

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



## **BOARD OF COMMISSIONERS**

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

**Vice-Chairperson - Charles Bailey**

**2nd Vice-Chairperson - Mary Apostolou**

**Commissioner - Dr. Tyra Duncan-Hall**

**Commissioner - Edwina Carrington**

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

## **BOARD OF COMMISSIONERS**

### **Regular Meeting**

**Friday, December 15, 2023**

**8:00 AM**

**HACA Central Office, 1124 S. Interstate Highway 35**

**To attend the meeting via ZOOM dial: 1 346 248 7799 Meeting ID: 825 5625**

**1941 Passcode: 246835**

**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 Office, 1124 S. Interstate Highway 35  
To attend the meeting via ZOOM dial: 1 346 248 7799 Meeting ID: 825 5625 1941  
Passcode: 246835  
Austin, TX  
(512.477.4488)**

**Friday, December 15, 2023  
8:00 AM**

**CALL TO ORDER, ROLL CALL**

**CERTIFICATION OF QUORUM**

**Pledge of Allegiance**

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

**Citywide Advisory Board Update**

**CONSENT AGENDA**

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

**CONSENT ITEMS**

1. Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on November 16, 2023

**ACTION ITEMS**

2. Presentation, Discussion and Possible Action Regarding Resolution No. 02823: Approval of Revisions to the Housing Choice Voucher Administrative Plan
3. Presentation, Discussion and Possible Action Regarding Resolution No. 02824; Approval to Submit the 2024 PHA Annual Plan and Update to the 2020-2024 Five-Year Plan to the U.S. Department of Housing and Urban Development.
4. Presentation, Discussion, and Possible Action on Resolution No. 02825 by the Board of Commissioners of the Housing Authority of the City of Austin (the “Authority”) authorizing the Authority to purchase and acquire approximately 0.68 acres of real property in Austin, Texas (the “Land”) and take any such other actions necessary or convenient to carry out this Resolution

**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 will receive program updates from the President/CEO and other senior staff.**

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.

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\*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 Nidia Hiroms at HACA at 512.477.4488, for additional information; TTY users route through Relay Texas at 711. For more information on HACA, please contact Nidia Hiroms at 512.477.4488 x 2104.

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## BOARD ACTION REQUEST

### EXECUTIVE ITEM NO. 1.

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**MEETING DATE:** December 15, 2023

**STAFF CONTACT:** Michael Gerber, President & CEO

**ITEM TITLE:** Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on November 16, 2023

**BUDGETED ITEM:** N/A

**TOTAL COST:** N/A

### SUMMARY

***Background:***

The Board is being asked to review and approve the Board Minutes Summary for the Board Meeting held on November 16, 2023.

### **ATTACHMENTS:**

- ▣ **20231116 HACA Minutes Summary**

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

**November 16, 2023**

**SUMMARY OF MINUTES**

**THE HOUSING AUTHORITY OF THE CITY OF AUSTIN (HACA) BOARD OF COMMISSIONERS REGULAR BOARD MEETING NOTICE WAS POSTED FOR 12:00 PM ON THURSDAY, NOVEMBER 16, 2023, AND WAS HELD AT THE HACA CENTRAL OFFICE, 1124 S. INTERSTATE HIGHWAY 35 AUSTIN, TX AND VIRTUALLY**

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

**Carl S. Richie, Jr.**, HACA Chairperson called the Board of Commissioners Regular Board Meeting of the Housing Authority of the City of Austin, of November 16, 2023, to order at 12:16 pm. The meeting was held at the HACA Central Office, 1124 S. Interstate Highway 35, Austin, TX and virtually

Roll call certified a quorum was present on the call.

**MEMBERS PRESENT:**

Carl S. Richie, Jr., Chairperson  
Chuck Bailey, Vice-Chairperson (via Zoom)  
Edwina Carrington, Commissioner  
Mary Apostolou, 2<sup>nd</sup> Vice-Chairperson  
Dr. Tyra Duncan-Hall, Commissioner

**MEMBER(S) ABSENT:**

**ALSO IN ATTENDANCE:**

Sarah Scott, Coats Rose  
Bill Walter, Coats Rose

**STAFF PRESENT:**

Barbara Chen, Jorge Vazquez, Kelly Crawford, Leilani Lim-Villegas, Lisa Garcia, Michael Gerber, Michael Roth, Nidia Hiroms, Ron Kowal, and Sylvia Blanco

**PUBLIC HEARING (NOTE: THERE WILL BE A THREE-MINUTE TIME LIMIT) TO ACCEPT PUBLIC COMMENT ON KINGSWOOD APARTMENTS**

Public communication was opened during the Public Hearing. No one provided any communication for Kingswood Apartments.

**PUBLIC COMMUNICATION - (3 minute time limit)**

Public communication was opened during each item on the agenda. No one provided any additional communication during any of the items.

**Mary Lou Veveiros** and **Priscilla Shane** of Suvida Healthcare introduced themselves and provided information on their community health clinic.

**Frederick Daniels**, Thurmond Resident, provided feedback from the CWAB meeting.

**CITYWIDE ADVISORY BOARD (CWAB) – Mary Apostolou**, HACA Board Commissioner, reported that the November CWAB Meeting was held on Tuesday, November 14, 2023 virtually. •**Mike Gerber**, HACA President & CEO acknowledged that as the season and holiday spirit are upon us, we have lots to be thankful for, and **Mr. Gerber** is grateful for the CWAB's ongoing support and leadership for our communities. •**Mike** reported that HACA has a new Strategic Plan and plan and many ambitious projects coming in 2024. •**Michael Roth**, HACA Vice President of Pathways of Asset Management, reported that all residents will receive notices about several documents that all households must sign, which include an update of the House Rules and a more condensed grievance process. These notices will also allow HACA residents to receive electronic communication. All residents must reach out to schedule their appointment with property management. •**Leilani Lim-Villegas**, HACA Senior Director of Community Development, announced that the 2023 National Night Out Winner property is Booker T. Washington. They will receive the NNO trophy at their November Resident Council Meeting. •**Turkey Gift Card Distribution**: November 15 -21 at property community rooms. Please look out for flyers to redeem your \$40 HEB gift card, sponsored by the Austin Apartment Association. This is an earned benefit. Resident Council Officers, FSS members, new move ins in 2023, or families of 3+ will receive one gift card per household. •**Blue Santa**: Registration is closed. This year was first come first served. Questions regarding the status of your Blue Santa should contact (512) 974-2583. •**HACA Holiday Schedule**: HACA offices will be closed on November 23 and 24 for Thanksgiving. •**Barbara Jackson**, Y.E.S. (Youth Education Success) Victory Tutoring will start at Thurmond this afternoon from 4:00 – 6:00 PM. •**BookSpring Family Reading Clubs** started this week at Meadowbrook on Wednesdays from 4:00 -5:00 PM

November 16, 2023

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•**HACA Austin Pathways Resident Scholarship** applications will be available in mid-January. •**Murphy Roland**, HACA Workforce Development Manager reported that Administrative Assistant Certification Courses started on November 14th. Thirteen students from PBRA and Section 8 have enrolled. This program is funded by the United Way 2-Gen grant. •The Safety Ambassador Program finished in October. A new program will start next year. •**Catherine Crago**, Head of Strategic Initiatives reported that Google Fiber Deployments started at Northgate and Thurmond Heights. •ACC interns are assisting with American Connectivity Program (ACP) benefits at Lakeside for residents to receive free cable and to take advantage of the device benefit. •**Borami Lee**, HACA Health & Wellness Manager, reported that there is an updated COVID vaccination now available through HEB, CVS, Walgreens or primary health care providers. Residents were encouraged to stay updated with their flu and COVID shots. HACA staff is working with health partners to bring mobile flu vaccines to HACA properties. •**Daniel Ruiz**, HACA Family Opportunity reported that Financial Journey Classes have started. This class teaches budgeting, credit, and homeownership, and is sponsored by Chase Bank.

## CONSENT ITEMS

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

#### ITEM 1: Presentation, Discussion, and Possible Action regarding the Approval of the Board Minutes Summary for the Board Meeting held on October 19, 2023

**Commissioner Carrington** moved the Approval of the Board Minutes Summary for the Board Meeting held on October 19, 2023. **Commissioner Duncan-Hall** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

#### ITEM 2: Presentation, Discussion, and Possible Action regarding Resolution No. 02819: Approval of the Board of Commissioners Meeting Schedule for 2024

Per the HACA Bylaws, each year the Board of Commissioners is to adopt by resolution a meeting schedule for the following year. This schedule is to be posted and given to the City Clerk's office and posted on the HACA's website and all HACA property management community bulletin boards.

A comprehensive list was created to show all future conference dates of state, regional and national associations. This list also includes the dates for the Austin Independent School District's Spring Break for 2024. Based on these dates, the Board of Commissioners Meeting Schedule was created.

