waiting list will have priority over families not on the waiting list. If additional funding is available, and all eligible families on the waiting list are exhausted, the waiting list will remain open for Mainstream NED eligible families. Eligibility for the Mainstream NED vouchers will be based on the respective HUD Notice of Funding. When HACA receives a completed application and referral from ECHO, Integral Care, ARCIL, or necessary supplemental documents, the applicant will be placed on the waiting list after all lottery applicants and in order according to the date and time when HACA first had received both documents.

If a family coded as Mainstream NED ceases to meet the criteria for Mainstream NED eligibility before the family has moved into an assisted unit, HACA will remove the Mainstream NED coding. If the family was previously on the waiting list, they will maintain their original place on the waiting list. If the family was only on the waiting list due to a Mainstream NED referral or a direct application for a ~~Mainstream~~ Mainstream NED voucher, they will be removed from the waiting list or lose their voucher if already issued.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during HACA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30 percent of the area median income, whichever number is higher. To ensure this requirement is met, HACA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).

The student is at least 24 years old.

The student is a veteran, as defined in Section 3-II.E.

The student is married.

The student has at least one dependent child, as defined in Section 3-II.E.

The student is a person with disabilities, as defined in Section 3-II.E, and was receiving assistance prior to November 30, 2005.

If the HACA cannot verify at least one of these exemption criteria, the HACA will conclude that the student is subject to the restrictions on assistance at [24 CFR 5.612]. In addition to verifying the student's income eligibility, the HACA will then proceed to verify either the student's parents' income eligibility (see Section 7-III.J) or the student's independence from his/her parents (see below).

Independent Student

HACA Policy

The HACA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing or verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student* (see Section 3-II.E)

Reviewing the student's prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education's definition of *independent student* (see section 3-II.E) ~~whether a parent has claimed the student as a dependent~~

~~Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent~~

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0, ~~except in cases in which the PHA determines that the student is a vulnerable youth~~ (see section 3-II.E)

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; NoticePIH 2017-13]

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~~ **unit within 15 calendar days after being notified by a public health department or other medical health care provider**. 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-

Two streamlining options are available, depending upon the percentage of the family's income that is received from fixed sources. If at least 90 percent of the family's income is from fixed sources, the PHA may streamline the verification of fixed income and may choose whether to verify non-fixed income amounts in years where no fixed-income review is required. If the family receives less than 90 percent of its income from fixed sources, the PHA may streamline the verification of fixed income and must verify non-fixed income annually.

HACA Policy

HACA will streamline the annual reexamination process by applying the verified COLA or interest rate to fixed-income sources. ~~HACA~~~~The PHA~~ will document in the file how the determination that a source of income was fixed was made.

If a family member with a fixed source of income is added, HACA will use third-party verification of all income amounts for that family member.

If verification of the COLA or rate of interest is not available, HACA will obtain third-party verification of income amounts.

Third-party verification of fixed sources of income will be obtained during the intake process and at least once every three years thereafter.

Third-party verification of non-fixed income will be obtained annually regardless of the percentage of family income received from fixed sources.

11-I.C. SCHEDULING ANNUAL REEXAMINATIONS

HACA must establish a policy to ensure that the annual reexamination for each family is completed *within* a 12-month period, and may require reexaminations more frequently [HCV GB p. 12-1].

HACA Policy

HACA will schedule annual reexaminations to coincide with the family's anniversary date. HACA will begin the annual reexamination process approximately 90-120 days in advance of its scheduled effective date.

Anniversary date is defined as 12 months from the effective date of the family's last annual reexamination or, during a family's first year in the program, from the effective date of the family's initial examination (admission).

If the family moves to a new unit, HACA will perform a new annual reexamination, and the anniversary date will change based on the new lease effective date.

HACA may also schedule an annual reexamination for completion prior to the

repayment agreement, HACA will ban the owner from future participation in the program and pursue other modes of collection.

Family Debts to HACA

HACA Policy

Any amount due to HACA by an HCV participant must be repaid by the family. If the family is unable to repay the debt within 30 days, HACA may offer to enter into a repayment agreement in accordance with the policies below.

If the family refuses to repay the debt, enter into a repayment agreement, or breaches a repayment agreement, HACA will terminate the assistance in accordance with the policies in Chapter 12 and pursue other modes of collection.

Repayment Agreement [24 CFR 792.103]

The term *repayment agreement* refers to a formal document signed by a tenant or owner and provided to HACA in which a tenant or owner acknowledges a debt in a specific amount and agrees to repay the amount due at specific time periods.

Repayment Agreement Guidelines

Payment Thresholds

Notice PIH ~~2010-19~~2017-12 recommends that the total amount that a family must pay each month—the family’s monthly share of rent plus the monthly debt repayment amount—should not exceed 40 percent of the family’s monthly adjusted income. However, a family may already be paying 40 per cent or more of its monthly adjusted income in rent. Moreover, Notice PIH ~~2010-19~~2017-12 acknowledges that PHAs have the discretion to establish “thresholds and policies” for repayment agreements with families [24 CFR 982.552(c)(1)(vii)].

HACA Policy

For fraud cases, any amounts owed in the amount of more than \$5,000, HACA will not enter into repayment agreement, unless approval is granted by the Vice President of Assisted Housing. HACA may pursue termination of assistance and refer the case to HUD’s Office of Inspector General for prosecution.

For all balances owed under HACA’s established threshold, repayment timeframes will be established as listed below:

Amounts between \$4,000 and \$5,000 must be repaid within 48 months.

Amounts between \$3,000 and \$3,999 must be repaid within 36 months.

Amounts between \$2,000 and \$2,999 must be repaid within 24 months.

Amounts between \$1,000 and \$1,999 must be repaid within 18 months.

Amounts between \$500 and \$999 must be repaid within 12 months.

Amounts under \$500 must have a minimum monthly payment of \$50 and cannot exceed 12 months.

Exceptions to this schedule may be made at the discretion of the Vice President of Assisted Housing.

Execution of the Agreement

HACA Policy

The head of household and spouse/co-head (if applicable) must sign the repayment agreement.

Due Dates

HACA Policy

All payments are due by the close of business on the 5th day of the month. If the 5th does not fall on a business day, the due date is the close of business on the first business day after the 5th.

Non-Payment

HACA Policy

If the family fails to make any payment as required by the terms set forth within the repayment agreement, HACA retains the right to demand immediate payment of the remaining unpaid balance. If the family fails to make payment of the full balance, it will be considered a breach of the agreement and HACA will terminate tenancy in accordance with the policies in Chapter 12.

No Offer of Repayment Agreement

HACA Policy

HACA will not enter into a new repayment agreement if there is already a current repayment agreement in place with the family, or the amounts owed by the family exceed the Federal or State threshold for criminal prosecution and/or HACA's established threshold under fraud cases.

Repayment Agreements Involving Improper Payments

Notice PIH ~~2010-19~~2017-12 requires certain provisions to be included in any repayment agreement involving amounts owed by a family because it underreported or failed to report income:

- A reference to the items in the family briefing packet that state the family's obligation to provide true and complete information at every reexamination and the grounds on which the PHA may terminate assistance because of a family's action or failure to act
- A statement clarifying that each month the family not only must pay to the PHA the monthly payment amount specified in the agreement but must also pay to the owner the family's monthly share of the rent to owner
- A statement that the terms of the repayment agreement may be renegotiated if the family's income decreases or increases
- A statement that late or missed payments constitute default of the repayment agreement and may result in termination of assistance

PART V: SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP)

16-V.A. OVERVIEW

The Section 8 Management Assessment Program (SEMAP) is a tool that allows HUD to measure PHA performance in key areas to ensure program integrity and accountability. SEMAP scores translate into a rating for each PHA as high performing, standard, or troubled. Scores on individual SEMAP indicators, as well as overall SEMAP ratings, can affect HACA in several ways.

High-performing PHAs can be given a competitive advantage under notices of funding availability [24 CFR 985.103].

PHAs with deficiencies on one or more indicators are required to correct the deficiencies and report to HUD [24 CFR 985.106].

PHAs with an overall rating of "troubled" are subject to additional HUD oversight, including on-site reviews by HUD staff, a requirement to develop a corrective action plan, and monitoring to ensure the successful implementation of the corrective action plan. In addition, PHAs that are designated "troubled" may not use any part of the administrative fee reserve for other housing purposes [24 CFR 985.107].

HUD may determine that HACA's failure to correct identified SEMAP deficiencies or to prepare and implement a corrective action plan required by HUD constitutes a default under the ACC [24 CFR 985.109].

16-V.B. SEMAP CERTIFICATION [24 CFR 985.101]

PHAs must submit the HUD-required SEMAP certification form within 60 calendar days after the end of its fiscal year. The certification must be approved by PHA board resolution and signed by HACA executive director. If HACA is a unit of local government or a state, a resolution approving the certification is not required, and the certification must be executed by the Section 8 program director.

PHAs with less than 250 voucher units are only required to be assessed every other PHA fiscal year. HUD will assess such PHAs annually if HACA elects to have its performance

Eligible Immigration Status Documents

The following documents will be retained for a minimum of 5 years if provided as part of the INS appeal or informal hearing process: the application; form completed by family for family reexamination; photocopies of any original documents (front and back), including original INS documents; signed verification consent form; INS verification results (primary and secondary); request for an INS appeal; final INS determination; request for an informal hearing; and final informal hearing decision.

PART VII: REPORTING AND RECORD KEEPING FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL

16-VII.A. OVERVIEW

HACA has certain responsibilities relative to children with environmental intervention blood lead levels that are receiving HCV assistance. The notification, verification, and hazard reduction requirements are discussed in Chapter 8. This part deals with the reporting requirements, and data collection and record keeping responsibilities that HACA is subject to.

16-VII.B. REPORTING REQUIREMENT [24 CFR 35.1225(e); Notice PIH 2017-13]

The PHA owner must report the name and address of a child identified as having an elevated blood lead level to the public health department within five business days of being so notified by any other medical health care professional. The owner must also notify the HUD field office and the HUD Office of Lead Hazard Control and Healthy Homes (OLHCHH) of the child's address within five business days. The PHA may collaborate with the owner on the notification process, such as by agreeing with the owner to provide the required notifications on the owner's behalf.

~~HACA must report the name and address of a child identified as having an environmental intervention blood lead level to the public health department within 5 business days of being so notified by any other medical health care professional.~~

HACA Policy

Upon notification by the owner, HACA will provide the public health department written notice of the name and address of any child ~~under 6 years of age~~ identified as having ~~an elevated blood lead level within five business days.~~ ~~a environmental intervention blood lead level within 5 business days of being so notified by any other medical health care professional.~~

Upon notification by the owner, HACA will notify the HUD field office and the HUD Office of Lead Hazard Control and Healthy Homes (OLHCHH) of the child's address within five business days.

~~HACA will provide written notice of each known case of a child under 6 years of age with an environmental intervention blood lead level to the HUD field office~~

receive under this program.

PART I: GENERAL REQUIREMENTS

17-I.A. OVERVIEW [24 CFR 983.5; FR Notice 1/18/17; Notice PIH 2017-21]

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 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 ~~4200~~ tenant based vouchers.

HACA may decide to project-base vouchers above the ~~4200~~ voucher limit (but no more than 20 percent of its ~~allocated 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, **regardless of whether the PHA has vouchers available for project-basing** [FR Notice 1/18/17].

~~[24 CFR 983.6].~~

Additional Project-Based Units [FR Notice 1/18/17; Notice PIH 2017-21]

The PHA may project-base an additional 10 percent of its units above the 20 percent program limit, ~~if the units:~~ **The units may be distributed among one, all, or a combination of the categories as long as the total number of units does not exceed the 10 percent cap. Units qualify under this exception if the units:**

- *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 is currently undertaking a complete redevelopment and expansion of its Chalmers Courts public housing property in east Austin. In accordance with HUD requirements, this redevelopment and expansion will exceed the required minimum of \$25,000 in per unit hard costs. This property is a high priority for HACA – it is in an area of expanding opportunity that is rapidly gentrifying and where there is a significant need for additional affordable housing to meet the needs of current residents of the area and others moving to Austin. The first phase of the redevelopment is the construction of 86 new affordable housing units south of the existing Chalmers Courts site ([Chalmers South](#)). [HACA may elect to project-base vouchers not to exceed 43 units at Chalmers South or no more than half of the total units at Chalmers South.](#) Once complete, HACA will relocate residents from either the east or west side of the existing Chalmers Courts site, minimizing displacement and disruption to families. A redevelopment will then begin on either the east or west side of the site. The exact order of redevelopment is dependent on the financing tools which ultimately will be available, including use of the Low Income Housing Tax Credit program.

The east side and west side redevelopments of Chalmers Courts will involve the construction of approximately 160 units on each side. Once fully completed, the new Chalmers Courts – south, west and east – will total approximately 400 units, significantly helping address Austin's affordable housing needs.

HACA has determined that the placement of up to 81 project-based Housing Choice Vouchers, as well as the placement of a to-be-determined number of project-based HUD VASH vouchers, will significantly benefit HACA's ability to meet its mission of serving the lowest income persons in our community, including seniors, persons with disabilities, transitioning homeless, and families with children.

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.

- 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) and contained in the Continuum of Care Interim Rule at 24 CFR 578.3.
- 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. The unit must be covered under a PBV HAP contract that first became effective on or after 4/18/17.

~~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.~~

PHA Policy

HACA will not project-base any ~~of the above unit types~~ units not subject to the 20 percent cap.

~~The PHA may project base the unit types that meet the requirements described above.~~

17-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; Notice PIH 2017-21]

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.

The PHA may provide PBV assistance only in accordance with HUD subsidy layering regulations [24 CFR 4.13] and other requirements.

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-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT

25 Percent per Project Cap [24 CFR 983.56, FR Notice 1/18/17, and Notice PIH 2017-21]

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; Notice PIH 2017-21]

As of April 18, 2017, ~~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
- ~~If~~ 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~~

project cap is the greater of 25 units or 40 percent (instead of 25 percent) of the units in the project [FR Notice 7/14/17].

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 (HAP contracts executed prior to 4/18/17) may continue to use the former exceptions~~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.

Supportive Services

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. As of 4/18/17, ~~the~~ 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. 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.~~

HACA Policy

HACA ~~may~~**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:

Supportive Services

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.

Projects not Subject to a Project Cap [FR Notice 1/18/17; Notice PIH 2017-21]]

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.~~

PHA Policy

The PHA does not have any PBV units that are subject to the per project cap exception.

Promoting Partially-Assisted Projects [24 CFR 983.56(c)]

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), FR Notice 1/18/17, and Notice PIH 2017-20]

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, ~~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 or if the unit passed an alternative inspection.~~

PHA Policy

The PHA will not provide assistance in turnover units until the unit fully complies with HQS.

Annual/Biennial Inspections [24 CFR 983.103(d); FR Notice 6/25/14]

At least once every 24 months during the term of the HAP contract, the PHA must inspect a random sample consisting of at least 20 percent of the contract units in each building to determine if the contract units and the premises are maintained in accordance with HQS. Turnover inspections are not counted toward meeting this inspection requirement.