Regular Board meetings are generally scheduled on the 3rd Thursday of each month to be held at the HACA Central Office or at various housing development sites. The Board of Commissioners may reschedule a meeting date/time to ensure a quorum is met or to address an urgent matter on an "as needed basis." The 2024 HACA Board Meeting dates are as follows:

Day/Date	Type of Meeting
Thursday, January 18	Regular Board Meeting
Thursday, February 15	Regular Board Meeting
Thursday, March 21	Annual Board Meeting
Thursday, April 18	Regular Board Meeting
Thursday, May 16	Regular Board Meeting
Thursday, June 20 - optional	Regular Board Meeting
Thursday, July 18	Regular Board Meeting
Thursday, August 15	Regular Board Meeting
Thursday, September 19	Regular Board Meeting
Thursday, October 17 - optional	Regular Board Meeting
Thursday, November 21	Regular Board Meeting
Thursday, December 19	Regular Board Meeting

**Commissioner Carrington** moved the Approval of Resolution No. 02819: Approval of the Board of Commissioners Meeting Schedule for 2024. **Commissioner Duncan-Hall** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

**Chairperson Richie** left the room at 1:50 pm, AAHC **Chairperson Carrington** presiding over the meeting.

## ACTION ITEMS

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

#### ITEM 3: Presentation, Discussion, and Possible Action on Resolution No. 02820 by the Board of Commissioners of the Housing Authority of the City of Austin (the "Authority") to take the following actions with regard to the Bridge at Delco Flats (the "Development") in Austin, Texas: (i) acquire the site of the Development; (ii) lease the Development site to the owner of the Development; and (iii) such other actions necessary or convenient to carry out this Resolution

Austin Affordable Housing Corporation (AAHC) was presented with an opportunity to partner with JCI Residential (Journeyman Group) to partner on a 186-unit multi-family rental property called Delco Flats Apartments. The development is located at 7601 Springdale Road, Austin, Texas 78724. This would be the third (3rd) asset AAHC and JCI have partnered on together. We have

successfully completed Bridge at Granada and Bridge at Turtle Creek. This asset is located in North-East Austin and only a few minutes from downtown. The site has easy access to IH35, HWY 183 and HWY 290.

AAHC's proposed partner, JCI Residential has a proven record of accomplishment with numerous projects completed in and around the Austin area. JCI has an experienced development team in place and has been an excellent partner on our previous two transactions. JCI is a privately held development firm with a current development of more than 200 projects. AAHC works with the Managing Partner, Sam Kumar, and President, Kurt Goll.

The Delco Flats Apartments were completed in June of 2023 and sits on 4.95 acres. Some of the property amenities include a resort-style swimming pool with lounge seating and cabanas, elegant clubhouse with gathering spaces and full conference room, full kitchen, coffee bar, and business center. Residents also enjoy the expansive fitness center, a large pet park and covered parking. The property feeds into the Austin Independent School District and Jordan Elementary School, Dobie Middle School and LBJ Early College High School.

This is an important transaction to HACA and AAHC as we have seen this part of Austin continue to displace the affordable community. This partnership will preserve this asset and add deeper affordability for our current voucher holders and the residents that reside in this area. Being so close to many major employers in and around this location, AAHC and JCI can provide some stable and affordable housing to those stakeholders that are threatened with rising rent costs. This property is home to many individuals who work in and around the area with no current affordability in place.

Below is a breakdown of the unit sizes. The property is currently 94.6% occupied and rents currently range from \$1,200 for a one bedroom to \$1,625 for a two bedroom.

The property is currently owned by JCI Residential and AAHC will enter as the new General Partner at a purchase price \$36,000,000. JCI Residential will be investing approximately \$14,000,000 as a down payment and closing costs. Walker Dunlop will be providing a Freddie Mac new permanent loan with a not to exceed loan amount of \$25,000,000 at a rate of approximately 6.50% with a 30-year amortization. A current lease audit is underway to determine the initial number of units already qualified under 80% AMI. The property is currently 96% occupied. AAHC and JCI are committed to providing 10% of the affordable units at 60% AMI with a target of 20% at 60% AMI and leasing units to all voucher holders. JCI Management will manage the property. The new name for the property will be Bridge at Delco Flats Apartments.

**Sam Kumar**, Principal with the JCI group of companies, was in attendance to answer any questions that the Commissioners had.

**Commissioner Duncan-Hall** moved the Approval of Resolution No. 02820 by the Board of Commissioners of the Housing Authority of the City of Austin (the "Authority") to take the following actions with regard to the Bridge at Delco Flats (the "Development") in Austin, Texas: (i) acquire the site of the Development; (ii) lease the Development site to the owner of the Development; and (iii) such other actions necessary or convenient to carry out this Resolution. **2<sup>nd</sup> Vice-Chairperson Apostolou** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

**ITEM 4: Presentation, Discussion, and Possible Action on Resolution No. 02821 by the Board of Commissioners of the Housing Authority of the City of Austin (the "Authority") to take the following actions with regard to the Bridge at Paloma Apartments (the "Development") in Austin, Texas: (i) acquire the site of the Development; (ii) lease the Development site to the owner of the Development; and (iii) such other actions necessary or convenient to carry out this Resolution**

Austin Affordable Housing Corporation (AAHC) was presented with an opportunity to partner with JCI Residential (Journeyman Group) to partner on a 186-unit multi-family rental property called Paloma Apartments. The development is located at 9911 Dessau Road, Austin, Texas 78754. This would be the fourth (4<sup>rd</sup>) asset AAHC and JCI have partnered on together. We have successfully completed Bridge at Granada and Bridge at Turtle Creek. This asset is located in North-East Austin with and only a few minutes from downtown. The site has easy access to IH35, HWY 183 and HWY 290.

AAHC's proposed partner, JCI Residential has a proven record of accomplishment with numerous projects completed in and around the Austin area. JCI has an experienced development team in place and has been an excellent partner on our previous two transactions. JCI is a privately held development firm with a current development of more than 200 projects. AAHC works with the Managing Partner, Sam Kumar, and President, Kurt Goll.

The Paloma Apartments were completed in May of 2023 and sits on 10.95 acres. Some of the property amenities include a resort-style swimming pool with lounge seating and cabanas, elegant clubhouse with gathering spaces and full conference room, full kitchen, coffee bar, and business center. Residents also enjoy the expansive fitness center, a large pet park and covered parking. The property feeds into the Manor Independent School District and Pioneer Crossing Elementary School, Decker Middle School and Manor High School.

This is an important transaction to HACA and AAHC as we have seen this part of Austin continue to displace the affordable community. This partnership will preserve this asset and add deeper affordability for our current voucher holders and the residents that reside in this area. Being so close to many major employers in and around this location, AAHC and JCI can provide some

stable and affordable housing to those stakeholders that are threatened with rising rent costs. This property is home to many individuals and families who work in and around the area with no current affordability in place.

Below is a breakdown of the unit sizes. The property is currently 94% occupied and rents currently range from \$1,200 for a one bedroom to \$1,625 for a three bedroom.

The purchase price for the Paloma Apartments is \$65,000,000. JCI will be investing approximately \$20,000,000 as a down payment. Berkadia will be providing a Freddie Mac permanent loan with a not to exceed loan amount of \$43,000,000 at a rate of approximately 6.50% with a 30-year amortization. A current lease audit is underway to determine the initial number of units already qualified under 80% AMI. The property is currently 94% occupied. AAHC and JCI are committed to providing 10% of the affordable units at 60% AMI with a goal to achieve 20% at 60% AMI and leasing units to all voucher holders. JC Management will manage the property. The new name for the property will be Bridge at Paloma Apartments.

**Commissioner Duncan-Hall** moved the Approval on Resolution No. 02821 by the Board of Commissioners of the Housing Authority of the City of Austin (the "Authority") to take the following actions with regard to the Bridge at Paloma Apartments (the "Development") in Austin, Texas: (i) acquire the site of the Development; (ii) lease the Development site to the owner of the Development; and (iii) such other actions necessary or convenient to carry out this Resolution. **2<sup>nd</sup> Vice-Chairperson Apostolou** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

**ITEM 5: Presentation, Discussion, and Possible Action on Resolution No. 02822 by the Board of Commissioners of the Housing Authority of the City of Austin (the "Authority") approving resolution of Austin Affordable PFC, Inc. providing for the issuance of its Multifamily Housing Revenue Bonds (Kingswood Apartments) Series 2023A and Multifamily Housing Revenue Bonds (Kingswood Apartments) Taxable Series 2023B; approving the form and substance of and authorizing the execution and delivery of documents and instruments necessary to carry out the financing of such multifamily rental residential development; and containing other provisions relating to the subject**

Austin Affordable Housing Corporation was presented with an opportunity to partner with LDG Multifamily, LLC ("LDG") on a 23.054 acre tract of land located at the southeast corner of FM Road 812 and Burklund Farms Road, Austin, Texas 78617 in the Austin extraterritorial jurisdiction (ETJ). The project ("Kingswood") will consist of 328 family apartment units serving tenants at or below 60% of median family income. The nearest properties in AAHC's current portfolio are Pointe and Villages of Ben White to the northwest. This will be our 14th property in partnership with LDG; all new construction projects.