HACA Policy

HACA will inspect on an annual basis a random sample consisting of at least 20 percent

family's control such as death, serious illness, or other medical emergency of a family member.

Family Right to Move [24 CFR 983.261]

The family may terminate the lease at any time after the first year of occupancy. The family must give advance written notice to the owner in accordance with the lease and provide a copy of such notice to the PHA. If the family wishes to move with continued tenant-based assistance, the family must contact the PHA to request the rental assistance prior to providing notice to terminate the lease.

HACA Policy

PBV participants may be eligible to move when all the following criteria are true:

- The PBV participant family has completed 1 full year of occupancy;
- The participant family has no outstanding debts to the owner and / or HACA; and
- The participant family has given advance notice of intent to vacate to the owner and HACA in accord with any terms of the lease.

If the family terminates the lease in accordance with these requirements, the PHA is required to offer the family the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If voucher or other comparable tenant-based assistance is not immediately available upon termination of the family's lease in the PBV unit, 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-VI.D. EXCEPTIONS TO THE OCCUPANCY CAP [24 CFR 983.262]

As of April 17, 2018, ~~t~~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

If ~~t~~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 project cap is the**

greater of 25 units or 40 percent (instead of 25 percent) of the units in the project [FR Notice 7/14/17].

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 family (or remaining members of a family) residing in an excepted unit that no longer meets the criteria for a “qualifying family” because the family is no longer an elderly family due to a change in family composition the PHA has the discretion to allow the family to remain in the excepted unit. . 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 family status to continue to reside in a unit, where through circumstances beyond the control of the family (e.g., death of the elderly family member or long-term or permanent hospitalization or nursing care), the elderly 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

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,~~ **implementation**, 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.

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~~ family 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 **Choice Mobility Voucher application** ~~voucher request form~~ provided at the property. ~~(See Appendix 2).~~
 - The **application** ~~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 the total ~~its~~ monthly vouchers issued ~~draw~~ will come 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



September 18, 2018

Attn: President and CEO
Housing Authority of the City of Austin
1124 S IH 35
Austin, TX 78704

From: ECHO Membership Council
Re: HACA Housing Choice Voucher Administrative Plan Public Comment

To Whom it May Concern:

The ECHO Membership Council is encouraged by the call for the review and revision of policies that recognize and eliminate barriers to federally assisted housing and therefore recommends the following changes to HACA Housing Choice Voucher Program eligibility. We appreciate the time and effort by community stakeholders and HACA staff to bring these changes forward for public comment and final implementation. We request that these further changes be considered in order to expand opportunities for individuals and families experiencing homelessness.

1. From: *"For families evicted from federally- assisted housing, HACA will deny assistance if they were evicted from federally- assisted housing in the last five years."*

To: ***"HACA will deny assistance if families have been evicted from federally- assisted housing in the last 3 years for drug-related criminal activity."***

The Membership Council requests this change due to experiences of past families being denied federally-assisted housing due to the current policy.

2. From: *"HACA will deny any household member that has ever been convicted of drug- related criminal activity for the production or manufacture of methamphetamine in any location, not just federally assisted housing."*

To: ***"HACA will deny any household member that has ever been convicted of drug related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing."***

The Membership Council requests this change due to experiences of past families being denied federally-assisted housing due to the current policy.

3. From: *"If any household member has been convicted of or has a pattern of engaging in any of the following criminal activities the family will be denied admission: A pattern of prostitution."*

To: ***The removal of a pattern of prostitution being grounds for program denial.***

The Membership Council requests this change due to experiences of past families being denied federally-assisted housing due to the current policy.

4. From: *"If any household member has been convicted of any of the following criminal activities regardless of the date committed the family will be denied admission: Capital murder."*

To: *"If any household member has been convicted of any of the following criminal activities Five-year review (look back) period; Capital murder."*


The Membership Council requests this change due to experiences of past families being denied federally-assisted housing due to the current policy. Additionally, the Membership Council supports returning citizens in their successful transition into their community and family networks by removing this barrier. Furthermore, Membership Council recognizes the disparate impact on protected classes of racial and ethnic minority populations that HACA's current policy disproportionately affects. According to a 2012 New York University Law Review article by James Foreman Jr. entitled "Racial Critiques of Mass Incarceration: Beyond the New Jim Crow," "[T]he African American arrest rate for murder is seven to eight times higher than the white arrest rate."

Please also refer to the following data sources:

- a) Department of Justice study which shows the racial and ethnic makeup of murder defendants in Table 5: Brian A. Reaves, Bureau of Justice Statistics, U.S. DEP'T OF JUSTICE, Felony Defendants in Large Urban Counties, 2009, at 7, Table 5 (2013), <https://www.bjs.gov/content/pub/pdf/fdluc09.pdf>
- b) Report from the Criminal Justice Project of the NAACP which shows death row inmate demographics: Deborah Fins, NAACP Legal Defense and Educational Fund Inc., Death Row U.S.A. Summer 2017, at 1 and 38-39, (2017) http://www.naacpldf.org/files/case_issue/DRUSASummer2017.pdf

The ECHO Membership Council appreciates the opportunity to provide comment on proposed HACA HCV Program Eligibility. These changes will help achieve the goals and desired outcomes related to addressing disparities, housing and supportive services, and system effectiveness that were set in Austin's Action Plan to End Homelessness, adopted by Austin City Council in April 2018.

Sincerely,



Ann Howard

Executive Director, ECHO



AUSTIN TENANTS
COUNCIL
Safe • Decent • Fair • Housing for All

512.474.7006
housing-rights.org

September 24, 2018

Housing Authority of the City of Austin
Mr. Michael Gerber, President and CEO
1124 South IH-35
Austin, Texas 78704

Dear Mr. Gerber:

The purpose of this letter is to express the support of the Austin Tenants Council for the comments filed by the Austin/Travis County Reentry Roundtable's on proposed changes to Housing Authority's Housing Choice Voucher (HCV) Administrative Plan standards related to criminal background screening. We commend HACA for its continued efforts to increase access to housing for individuals who live with a criminal history and their families.

However, we encourage HACA to accept the recommendations of the Austin/Travis County Reentry Roundtable. Criminal background review policies are often an insurmountable barrier to families securing housing contributing to the size of the homeless population and restricting the ability of families to build productive lives for themselves.

The comments were due this past Friday September 21, 2018. We were unable to meet this deadline and ask that you consider our support in your review of the comments despite this late filing.

Sincerely,

Kate Moore

Board Chair

Austin Tenants Council



Austin/Travis County Reentry Roundtable

*Building Successful Strategies for
Reentry and Reintegration in Austin/Travis County, Texas*

PLANNING COUNCIL

Reggie Smith

Community Representative
Chair

Helen Gaebler, JD

UT School of Law
Immediate Past Chair

Michelle Collins

Integral Care
Vice Chair

Karen Keith

Community Representative
Executive Committee RAP Representative

Sandra Eames, Ed.D.

Austin Community College

Rebecca Farrell, Ph.D.

Community Representative

Darla Gay

Travis Co. District Attorney's Office

Darwin Hamilton

Community Representative

Mary Moran

Travis County Sheriff's Office

Rodolfo (Rudy) Pérez, Jr.,

Travis County Adult Probation

Kimberly Pierce

Travis Co. Justice Planning

Jaime Rodriguez, RAC, FBO

U.S. Bureau of Prisons

Douglas Smith, MSSW

Texas Criminal Justice Coalition

Louella Tate, Ph.D.

Community Representative

Kenneth Thompson

Texas Department of Family & Protective Services

Don Tracy

Austin Community College

Jennifer Tucker

Goodwill Industries of Central Texas

Peter Valdez, LMSW

City of Austin Downtown Community Court

Bree Williams, LMSW

Ending Community Homelessness Coalition (ECHO)

Sarah Pahl Worthington, MSSW, JD

Texas RioGrande Legal Aid

www.reentryroundtable.net

Housing Authority of the City of Austin
Mr. Michael Gerber, President and CEO
1124 South IH-35
Austin, Texas 78704

September 21, 2018

Dear Mr. Gerber:

The Austin/Travis County Reentry Roundtable welcomes the opportunity to submit written comments on the proposed changes to HACA's Housing Choice Voucher (HCV) Administrative Plan. Over the past three years, the Roundtable has made the use of criminal records by housing providers a top priority, starting with the publication of our report, *Locked Out: Addressing Criminal History Barriers to Affordable Rental Housing in Austin & Travis County*, and culminating in the release of our Housing Guide and Template in April 2018, which sets out widely agreed upon community standards for fair housing compliance related to criminal background screening.

Every year in Travis County, more than 2,400 individuals are released from prison and almost 20,000 additional individuals are served through community supervision systems including parole and probation. Evidence of disproportionate impact is well-documented throughout the criminal justice system. Locally, the Community Advancement Network's 2015 community dashboard report highlights that "Blacks are more likely than Whites, Hispanics, or others to be booked into jail in Travis County. People identifying as Black account for about 21% of people booked into jail, but only 8% of Travis County's adult population. This results in a disproportionality ratio of 2.6, indicating a highly disproportionate representation for the Black population." In fact, Travis County's jail incarceration rate for blacks is the highest of all urban areas in Texas at 1036.3 per 100,000 persons, with Harris County in second at 747.5 per 100,000 persons. Such a stark disparity suggests that these same minorities will be similarly impacted disproportionately by the negative collateral consequences that flow from criminal justice involvement.

The Roundtable commends HACA for its continued efforts to increase access to housing for individuals who live with a criminal history and their families. With regard to the current proposed changes, the Roundtable appreciates, in particular, the changes that are recommended with respect to limiting drug-related offenses to felony convictions only. But the City of Austin and HACA are responsible for administering federal housing funds

and must lead by example and promote housing policies that protect the fair housing rights of people with criminal records, and ensure, in the words of former HUD Secretary Julian Castro, that “families who pose no risk to community safety aren’t unduly punished.” There is more that HACA can – and should – be doing to lead by example and to set the standard for how Austin residents deserve to be treated by all housing providers.

As a starting point, the Roundtable urges HACA to reconsider the decision to impose any criminal record eligibility requirements on the HCV Program beyond HUD’s two mandated bans. With regard to criminal record screening, HACA has no basis to impose eligibility requirements that might, in fact, restrict a private landlord’s choice as to whom to select as an applicant. If a landlord wants to accept an applicant into an HCV Program unit, notwithstanding a particular criminal history, what is HACA’s rationale for creating barriers that make it impossible? The HCV Program is unique in that it is the private landlord, not HACA, who carries the risks and potential liability from renting to any particular person. These are not HACA properties and HACA shoulders no obligation beyond determining eligibility into the HUD program.

Should HACA insist on imposing screening restrictions that exceed HUD’s minimum requirements, the Roundtable urges wholesale adoption by HACA of the recommended look-back periods set forth in the Roundtable’s *Texas Criminal Background Screening Guide for Rental Housing Providers* (attached). These recommendations were developed after significant input from public and private housing providers, including HACA, and have been endorsed by the Austin Apartment Association for adoption by its members. Many of the Guide’s recommendations are based on the Housing Authority of New Orleans’ (HANO) updated screening criteria implemented in 2016. Notably, under the new screening criteria HANO reports no increase in tenant-related problems and the review panel has denied only 1 applicant in the past 18 months based on a criminal history. Given Austin’s tight rental housing market and the ever-growing number of low-income residents living with a criminal record, it is critical that HACA follow HANO’s path and take advantage of this opportunity to amend the HCV Program’s screening criteria in ways that will open doors across the housing spectrum.

Beyond these overarching recommendations, the Roundtable offers the following specific recommendations for further changes to the HCV Program Administrative Plan:

1. HACA should limit lifetime denials to HUD’s express mandates. Specifically, the ban on the manufacture of methamphetamines should be limited to production or manufacture at federally assisted housing, and the ban on sex offense registrants should be limited to lifetime registration. HACA offers no justification for expanding HUD’s two mandated lifetime bans. PHAs are required to adopt “reasonable” criminal history look-back periods and expanding a lifetime mandated ban beyond what Congress requires is inherently unreasonable. HACA should eliminate the lifetime bans except as required by Congress and adopt reasonable look-back periods instead.
2. HACA should further reduce its look-back period for certain offenses, including all offenses for which HACA continues to impose a lifetime look-back period (capital murder, kidnapping, rape or crimes of a sexual nature, indecency with a child, first degree felony injury to a child, crimes involving terrorism, arson, and crimes involving explosives). Look-back periods should be shortened to a more reasonable length of time, with no lookback period exceeding a maximum of seven years. Lifetime look-back periods are inherently unreasonable and are included in the HCV Program without justification or any evidence that such draconian screening is necessary or, in fact, provides any measurable benefit. A lifetime look-back is not tailored to the nature,

severity, or time of the crime.

For non-violent offenses, a reasonable look-back period should never exceed 3 years. Criminal records are not an accurate indicator of whether someone will be a good tenant and should be utilized only after all other screenings are completed. Indeed, in Seattle, private landlords are forbidden from performing any screen for criminal records and even so there has not been any documented surge of tenant-related problems under the new ordinance.

Finally, the look-back period for felony drug possession should mirror that of felony DWI/DUI conviction. There is no justification provided for why the two categories of offenses are treated differently and based on documented racial disparities in arrest, conviction, and sentencing for these offenses, failure to treat them similarly creates the potential for significant disparate impact. Both categories should be reduced to a 1-year look-back period.

3. HACA should eliminate any reliance on arrest information as a basis for any of its decision-making. Contrary to HUD's guidance on the issue, using arrests to deny housing is common practice in screening done by a wide variety of affordable housing providers; however, one third of U.S. felony arrests do not result in conviction. Arrests are not, on their own, evidence of wrongdoing and do not provide evidence with which to assess risk. Moreover, as already noted, the racial and ethnic disparities in arrest rates means that utilizing arrest information in determining eligibility taints the decision-making process with the possibility of disparate impact and serves to reinforce disparities.

4. HACA should minimize any reliance on patterns of offenses, especially as relates to prostitution. Patterns of offenses should not be used to determine eligibility. Decision-making based on patterns of offenses can be subjective and the definition of patterns is overbroad. The may lead to discriminatory decision making or disparate impact. Pattern of prostitution, in particular, is likely to have a disproportionate impact on women and families and should be deleted from the screening criteria.

We appreciate HACA's efforts to revise the HCV Program criminal background screening criteria and encourage HACA to adopt the standards affirmed by the local housing community, setting a precedent for other area housing providers in Austin and beyond.

Please feel free to contact me should you have any questions or need additional information.

Sincerely,



Helen Gaebler
Immediate Past Chair, Austin/Travis County Reentry Roundtable

Reggie Smith
Chair, Austin/Travis County Reentry Roundtable

Attachment: *Texas Criminal Background Screening Guide for Rental Housing Providers*

TEXAS CRIMINAL BACKGROUND **SCREENING GUIDE FOR** **RENTAL HOUSING PROVIDERS**

APRIL 2018



This document is a publication of the Austin/Travis County Reentry Roundtable, a collaborative committed to promoting safe and healthy communities through effective reentry and reintegration of formerly incarcerated persons and individuals with criminal histories. Learn more at reentryroundtable.net.