Kingswood was initially presented to the Board in 2020, but we were unable to obtain a bond reservation at that time. We brought the property back to the board in February 2023 for approval to submit another bond application. The bond allocation was awarded to us on July 6, 2023. We have received approvals from the Austin City Council and the Travis County Commissioners to proceed with the project. If approved by the Board today, we will proceed to close and start construction in December.

This property will benefit HACA and AAHC with deep affordability, a large number of family units and close proximity to TESLA and all the businesses that are building close to TESLA. All units will be marketed to HACA's Housing Choice Voucher residents. Once built, we will name the property Bridge at Kingswood.

The development will use a mixture of 4% tax credits and bonds to finance the development with a total project cost of approximately \$107,000,000. The planned development will consist of 48 one bedroom and one bath units, 132 two bedroom and two bath units, 124 three bedroom and two bath units, and 24 four bedroom and two bath units. HACA, through its Public Facility Corporation is requesting the approval of an issuance of tax-exempt bonds in an amount not to exceed \$50,000,000 and a taxable tail not to exceed \$13,000,000. Bellwether Enterprise Real Estate Capital, LLC ("Bellwether") will provide both construction period and permanent mortgage financing. Rickhaus Design, LLC and/or its affiliate will provide a \$5,000,000 subordinate loan through construction. Enterprise Housing Credit Investments ) will provide equity at \$.88 per credit, which would be an estimated \$43,384,000 in total equity.

**2<sup>nd</sup> Vice-Chairperson Apostolou** moved the Approval of Resolution No. 02822 by the Board of Commissioners of the Housing Authority of the City of Austin (the "Authority") approving resolution of Austin Affordable PFC, Inc. providing for the issuance of its Multifamily Housing Revenue Bonds (Kingswood Apartments) Series 2023A and Multifamily Housing Revenue Bonds (Kingswood Apartments) Taxable Series 2023B; approving the form and substance of and authorizing the execution and delivery of documents and instruments necessary to carry out the financing of such multifamily rental residential development; and containing other provisions relating to the subject. **Commissioner Duncan-Hall** seconded the motion. The motion Passed (4-Ayes and 0-Nays).

**Chairperson Richie** returned to the room at 2:00 pm and presided the remainder of the meeting.

## **EXECUTIVE SESSION**

The Board recesses into Executive Session at 2:00 pm.

The Board returned to Open Session at 3:15 pm. No action was taken during the Executive Session.



**REPORTS**

**Mike Gerber**, HACA President & CEO invited the Commissioners to join the HACA staff for an all agency photo at Lakeside and holiday luncheon at Fogo de Chao on December 15<sup>th</sup>. **Mr. Gerber** polled the Commissioners to see if they were agreeable to changing the date of the December Board Meeting to the morning of December 15<sup>th</sup>. All Commissioners agreed.

**Commissioner Carrington** moved to adjourn the meeting. **Commissioner Duncan-Hall** seconded the motion. The motion Passed (5-Ayes and 0-Nays).

The meeting adjourned at 3:25 pm.

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**Michael G. Gerber, Secretary**

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**Chairperson**

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## BOARD ACTION REQUEST

### RESOLUTION NO. 02823

#### ASSISTED HOUSING ITEM NO. 2.

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**MEETING DATE:** December 15, 2023

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

**ITEM TITLE:** Presentation, Discussion and Possible Action Regarding Resolution No. 02823:  
Approval of Revisions to the Housing Choice Voucher Administrative Plan

**BUDGETED ITEM:** N/A

**TOTAL COST:** N/A

#### **ACTION**

The Board is being asked to approve Resolution No. 02823 adopting revisions to the Housing Choice Voucher Administrative Plan. These revisions were discussed at the October 19, 2023 Board Meeting.

#### **SUMMARY**

##### ***Background:***

The Housing Choice Voucher (HCV) program's 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 following summarizes the proposed changes to the HCV Administrative Plan.

##### **Debts owed policy revisions**

- Removed requirement that debt owed to HACA or another PHA needs to be paid before being placed on the HCV wait list and removed the four year statute of limitation statement regarding debt owed.
- Added policy that states families in Project-based Rental Assistance (PBRA) properties with outstanding debts will be considered ineligible to transition to the HCV program until debt is paid in full.
- Deleted policy that allowed PBRA households currently making payments on debts owed to HACA to have access to a voucher.

**Selection and Funding Sources** - Added Stability Vouchers and Emergency Housing Vouchers as programs HACA administers.

Removed public housing and PBRA discretionary Special Accommodation preference.

**Subsidy standards** - Edited subsidy standards to allow a maximum of 2 persons in efficiency units and for Single Room Occupancy units (SRO) a maximum of 1 person in the household.

**Minimum rent from \$25.00 to zero** to ease the financial burden for families with limited income or resources to help stabilize their housing.

#### **Reexaminations and interims**

Revised earned income disallowance policy per the Housing Opportunities Through Modernization Act (HOTMA) requirements and interim reporting requirements to align with HOTMA requirements.

#### **Project-based Voucher (PBV) chapter edits to include the following:**

Pathways at Chalmers Courts West received 50 PBV vouchers and HUD recently awarded HACA 50 tenant-protection vouchers (TPV) for Chalmers Courts West. HACA will project-base these TPVs which will bring the total number of project-based vouchers at Chalmers West to 100 PBVs.

Add wait list and tenant selection policy for new project-base voucher allocations for Skyline Terrace, Kensington, Burleson, Cairn Point, Lancaster, Real Gardens, Rhett, Roz, Sasha, and The Works at Tillery.

**Choice Mobility for Project-base Rental Assistance program** – Add a Project Turnover Cap. In any calendar year, HACA will limit the number of Choice-Mobility moves exercised by eligible households to 15% of the assisted units in the project in any given year. HACA will maintain a Choice-Mobility Priority List in the order in which the requests from eligible households were received.

#### **Special Purpose Vouchers updates**

- **Veteran Affairs Supportive Housing program (VASH)** – Amend policy to indicate that HACA will admit VASH referrals who qualify under the low-income (80%) limit.
- **Mainstream Extraordinary Administrative Fees (EAF)** – Describe the use of EAF for the Mainstream program to be used for current administrative costs for employees who work with the Mainstream program to expedite lease-up and provide support and for security deposits for initial move-ins.
- **Stability Vouchers** – Added Stability Voucher policy to Chapter 19: Special Purpose Voucher chapter. HACA received an award of 44 Stability Vouchers. These new vouchers will serve people experiencing homelessness with referrals received through the Coordinated Entry System. HACA has completed a community engagement process to develop a voucher prioritization plan and has identified service partners to support program participants. Integral Care, Downtown Austin Community Court, Family Eldercare, and Lifeworks will provide Permanent Supportive Housing Services to Stability Voucher participants.
- **Emergency Housing Voucher (EHV) Program** - Added EHV program policy and revised service fees limits policy to ensure the remaining service funds are spent to help existing EHV participants successfully obtain and retain housing.

#### ***Process:***

Proposed changes to the Housing Choice Voucher (HCV) Administrative Plan went out for public comment for 30 days beginning on October 20, 2023 until November 20, 2023.

HACA held a public hearing and presentation to the Housing Choice Voucher Advisory Board on November 9, 2023 with one attending in person. Presentations were conducted on the changes to the HCV Administrative Plan and the PHA Annual and Five Year Plans with focus on agency goals and progress towards those goals.

During the presentation, the participant asked questions to further her understanding of the items discussed.

However, no comments on proposed changes were provided. Participants were advised of the deadline and manner to provide public comment if they chose to do so after the presentation.

HACA held a public hearing on October 30, 2023, with zero people in attendance.

Additionally, the Vice President of Assisted Housing presented the propose changes at the November 6, 2023, Ending Community Homelessness Coalition's Leadership Council meeting.

On November 21, 2023, HACA received a written comment letter from Texas Rio Grande Legal Aid, Inc. included in Attachment 4 . The comments were reviewed and considered. HACA's response letter is included as Attachment 3.

On December 4, 2023, HACA received a comment letter from ADAPT of Texas included as Attachment 6. The comments were reviewed and considered. HACA's response letter is included as Attachment 5. HACA also received a comment letter from Reentry Roundtable included as Attachment 7.

The proposed changes to the HCV Administrative Plan incorporate updates summarized in Attachment 1 and reflected in Attachment 2.

***Staff Recommendation:***

Staff is asking the Board of Commissioners' approval of revisions to HACA's Housing Choice Voucher Administrative Plan. Proposed revisions will go into effect upon approval and adoption.

**ATTACHMENTS:**

- ❑ **Attachment 1 HCV Summary of changes**
- ❑ **Attachment 2 HCV Admin Plan proposed revisions**
- ❑ **Attachment 3 TRLA Response letter**
- ❑ **Attachment 4 TLRA comment letter**
- ❑ **Attachment 5 HACA's response to ADAPT's comment letter**
- ❑ **Attachment 6 ADAPT's comment letter**
- ❑ **Attachment 7 Reentry Roundtable's comment letter**

**RESOLUTION NO. 02823**

**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 October 20, 2023 and ending at 5:00 p.m. on November 20, 2023; and

**WHEREAS**, the Housing Authority of the City of Austin received written comments from Texas Rio Grande Legal Aid, Inc. All comments were reviewed and considered; and

**WHEREAS**, the Housing Authority of the City of Austin received written comments from ADAPT of Texas. All comments were reviewed and considered; 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.

**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 15th day of December, 2023.

\_\_\_\_\_  
Carl S. Richie, Jr., Chairperson

\_\_\_\_\_  
Michael G. Gerber, Secretary

Section	Page Numbers	Summary of Changes Made in Admin Plan
3-III.C. Other Permitted Reasons for Denial of Assistance	76	Removed section regarding if an applicant family owes a move out balance or debt to HACA they need to pay before being placed on the waiting list.
	78-79	Removed four year statute of limitation statement regarding debt owed.  Deleted policy that allowed PBRA households currently making payments on debt owed to HACA to have access to a voucher. Debt must be paid in full to receive a HCV voucher.
	80	Revised age for criminal background checks from 17 years to 18 years.
	84	Removed the language regarding notices sent to inform applicant of debt owned or move-out balances and need to pay before being placed on waiting list.
4-III.B. Selection and funding Sources	106	Added Stability Vouchers and Emergency Housing Vouchers as programs HACA administers
4-III.C. Selection Method	107	Removed – Public Housing Special Accommodations preference
	110-112	Removed – Project-Based Rental Assistance (PBRA) Special Accommodation preference
5-II.B. Determining Family Unit (Voucher) Size	132	Revised subsidy standards to allow for a maximum of 2 persons in efficiency units and added Single Room Occupancy with a maximum of 1 person
6-III.A. Overview of Rent and Subsidy Calculations	172-173	Revised minimum rent from \$25.00 to zero to ease the financial burden for families with limited income or resources

Section	Page Numbers	Summary of Changes Made in Admin Plan
Chapter 11 Reexaminations & Interims	286, 289	Removed Interims processed for Earned Income Disallowance (EID) – per HOTMA no more new EID clients effective 1-1-2024 and EID sunsets 1-1-2026
	287-288	Revised reporting requirements to families required to report all changes in income or family composition within 30 days of occurrence.
Chapter 17: Project-Based Vouchers	453	Revised policy to reflect 100 project-based vouchers at Chalmers West as HACA received 50 tenant-protection vouchers (TPV) for Chalmers West, which were project-based increasing total PBVs from 50 to 100.
	464-474	Added PBV Tenant selection criteria for Lancaster, the Sasha, The Works at Tillery, Skyline Terrace, Real Gardens, The Roz, Burleson Studios, Cairn Point, Kensington Apartments, and the Rhett
Chapter 18: Choice Mobility	502-504	Added policy on project turnover cap limiting the number of choice mobility moves by 15% of the assisted units in a project for any given year.
	503	Removed statement they HACA will notify families about choice mobility during recertification appointment.
	505	Deleted policy regarding selecting 1/3 of the total monthly vouchers issued will come from the Choice Mobility wait list.
	506-507	Added policy that states families in PBRA properties with outstanding debts will be considered ineligible to transition to the HCV program until debt is paid in full. Deleted policy that allowed PBRA households currently making payments on debt owed to HACA to have access to a voucher.

Section	Page Numbers	Summary of Changes Made in Admin Plan
Chapter 19: Special Purpose Vouchers	543	Added policy that HACA will admit VASH referrals who qualify under the low income (80%) limit.
	555-556	Added policy regarding Extraordinary Administrative Fees (EAF) for the Mainstream Voucher program to state fees will be used for administrative costs and to assist Mainstream clients with paying security deposits.
	561-580	Added Stability Voucher policy to administer 44 new Stability Vouchers
	581-601	Added Emergency Housing Voucher program policy which was previously approved as Temporary Policy Supplement



### 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.

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.

#### 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.

determine whether any household member is subject to a lifetime sex offender registration requirement in the state where the housing is located and in other states where the household members are known to have resided.

As it relates to #2 above, currently engaged in the illegal use of a drug includes recent behavior within 12 months.

As it relates to #2 and #3 above, HACA may consider admitting the applicant if the household member who engaged in the drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by HACA or the household member who engaged in the drug-related criminal activity no longer lives in the household.

**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 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.

- ✚ 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. ~~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.~~

~~HACA will not deny admissions if the head or co-head are moving from the HACA Project Based Rental Assistance (PBRA) program to the HACA Section 8 program (or vice versa) and are in compliance with their HACA repayment agreements. Compliance with a repayment agreement requires at least two on-time, monthly payments.~~

- 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 currently under eviction status or that has been evicted from federally-assisted housing in the last three 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.

### 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

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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 18<sup>7</sup> 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.

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.

denied, (2) the family's right to an informal review, and (3) the process for obtaining the informal review [24 CFR 982.554 (a)]. See Chapter 16, for informal review policies and procedures.

#### HACA Policy

Notice policies related to preliminary ineligibility are as follows:

If an applicant is determined not to be eligible, the applicant shall be notified in writing of such ineligibility. The notice must specify the reasons for the determination and offer the applicant an opportunity for a review of the decision.

~~If the rejection was based on a debt owed to HACA, the notice shall inform the applicant that she or he has 30 calendar days from the date of the notification letter to pay 1/2 the amount owed to HACA and sign a payment agreement for the remaining balance in order to keep their application date and time, or has 15 calendar days to request in writing an informal review.~~

~~In order for the payment agreement to be timely, HACA must receive the payment agreement by 5:00 p.m. on the 30th calendar day. For the purposes of calculating the 30 day time frame above, the date of the letter shall be excluded.~~

~~If the applicant makes a written request for an informal review for a rejection based upon a move-out balance due or debts to HACA within the time frame allowed, the Hearing Officer will conduct the informal review. This review does not deprive the applicant of other rights if she or he believes that she or he has been discriminated against on the basis of race, color, religion, sex, national origin, age, disability or familial status. The informal review shall only review the particular decision in question. If the Hearing Officer believes that the rejection was improper, the applicant's application shall be processed in the same manner as all other applications in accordance with the date and time the application was received by HACA. If the rejection is found to be proper, the applicant must pay half of the amount due to HACA and sign a repayment agreement for the remaining balance within 15 calendar days from the date that such decision was made in order for the applicant's application date and time to be valid. Payment agreements will be monitored monthly by HACA and applicants will be removed from the waiting list should they not comply with the terms of the payment agreement. Full payment by money order or certified funds is required before the applicant is offered a housing unit.~~

If the applicant makes a written request for an informal review for a rejection ~~based upon other preliminary eligibility criteria~~ within the time frame allowed, the Hearing Officer will conduct the informal review. This review does not deprive the applicant of other rights if she or he believes that she or he has been discriminated against on the basis of race, color, religion, sex, national origin, age, disability or familial status. The informal review shall only review the particular decision in question. If the Hearing Officer believes that the rejection was improper, the applicant's application shall be processed in the same manner as all other applications in accordance with the date and time the application was submitted. The applicant will be entitled to review all documentation, including police reports, which are relied upon by HACA and provided the opportunity to dispute the accuracy and relevance of that record. If the Hearing Officer decides that the rejection was proper, the rejection will be final. The applicant will not be eligible to

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 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

Foster Youth to Independence

[Stability Vouchers](#)

[Emergency Housing Vouchers](#)

#### **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).

2. 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
<del>PH Special Accommodation</del>	<del>= 3</del>
FUP/FYI Youth	= 3
NED+Homeless/Institutionalized	= 2
RAD or PBRA Relocation	= 4
PBV Right to Move	= 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 family that has been terminated from its HCV program due to insufficient program

- (H) ~~Project-Based Rental Assistance (PBRA)~~**Special Accommodation Preference:**  
HACA will give preference to families that are currently housed in 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 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 PBRA families waiting on the transfer list to be eligible, they must:~~

- a) ~~Be currently housed in a PBRA unit 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.);~~
- e) ~~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 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 PBRA waiting list and waiting for their first housing offer, they must:~~

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a) ~~Have a current application on the PBRA waiting list which was drawn according to the regular rules and guidelines of the PBRA waiting list.~~

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b) ~~Have completed eligibility certification and are eligible for the PBRA program.~~

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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.).~~

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d) ~~Have waited more than 9 months since completing the eligibility process for PBRA without receiving a housing offer specifically due to either one of the following:~~

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1. ~~The needed accommodation is not economically feasible to be done in HACA's existing 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 current PBRA families or families drawn off the PBRA 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.~~

~~e) The total number of families (from current PBRA families and families drawn off the PBRA waiting list) eligible to receive this preference will be capped at no more than 10 families per calendar year.~~

- (I) **FUP/FYI Youth Preference:** HACA will give preference to FUP and FYI youth whose 36-60 month FUP/FYI voucher is expiring and they will lack adequate housing as a result of voucher expiration. To be eligible for this voucher, the FUP or FYI 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 or FYI 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 or PBRA Relocation Preference:** HACA may give preference to families currently housed in HACA's properties that are undergoing significant renovation or redevelopment through RAD or redevelopment of a PBRA property 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 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.
- (M) **PBV Right to Move (24 CFR 983.261):** HACA will give preference to families living in a project-based voucher unit who request comparable tenant-based rental assistance and give the owner advance written notice of intent to vacate (with a copy to the PHA) in accordance with the lease. Residents living in a PBV unit may request a tenant-base voucher 12 months after living in a PBV unit.