TEXAS CRIMINAL BACKGROUND SCREENING GUIDE FOR RENTAL HOUSING PROVIDERS¹

The Austin/Travis County Reentry Roundtable (“Roundtable”) envisions a community that values and supports equity for formerly incarcerated persons and individuals with criminal histories. The Roundtable’s mission is to be a robust collaborative promoting safe and healthy communities through effective reentry and reintegration of formerly incarcerated persons and individuals with criminal histories. Bringing partners and stakeholders together, the Roundtable develops plans to bring system change that ensures the safety and well-being of all.

In 2016, the Roundtable released *Locked Out: Addressing Criminal History Barriers to Affordable Rental Housing in Austin & Travis County, Texas*,² which reviewed recent fair housing and criminal record screening guidance from the U.S. Department of Housing and Urban Development (“HUD”) and assessed the screening policies of publicly funded affordable housing projects in Austin through this lens. The information was compiled to help the community better understand current criminal history barriers in accessing affordable rental housing and to inform new policies, strategies, and resources to reduce such barriers. Since its release, the Roundtable has worked to implement the report’s recommendations, including convening a working group of local stakeholders from local and state government, area housing authorities, housing providers, and organizations representing both tenants and landlords to find solutions to promote housing access for persons with criminal backgrounds (see Appendix 1 for a list of working group members and others consulted throughout the process). The working group partnered with The University of Texas School of Law’s Entrepreneurship and Community Development Clinic to develop a template that provides landlords and property managers with clear standards for criminal background screening policies. This Guide represents the outcome of that work.

Introduction

This Guide is designed to provide instruction to landlords and property managers (collectively “housing providers”) on how best to comply with fair housing law and guidelines when implementing criminal background screenings for housing applicants. This Guide focuses on compliance with the federal Fair Housing Act and recent HUD guidance on the use of criminal records.³

Housing providers are permitted to run criminal background screenings on applicants;⁴ housing providers have an obligation, however, to ensure that any admissions and occupancy requirements they impose comply with all applicable civil rights requirements. Thus, housing providers should wait to undertake criminal background screening of applicants until after all other screening procedures are completed, such as credit checks and landlord references. So, too, housing providers that ban applicants based on arrests, as opposed to convictions, will be in

violation of HUD's guidance⁵ and may be in violation of federal law.⁶ And housing providers that impose blanket prohibitions on housing applicants with any past convictions without further individualized review may also be in violation of federal law.⁷ Finally, housing providers should never consider any conviction that has been expunged (i.e., erased) when screening for criminal background.⁸

Disparate Treatment and Disparate Impact

Housing providers should institute written protocols that assure procedures and standards are applied consistently and that applicant decisions are based on accurate and pertinent information, because inconsistent application of standards or decisions can result in housing provider liability under federal civil rights laws.⁹ Housing providers who fail to implement admissions and occupancy policies that comply with the Fair Housing Act can be found liable under both a disparate treatment and a disparate impact standard.

An admissions or occupancy policy that uses criminal records as a pretext for intentional discrimination is a violation of the Fair Housing Act under a disparate treatment theory of liability.¹⁰ A disparate treatment claim is supported by evidence that the housing provider treated housing applicants differently based on a protected characteristic, including race, color, national origin, gender, familial status, disability, or religion. Disparate treatment claims can be proven by overt or direct evidence of discrimination or by indirect evidence, by establishing the following:¹¹ (i) the applicant is a member of a protected class; (ii) the applicant applied for housing; (iii) the housing provider rejected the applicant because of the applicant's criminal record; and (iv) the housing provider offered housing to a similarly-situated applicant not of the applicant's protected class, but with a comparable criminal record.

An admissions or occupancy policy that uses criminal records in a manner that causes an unjustified discriminatory effect on a protected class is a violation of the Fair Housing Act under

HB 1510: LANDLORD LIABILITY

HB 1510, which went into effect on January 1, 2016, and is codified at § 92.025 of the Texas Property Code, further encourages landlords to look beyond the mere fact of a criminal record when making leasing decisions.

Specifically, the legislation limits any perceived risk of "foreseeable" negligence liability that might arise if leasing property to an individual with a criminal record who later commits a criminal act at the property. Moreover, while not creating a new risk of liability, the statute also does not preclude the possibility if a landlord leases property to someone convicted of a Texas Code of Criminal Procedure Article 62.001 or Article 42A.054 offense.

Notwithstanding any new protection offered by HB 1510, landlords can always protect against possible legal liability by creating clear, written tenant screening policies and ensuring that all applicants are provided notice of those policies as required by § 92.3515 of the Texas Property Code.

a disparate impact theory of liability.¹² Disparate impact liability results when a rule that appears, on its face, to treat everyone equally, in fact has a disadvantageous effect on people with a protected characteristic. Discriminatory intent is not a requirement for disparate impact liability; as long as the policy or rule has a disproportionate adverse impact against an otherwise protected class of persons, a housing provider can be found liable.¹³ A disparate impact claim has a three-step shifting burden of proof that includes the following:¹⁴ (i) the applicant must prove there has been an adverse disparate impact from a policy towards a protected class, even if the policy appears neutral; (ii) the burden then shifts to the housing provider to prove the policy was necessary to achieve a substantial, legitimate, and nondiscriminatory interest; and (iii) the applicant can then show that the substantial, legitimate, and nondiscriminatory interest could have been served by a less discriminatory policy. Additionally, housing providers should not implement strict look-back periods without affording applicants an Individualized Further Review. A strict look-back period policy can subject a housing provider to a disparate impact claim because strict look-back periods can have the same practical effect as a discriminatory ban of finite duration.

Criminal Activity

In many cases, arrests do not result in criminal charges. In a recent study of the 75 largest counties in the United States, one-third of all felony arrests did not result in a conviction.¹⁵ The Supreme Court has recognized, “the mere fact that a man has been arrested has very little, if any, probative value in showing that he has engaged in any misconduct.”¹⁶ An arrest is not a reliable basis upon which to assess the potential risk to resident safety or property posed by a particular individual.¹⁷ A record of conviction, as opposed to an arrest, serves as sufficient evidence to prove that an individual engaged in criminal conduct.¹⁸ When considering a record of conviction, note that only charges for which a conviction actually was returned should be considered and not any other charges that may have been filed but did not result in conviction. Similarly, in Texas, deferred adjudication does not equate to a conviction. A deferred adjudication in Texas equates closely to a probationary period, where a judge postpones adjudication of guilt after the individual pleads guilty or nolo contendere. There is no formal conviction linked to a deferred adjudication and the housing provider should not consider deferred adjudication in the criminal background screening.¹⁹

A housing provider with a tailored policy or practice that excludes individuals with certain types of convictions must still prove that its policy is necessary to serve a substantial, legitimate, and nondiscriminatory interest.²⁰ The housing provider’s policy with regard to convictions must distinguish between criminal conduct that indicates a demonstrable risk to resident and property safety, and criminal conduct that does not.²¹ Moreover, providers must be mindful of the obligation to provide reasonable accommodation for certain applicants. For example, where a disqualifying criminal record may be directly linked to a covered disability, the housing provider may be legally obligated to provide an accommodation for the disability “by mitigating its effects (*i.e.*,

disregarding the conviction).”²² Mental illness and past drug abuse are two categories of qualifying disability that disproportionately impact individuals who have a history of criminal justice involvement and may require accommodation.²³

In creating a tenant screening policy and establishing any demonstrable risk attributable to a specific offense, a housing provider should be mindful of the often considerable length of time between an individual’s arrest and any resulting conviction. The more serious the alleged conduct, the more time typically required to complete any investigation and related legal proceedings. Moreover, following conviction, the individual may also serve a term of incarceration. The suggested look-back periods listed below take this additional time into account. Thus, for example, while a particular offense may trigger a 3-year look-back period calculated from the date of conviction, the conduct leading to the conviction may have occurred many years prior.

Reasonable Look-Back Periods as a First Line of Screening

Reasonable, specific look-back periods should be the first source of screening in determining whether a housing candidate with a criminal conviction may pose an unreasonable risk to other residents or to the property.²⁴ Housing providers should use reputable and consistent background screening companies. For most criminal activity, the focus of the criminal background screening is limited to activity that occurred during a “reasonable time” before the screening process takes place.²⁵ HUD expects that “reasonable time” be defined in the housing provider’s policy.²⁶ The reasonable time should be considered from the date of the conviction.

Where the suggested look-back period accounts for multiple offenses, for example, a 1-year look-back period for felony drug possession but only if two or more convictions are involved, the look-back period should be calculated from the date of the last conviction.

CALCULATING A LOOK-BACK PERIOD

Except for the two narrow categories of criminal conduct prohibited in federally funded housing, HUD has clarified that for all other past criminal activity, the focus of the inquiry is limited to activity that occurred during a “reasonable time” before the screening process takes place, and that the relevance of a criminal record diminishes with time.

It is recommended that look-back periods run from the date of conviction. Arrest records or other legal records not resulting in a conviction (such as deferred adjudication) should not be used.

If an applicant who has been released from incarceration has already met or exceeded the look-back period during his/her confinement, he/she should be considered to have met the look-back period.

Source: Tran-Leung, Marie Claire. [*When Discretion Means Denial: A National Perspective on Criminal Records Barriers to Federally Subsidized Housing.*](#) Sargent Shriver National Center on Poverty Law, Feb. 2015.

If a housing applicant has a criminal conviction on his or her record and the date of the conviction falls outside of the enumerated look-back period, then the applicant should not be denied housing based on the criminal background screening. In no discretionary situation should the enumerated look-back period extend greater than seven (7) years.²⁷ Research indicates that at seven years past the offense date, the likelihood that a person with a prior criminal record will engage in future criminal conduct decreases to where it approximates the likelihood that a person with no criminal history will engage in criminal conduct.²⁸ However, different criminal convictions yield different likelihoods of recidivism. The following chart offers suggested look-back periods for different types of crimes based on best practices from other similar policies.²⁹

Suggested Look-Back Periods Based on Type of Crime and Conviction

Type	Crime	Type of Conviction	*Suggested Look-Back Period from Date of Conviction
Crimes Against Persons	Assault and Battery Offenses	Felonies	3 years
	Domestic Violence Offenses	Felonies	3 years
		Misdemeanors	3 years
	Use of a Firearm Against a Person Offenses	Felonies	4 years
	Armed Robbery Offenses	Felonies	4 years
	Robbery Offenses (no weapon involved)	Felonies	3 years
	Intentional Homicide Offenses	Felonies	4 years
	Manslaughter Offenses	Felonies	4 years
	Kidnapping and Abduction Offenses	Felonies	4 years
	Forcible Sex Offenses ³⁰	Felonies	4 years
Crimes Against Property	Non-Forcible Sex Offenses ³¹	Felonies	3 years
	Stalking Offenses	Felonies	3 years
	Arson-Related Offenses	Felonies	4 years
	Burglary/Breaking and Entering-Related Offenses	Felonies	3 years
	Theft, Stolen Property, Fraud-Related Offenses	Felonies	3 years (only if 2+ felonies)
Crimes Against Society	Destruction/Damage/Vandalism of Property Offenses	Felonies	3 years (only if 2+ felonies)
	Drug Possession Offenses	Felonies	1 year (only if 2+ felonies)
	Drug Manufacture, Distribution, or Possession with Intent to Distribute Offenses	Felonies	3 years
	Driving Under the Influence-Related Offenses	Felonies	1 year (only if 2+ convictions)
	Driving While Intoxicated-Related Offenses	Felonies	1 year (only if 2+ convictions)

The criminal background screening template utilizes a screening criteria grid linking the type of crime to a specified look-back period in order to determine whether an applicant's application should be accepted or, alternatively, subject to Individualized Further Review. If the applicant falls outside of the specified look-back period, then no Individualized Further Review is necessary and the applicant passes the criminal background screening for that specific category of offense. For example, if the relevant look-back period is four years and the date of the conviction is six years ago, then no Individualized Further Review is needed and the applicant passes the criminal background screening. On the other hand, if the relevant look-back period is four years and the date of the conviction was only three years from the date of the criminal background screening, then an Individualized Further Review is necessary.

Individualized Further Review ³²

A housing provider must show that its policy accurately distinguishes between criminal conduct that indicates a demonstrable risk to resident safety and property, and criminal conduct that does not.³³ A policy or practice that fails to take into account the nature and severity of the crime for which the applicant was convicted is unlikely to satisfy the second, legitimate, non-discriminatory justification prong under the Fair Housing Act's discriminatory impact test.³⁴

Individualized Further Review should only occur if the date of the conviction falls within the enumerated look-back period. The purpose of the Individualized Further Review is to limit a housing provider's exposure to a disparate impact claim. Thus, the Individualized Further Review does not serve to comprehend every applicant's entire background and situation, but it does serve to identify reasonable factors that qualify an applicant as someone who is not a demonstrable risk to resident and property safety. The factors³⁵ a housing provider considers in an Individualized

INDIVIDUALIZED FURTHER REVIEW: HOW & WHEN?

HUD's guidance suggests that Individualized Further Reviews may reduce the discriminatory disparate impact that comes with using broad blanket bans. Individualized Further Reviews should consider the following factors:

- age at time of offense,
- how long since offense was committed,
- community ties and support,
- references and supporting recommendations,
- rehabilitation efforts,
- further explanation of the offense, and
- requests for reasonable accommodation.

Individualized Further Reviews are subjective in nature and vulnerable to allegations of profiling or other improper considerations, it is therefore recommended that all screening policies and procedures be clear, written, and standardized.

Where an applicant presents with a criminal history that involves circumstances not considered by the policy, this Guide recommends performing an Individualized Further Review before making any decision to reject the application.

For any applicant listed on the Texas Sex Offender Registry, the individual should be granted an Individualized Further Review, regardless of the recommended look-back period.

Further Review should include: the applicant's age at time of offense, how long since the offense was committed, community ties and support, references and other supporting recommendations, rehabilitation efforts, further explanation of the offense, and requests for accommodation. The Individualized Further Review process should be set forth in specific, written detail. Examples of relevant supporting documentation include counseling records, probation and parole records, employment documentation, school and technical training records, documents evidencing work with social and nonprofit organizations, police reports, probable cause documents, charging documents, and letters from a criminal defense attorney.

The housing provider manager or owner should conduct the Individualized Further Review in a confidential setting. Additionally, the housing provider should keep the information shared by the applicant confidential. A good Individualized Further Review policy requires the housing provider to consider whether there were multiple convictions that stemmed from the same incident, or whether the multiple convictions stemmed from multiple incidences.

Notice to Applicants

The Texas Property Code requires that "at the time an applicant is provided with a rental application, the landlord shall make available to the applicant printed notice of the landlord's tenant selection criteria and the grounds for which the rental application may be denied."³⁶ It is recommended that housing providers also post their criminal background screening policy on a property's website to better facilitate the housing search process for potential applicants.