Voucher Size	Person in Household (minimum –maximum)
<u>Single Room Occupancy</u>	<u>1-1</u>
0 or efficiency bedroom	1-2
<u>1 bedroom</u>	<u>1-2</u>
<u>2 bedrooms</u>	<u>2-4</u>
<u>3 bedrooms</u>	<u>4-6</u>
<u>4 bedrooms</u>	<u>6-8</u>
<u>5 bedrooms</u>	<u>8-10</u>

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<u>Voucher Size</u>	<u>Persons in Household</u> (Minimum—Maximum)
<u>0 or efficiency Bedroom</u>	<u>1-1</u>
<u>1 Bedroom</u>	<u>1-2</u>
<u>2 Bedrooms</u>	<u>2-4</u>
<u>3 Bedrooms</u>	<u>4-6</u>
<u>4 Bedrooms</u>	<u>6-8</u>
<u>5 Bedrooms</u>	<u>8-10</u>

### 5-II.C. EXCEPTIONS TO SUBSIDY STANDARDS

In determining family unit size for a particular family, HACA may grant an exception to its established subsidy standards if HACA determines that the exception is justified by the age, sex, health, handicap, or relationship of family members or other personal circumstances [24 CFR 982.402(b)(8)].

#### HACA Policy

HACA will consider granting an exception for any of the reasons specified in the regulation: age and gender, health, handicap, or relationship of family members or other personal circumstances.

The family must request any exception to the subsidy standards in writing. The request must explain the need or justification for a larger unit size, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source (e.g. doctor or health professional), unless the disability and the disability-related request for accommodation is readily apparent or otherwise known. The family's continued need for an additional bedroom due to special medical equipment must be re-verified at the annual reexamination.

HACA will notify the family of its determination within 15 calendar days of receiving the family's request. If a participant family's request is denied, the notice will inform the

### PART III: CALCULATING FAMILY SHARE AND PHA SUBSIDY

#### 6-III.A. OVERVIEW OF RENT AND SUBSIDY CALCULATIONS

##### TTP Formula [24 CFR 5.628]

HUD regulations specify the formula for calculating the total tenant payment (TTP) for an assisted family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30 percent of the family's monthly adjusted income (adjusted income is defined in Part II)
- 10 percent 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 HACA

HACA has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in section 6-III.B.

The amount that a family pays for rent and utilities (the family share) will never be less than the family's TTP but may be greater than the TTP depending on the rent charged for the unit the family selects.

##### 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 ~~\$0~~\$25.

##### Family Share [24 CFR 982.305(a)(5)]

If a family chooses a unit with a gross rent (rent to owner plus an allowance for tenant-paid utilities) that exceeds HACA's applicable payment standard: (1) the family will pay more than the TTP, and (2) at initial occupancy HACA may not approve the tenancy if it would require the family share to exceed 40 percent of the family's monthly adjusted income. The income used for this determination must have been verified no earlier than 60 days before the family's voucher was issued. (For a discussion of the application of payment standards, see section 6-III.C.)

##### PHA Subsidy [24 CFR 982.505(b)]

HACA will pay a monthly housing assistance payment (HAP) for a family that is equal to the lower of (1) the applicable payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP. (For a discussion of the application of payment standards, see section 6-III.C.)

##### Utility Reimbursement [24 CFR 982.514(b)] 982.514(c)]

When HACA subsidy for a family exceeds the rent to owner, the family is due a utility reimbursement. HUD permits HACA to pay the reimbursement to the family or directly to the utility provider.

#### HACA Policy

HACA will make monthly utility reimbursements to the family.

### **6-III.B. FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]**

#### HACA Policy

HACA has established a minimum rent of ~~\$0~~<sup>25</sup>.

#### **Overview**

If HACA establishes a minimum rent greater than zero, HACA must grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If HACA determines that a hardship exists, the family share is the highest of the remaining components of the family's calculated TTP.

#### **HUD-Defined Financial Hardship**

Financial hardship includes the following situations:

- (1) The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.

#### HACA Policy

A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.

Loss of eligibility due to fraud will not be considered a hardship under this circumstance.

For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following (1) implementation of assistance, if approved, or (2) the decision to deny assistance. HACA does not consider a family appealing a denial decision under eligibility determination as "awaiting an eligibility determination." A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.

- (2) The family would be evicted because it is unable to pay the minimum rent.

#### HACA Policy

For a family to qualify under this provision, the cause of the potential eviction must be the family's failure to pay rent to the owner or tenant-paid utilities.

## Visitors

The length of stay for visitors is usually defined by the landlord and indicated in the lease. For program purposes, if any individual stays in the unit more than 30 consecutive days, the head of household must report in writing the additional person and request approval from the owner/manager and HACA to add the family member to the lease. The proposed new household member would need to meet the admissions screening criteria as described in Chapter 3.

## Family Break-Up

In the event of family break up, the HCV subsidy shall remain with that parent/guardian whom has legal custody of any minor children involved. Should HACA be unable to make a determination as to which parent has legal custody, other factors to be considered would include which family member was the original head of household, whether family members are forced to leave as a result of actual or threatened violence, or any other mitigating circumstances brought to the attention of HACA. In cases where a court determines which family member remains with the subsidy, then the decision of the court shall be final. A written decision will be provided to the family, and the family will be provided a right to appeal the decision.

## 11-IL.C. 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. When a family reports a change, HACA may take different actions depending on whether the family reported the change voluntarily, or because they were required to do so.

### PHA-Initiated Interim Reexaminations

PHA-initiated interim reexaminations are those that are scheduled based on circumstances or criteria defined by HACA. They are not scheduled because of changes reported by the family.

#### HACA Policy

HACA will conduct interim reexaminations in each of the following instances:

#### ~~Interims as a result of Earned Income Disallowance (EID)~~

~~For families receiving the Earned Income Disallowance (EID), HACA will conduct an interim reexamination at the start and conclusion of the 24-month eligibility period.~~

#### Zero Income

If the family has reported zero income, HACA may conduct follow-up appointments. During the appointment, the family's income and expenses will be reviewed. The family will be supplied with information on how to secure income. If the family still claims 0 (zero) income, they ~~may will~~ be required to fill out a 0 (zero) income form and provide information on how they pay for expenses. If it is determined that the family had income and failed to report it, the interim increase would be made effective immediately, the family would be processed for fraud and required to pay back any over-paid subsidies and their assistance may be processed for termination.

### Seasonal or cyclic income

For a family member who has temporary or seasonal income, HACA may calculate the next 12 months earnings using an average of the past 12 months of earnings. If at the time of the annual reexamination, it is not feasible to anticipate a level of income for the next 12 months, HACA will schedule an interim reexamination to coincide with the end of the period for which it is feasible to project income.

### Other examples of HACA initiated Interim Reexaminations

If at the time of the annual reexamination, tenant-provided documents were used on a provisional basis due to the lack of third-party verification, and third-party verification becomes available, HACA will conduct an interim reexamination.

If there has been a change in circumstances for a tenant or a tenant disputes the income calculation, HACA may conduct an interim reexamination.

HACA may conduct an interim reexamination at any time in order to correct an error in a previous reexamination, or to investigate a tenant fraud complaint.

### Payment Standard Errors

If it is discovered during the screening process that the family was not downgraded or upgraded in error to the proper bedroom size based on current subsidy standard policy, HACA will conduct an interim to downgrade or upgrade to the proper bedroom size.

### Family-Initiated Interim Reexaminations

HACA must adopt policies prescribing when and under what conditions the family must report changes in family income or expenses [24 CFR 982.516(c)]. In addition, HUD regulations require that the family be permitted to obtain an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)].

### Reporting Requirements for Changes in income and family composition

#### HACA Policy

#### **Required Reporting**

The family is required to report the following in writing within 30 calendar days from the date of occurrence.

1. Families ~~must~~ are not required to report increases in earned and unearned income sources and/or increases in assets within 30 days of occurrence, between annual reexaminations.

~~If the family is on zero income, the family must report any changes in income, regardless of the amount.~~

2. All changes in family composition must be reported in writing within 30 days from the date of occurrence.

**Not required to report**

~~The family is not required to report the following until the next annual re-examination.~~

~~1. Cost of living adjustments to recipients of Social Security, TANF and Veteran assistance or increased amounts of other unearned income.~~

~~2. Families are not required to report increases in earned income sources and/or increases in assets between annual reexaminations.~~

**Optional Reporting Requirements**

~~1. FSS participants may request rent increases be processed to increase the escrow account.~~

**11-IL.D. PROCESSING THE INTERIM REEXAMINATION****Method of Reporting**HACA Policy

The participant must complete an update form and provide necessary information to support the change. The participant must submit any required information or documents within 14 calendar days of receiving a request from HACA. This timeframe may be extended for good cause with HACA approval. HACA will accept required documentation by mail, email, fax, the on-line certification portal or in person. When all necessary verification is complete, the housing eligibility specialist will complete a Rent Change Notice reflecting the change in rent portions and the effective date. A notice will be sent to the family and owner. Generally, the family will not be required to attend an interview for an interim reexamination. However, if HACA determines that an interview is warranted, the family may be required to attend.

**Effective Dates**

HACA must establish the timeframes in which any changes that result from an interim reexamination will take effect [24 CFR 982.516(d)]. The changes may be applied either retroactively or prospectively, depending on whether there is to be an increase or a decrease in the family share of the rent, and whether the family reported any required information within the required time frames [HCV GB, p. 12-10].

HACA Policy**If the family share of the rent is to increase:**

When the change is reported in a timely manner, the family will be given a 30-day notice prior to the first of the month for any increase in tenant rent.

The following interim increases will be processed at the next annual re-examination.

- 1) Cost of living adjustments to recipients of Social Security or SSI, Welfare and Veterans assistance or increased amounts of other current unearned income will be calculated at the next annual re-examination.



- 2) Increases in assets will be calculated at the next re-examination.
- 3) Increases in earned income will be calculated at the next re-examination unless the household is on zero income.

**The following will be processed as interims between re-examinations:**

**~~Interims as a result of Earned Income Disallowance (EID)~~**

~~For families receiving the Earned Income Disallowance (EID), HACA will conduct an interim re-examination at the start and conclusion of the 24-month eligibility period.~~

**Zero Income**

Interim increases, regardless of the amount, will be processed when current household income is zero.

**FSS Participant**

~~Interim increases for FSS participants will be processed upon request.~~

If HACA experiences a change in HCV administrative fees or staffing, the Vice President of Assisted Housing, with the approval of the President and CEO, has the discretion to make changes regarding the procedures to process interim increases by providing a written notice to staff outlining which interim increases will be processed and when to process interims.

In the event an increase in income was not reported in a timely manner, HACA may:

Retroactively establish the correct Housing Assistance Payment and require the tenant to repay any amounts owed to HACA for the period they earned higher income but did not report;

Terminate the participant from the program for willful intent to commit fraud; or

Report the violation to the HUD Office of Inspector General and or local authorities for prosecution.

The family will be responsible for any overpaid subsidy and may be offered a repayment agreement in accordance with the policies in Chapter 14 and 16.

**If the family share of the rent is to decrease:**

Changes will be made only after the tenant reports the change in writing by completing an update form and providing proper information or documentation. If the tenant reports the change in writing with proper documentation, the change will be effective the first of the following month. If staff is unable to process the change by the first of the month, retroactive rent will be paid back to the appropriate effective date.

#### Forty-two (42) regular Project-based Vouchers

HACA will use the same selection preferences that are used for the HCV tenant-based voucher program for the 42 regular PBV units.

Applicants on the Housing Choice Voucher programs tenant-based waiting list will be added to Pathways at Chalmers Court East project-based voucher waiting list. If the Housing Choice Voucher waiting list doesn't provide enough referrals to fill the available project-based voucher units, referrals would come directly from Pathways at Chalmers Court East to be added to the project-based voucher waiting list. Households who meet the Housing Choice Voucher initial eligibility requirements will be referred to Pathways at Chalmers Court East for a project-based voucher unit.

Eligible applicants must meet Pathways at Chalmers Court East tenant selection screening criteria.

If the applicant was previously on the Housing Choice Voucher waiting and decides not to lease a unit at Pathways at Chalmers Court East, the applicant will remain on the HCV tenant-based voucher waiting list.

If the applicant was not previously on the Housing Choice Voucher waiting list and was referred to apply by Pathways at Chalmers Court East and refuses an offer of PBV assistance or does not meet Pathways at Chalmers Court East's screening criteria, they will not be eligible to remain on the regular tenant-based Housing Choice Voucher waiting list.

#### Pathways at Chalmers Court West

HACA will project-base ~~100~~50 vouchers at Chalmers Court West, eight (8) will be Project-based VASH Vouchers. [HACA received 50 tenant-protection vouchers \(TPV\) for Chalmers West, which were project-based and included in the 100 total PBVs.](#)

The property is located at 1600 E 3<sup>rd</sup> Street, Austin Texas.

#### Tenant Selection

Eight (8) Project-based VASH Vouchers

For the eight PBV VASH vouchers. HACA will accept HUD-VASH applicants for vacant units in the order received from the Veterans Affairs Austin Outpatient Clinic in accordance with HUD-VASH Operating Requirements.

~~Ninety~~Forty-two (42) regular Project-based Vouchers

HACA will use the same selection preferences that are used for the HCV tenant-base voucher

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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral	= 1
Project-Specific Supportive Services Need	= 1
Disability	= 1
Chronically Homeless	= 2

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.

**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

#### ~~The Lancaster (Safe Alliance)~~

HACA will project-base 30 units at Lancaster. The property is located at 5111-5115 Lancaster Court, Austin TX 78723.

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### Tenant Selection

HACA will allow the PBV owner to refer households for placement on the waiting list. HACA 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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

<u>Owner Referral</u>	<u>= 1</u>
<u>Project-Specific Supportive Services Need</u>	<u>= 1</u>
<u>Disability</u>	<u>= 1</u>
<u>Chronically Homeless</u>	<u>= 2</u>

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.

**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

**The Sasha**

HACA will project-base 25 units at the Sasha. The property is located at 1401 Grove Blvd, Austin, TX 78741.

**Tenant Selection**

HACA will allow the PBV owner to refer households for placement on the waiting list. HACA 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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral = 1

Project-Specific Supportive Services Need = 1

Disability = 1

Chronically Homeless = 2

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.

**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

### **The Works at Tillery**

HACA will project-base 25 units at the Works at Tillery. The property is located at 701 Tillery St, Austin, TX 78702.

### **Tenant Selection**

HACA will allow the PBV owner to refer households for placement on the waiting list. HACA 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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

<u>Owner Referral</u>	<u>= 1</u>
<u>Project-Specific Supportive Services Need</u>	<u>= 1</u>
<u>Disability</u>	<u>= 1</u>
<u>Chronically Homeless</u>	<u>= 2</u>

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.

**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

### **Skyline Terrace**

HACA will project-base 10 units at Skyline Terrace. The property is located at 1212 W. Ben White, Austin, TX 78704.

### **Tenant Selection**

HACA will allow the PBV owner to refer households for placement on the waiting list. HACA 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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

<u>Owner Referral</u>	<u>= 1</u>
<u>Project-Specific Supportive Services Need</u>	<u>= 1</u>
<u>Disability</u>	<u>= 1</u>
<u>Chronically Homeless</u>	<u>= 2</u>

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.

**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

### **Real Gardens**

HACA will project-base 25 HCV and 10 HUD-VASH units at Real Gardens. The property is located at 2824/2826 Real St, Austin, TX 78722.

### **Tenant Selection**

HACA will accept HUD-VASH applicants for vacant units in the order received from the Veterans Affairs Austin Outpatient Clinic in accordance with HUD-VASH Operating Requirements.

For non-specified category vouchers, HACA will allow the PBV owner to refer households for placement on the waiting list. HACA 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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral = 1

Project-Specific Supportive Services Need = 1

Disability = 1

Chronically Homeless = 2

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.



**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

### **The Roz**

HACA will project-base 25 HCV and 15 HUD-VASH units at the Roz. The property is located at 3435 Parker Ln, Austin, TX 78741.

### **Tenant Selection**

HACA will accept HUD-VASH applicants for vacant units in the order received from the Veterans Affairs Austin Outpatient Clinic in accordance with HUD-VASH Operating Requirements.