For an application denial based on criminal background, the applicant should be notified by standard notification letter and provided information identifying the specific conviction(s) forming the basis of the denial (i.e., cause number, conviction date, etc.). The letter should also include contact information for the screening company that performed the criminal record background check so the applicant can follow up to correct any possible inaccuracies in the record.

Conclusion

A housing provider that imposes a blanket prohibition on any person with any conviction record, no matter when the offense occurred, will be unable to prove that such a policy is necessary to achieve a substantial, legitimate, nondiscriminatory interest.³⁷

A housing provider with a more tailored policy or practice that excludes individuals with certain types of convictions must still prove that its policy is necessary to serve a substantial, legitimate, nondiscriminatory interest by accurately distinguishing between a demonstrable risk to resident safety and/or property.³⁸

Appendix 1: Acknowledgements

The Austin/Travis County Reentry Roundtable thanks the members of its Criminal Background Work Group for their leadership and vision to move this project forward:

- Paul Cauduro, Director of Government Relations, Austin Apartment Association
- Helen Gaebler, Senior Research Attorney, The University of Texas School of Law
- (Roundtable Co-Chair)
- Juliana Gonzales, Executive Director, Austin Tenant's Council
- Annette Price, Senior Roundtable Advocacy Fellow
- Bree Williams, Director of Community Housing, Ending Community Homelessness Coalition (Roundtable Planning Council Member and Housing Chair)

The Roundtable also thanks the members of the Stakeholder Advisory Group, for their guidance:

- Brooke Boston and Suzanne Hemphill, Texas Department of Housing and Community Affairs
- Kelly Crawford and Elvira Lathrop, Housing Authority of the City of Austin
- Patrick Howard and Naomi Ortiz-Tejero, Housing Authority of Travis County
- Cathy McLaugherty, Travis County Justice Planning
- Christy Moffett, Travis County Health and Human Services
- Ellis Morgan and David Potter, City of Austin Neighborhood Housing and Community Development Office
- Abby Tatkov, Ending Community Homelessness Coalition
- Cacki Young, Foundation Communities

Finally, the Roundtable acknowledges the following individuals and organizations for their significant contributions to this project:

- The Austin Apartment Association and its members for feedback on the draft guide.
- Keith Gibbons, Southeast Regional Account Executive at CoreLogic, for allowing the CoreLogic Safe Rent CrimSafe™ criteria to be utilized as an initial template.
- Marissa Latta, Texas Law '18, for her research on sex offense registries.
- Kelly Nichols, Woollard Nichols & Assoc., for project management and editing support.
- Professor Eliza Platts-Mills and law students Catherine Ellis, Texas Law '18, and Ryan Yergensen, Texas Law '18, The University of Texas School of Law's Entrepreneurship and Community Development Clinic, for the initial drafting of the guide and template.

Appendix 2: Sex Offender Registrants & Recidivism

Texas first established a sex offender registry in 1991, with the express purpose of “alerting law enforcement to the presence of sex offenders.”³⁹ The law was limited in scope, applying only to a few offenses: indecency with a child, sexual assault, aggravated sexual assault, and incest. Moreover, only law enforcement officials could access registry information. Upon release from probation or parole, the registration terminated and registrants could seek an exemption from the duty to register.

Since 1991, Texas’ sex offender registration program has expanded considerably and today applies to any individual with a “reportable conviction or adjudication” after September 1, 1970. The impact from this ever-widening dragnet has been dramatic both in terms of numbers and consequences. By 2011, Texas had just over 64,000 registrants. Six years later, the number of registrants in Texas had risen by more than one-third to approximately 90,000. Nationally, an estimated 800,000 individuals are now listed on federal or state registries.

The fear of recidivism and risk to public safety is the primary justification for the severe limits imposed on registrants with regard to accessing housing and employment opportunities. But recidivism is a largely misunderstood concept and, especially in the case of sex offense registrants, significantly overstates the risk to public safety. In 2003, Justice Kennedy, writing in *Smith v. Doe*, 538 U.S. 84, stated that sex offender recidivism rates were “frightening and high...as high as 80 percent.” While this language has been widely cited in the intervening 15 years, adding to the public’s misperception of risk associated with this population, the available evidence shows a recidivism rate that is, in fact, much lower than for most other types of criminal conduct. Indeed, study after study has shown that recidivism rates for sex offense registrants hovers around 3.5% after three years, which is the typical length of time used for evaluating recidivism rates. Moreover, if one were to consider recidivism rates only for those registrants who are rearrested for a new sex offense (versus a technical violation of probation or for a new offense that is not a sex offense), that recidivism rate drops even lower.⁴⁰

For anyone whose offense(s) require registration, the reentry barriers are far more severe and long lasting than for other individuals living with a criminal record. This is true regardless of the nature of the offense. In Texas, as in many jurisdictions, sex offender registries fail to distinguish between conduct that may be more or less serious in terms of risks to public safety. Thus, for example, the same lifetime restrictions might apply to a conviction for sexting, indecent exposure for urinating in public, possessing child pornography, or ongoing sexual abuse of a child. The registry operates with a blunt force that does nothing to take into account the unique circumstances of an individual’s offense, background, prior history, or recidivism risk.

It is for these reasons that the Guide recommends that any applicant listed on a sex offender registry be provided an automatic individualized review. To do otherwise is to ignore the limited recidivism risk posed by the overwhelming majority of these individuals.

NOTES

¹ This Guide is not a comprehensive description of every legal and business issue that can arise under fair housing and other civil rights laws. All law, including regulatory guidance, is subject to change and, as a result, these materials are not designed to substitute for the advice of an attorney.

² *Locked Out* available at http://www.reentryroundtable.net/wp-content/uploads/2013/10/Criminal-Background-White-Paper.final_.pdf.

³ The federal Fair Housing Act is at 42 U.S.C. § 3601, et seq. For a discussion of recent HUD guidance, see *Locked Out*, *supra* note 2, at 7. See also *Fair Housing and Reentry*, National Housing Law Project, <https://www.nhlp.org/initiatives/fair-housing-housing-for-people-with-disabilities/fair-housing-and-reentry/>.

⁴ See U.S. DEP'T OF HOUS. AND URBAN DEV., Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions (April 4, 2016) at 1, https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF.

⁵ See U.S. DEP'T OF HOUS. AND URBAN DEV., Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions (Nov. 2, 2015) (clarifying that arrest records may not be the basis for denying admissions), <https://www.hud.gov/sites/documents/PIH2015-19.PDF>.

⁶ *Use of Criminal Records*, *supra* note 4, at 5 (stating that a housing provider that excludes applicants based on prior arrests cannot satisfy its burden of showing the policy is necessary to achieve a substantial, legitimate, and nondiscriminatory interest under the disparate effects test).

⁷ *Id.* at 8. See also *Fortune Society, Inc. v. Sandcastle Towers Housing Dev. Fund Corp. et al.*, No. 14 Civ. 6410 (E.D.N.Y. Oct. 18, 2016).

⁸ Federal guidelines exclude expunctions when computing criminal history. U.S. Sentencing Comm., Guidelines Manual, § 4a1.2 (Nov. 2016).

⁹ *Allen v. Muriello*, 217 F.3d 517 (7th Cir. 2000) (African American applicant given less opportunity to contest a record of erroneous criminal activity than two similarly situated white applicants established a prima facie case of discrimination under the Fair Housing Act.).

¹⁰ 42 U.S.C. § 3604. See also *Muriello*, 217 F.3d 517 (7th Cir. 2000).

¹¹ *Use of Criminal Records*, *supra* note 4, at 8.

¹² 42 U.S.C. § 3604. See also *Texas Dept. of Housing and Comm. Affairs v. Inclusive Communities Project, Inc.*, 135 S. Ct. 2507, 2549 (2015).

¹³ 24 U.S.C. § 100.500. See also *Use of Criminal Records*, *supra* note 4, at 5.

¹⁴ Robert G. Schwemm, Calvin Bradford, *Proving Disparate Impact in Fair Housing Cases After Inclusive Communities*, 19 N.Y.U. J. Legis. & Pub. Pol'y 685, 689 (2016). See also U.S. DEP'T OF HOUS. AND URBAN DEV., Implementation of the Fair Housing Act's Discriminatory Effects Standard (Feb. 15, 2013) at 2, <https://www.hud.gov/sites/documents/DISCRIMINATORYEFFECTRULE.PDF>.

¹⁵ Brian A. Reaves, Bureau of Justice Statistics, U.S. DEP'T OF JUSTICE, *Felony Defendants in Large Urban Counties*, 2009, at 24, Table 21 (2013), <https://www.bjs.gov/content/pub/pdf/fdluc09.pdf>.

¹⁶ *Schware v. Bd of Bar Examiners*, 353 U.S. 232, 241 (1957). See also *U.S. v. Berry*, 553 F.3d 273, 282 (3rd Cir. 2009); *U.S. v. Zapete-Garcia*, 447 F.3d 57, 60 (1st Cir. 2006).

¹⁷ *Use of Criminal Records*, *supra* note 4, at 5.

¹⁸ *Id.* at 6.

¹⁹ See Tex. Code of Crim. Proc. Art. 42A.101.

²⁰ 24 C.F.R. § 100.500.

²¹ *Use of Criminal Records*, *supra* note 4, at 6.

²² *Simmons v. T.M. Associates Management, Inc.*, No. 3:17-CV-00066 (W.D. Va. Feb. 14, 2018). The *Simmons* court denied motion to dismiss on the ground that plaintiff, who was arrested and convicted for conduct occurring as a direct result of mental illness, stated a claim under the Fair Housing Act based on housing provider's refusal to overlook the disability-related conviction during the background screening process.

²³ This Guide is narrowly focused on applications for admission to housing, but much of the information contained in the Guide applies equally to eviction or lease termination decisions that are based on criminal activity.

²⁴ See *Green v. Missouri Pacific R.R.*, 523 F.2d 1290, 1298 (8th Cir. 1975).

²⁵ Marie Claire Tran-Leung, *When Discretion Means Denial: A National Perspective on Criminal Records Barriers to Federally Subsidized Housing*, Sargent Shriver National Center on Poverty Law (Feb. 2015) at 11, <http://povertylaw.org/wdmd>.

²⁶ *Id.* at 14.

²⁷ Megan C. Kurlychek et al., *Scarlet Letters and Recidivism: Does an Old Criminal Record Predict Future Offending?*, 5 Criminology and Pub. Pol'y 483 (2006).

²⁸ *Id.*

²⁹ See Criminal Background Screening Procedures, Housing Authority of New Orleans (HANO) (March 29, 2016), http://www.hano.org/home/agency_plans/2016%20CRIMINAL%20BACKGROUND%20PROCEDURES%20-%20FINAL.pdf.

³⁰ See Appendix 2 for more detailed information.

³¹ *Id.*

³² See generally Ensuring Fair Housing for People with Criminal Records: A Conversation with HUD, 34:30, <http://povertylaw.org/clearinghouse/webcast/HUDfairhousing> (discussing categorical versus specific circumstances, including age at time of offense and age now).

³³ *Use of Criminal Records*, *supra* note 4, at 6.

³⁴ 24 C.F.R. § 100.500.

³⁵ Richard A. Webster, *HANO approves new criminal background check policy*, The Times Picayune, http://www.nola.com/politics/index.ssf/2016/03/hano_approves_new_criminal_bac.html. See also *Criminal Background Screening Procedures*, *supra* note 29.

³⁶ Texas Property Code § 92.3515 (Notice of Eligibility Requirements), law.onecle.com/texas/property/92.3515.html.

³⁷ *Supra* note 4, at 6. See also, *Green*, 523 F.2d at 1298; *Fortune Society*, No. 14 Civ. 6410 (E.D.N.Y. Oct. 18, 2016).

³⁸ *Supra* note 4, at 6.

³⁹ Texas House of Representatives Select Interim Committee on Sex Offender Statutes, 79th Legislature, 2004 Interim Report, http://www.house.state.tx.us/media/pdf/committees/reports/78interim/sex_offender.pdf.

⁴⁰ See generally, Roger Przybylski, *Recidivism of Adult Sexual Offenders*, U.S. Department of Justice, Office of Justice Programs, Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (July 2015) (citing studies); Jill S. Levenson et al., *Public Perceptions About Sex Offenders and Community Protection Policies*, Analyses of Social Issues and Public Policy, Vol. 7, No. 1, pp. 1-25 (2007) (citing studies and finding, among other things, that "[a]lthough it is believed that sex offenders have the highest recidivism rates ... they are

among the least likely ... to be rearrested for new crimes.”). Consistent with these studies, the Texas Department of Public Safety has concluded that more than 90 percent of all Texas registrants are not considered to be at high risk for re-offending. *See* Eric Dexheimer, *Program to corral ballooning sex offender registry failing*, Austin American-Statesman (July 15, 2016), <https://www.mystatesman.com/news/state--regional/program-corral-ballooning-sex-offender-registry-failing/z4ltoUh7g2A8KSxI64vv5I/>.

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

QUALITY CONTROL

ITEM NO. 8.

MEETING DATE: October 17, 2018

STAFF CONTACT: Kelly Crawford, Director of Compliance Oversight

ITEM TITLE: Presentation and Discussion of the Draft 2019 Public Housing Authority (PHA) Annual Plan and 2019-2024 Five-Year Plan

BUDGETED ITEM: No

TOTAL COST: N/A

ACTION

This is a presentation and discussion of the Draft 2019 Public Housing Authority (PHA) Annual Plan and 2019-2024 Five-Year Plan which will go out for public comment for 45 days beginning Friday, October 19, 2018. No formal vote is required of the Board at this time. The Board is being asked to review the Plans, approve staff taking the documents out for a 45-day public comment period, and returning the Plan to the Board for final consideration at the December 2018 Board Meeting.

SUMMARY

Background:

The Five-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 Plans.

The draft 2019 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 policies regarding project-based vouchers, RAD and updates to the Agency's 5-Year Plan Goals and Objectives.

Criminal Background:

On 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 policy changes to meet the requirements of this notice by adopting changes to the criminal screening criteria in the HCV Administrative Plan in December 2017. Since that time, it has become evident that the current screening criteria still poses a barrier to housing more chronically homeless individuals and families.

A recent review of 287 sample criminal history reports, made available by ECHO, showed that 37% of the sample applicants experiencing homelessness would have been denied admissions to the HCV program with application of HACA's current screening criteria. The majority of the denials would have been for assault, drug possession, and a pattern of alcohol-related criminal activity such as public intoxication.

Recently, HACA was awarded an additional 89 Mainstream Vouchers to provide housing to non-elderly disabled homeless households and to non-elderly disabled individuals who are currently living in a nursing, rehab, medical facility, psychiatric hospital or another type of congregate setting. Considering the known barriers in housing individuals and families experiencing homelessness, the use of our current criminal screening criteria could potentially result in the denial of 37% of Mainstream Voucher referrals. Staff recommended changes to the criminal history screening criteria. The changes reduce the denial percentage from approximately 37% to 18% for homeless individuals referred through the current homeless preference and/or those being referred through future programs that seek to provide housing to persons experiencing homelessness while continuing to provide safe housing for all and allow a better opportunity for individuals and families experiencing homelessness to move from the streets into stable housing.

Lifetime look back periods remain intact for convictions of the following: capital murder, kidnapping, rape or crimes of a sexual nature, indecency with a child, first degree felony injury to a child and felony crimes involving terrorism.

Rental Assistance Demonstration Program:

Updates have been provided regarding the outcomes for the RAD converted units to date. The remaining Public Housing properties will convert over the next two years. As many of these properties need extensive rehab, HACA will use different financial mechanisms, e.g. Low Income Housing Tax Credits/Bond with Low Income Housing Tax Credits/FHA Financing, to provide full modernization. Some properties 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" of existing units and will assess the potential to provide additional affordable housing units at sites where feasible.

Project Based Vouchers:

Updates have been made to Project-Based Vouchers. HACA may operate a project-based voucher program that utilizes up to 400 tenant-based vouchers with the goal of deconcentrating poverty and expanding housing and economic opportunities. Specifically, HACA has determined that the placement of up to 81 project-based Housing Choice Vouchers, as well as the placement of a to-be-determined number of project-based HUD VASH vouchers, will significantly benefit HACA's ability to meet its mission of serving the lowest income persons in our community, including seniors, persons with disabilities, transitioning homeless, and families with children.

Public Housing Special Accommodation Preference:

HACA will give preference to families that are currently housed in Public Housing or Project-Based Rental Assistance developments (PBRA) and waiting on the transfer list for a unit with an accessible accommodation as well as to families that have been certified eligible off the Public Housing or PBRA waiting list and are waiting for a unit with an accessible accommodation. To qualify for this preference, the family must meet all of the following criteria:

For current Public Housing or PBRA families waiting on the transfer list to be eligible, they must:

- a) Be currently housed in Public Housing or PBRA and waiting on the transfer list for a unit with the needed special accommodation;

- b) Have a documented need for a reasonable accommodation which requires a specific type of housing unit (including but not limited to wheelchair accessibility, no stairs, etc).
- c) Have waited more than 9 months since the reasonable accommodation was approved and they were placed on the transfer waiting list without receiving a housing offer specifically because the availability of the needed accommodation is limited within HACA's portfolio and all units with that accommodation are occupied by families needing that accommodation.

If the needed accommodation is not structurally or economically feasible in HACA's existing Public Housing or PBRA portfolio, the family will not be required to wait 9 months.

- d) Have verified income at the time of their last annual or interim recertification which was below the current income limit for the Housing Choice Voucher program.

For families drawn off the Public Housing or PBRA waiting list and waiting for their first housing offer, they must:

- a) Have a current application on the Public Housing or PBRA waiting list which was drawn according to the regular rules and guidelines of the Public Housing or PBRA waiting list.
- b) Have completed eligibility certification and are eligible for the Public Housing or PBRA program.
- c) Have a documented need for a reasonable accommodation which requires a specific type of housing unit (including but not limited to wheelchair accessibility, no stairs, etc).
- d) Have waited more than 9 months since completing the eligibility process for Public Housing or PBRA without receiving a housing offer specifically due to either
 - 1. The needed accommodation is not economically feasible to be done in HACA's existing Public Housing or PBRA portfolio; or
 - 2. The availability of the needed accommodation is limited within HACA's portfolio and all units with that accommodation are occupied by families needing that accommodation.
- e) Had verified income at the time of their eligibility processing which was below the current income limit for the Housing Choice Voucher program.

For both current Public Housing or PBRA families and families drawn off the Public Housing waiting list:

- a) If the family chooses the special accommodation preference for HCV, they will be placed on the HCV waiting list with the special accommodation preference.
- b) When the family's name is drawn from the waiting list, they will be required to meet the eligibility requirements for the HCV program at that time in order to receive a voucher.
- c) The total number of families (from the combination of both the current Public Housing or PBRA families and families drawn off the Public Housing or PBRA waiting list) eligible to receive this preference will be capped at no more than 10 families per calendar year.

Non-Elderly Disabled Preference for those transitioning from institutions or are homeless:
HACA will provide a preference in its administrative plan for non-elderly persons with disabilities

transitioning out of institutional and other congregate settings, or who are non-elderly persons with disabilities who are homeless.

Agency's 5-Year Plan Goals and Objectives:

Updates were made to each of the agency's goals to reflect progress with current activities, completion and outcomes. Several new goals were introduced for the 2019-2024 five year plan.

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 a.m. on Friday, October 19, 2018 through 5:00 p.m. on Monday, December 3, 2018. HACA will send the proposed changes to Texas Rio Grande Legal Aid, the Austin Tenants' Council and the residents at the remaining Public Hearing properties. After receiving all comments, the proposed changes will be presented to the Board for final approval at the December 2018 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 2018 Board Meeting.

ATTACHMENTS:

- ▣ **Draft 2019 PHA Annual Plan**

Housing Authority of the City of Austin

DRAFT 2019 PUBLIC HOUSING AUTHORITY ANNUAL PLAN



A 45-Day Public Comment Period for the draft 2019 PHA Annual Plan and Five-year Plan will commence on Friday, October 19, 2018 and conclude on Monday, December 3, 2018. Three Public Hearings will be held: November 13, 2018 at 10:00AM (Pathways at Georgian Manor 110 Bolles Circle 78753) in conjunction with the Citywide Advisory Board Meeting, Friday, November 16, 2018 at 12:00PM at the HACA Central Office (1124 S. IH-35 78704), and Tuesday, November 27, 2018, at 5:30PM at the Henry Flores Education Training Center (1201 W. Live Oak 78704) to receive public input for the draft 2019 Annual Plan. The final draft will be presented to the HACA Board of Commissioners for approval at the December 20, 2018 Board of Commissioners meeting.

5-Year and Annual PHA Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires XX/XX/XXXX
---------------------------------------	---	---

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> PHA Name: <u>Housing Authority of the City of Austin</u> PHA Code: <u>TX001</u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performer PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>04/2019</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Public Housing (PH) Units <u>741; however, HACA continues to covert to its Public Housing portfolio to the Rental Assistance Demonstration program.</u> Number of Housing Choice Vouchers (HCVs) <u>5,381</u> Total Combined <u>6,122</u> PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission </p> <p> Availability of Information. A 45-Day Public Comment Period for the draft 2019 PHA Annual Plan and Five-Year Plan will commence on Friday, October 18, 2018 and conclude on Monday, December 3, 2018. Three Public Hearings will be held: November 13, 2018 at 10:00AM (Pathways at Georgian Manor 110 Bolles Circle 78753) in conjunction with the Citywide Advisory Board Meeting, Friday, November 16, 2018 at 12:00PM at the HACA Central Office (1124 S. IH-35 78704), and Tuesday, November 27, 2018, at 5:30PM at the Henry Flores Education Training Center (1201 W. Live Oak 78704) to receive public input for the draft 2018 Annual Plan. The final draft will be presented to the HACA Board of Commissioners for approval at the December 20, 2018 Board of Commissioners meeting. </p> <p> Copies of the 2019 Annual Plan and the 2020-2024 Five-Year Plan are available at all Public Housing sites, the HACA Central Office and on the HACA website, www.hacanet.org. All supporting documentation is available at the HACA Central Office or via the HACA website. </p> <p> <input type="checkbox"/> PHA Consortia: (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. Annual Plan Elements**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

- ☐ ☒ 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 2018 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)): \$25,800

Very Low (>30%-50% AMI): \$43,000

Low Income (>50%-80% AMI): \$68,800

July 1, 2017 United States Census Bureau Population Estimate for Austin: 950,715

* Based on the 2016 American Community Survey (ACS) 5-year Estimates Subject Tables, the average median household income of an occupied housing unit in the Austin CCD is \$58,527. The average renter occupied median household income is \$41,161. There are over 181,874 renter occupied housing units.

Monthly Housing Costs::

RENT	Owner-Occupied	Renter-Occupied
Less than \$300	3.3%	1.7%
\$300-\$499	7.0%	2.0%
\$500-\$799	12.4%	14.2%
\$800-\$999	7.7%	22.0%
\$1,000-\$1,499	24.1%	38.3%
\$1,500-\$1,999	18.8%	14.4%
\$2,000-\$2,499	9.9%	3.5%
\$2,500-\$2,999	6.6%	1.0%
\$3,00 or more	10.2%	.9%

Over 52% of the renter occupied units pay rent between \$1,000 and \$1,999 a month. This data reaffirms the data provided by the City of Austin Consolidated Plan 2014-19, that there are over 74,000 renters who have a rent burden over 30% or more of their income and the need for more affordable housing rental units in the Austin

City of Austin Consolidated Plan 2014-19
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	1,170	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

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 (In 2014, the Section waiting list opened. As of August 2018, the waiting list contained 614 applicants. The Section 8 waiting list will open September 17-24, 2018)
- ☒ Public Housing-waiting lists reopened on 08/15/18 at 12PM for the following properties:
 Booker T Washington- one, two, three and four bedrooms
 Chalmers Court-two bedrooms
 Gaston Place (designated elderly/disabled)- one and two bedrooms
 Lakeside-(designated elderly/disabled)- one and two bedrooms
 North Loop (designated elderly/disabled)- one and two bedrooms
 Rosewood- efficiency, two and three bedrooms
 Salina (designated elderly/disabled)- efficiency, two and three bedrooms
 Santa Rita Courts-two, three and four bedrooms
 Thurmond Heights- two bedrooms
- ☐ 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 site-based waiting lists for the RAD converted and Public Housing properties.

	# of families		% of total families		
Waiting list total	PH 8846	HCV 551	PH	HCV	
Extremely low income <=30% AMI	7917	445	89.50	80.29	
Very low income (>30% but <=50% AMI)	801	87	9.05	16.29	
Low income (>50% but <80% AMI)	118	19	1.33	3.42	
Families with children	4284	209	48.43	37.93	
Elderly families	379	7	4.28	1.27	
Disabled	2970	79	33.58	14.34	
Single	1213	256	13.71	46.46	
White	4761	158	53.82	28.68	
Asian	150	10	1.70	1.27	
Native Hawaiian/Other Pacific Island	41	7	.46	.54	
Black/African American	3738	375	42.3	68.06	
American Indian/Alaska Native	112	6	1.3	1.09	
Not Assigned	44	2	.04	.36	
Ethnicity-Hispanic or Latino	3433	108	38.10	19.60	
Ethnicity-Not Hispanic or Latino	5407	441	61.87	80.04	

Public Housing Site Based Waiting List as of 09/06/18

Property	# of Units	Efficiency Waitlist	1 Bedroom Waitlist	2 Bedroom Waitlist	3 Bedroom Waitlist	4 Bedroom Waitlist	5 Bedroom Waitlist	Total for property waitlist
Booker T Washington (Plus 6 scattered site homes)	216	3	889	569	394	188	21	2064
Bouldin Oaks	144	0	215	165	132	61	0	573
Chalmers Courts	158	0	173	25	69	36	0	303
Coronado Hills	48	0	180	125	132	0	0	437
Gaston Place	100	0	121	22	0	0	0	143
Georgian Manor	94	0	128	83	76	39	0	326
Goodrich Place	40	0	121	93	65	39	0	318
Lakeside	164	48	516	106	2	0	0	672
Manchaca II	33	0	174	114	84	41	0	413
Manchaca Village (Plus 2 scattered site homes)	33	0	197	127	104	45	20	493
Meadowbrook	160	0	2	615	382	193	8	1200
Northgate (Plus 14 scattered site homes)	50	0	163	103	88	37	12	403
North Loop	130	0	182	42	0	0	0	224
Rosewood Courts	124	19	124	14	18	32	0	207
Salina	32	11	82	0	0	0	0	93
Santa Rita Courts	97	0	149	25	14	7	9	204
Shadowbend Ridge (Plus 2 scattered site homes)	50	0	177	144	97	49	12	479
Thurmond Heights	144	0	145	16	85	48	0	294
TOTAL	1839	81	3738	2388	1742	815	82	8846

CLOSING OF PROPERTY-SPECIFIC PUBLIC HOUSING 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, HACA will be closing the following property-specific public housing waiting lists **effective**

December 15th, 2016 at 5:00 pm CST:

- 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 – (one, three and four bedroom sizes)
- Booker T. Washington – (five bedrooms)
- Meadowbrook – all bedroom sizes
- Santa Rita Courts – (one bedroom size)
- Salina (designated elderly/disabled) – (one bedroom size)
- Chalmers Courts – (one, three and four bedroom sizes)
- Rosewood Courts – (one bedroom size)

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.

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

	<p>records, police reports, criminal background report, and / or other official documents); and</p> <ul style="list-style-type: none"> ○ 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. <ul style="list-style-type: none"> • 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 co-head 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: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> ○ 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 been convicted of the following criminal activities during the designated review (look back) period, the family will be denied admission. The designated review period commences as of the date of the criminal offense.

If any household member has been convicted of any of the following criminal activities regardless of the date committed the family will be denied admission:

- Capital murder
- Kidnapping
- Rape or crimes of a sexual nature
- Arson
- Indecency with a child
- First degree felony injury to a child, elderly individual or disabled individual
- Crimes involving terrorism
- Crimes involving explosives

Five year review (look back) period

If any household member has been convicted of the following criminal activities, the family will be denied admission:

- Manslaughter – felony conviction
- Criminally Negligent Homicide – felony conviction

Four year review (look back) period

If any household member has been convicted of the following criminal activities, the family will be denied admission:

- Drug-related offenses for Manufacture, distribution, or possession with intent to distribute – felony conviction
- Robbery-related offenses – felony conviction
- Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon - felony conviction
- Physical violence to persons that has one of its elements the use or threatened use of physical force against the person or property of another such as assault, aggravated assault, assault by threat, terroristic threat and domestic violence offenses – felony conviction.
- Physical violence to property to include vandalism – felony conviction
- Fraud committed against a government entity – felony conviction
- Burglary of a habitation – felony conviction
- Unlawful Restraint – felony conviction

Three year review (look back) period

If any household member has been convicted of the following criminal activities, the family will be denied admission:

- (1) Stalking- felony conviction

- (2) Theft or fraud committed against a non-government entity- felony conviction
- (3) Public lewdness and indecent exposure offenses- felony conviction

Two year review (look back) period

If any household member has been convicted of the following criminal activities, the family will be denied admission:

- Drug-related offenses for possession – felony conviction

One year review (look back) period

If any household member has been convicted of the following criminal activities, the family will be denied admission:

- DWI/DUI – felony conviction

Patterns of Criminal Activity

If any household member has been convicted of or has a pattern of engaging in any of the following criminal activities the family will be denied admission. A pattern consists of three or more incidences, with a minimum of two or more incidences occurring within the last three years.