For non-specified category vouchers, HACA will allow the PBV owner to refer households for placement on the waiting list. HACA 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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral	= 1
Project-Specific Supportive Services Need	= 1
Disability	= 1

Chronically Homeless = 2

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.

**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

**Burleson Studios**

HACA will project-base 30 HCV and 20 HUD-VASH units at Burleson Studios. The property is located at 7905 Burleson Rd, Austin, TX 78744.

**Tenant Selection**

HACA will accept HUD-VASH applicants for vacant units in the order received from the Veterans Affairs Austin Outpatient Clinic in accordance with HUD-VASH Operating Requirements.

For non-specified category vouchers, HACA will allow the PBV owner to refer households for placement on the waiting list. HACA 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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral = 1

Project-Specific Supportive Services Need = 1

Disability = 1

Chronically Homeless = 2

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.

**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

### **Cairn Point**

HACA will project-base 30 HCV and 20 HUD-VASH units at Cairn Point. The property is located at 7205 Cameron Rd, Austin, TX 78752.

## Tenant Selection

HACA will accept HUD-VASH applicants for vacant units in the order received from the Veterans Affairs Austin Outpatient Clinic in accordance with HUD-VASH Operating Requirements.

For non-specified category vouchers, HACA will allow the PBV owner to refer households for placement on the waiting list. HACA 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 Owner Referral preference (if they qualify). Weights for each preference are as follows:

<u>Owner Referral</u>	<u>= 1</u>
<u>Project-Specific Supportive Services Need</u>	<u>= 1</u>
<u>Disability</u>	<u>= 1</u>
<u>Chronically Homeless</u>	<u>= 2</u>

**Owner Referral Preference:** HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC lead agency as the highest priority eligible household as required by the project's funding sources.

**Project-Specific Supportive Services Need Preference:** HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

**Disability:** 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.

**Chronically Homeless Preference:** HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

#### Kensington Apartments

HACA will project-base 25 HUD-VASH vouchers at the Kensington Apartments, located at 3300 Manor Rd, Austin, TX 78723.

#### Tenant Selection

HACA will accept HUD-VASH applicants for vacant units in the order received from the Veterans Affairs Austin Outpatient Clinic in accordance with HUD-VASH Operating Requirements.

#### The Rhett

HACA will project-base 8 HUD-VASH vouchers at the Rhett, located at 1000 East Yager Ln, Austin, TX 78753.

#### Tenant Selection

HACA will accept HUD-VASH applicants for vacant units in the order received from the Veterans Affairs Austin Outpatient Clinic in accordance with HUD-VASH Operating Requirements.

### **17-VI.E. OFFER OF PBV ASSISTANCE**

#### **Refusal of Offer [24 CFR 983.251(e)(3)]**

The PHA is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refuse to list the applicant on the waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant qualifies;
- Change the applicant's place on the waiting list based on preference, date, and time of application, or other factors affecting selection under the PHA's selection policy;
- Remove the applicant from the tenant-based voucher waiting list.

#### **Disapproval by Landlord [24 CFR 983.251(e)(2)]**

If a PBV owner rejects a family for admission to the owner's units, such rejection may not affect

**B.C. C. Project Turnover Cap.** Recognizing the limited availability of turnover vouchers and the importance of managing turnover in the best interests of the property, in any year, a Project Owner and voucher agency may agree to limit the number of Choice-Mobility moves exercised by eligible households to 15 percent of the assisted units in the project. (For example, if the project has 100 assisted units, the Project Owner and voucher agency could limit the number of families exercising Choice Mobility to 15 in any year, but not to less than 15.) While a Project Owner and voucher agency are 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.

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### **HACA Policy**

HACA will provide all residents the opportunity to request a Housing Choice Voucher after the later of a) 24 months from the date of the execution of the HAP contract, or b) 24 months from the date of move in.

- If a family moves from one covered project to another covered project, their 24 month clock resets. These families will have to wait for 24 months from the date of move in to the new property, before they can exercise Choice Mobility.
- If a family transfers within the same covered project, their 24 month clock does not reset. They will be eligible to request a Choice Mobility voucher at the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-in date.
- A family may request the choice mobility voucher at any time after completing the 24 month requirement. They remain eligible as long as they continue living at the same covered project.
- A family that receives a Choice Mobility voucher, but allows it to expire without using it, can request another Choice Mobility voucher. However, they must wait 1 year from the date of the issuance of the expired voucher before requesting another Choice Mobility voucher. When they do request again, they will start the process from the beginning and are subject to any waiting lists in place at that time.

HACA will implement the voucher inventory cap. Each calendar year, the HCV program will only make 1/3 of its turnover vouchers available to families exercising Choice Mobility from any of its 18 covered projects transitioning into PBRA through the Rental Assistance Demonstration (RAD). HACA will establish an agency-wide Choice Mobility waiting list for times when there are more requests for vouchers than vouchers available due to the cap.

~~HACA will not implement the project turnover cap.~~  
HACA will implement the Project Turnover Cap. In any calendar year, we will limit the number of Choice-Mobility moves exercised by eligible households to 15% of the assisted units in the project in any given year. HACA will maintain a Choice-Mobility Priority List in the order in which the requests from eligible households were received.

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The HCV program also provides the opportunity to move to other parts of the country by exercising the portability options. Families will be required to follow the housing authority's guidelines regarding when they can exercise the portability option.

#### **HACA Policy**

In order to be eligible for the Choice Mobility option, families have to live in Austin, in a HACA owned PBRA property for at least 2 years. These families meet HACA's HCV program requirements and are eligible to exercise portability when they first receive a voucher.

### **III. Notification of Eligibility**

In keeping with HUD's goal to provide viable Choice Mobility options to residents of all covered projects, PHAs should provide clear notification and explanation of the Choice Mobility options available to them.

#### **HACA Policy**

At the time of the initial lease signing, HACA will provide a copy of the Choice Mobility policy to the family and explain the Choice Mobility option. HACA will provide clear direction and guidance regarding how to request a Choice Mobility voucher.

~~In addition, HACA will provide a written notification to the residents as part of the 90 Day letter that each family receives before their annual recertification appointment.~~

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 in order of date and time of application.

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 provided at the property.
  - The application 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 Waiting List Management:**
  - ~~Once there are families on the Choice Mobility waiting list, 1/3 of the total monthly vouchers issued will come from the Choice Mobility waiting list. All applications received will be placed on the Choice Mobility waiting list in order of application date and time.~~
  - ~~Before each draw, HACA will conduct a random sort of the Choice Mobility waiting list. HACA has chosen to implement the project turnover cap of 15% per property. Once a property has reached its 15% turnover cap for the calendar year, all applicants for that property will be skipped until the following year when the cap resets.~~
  - ~~The random sort protects each individual property from high volume resident turnover, while providing each family an equal opportunity to receive a voucher.~~

When a family is drawn from the Choice Mobility waiting list, they will be invited to attend the Housing Choice Voucher (HCV) program eligibility interview.

## VI. Screening Process for the Choice Mobility HCV Voucher

In order to receive a Housing Choice voucher, families will be required to meet all the eligibility requirements for the HCV program in effect at the time of their eligibility processing. These requirements can be found in the HCV Administrative Plan.

### HACA Policy

HACA will screen all Choice Mobility families using the same criteria as for all other

families. However, HACA will streamline the eligibility determination process in the following ways:

- HACA will use the certifications of identification, age, social security number and citizenship that it already has on file for the family.
- HACA will review the most recent certification and 50059 for basic information about the family composition and annual household income.
- HACA will only require new verification of income if the verifications for the most recent certification are too old to meet the criteria for the HCV program.

If eligible to receive a voucher, families will follow the HCV program rules and guidelines for using the voucher. Families are reminded of the following:

- ***The voucher has an expiration date.*** If extensions are available, families must follow the HCV program guidelines in effect at that time to request an extension. Failure to use the voucher before it expires will result in loss of the voucher.
- ***Receipt of a voucher is not a guarantee that the family will be able to find a place to use the voucher.*** Landlords have their own screening criteria which families will have to meet to be able to live at that property.
- ***The family's lease at their current property requires at least 30 day notice to vacate.*** The family must provide this notice to their current property management staff.

## VII. Transitioning from Project Based Rental Assistance to the Housing Choice Voucher Program

When transitioning from PBRA to the HCV program with a Choice Mobility voucher, program participants are required to fulfill their obligations to the terms of the PBRA lease as well as all HCV requirements. Families are not allowed to receive assistance from both programs at the same time. To assist with the transition process and prevent duplicate assistance, PHA's should develop policies and guidelines to ensure that both program requirements are met.