1. A pattern of organized criminal activity
2. A pattern of prostitution
3. A pattern of misdemeanor harassment or domestic violence offenses
4. A pattern of misdemeanor terroristic threat offenses

If an applicant has one misdemeanor offense within the past four years, HACA will not deny the applicant. More than one misdemeanor may 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.

HACA will not deny an application solely on the basis of an arrest. If, however, HACA receives arrest information for a disqualifying activity, in addition to a prior conviction within a respective look-back period, it may take that arrest into consideration in making a decision with regard to an applicant's assistance. Additional information may be considered, if available, including police reports, statements, disposition of criminal charges such as abandonment, plea, dismissal, prosecution or acquittal, and any other evidence relevant to determining whether or not the applicant engaged in the disqualifying activity. In sum, any evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety of residents and/or property.

Individualized Assessment

In making its decision to deny assistance, HACA will consider the criminal background discussed in Sections 3-III.E and 3-III.F on an individual and case-by-case basis taking into consideration the nature and gravity of the offense and any other mitigating factors known and available. Upon consideration of such factors, HACA may, on a case-by-case basis, decide not to deny assistance.

Previous Behavior [960.203(c) and (d) , PH Occ GB, p. 48 and 24 CFR 982.552c]

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 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 that 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 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.

HACA will conduct an individualized assessment of each candidate's application. In making a 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.

Screening for Eligibility

HACA is authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to the HCV program. This authority assists HACA 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 HACA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

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 a consent form has been signed. The 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), in addition to reviewing the criminal history report provided by HACA's third party vendor or other government agency.

HACA 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 982.553(a)(2)(i)].

HACA Policy

An online National Sex Offender check covering sex offender registries in all states is performed for all adults.

Additionally, HACA must ask whether the applicant, or any member of the applicant's household, is subject to a lifetime registered sex offender registration requirement in any state [Notice PIH 2012-28].

Applicants' Grievance Procedure

If HACA proposes to deny admission based on a criminal record or on sex offender registration information, HACA 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)]. Individuals denied admissions based on criminal record or sex offender registration information will be permitted to present mitigating and extenuating reasons for why they should be considered in light of a conviction including facts and circumstances surrounding criminal conduct, age at the time of conviction, evidence of good tenant history, employment, or rehabilitation.

HACA Criminal Record Policy & Process

HACA complies with HUD requirements, including 24 CFR 5.903(f) and 5.905(d) in the following manner:

- Authorization -- HACA will require each household member age 17 and older to sign a consent form allowing HACA to request the criminal history report.
- Criminal Records -- Once the consent is signed, HACA will request the criminal history report from its third party vendor or other government agency. HACA does not obtain criminal conviction records directly from law enforcement agencies.
- Information Sharing -- Upon review of the criminal history report, if there is information on the report that may be grounds for denial, HACA will share the information with the applicant and provide an opportunity for the family to dispute the accuracy of the information or provide additional relevant information.
- Notice of Denial -- After review of the report and any information provided by the family, HACA will determine if a denial is applicable. If a denial is warranted, a written notice of denial will be given to the family if they are present or mailed if they are not. The notice will provide the detailed summary of the criminal history that caused the reason for the proposed denial.
- Right to Appeal -- Additionally, the denial notice will advise the applicant of the right to request an informal hearing to dispute the accuracy of the data and the basis for the denial. The request must be made in writing within 15 calendar days of the date of the denial notice. If the family fails to request an informal hearing within 15 calendar days of the date of the official denial letter, the denial shall become final.

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.
 - o *Employed*: To meet this criteria, the family member must be working at least 20 hours per week.
 - o *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

Mainstream Vouchers for non-elderly persons with disabilities who are homeless or who are transitioning out of institutions or other segregated settings

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.

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
NED+Homeless/Institutionalized=2
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 (Ch 18 HCV Administrative Plan):** 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) Public Housing Special Accommodation Preference: HACA will give preference to families that are currently housed in Public Housing or Project-Based Rental Assistance developments (PBRA) and waiting on the transfer list for a unit with an accessible accommodation as well as to families that have been certified eligible off the Public Housing or PBRA waiting list and are waiting for a unit with an accessible accommodation. To qualify for this preference, the family must meet all of the following criteria:

For current Public Housing or PBRA families waiting on the transfer list to be eligible, they must:

- a) Be currently housed in Public Housing or PBRA and waiting on the transfer list for a unit with the needed special accommodation;
- b) Have a documented need for a reasonable accommodation which requires a specific type of housing unit (including but not limited to wheelchair accessibility, no stairs, etc).
- c) Have waited more than 9 months since the reasonable accommodation was approved and they were placed on the transfer waiting list without receiving a housing offer specifically because the availability of the needed accommodation is limited within HACA's portfolio and all units with that accommodation are occupied by families needing that accommodation.

If the needed accommodation is not structurally or economically feasible in HACA's existing Public Housing or PBRA portfolio, the family will not be required to wait 9 months.

- d) Have verified income at the time of their last annual or interim recertification which was below the current income limit for the Housing Choice Voucher program.

For families drawn off the Public Housing or PBRA waiting list and waiting for their first housing offer, they must:

- a) Have a current application on the Public Housing or PBRA waiting list which was drawn according to the regular rules and guidelines of the Public Housing or PBRA waiting list.
- b) Have completed eligibility certification and are eligible for the Public Housing or PBRA program.
- c) Have a documented need for a reasonable accommodation which requires a specific type of housing unit (including but not limited to wheelchair accessibility, no stairs, etc).
- d) Have waited more than 9 months since completing the eligibility process for Public Housing or PBRA without receiving a housing offer specifically due to either
 1. The needed accommodation is not economically feasible to be done in HACA's existing Public Housing or PBRA portfolio; or
 2. The availability of the needed accommodation is limited within HACA's portfolio and all units with that accommodation are occupied by families needing that accommodation.
- e) Had verified income at the time of their eligibility processing which was below the current income limit for the Housing Choice Voucher program.

For both current Public Housing or PBRA families and families drawn off the Public Housing waiting list:

- a) If the family chooses the special accommodation preference for HCV, they will be placed on the HCV waiting list with the special accommodation preference.

- b) When the family's name is drawn from the waiting list, they will be required to meet the eligibility requirements for the HCV program at that time in order to receive a voucher.
- c) The total number of families (from the combination of both the current Public Housing or PBRA families and families drawn off the Public Housing or PBRA waiting list) eligible to receive this preference will be capped at no more than 10 families per calendar year.

- (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.
- (L) **Non-Elderly Disabled Preference for those transitioning from institutions or are homeless:** HACA will provide a preference in its administrative plan for non-elderly persons with disabilities transitioning out of institutional and other congregate settings, or who are non-elderly persons with disabilities who are homeless.

Financial Resources

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2018 grants)		
a) Public Housing Operating Fund *excluding RAD Properties for 2017	\$4,263,000	
b) Public Housing Capital Fund	\$1,691,521	
c) HOPE VI Revitalization	-	
d) HOPE VI Demolition	-	
e) Annual Contributions for Section 8 Tenant- Based Assistance	\$51,456,000	
f) Resident Opportunity and Self-Sufficiency Grants	\$195,209	
g) Community Development Block Grant	-	
h) HOME	\$542,000	
Other Federal Grants (list below)		
RAD Properties	\$4,155,541	
Continuum of Care Program	\$642,690	
Section 8 Mod-Rehab SRO	\$320,384	
Section 8 FSS Coordinator	\$260,278	
Jobs Plus	\$900,000	
2. Prior Year Federal Grants (unobligated funds only) (list below)		
Public Housing Capital Fund	\$783,200	
Jobs Plus	-	
3. Public Housing Dwelling Rental Income	\$1,876,542	
4. Other income (list below)		
Interest	\$18,000	
Other Income	\$430,600	
5. Non-federal sources (list below)		
Component Unit	\$1,700,000	
Total resources	\$71,634,004	

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.

Summary of Income Included and Excluded by Person	
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 Re-certification 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:
- Social Security, Supplemental Security Income, Supplemental Disability Insurance;
- Federal, state, local, or private pension plans;
- Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts; or
- 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 immigration 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

	<p>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:</p> <p>*Changes made to the admissions policies, organization of the waiting list and/or tenant rent payments;</p> <p>*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;</p> <p>*Any changes with regard to demolition or disposition, designation, homeownership programs or conversion activities.</p> <p>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 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> <ol style="list-style-type: none"> The decision to convert to either Project Based Rental Assistance or Project Based Voucher Assistance; 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; Changes to the construction and rehabilitation plan for each approved RAD conversion; and Changes to the financing structure for each approved RAD conversion.
	<p>New Activities.</p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA’s current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Mixed Finance Modernization or Development. (See Conversion of Public Housing under RAD)</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant Based Assistance.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Assistance under RAD.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Project Based Vouchers.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <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><u>Demolition and/or Disposition</u></p> <p>HACA currently operates 22 scattered site homes as part of our public housing inventory. In Fiscal Year 2018-19, HACA will submit a disposition application to the HUD Special Applications Center for the sale of these homes at Fair Market Value. HACA will request the net proceeds from the sales of these units to be used as gap funding to finance extensive renovations and create additional affordable housing as HACA continues its RAD transition. Each scattered site tenant will have the First Right of Refusal to purchase their unit. Those tenants not interested or unable to purchase their unit may be offered a tenant protection voucher to move to suitable alternate housing.</p> <p>Planned submission of the disposition and sale of these homes is slated for late Spring 2019.</p>

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 continues to own its properties and provide its residents with expanded choices and opportunities. HACA has already completed over \$17 million in capital improvements and additional amenities currently not offered in its public housing portfolio. HACA continues 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 has offered 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.

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 allowed 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 nine properties listed below under RAD Phase I. Those properties, consisting of 682 units, converted to RAD in 2016 and 2017. In October 2016, HACA received CHAPs for the remaining nine (9) properties. Seven (7) of those properties totaling 813 units successfully converted to RAD in 2017 and 2018. The 2018 conversions include Goodrich Place, Rosewood Courts, Santa Rita Courts, Salina Apartments and Thurmond Heights. A history of all the conversions is detailed in the chart below.

Goodrich Place received HACA's first award of competitive 9% low income housing tax credits. When construction is complete in late 2019, the new Pathways at Goodrich Place will replace all 40 public housing units with RAD units and add 80 additional units. All units will serve families at 30-80% of area median income.

Rosewood Courts, Santa Rita Courts, Salina Apartments and Thurmond Heights will all receive minor improvements, primarily to the common areas. The units at Thurmond Heights have already been completely renovated with Capital Funds over the last four years so very little additional work was needed.

The remaining properties, Lakeside Apartments and Chalmers Courts will convert in 2019 and 2020. HACA expects that Lakeside will receive improvements to common areas and building systems as part of the RAD conversion. Chalmers Courts will be converted in two phases – Chalmers East and Chalmers West. Chalmers East was awarded competitive 9% low income housing tax credits in July 2018. Construction is expected to start in the summer of 2019. In order to minimize the inconvenience associated with relocation and ultimately provide additional affordable units, HACA is currently constructing a new 86-unit building just south of Chalmers Courts, financed using 4% non-competitive low income housing tax credits and private activity bonds issued by Austin Affordable PFC. This property, called Pathways at Chalmers South, will serve as temporary relocation housing for the families at Chalmers Courts during redevelopment. The redevelopment of all phases of Chalmers Courts is expected to be complete at the end of 2021.

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	0 Bedroom	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	0	96	4	-	-	-	8/1/17	
Bouldin Oaks / TX001000010	Family*	None	144	0	54	58	22	10	-	12/1/16	11/7/17
Georgian Manor / TX001000012	Family*	None	94	0	38	38	14	4		12/1/16	4/27/18
North Loop / TX001000015	Elderly / Disabled*	None	130	0	125	5	-	-	-	12/1/16	2/1/18
Northgate / TX001000016	Family*	None	50	0	20	18	8	3	1	12/1/16	4/27/18
Coronado Hills / TX001000016	Family*	None	48	0	12	32	4	-	-	12/1/16	9/15/17
Shadowbend / TX001000017	Family*	None	50	0	18	20	9	2	1	12/1/16	8/24/17
Manchaca Village /TX001000017	Family*	None	33	0	12	12	6	2	1	12/1/16	8/24/17
Manchaca II / TX001000017	Family*	None	33	0	12	13	7	1	-	12/1/16	7/30/17
Booker T Washington/ TX001000005	Family*	None	216	0	15	60	103	35	4	11/1/17	
Rosewood Courts/ TX001000002	Family	None*	124	8	48	50	12	34	0	12/1/18	
Salina/TX001000008	Elderly / Disabled	None*	32	16	16	0	0	6	0	12/1/18	
Santa Rita Courts/ TX001000003	Family	None*	97	0	15	36	34	0	2	12/1/18	
Thurmond Heights/ TX001000011	Family	None*	144	0	54	58	22	10	0	11/1/18	
Goodrich/ TX001000013	Family	None*	40	0	16	15	4	10	0	9/1/18	
Meadowbrook/ TX001000004	Family*	None	160	0	0	100	37	20	3	11/1/17	
TOTAL			1,495	24	551	519	282	107	12		

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
Lakeside / TX001000007	Elderly / Disabled	None*	164	48	92	23	1	0	0	*	\$175,000
Scattered Site Homes /	Family	None*	22	0	0	3	16	3	0		\$100,000
TOTAL			344	48	174	74	35	13	0		APPROX \$275,000

*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, disposition of scattered site homes 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.

On July 13, 2017, HACA closed on Pathways at Chalmers Courts South for the construction of 86 units of affordable housing. Pathways at Chalmers Courts is an extension of the master plan for the redevelopment of Chalmers Courts.

As HACA continues with the final RAD conversions, a Section 106 review may be required and public involvement is a critical aspect of the Section 106 process.

Conversion Process:

HACA will receive an estimated \$1,811,112 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 returning from relocation due to construction; 2.) for qualified residents, HUD continues to subsidize their rent, while the resident pays 30% of their income towards rent; 3.) families have the right to return and receive relocation assistance if relocated due to rehabilitation or construction; 4.) resident councils can continue to meet and advocate for residents; 5.) families may stay in an under-occupied unit until an appropriate size unit becomes available; 6.) grievance and termination policies will remain the same; 7.) current participants of the Family Self-Sufficiency program will continue to be eligible for FSS benefits; 8.) current residents who are receiving the Earned Income Disregard (EID) exclusion will continue to receive the exclusion; and 9.) 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 is temporarily relocated by HACA 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, resident organizations 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

	<p>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.</p> <p>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.</p> <p>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).</p> <p>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.</p> <p>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.</p> <p style="text-align: center;">Tenant Protections Under Section 1.7.C (PBRA)</p> <p>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:</p> <ol style="list-style-type: none"> 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)].

HACA Policy

HACA may operate a project-based voucher program that utilizes up to 400 tenant base vouchers.

HACA may decide to project-base vouchers above the 400 voucher limit (but no more than 20 percent of its allocated 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, regardless of whether the PHA has vouchers available for project-basing [FR Notice 1/18/17].

Additional Project-Based Units [FR Notice 1/18/17; Notice PIH 2017-21]

The PHA may project-base an additional 10 percent of its units above the 20 percent program limit. The units may be distributed among one, all, or a combination of the categories as long as the total number of units does not exceed the 10 percent cap. Units qualify under this exception 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) and contained in the Continuum of Care Interim Rule at 24 CFR 578.3.
- 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. The unit must be covered under a PBV HAP contract that first became effective on or after 4/18/17.

PHA Policy

HACA will not project-base any units not subject to the 20 percent cap.

PBV 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; Notice PIH 2017-21]

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 is currently undertaking a complete redevelopment and expansion of its Chalmers Courts public housing property in east Austin. In accordance with HUD requirements, this redevelopment and expansion will exceed the required minimum of \$25,000 in per unit hard costs. This property is a high priority for HACA – it is in an area of expanding opportunity that is rapidly gentrifying and where there is a significant need for additional affordable housing to meet the needs of current residents of the area and others moving to Austin. The first phase of the redevelopment is the construction of 86 new affordable housing units south of the existing Chalmers Courts site (Chalmers South). HACA may elect to project-base vouchers not to exceed 43 units at Chalmers South or no more than half of the total units at Chalmers South. Once complete, HACA will relocate residents from either the east or west side of the existing Chalmers Courts site, minimizing displacement and disruption to families. A redevelopment will then begin on either the east or west side of the site. The exact order of redevelopment is dependent on the financing tools which ultimately will be available, including use of the Low Income Housing Tax Credit program.

The east side and west side redevelopments of Chalmers Courts will involve the construction of approximately 160 units on each side. Once fully completed, the new Chalmers Courts – south, west and east – will total approximately 400 units, significantly helping address Austin's affordable housing needs.

HACA has determined that the placement of up to 81 project-based Housing Choice Vouchers, as well as the placement of a to-be-determined number of project-based HUD VASH vouchers, will significantly benefit HACA's ability to meet its mission of serving the lowest income persons in our community, including seniors, persons with disabilities, transitioning homeless, and families with children.

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

	<p>application and selection information must be provided at the request of interested parties.</p> <p>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.</p> <p><u>Units with Approved Vacancies for Modernization</u></p> <p>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.</p> <p><u>Emergency Safety and Security Grants</u></p> <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 was completed in November 2017.</p>
B.3	<p>Progress Report.</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>5-Year Plan Goals and Objectives.</p> <p>We are committed to Affordable Housing: 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"> • Obtain additional rental assistance vouchers • Revitalize HACA's 18 public housing sites • Increase the number of affordable housing units • Improve collaboration with community and national partners • Increase the number of HACA residents who reach homeownership <p>HACA currently administers 489 VASH tenant-based (Veterans Affairs Supportive Housing) vouchers. In addition, we have 50 project-based VASH vouchers in partnership with Integral Care at Housing First at Oak Springs set to open in the Spring of 2019 (25 VASH and 25 HCV project-based vouchers for a total of 50 permanent supportive housing units) and 25 VASH project-based vouchers at Elysium Grand to open in late Fall 2019. In addition, in September 2018 HACA was awarded 89 additional mainstream vouchers, bringing the total to 148 vouchers to serve persons with disabilities.</p> <p>Austin Affordable Housing Corporation, a nonprofit subsidiary of HACA, currently provides over 3,300 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 1,657 units to be completed by the end of 2019.</p> <p>In 2017-18, thanks to a partnership with Google Fiber, HACA activated free 1,000Mbps internet at four properties, serving 350 households and more than 1100 residents. In 2018, HACA continued to serve as a mentor for ConnectHome cities, often advising on broadband options, how to obtain, refurbish and distribute computer equipment, and how to establish public private partnerships.</p> <p>HACA plans to continue its Work Study Internship with Austin Community College; the program provides hands-on learning and experience to IT interns, who in 2017-18 helped provide basic computer classes, and helped prepare and deploy 400+ computers to HACA residents.</p>

Unlocking the Connection Phase II

Phase I of this program focused on basic digital literacy. Phase II aims to apply digital literacy skills and digital infrastructure to overcome the systemic barriers that keep HACA residents from achieving self-sufficiency: education, transportation and financial literacy. In 2019, to enable about 600 households to benefit from an earned refurbished device, and to expand HCV device ownership, HACA plans to maintain desktop and laptop equipment partnerships with Austin Community College, PC Community Loan Program, a local technology professional association and a major local company.

Smart Work Learn Play

Lack of transportation, insufficient knowledge about how to use “smart city” transit, and inability to use new transportation options can keep families from being self-sufficient. Grants from Next Century Cities and the Transit Empowerment Fund help enable HACA resident Mobility Ambassadors: 1) apply digital tools and the Digital Ambassador concept to the problem of transportation, 2) advocate for meaningful transportation partnerships, and 3) share transportation data and recommendations to transportation decision makers. By October, 2017 14 HACA residents had earned stipends for participating in the program by collecting transit needs and data from fellow residents, learning about key issues and assessing the impact to HACA residents, sharing data and insights with City officials and liaising with local transportation partners. In 2019, HACA plans to continue resident-centered design of transportation solutions with existing transit partners including: Car2Go, B-Cycle, Ride Austin, Capital Metro, and the Austin Transportation Department.

Ambassadors Programs

In 2018, HACA received a NAHRO Award of Merit for The Ambassador Programs: Residents as Change Agents for Innovation. Resident Digital, Energy and Mobility Ambassadors provide high-quality, cost-effective program design and development, build professional skills and the community. Hundreds of HACA residents, dozens of city decision makers and public, private, philanthropic partners have benefitted from HACA Ambassadors work to solve residents’ everyday problems.

Homeownership

HACA has successfully assisted 105 homeowners through its \$10,000 down payment assistance program administered by Austin Affordable Housing Corporation.

We are committed to 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.

- **Improve the employment skills and education level of residents.**
- **Children will participate in after school enrichment programming.**
- **Children will be kindergarten ready by participating in early childhood and pre-kinder programs.**
- **Students will receive scholarships to assist with the cost of higher education.**
- **Senior Residents will participate in supportive services.**
- **Provide improved access to health and wellness services to vulnerable populations.**
- **Ensure all HACA properties have a safety initiative.**
- **HACA will strongly foster a resident culture of self-reliance.**

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 has 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

- 210 residents have started new employment or increased their earnings.
- 93 resident s have attended financial literacy classes

- 25 residents have served as Community Liaisons, earning a stipend to reach out and encourage their neighbors, family and friends.
- \$22,900 paid in childcare assistance to help working residents with the cost of childcare services

Austin Community College (ACC)

ACC services were offered for 2016-2017 at four HACA locations. HACA's new Adult Education contact at ACC has shared that other standardized tests will be offered to high school equivalency from various providers; these are different than the current GED (General Education Diploma) exams that have long been the standard. 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.

Scholarships

In 2018, Austin Pathways, HACA's non-profit subsidiary, with SHCC and AAHC, and 220+ corporate and individual donors, provided 37 HACA residents with college scholarships. Austin Pathways aims to increase the 2018 record \$50,000 plus annual crowd funding campaign to support HACA residents in achieving their dreams of education. In 2018, HACA Scholars received a loaned refurbished laptop from by the City of Austin's PC Community Loan Program. In 2019, HACA Scholars have the opportunity to participate in periodic mentoring provided by corporate scholarship fund donors.

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 Club provides programming on-site at Chalmers Courts and Meadowbrook Apartments. They provide transportation to and from the club located at school for residents from Thurmond Heights. They also provide on-site programming at Thurmond Heights during school breaks and summer. The Club has also served residents from BTW and Rosewood Courts over the summer on-site at Rosewood.

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 September 15, 2017, there were 242 elementary, 62 middle and 31 high school aged that received regular and ongoing school based case management services throughout the school year – though 335 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 215 HACA youth that attended SmartKids, with 122 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. 2017 outcomes for SmartKids participants include:

- 98% demonstrated improvement in at least one or more areas (academics, behavior, attendance).
- 71% identified with poor attendance demonstrated improvement in attendance.
- 86% identified with behavioral challenges demonstrated improvement.

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 adult male and father 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. In 2017, HACA expanded its I-DADS program for fathers/father figures with a \$45,000 grant from the O'Neill Foundation. HACA received a \$100,000 grant from the State of Texas to enhance and expand the program throughout 2018 and 2019. In the first nine months of 2018, seven cohorts have been completed with 50 fathers attending. The program provides support for positive family growth, healthy relationships, managing family expectations and positive choices.

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. HACA received grants from two foundations in 2017 to expand the program for seniors at Chalmers Courts and other family sites.

Services are maintained through HACA funding, as well as City of Austin Social Service and St. David's Foundation grants to Family Eldercare. Recent funding allowed Family Eldercare to also provide 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 pays 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.

Health and Wellness

Recently, HACA was awarded one of five national planning grants from the Corporation for Supportive Housing (CSH), the Council of Large Public Housing Authorities (CLPHA), the Robert Wood Foundation, and United HealthCare (UHC), to convene leaders in housing and healthcare sectors to facilitate health-related cross-system data sharing, needs identification and intervention design.

Currently, HACA and the University of Texas at Austin Dell Medical School (DMS) are partnering to comprehensively assess and respond to the health and social inequities impacting HACA residents. These efforts include: (1) Learning about HACA residents' health needs through data sharing, assessment and analysis; (2) Collaborating with HACA residents to design and develop interventions to pressing health needs; (3) Implementing and monitoring evidence-based health and well-being initiatives for HACA residents; and (4) Long-term monitoring of resident health outcomes.

Austin Police Department

HACA contracts with the Austin Police Department for one full-time officer to serve as a community liaison for all HACA programs. Currently, HACA contracts with close to 50 off-duty officers to patrol its public housing properties and to maintain public safety.

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. Recently HACA sought partner collaboration for the September 2018 opening of the Housing Choice Voucher waitlist, working with 75 partners to provide outreach and assistance to applicants across the Austin area. Also, the HACA self-sufficiency programs are supported by quarterly partner meetings as part of the Program Coordinating Committee (PCC), and the Jobs Plus partner advisory team meets quarterly.

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 the 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 completed and launched its fully redesigned website in early 2018. The website is ADA-compliant and mobile-friendly.

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 235 employees. The average length of employment at HACA is 7.56 years, an increase from 6.87 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 2018, HACA partnered with Gold's Gym to offer on-site health classes to all employees.

Tuition Reimbursement/Growth

In 2015, HACA provides tuition reimbursement 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.**

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 approximately \$400 million of housing subsidy 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 fourth 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.

Presently, Blueprint serves over 130 clients providing a full range of services for 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. AAHC currently has over 3,300 units in its portfolio. AAHC continues to grow and currently has 1,657 units in the construction pipeline to be completed by the end of 2019. In addition to serving as the catalyst for additional affordable housing, AAHC provides another source of revenue to fund HACA self-sufficiency programs.

Austin Pathways Foundation Funding

Austin Pathways, a non-profit HACA subsidiary provides educational and other support services in support of HACA's mission to help families become self sufficient and achieve quality of life. With generous funding from corporate, philanthropic, and other charitable organizations, in 2017-18 Austin Pathways received about \$820,000 in monetary, gifts-in-kind, and equipment donations. Transit Empowerment Fund, Lola Wright Foundation, Texas Capital Bank, Moody Bank and ECG Foundation (Bank of America) provided cash funding; IBM Employee Charitable Contribution fund, Google and Dropbox Employee funds (via Benevity) have provided individual employee contributions. Additionally, almost 60 percent of HACA employees participate in an annual crowd funding campaign, Amplify Austin, bringing in more than \$50,000 in 2018 for scholarships and other supportive services. Austin Community College, the Austin Forum on Technology and Society, and a local tech firm provided the bulk of gifts-in-kind.

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. HACA continues progress on our "go paperless" by incorporating Laserfiche for the creation and retrieval of documents. Since its inception, 4.5 million pages have been electronically filed, reducing the need for onsite storage of paper files. 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.**
- **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**

HACA has updated the Housing Choice Voucher (Section 8) Administrative Plan for changes to HACA's Criminal Record Policy & Process as it relates to Housing Choice Voucher applicants. These policies were adopted by the HACA Board of Commissioners at the October 17, 2018 Board Meeting.

With the suspension of the Assessment of Fair Housing process, HACA continues with 9 regional partners to produce the Central Texas Fair Housing Assessment, proceeding with a Regional Analysis of Impediments format while including many aspects of the AFH process. The overall goal of this approach is to help communities improve housing and economic conditions for all residents, in a way that best fits the community. Updates are available to interested parties at the website www.centraltexasfairhousing.org. Finalization and submittal of the draft report to HUD is expected to take place in February 2019.

B.4	<p><u>Most Recent Fiscal Year Audit</u></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>
Other Document and/or Certification Requirements.	
C.1	<p>Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan</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>
C.2	<p>Civil Rights Certification.</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>
C.3	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the PHA Plan? On November 14, 2017 at 10:00AM (Pathways at Georgian Manor 110 Bolles Circle 78753) HACA held a Public Hearing in conjunction with the Citywide Advisory Board Meeting. Y N <input 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>
C.4	<p>Certification by State or Local Officials.</p> <p><u>Form HUD 50077-SL</u>, <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>
<p>D Statement of Capital Improvements. Required in all years for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).</p>	
D.1	<p>Capital Improvements. 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. HUD 50075.1 attached. See HUD Form 50075.2 approved by HUD on 04/01/2016.</p>
E.1	<p>RAD Choice Mobility</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 2019 PHA Annual Plan Executive Summary

Per PIH Notice 2015-18, the template for the 2019 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 2019 Annual Plan version

Page	Section	Changes
Pages 9-12	Statement of Housing Needs and Strategy for Addressing Housing Needs	Change: Updates to the Waiting Lists for both Public Housing/RAD properties and the Housing Choice Voucher programs
Pages 11-15	Policies that Govern Eligibility, Selection and Admissions: Selection Method	Change: Changes to the criminal screening portion of the eligibility criteria. Rationale: Proposed changes to the current criminal screening criteria to reduce barriers to individuals and families experiencing homelessness so they can have a better opportunity to move from the streets into stable housing. HACA recently applied for Mainstream vouchers to serve non-elderly disabled homeless households. The current criminal screening criteria could result in a 37% denial of vulnerable individuals referred to receive Mainstream Housing Choice Vouchers. The proposed revisions would reduce the denials from approx 37% to 18%. Lifetime look periods remain in tack for capital murder, kidnapping, rape or crimes of a sexual nature, indecency with a child, first degree felony injury to a child, crimes involving terrorism, arson and crimes involving explosives.
Pages 18-22	Applications, Waiting List and Tenant Selection	Addition: Added Mainstream Vouchers in the targeted funding section in anticipation of receiving Mainstream Vouchers for non-elderly persons with disabilities who are homeless or who are transitioning out of institutions or other segregated settings
		Addition: Required by the Mainstream NOFA application added preference for non-elderly persons with disabilities who are homeless and transitioning out of institutions or other segregated settings

Page	Section	Changes
		Addition: Added Project Based Rental Assistance (PBRA) to (H) Public Housing Special Accommodation Preference section
		Addition: Added policy to allow HACA to accept referrals from other agencies in addition to ARCIL (Area Resource Center for Independent Living) for the Non-Elderly Disabled Program and added verification and eligibility requirements.
		Addition: Added waiting list and referral policy for new Mainstream Vouchers in the event that HACA receives an award of these new vouchers.
		Addition: Added language regarding need for independent students to provide prior year income tax returns to verify the student is independent. Also, added that vulnerable youth doesn't need to provide written certification from a parent identifying the amount of support they will provide.
Pages 33-36	New Activities	Updates on Scattered Sites Disposition Activities and Rental Assistance Demonstration Programs.
Pages 40-42	Project –Based Vouchers	<p>Change: Considering the future need to project-base vouchers for RAD conversions and redevelopment activities changed from the option to operate a project-based voucher program that utilizes up to 200 tenant base vouchers to 400 units.</p> <p>Change: To allow flexibility to project-base vouchers at Chalmers South added the following language. “HACA may elect to project-base vouchers not to exceed 43 units at Chalmers South or no more than half of the total units at Chalmers South.”</p> <p>Other changes throughout the chapter as a result of Notice PIH 2017-21 and FR Notice 1/18/17</p>
Pages 43-50	5-Year Plan Goals and Objectives	Updates to 5-Year Goals and new subset goals

**PHA Certifications of Compliance with the PHA Plan
and Related Regulations including Required Civil Rights Certifications**

**Attachment C.2
Civil Rights Certification
And
Fair Housing**

**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 X 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning 2019, 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 2019

☒ 5-Year PHA Plan for Fiscal Years 2019 - 2024

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	Title
Carl S. Richie, Jr	Chairman
Signature	Date 12/20/2018

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	12/20/2018

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>
1. Lack of accessible housing to meet the need of the disabled community in Austin. (2000)	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.	
2. Lack of Affordable Housing in Austin (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.
3. Discrimination of minorities in housing rental and sales market. (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]

<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>
4. Erroneous beliefs by property managers concerning family occupancy standards. (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.
5. Imbalance of neighborhood-based development. (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.
6. Geographic concentration of loan denials (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.

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>
		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.
7. Predatory lending practices. (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.
8. Disparity in lending practices. (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.
9. Insufficient financial literacy education. (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.

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>
		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.
10. Insufficient income to afford housing. (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.

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

2019 Draft Public Housing Authority Annual Plan Public Hearings

A 45-Day Public Comment Period for the draft 2019 PHA Annual Plan will commence on Friday, October 19, 2018 and conclude on Monday, December 3, 2018. Three Public Hearings will be held to receive public input to the draft 2019 Annual Plan November 13, 2018 at 10:00AM (Pathways at Georgian Manor 110 Bolles Circle 78753) to be held in conjunction with the Citywide Advisory Board Meeting, Friday, November 16, 2018 at 12:00PM at the HACA Central Office (1124 S. IH-35 78704), and Tuesday, November 27, 2018, at 5:30PM at the Henry Flores Education Training Center (1201 W. Live Oak 78704).

Public Hearing with Citywide Advisory Board
November 13, 2018 at 10:00 A.M.

Public Hearing
November 16, 2018 at 12:00 P.M.

Public Hearing
November 27, 2018 at 5:30 P.M.

Attachment C.4
Certification by State or Local Officials

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan or
State Consolidated Plan
(All PHAs)**

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 2/29/2016

**Certification by State or Local Official of PHA Plans
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Rosie Truelove, the Director of Neighborhood Housing and Community Development
Official's Name *Official's Title*

certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

Housing Authority of the City of Austin
PHA Name

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of
Impediments (AI) to Fair Housing Choice of the

City of Austin

Local Jurisdiction Name

pursuant to 24 CFR Part 91.

Provide a description of how the PHA Plan is consistent with the Consolidated Plan or State Consolidated Plan and the AI.

COA Consolidated Plan Priority: Homeless/Special Needs Assistance provides services to the City's most vulnerable populations, including persons experiencing homelessness, persons living with HIV/AIDS, senior, youth children and families.

HACA continues to provide preferences in both the Public Housing and Housing Choice Voucher programs for assistance to homelessness, persons living with HIV/AIDS, seniors, youth, children and families through onsite programming to special assistance vouchers; Tenant Based Rental Assistance vouchers, Veteran Affair Supportive Housing vouchers, Continuum of Care vouchers and Family Unification Program vouchers.

COA Consolidated Plan Priority: Housing Development Assistance includes NHCD programs that offer assistance to non-profit and for-profit developers to build affordable housing for low and moderate income families.

HACA through its non-profit subsidiary, Austin Affordable Housing Corporation (AAHC), has acquired/developed over 2,600 units in its portfolio to provide affordable housing. AAHC continues to grow with 800 additional units in the construction pipeline to be completed in the next two years.

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)

Rosie Truelove
Name of Authorized Official

Signature

Director
Title
11/7/2017
Date

Attachment D.1
Statement of Capital Improvements

Attachment E.1
Choice Mobility

HOUSING AUTHORITY OF THE CITY OF AUSTIN

BOARD ACTION REQUEST

RESOLUTION NO. 2574

FINANCE ITEM NO. 9.

MEETING DATE: October 17, 2018

STAFF CONTACT: Martha Ross, Vice President & Chief Financial Officer

ITEM TITLE: Presentation, Discussion, and Possible Action regarding Resolution No. 2574: Approving Write-Off of the Uncollectible Accounts of Vacated Tenants for the six-month period Ending August 31, 2018

BUDGETED ITEM: Yes

TOTAL COST: \$28,889.42

ACTION

Motion to Approve Resolution No. 2574 Approving Write-Offs of the Uncollectible Accounts of Vacated Tenants for the six-month period ending August 31, 2018.

SUMMARY

Background:

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 six-month period ending August 31, 2018. 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.

ATTACHMENTS:

- ▣ **List of Individual Tenant Write-Offs and Metrics for Mar - Aug 2018**
- ▣ **Analysis of PH Tenant Write-Offs Mar - Aug 2018**

RESOLUTION NO. 2574

**WRITE-OFF OF THE UNCOLLECTIBLE ACCOUNTS OF VACATED TENANTS FOR
THE SIX-MONTH PERIOD ENDING
August 31, 2018**

WHEREAS, the regulations of the U.S. Department of Housing and Urban Development require the Commissioners of the Public Housing Agency to approve the write-off of vacated tenants accounts designated as uncollectible, and;

WHEREAS, a reasonable effort has been made to collect the balance due to the Housing Authority by notifying the former tenants by certified mail of the amounts due and informing them that they will be reported to the credit bureau;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of Austin that the Chief Executive Officer is authorized to write off the amount of **TWENTY EIGHT THOUSAND EIGHT HUNDRED AND EIGHTY-NINE DOLLARS AND 42 CENTS (\$28,889.42)**, the total of the attached documentation considered to be uncollectible, from the books of the Housing Authority of the City of Austin for the six-month period ending August 31, 2018.

PASSED, APPROVED AND ADOPTED this 17th day of October 2018.

Michael G. Gerber, Secretary

Carl S. Richie, Jr., Chairperson

Write-Off Balances for Public Housing Properties (Move Out Balances as as of 8/31/18)

No.	FullName	Entity ID	Unit ID	Move Out Date	Move Out Reason*	Rent	Legal	Maintnance	Other	Utility	Fee	Current Elite Account Balance
Chalmers Courts												
1	Anthony R.	056371	001026	03/20/2018	Eviction - Criminal Activity	\$0.00	\$0.00	\$525.74	\$24.01	\$0.00	\$0.00	\$549.75
2	Donald T.	020868	001046	07/19/2018	Eviction - Non-Payment	\$3,082.00	\$286.00	\$375.80	\$128.00	\$0.00	\$0.00	\$3,871.80
3	Christopher W.	055779	001157	04/12/2018	Eviction - Non-Payment	\$750.00	\$286.00	\$451.60	\$192.00	\$0.00	\$0.00	\$1,679.60
Total for Chalmers Courts Project Number 001 :						\$3,832.00	\$572.00	\$1,353.14	\$344.01	\$0.00	\$0.00	\$6,101.15
Goodrich Place												
Total for Goodrich Place Project Number 013 :						\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Lakeside Apartments												
4	Batoul G.	111762	007010	04/10/2018	Scheduled-Resident gave notice	\$0.00	\$0.00	\$0.00	\$14.00	\$0.00	\$0.00	\$14.00
5	Alex B.	107899	007055	08/13/2018	Eviction - Criminal Activity	\$635.50	\$0.00	\$0.00	\$72.00	\$0.00	\$0.00	\$707.50
6	Victor P.	040151	007098	03/19/2018	Scheduled-Resident gave notice	\$59.00	\$0.00	\$0.00	\$33.50	\$0.00	\$0.00	\$92.50
7	Doris A.	005693	007123	07/16/2018	Scheduled-Resident gave notice	\$80.00	\$0.00	\$0.00	\$32.50	\$0.00	\$0.00	\$112.50
8	Ishmael P.	104218	007159	07/03/2018	Deceased	\$314.00	\$0.00	\$0.00	\$50.00	\$0.00	\$0.00	\$364.00
Total for Lakeside Apartments Project Number 007 :						\$1,088.50	\$0.00	\$0.00	\$202.00	\$0.00	\$0.00	\$1,290.50
Rosewood Courts												
9	Michael C.	116153	002028	01/29/2018	Eviction - Non-Payment	\$0.00	\$240.00	\$601.92	\$5,963.00	\$0.00	\$0.00	\$6,804.92
10	Cookie J.	111208	002069	06/25/2018	Scheduled-Resident gave notice	\$0.00	\$0.00	\$33.95	\$0.00	\$0.00	\$0.00	\$33.95
11	Bridgett G.	007095	002113	04/04/2018	Eviction - Lease Non-Compliance	\$35.00	\$0.00	\$12.00	\$15.00	\$0.00	\$0.00	\$62.00
Total for Rosewood Courts Project Number 002 :						\$35.00	\$240.00	\$647.87	\$5,978.00	\$0.00	\$0.00	\$6,900.87
Salina Apartments Projec Number 008:												
12	Melissa M.	049637	008140	05/10/2018	Eviction - Non-Payment	\$325.00	\$286.00	\$90.00	\$62.50	\$0.00	\$0.00	\$763.50
Total for Salina Apartments Project Number 008 :						\$325.00	\$286.00	\$90.00	\$62.50	\$0.00	\$0.00	\$763.50
Santa Rita Courts												
13	David J.	170044	003054	06/14/2018	Eviction - Non-Payment	\$650.00	\$286.00	\$100.20	\$63.00	\$0.00	\$0.00	\$1,099.20
14	Shantea J.	020228	003060	06/14/2018	Eviction - Non-Payment	\$3,180.00	\$286.00	\$897.94	\$120.00	\$225.75	\$0.00	\$4,709.69
Total for Santa Rita Courts Project Number 003 :						\$3,830.00	\$572.00	\$998.14	\$183.00	\$225.75	\$0.00	\$5,808.89
Thurmond Heights Apartments												
15	Michael G.	105335	011013	04/17/2018	Eviction - Non-Payment	\$255.00	\$286.00	\$225.00	\$45.00	\$0.00	\$0.00	\$811.00
16	Shaemica N.	041619	011017	03/19/2018	Eviction - Non-Payment	\$1,184.59	\$121.00	\$1,565.02	\$30.00	\$0.00	\$0.00	\$2,900.61
17	Adolphus H.	171759	011039	07/10/2018	Eviction - Non-Payment	\$282.00	\$0.00	\$0.00	\$45.00	\$0.00	\$0.00	\$327.00
18	Tianna L.	178448	011043	06/21/2018	Eviction - Non-Payment	\$405.00	\$1,848.00	\$1,672.90	\$60.00	\$0.00	\$0.00	\$3,985.90
Total for Thurmond Heights Apartments Project Number: 011						\$2,126.59	\$2,255.00	\$3,462.92	\$180.00	\$0.00	\$0.00	\$8,024.51
Grand Total for all Developments												
						<u>\$11,237.09</u>	<u>\$3,925.00</u>	<u>\$6,552.07</u>	<u>\$6,949.51</u>	<u>\$225.75</u>	<u>\$0.00</u>	<u>\$28,889.42</u>
						39%	14%	23%	24%	1%	0%	100%
Metrics this Period:												
Average Write-Off per Tenant This Period:												\$1,605
Highest Write-Off per Tenant this Period:												\$6,805
Lowest Write-Off per Tenant this Period:												\$14
Average Write-Off per Tenant excluding high and low:												\$1,138
Total Tenant Unit Months in Public Housing this Period: (e.g., 695 units in August x 6 months, plus same for prior 5 months)												4,226
Percentage of Units Written Off this period:												0.4%
vs. Percentage of Units Written Off last period:												0.5%
Total \$ Rent Months due in Public Housing this Period, all units, all months, combined: (e.g., \$176k for August plus prior five months)												1,073,255
Percentage of Rent Written Off vs. Rent Due												2.7%
vs. Percentage of Rent Written Off vs. Rent Due last period:												1.9%

Write-off Analysis

Board Mtg	Accounting Cut-Off Date	W/O Amount	Monthly Average	Monthly Average Tenant Billing	W/O as a Percent of Monthly Billing
10/17/2018	8/31/2018	\$28,889.42	\$4,958	\$178,876	2.8%
4/19/2018	2/28/2018	\$25,896.05	\$5,179	\$195,161	2.7%
8/21/2017	7/31/2017	\$24,716.04	\$6,179	\$294,599	2.1%
4/20/2017	3/31/2017	\$42,218.50	\$7,036	\$366,005	1.9%
10/21/2016		\$60,180.96	\$10,030	\$418,136	2.4%
4/21/2016		\$29,077.19	\$17,576	\$412,396	4.3%
3/24/2016		\$123,295.33	\$17,614	\$405,765	4.3%
10/27/2015		\$58,546.11	\$11,709	\$388,572	3.0%
5/21/2015		\$52,312.38	\$26,156	\$388,791	6.7% *
3/26/2015		\$48,909.77	\$8,152	\$367,780	2.2%
9/18/2014		\$61,831.58	\$10,305	\$357,586	2.9%
4/20/2014		\$57,132.56	\$9,522	\$347,145	2.7%
9/19/2013		\$47,318.99	\$7,886	\$338,433	2.3%
3/1/2013		\$49,988.60	\$8,331	\$327,679	2.5%
9/20/2012		\$55,241.00	\$9,207	\$323,068	2.8%
3/2/2012		\$84,140.75	\$14,023	\$305,487	4.6%

* One tenant's write-off caused this one-time spike in write-off percentages.

Note 1: These balances exclude properties transferred to RAD.

Note 2: Two tenant write-offs less than \$10.00, not shown on this scheduled, were also written off as part of routine write-off less than \$10, during this period.