### HACA Policy

Residents at a HACA PBRA property will be required to complete the following when transitioning to HACA's HCV program with a choice mobility voucher:

- Remain current on all rent, fees or other ~~balances-monies~~ owed to the PBRA property. Families with outstanding debts will be considered ineligible (including families who are in a repayment agreement). Eligibility for a housing choice voucher will require the debt to be paid in full.
  - ~~Families with outstanding debts who are in a repayment agreement and who are current on their payments within the agreement are considered eligible.~~
  - ~~Families with active repayment agreements must continue to make all~~

~~payments until the balance is paid in full or risk losing their voucher assistance.~~

- Provide at least 30 day notice of their intent to vacate the unit to the property management.
- Participate in the move out inspection.
- Turn in their keys to the property management.
- Pay all move out expenses that may be charged after moving to their new home with voucher assistance.
  - If necessary, repayment agreements can be established to pay any outstanding move out balances.
  - Failure to pay the move out balance or to remain current in any repayment agreements that are established is grounds for termination of the family's voucher assistance.
- Pay all moving expenses related to the move from the PBRA property to their voucher assisted unit.

HACA and PBRA property staff will work to facilitate this process by doing the following:

- Communicate between departments information related to the issuance of the voucher, move out notices, voucher extensions and specific dates of move out / move in.
  - Note: Coordination of communication between departments does not remove any of the family's obligations.
- Communicate the move out date from the PBRA program to the HCV Intake Team to prevent the overlapping of assistance.
  - The move out from PBRA will not be effective until the property manager receives the keys from the resident family.
  - The family will be required to pay the full rental cost for any days that they have moved in to their new unit before returning the keys to the PBRA property management.
  - The voucher assistance will not start until the day after the family provides the keys to the PBRA property management.

### **VIII. Promoting Self-Sufficiency Through Choice Mobility**

The decision about where to live can have a significant impact on a family's journey toward self-sufficiency. Through the Choice Mobility voucher option, families living in the PBRA property are given the opportunity to make that decision. Therefore PHA's should strategize how to maximize the use of the Choice Mobility voucher as a self-sufficiency tool.

#### **HACA Policy**

Within available resources, HACA will intentionally strategize and leverage the utilization of specific supportive services to provide a solid foundation for the use of the

**Proof of Age**

The DD-214 or 10-10EZ must be accepted as proof of age in lieu of birth certificates or other PHA-required documentation as outlined in Section 7-II.C. of this policy. A VA-issued identification card may also be used to verify the age of a homeless veteran.

**Photo Identification**

A VA-issued identification card must be accepted in lieu of another type of government-issued photo identification. These cards also serve as verification of SSNs and date of birth.

**Income Eligibility**

The PHA must determine income eligibility for VASH families in accordance with 24 CFR 982.201 and policies in Section 3-II.A. If the family is over-income based on the most recently published income limits for the family size, the family will be ineligible for HCV assistance.

While income-targeting does not apply to VASH vouchers, the PHA may include the admission of extremely low-income VASH families in its income targeting numbers for the fiscal year in which these families are admitted.

**HACA Policy**

While income-targeting requirements will not be considered by HACA when families are referred by the partnering VAMC, HACA will include any extremely low-income VASH families that are admitted in its income targeting numbers for the fiscal year in which these families are admitted.

[HACA will admit VASH referrals who qualify under the low income \(80%\) limit.](#)

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**Screening**

The PHA may not screen any potentially eligible family members or deny assistance for any grounds permitted under 24 CFR 982.552 and 982.553 with one exception: the PHAs is still required to prohibit admission if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. Accordingly, with the exception of denial for registration as a lifetime sex offender under state law and PHA policies on how sex offender screenings will be conducted, PHA policy in Sections 3-III.B. through 3-III.E. do not apply to VASH. The prohibition against screening families for anything other than lifetime sex offender status applies to all family members, not just the veteran.

If a family member is subject to lifetime registration under a state sex offender registration program, the remaining family members may be served if the family agrees to remove the sex offender from its family composition. This is true unless the family member subject to lifetime registration under a state sex offender registration program is

#### **19-IV.F. PROJECT-BASING MAINSTREAM VOUCHERS** [\[FY19 Mainstream Voucher NOFA Q&A\]](#)

The PHA may project-base Mainstream vouchers in accordance with all applicable PBV regulations and PHA policies in Chapter 17. PHAs are responsible for ensuring that, in addition to complying with project-based voucher program requirements, the project complies with all applicable federal nondiscrimination and civil rights statutes and requirements. This includes, but is not limited to, Section 504 of the Rehabilitation Act (Section 504), Titles II or III of the Americans with Disabilities (ADA), and the Fair Housing Act and their implementing regulations at 24 CFR Part 8; 28 CFR Parts 35 and 36; and 24 CFR Part 100. Mainstream vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A.

#### [19.IV.G EXTRAORDINARY ADMINISTRATIVE FEES \(EAF\) \[Notice PIH 2022-19\]](#)

[This extraordinary administrative funding must be used to support the Mainstream Voucher Program for two purposes: \(1\) any currently eligible voucher administrative costs, including activities to support housing search and lease up of eligible applicants; and \(2\) costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Note that the uses of extraordinary administrative funding for retention, recruitment and support of participating owners described in this notice are unique to these amounts and include specific uses that regular, ongoing administrative fees cannot cover.](#)

[The funding provided through this notice cannot be used for the repayment of debts or any amounts owed to HUD or program participants including, but not limited to, Office of Inspector General \(OIG\), Quality Assurance Division \(QAD\) or other monitoring review findings. Additionally, administrative fee funds provided through this notice considered for salaries, bonuses and/or employee incentives must comply with the executive compensation requirements under Section 220 of Public Law No. 116-94, Further Consolidated Appropriations Act, 2020 and must comply with reasonable compensation requirements found at 2 CFR Part 200.430\(b\).](#)

[The extraordinary administrative fees allocated through this notice are funded through carryover from previous appropriations for Mainstream vouchers. Funds will be reported using standard protocols for Mainstream vouchers \(see PIH Notice 2020-01: Revised Policies and Procedures for the Mainstream Voucher Program\).](#)

#### [HACA Policy](#)

[HACA will use Mainstream EAF for currently eligible administrative costs and to assist Mainstream clients with paying security deposits. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. Security deposit assistance will be for initial move-ins and paid directly to the owner on behalf of](#)

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[the family when other resources cannot. HACA will offer security deposit assistance to new Mainstream participants for initial lease-up at admission until the EAF is exhausted.](#)

## **PART IV: NON-ELDERLY DISABLED (NED) VOUCHERS**

### **19-V.A. PROGRAM OVERVIEW** [\[Notice PIH 2013-19\]](#)

NED vouchers help non-elderly disabled families lease suitable, accessible, and affordable housing in the private market. Aside from separate funding appropriations and serving a specific population, NED vouchers follow the same program requirements as standard vouchers. The PHA does not have special authority to treat families that receive a NED voucher differently from other applicants and participants.

Some NED vouchers are awarded to PHAs through competitive NOFAs. The NOFA for FY2009 Rental Assistance for NED made incremental funding available for two categories of NED families:

- **Category 1** vouchers enable non-elderly persons or families with disabilities to access affordable housing on the private market.
- **Category 2** vouchers enable non-elderly persons with disabilities currently residing in nursing homes or other healthcare institutions to transition into the community. PHAs with NED Category 2 vouchers were required to partner with a state Medicaid or health agency or the state Money Follows the Person (MFP) Demonstration agency.
- Since 1997, HCVs for NED families have been also awarded under various special purpose HCV programs: Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans (Designated Housing), Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Types of Section 8 Project-Based Developments (Certain Developments), One-Year Mainstream Housing Opportunities for Persons with Disabilities, and the Project Access Pilot Program (formerly Access Housing 2000).
- **Designated Housing** vouchers enable non-elderly disabled families, who would have been eligible for a public housing unit if occupancy of the unit or entire project had not been restricted to elderly families only through an approved Designated Housing Plan, to receive rental assistance. These vouchers may also assist non-elderly disabled families living in a designated unit/project/building to move from that project if they so choose. The family does not have to be listed on the PHA's voucher waiting list. Instead, they may be admitted to the program as a special admission. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list. Upon turnover, these vouchers must be issued to non-elderly disabled families from the PHA's HCV waiting list.
- **Certain Developments** vouchers enable non-elderly families having a person with disabilities, who do not currently receive housing assistance in certain developments where

(see Chapter 2) or reasons related to domestic violence, dating violence, sexual assault, or stalking.

## **PART VI: STABILITY VOUCHER PROGRAM**

### **19-VI.A. PROGRAM OVERVIEW [Notice PIH 2022-24]**

The Consolidated Appropriations Act, 2021 (Public Law 116-260) (2021 Act) provided new incremental funding for voucher assistance through Stability Vouchers (SVs) for households who are:

- Homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a));
- At-risk of homelessness;
- Those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking; and
- Veterans and families that include a veteran family member that meet one of the above criteria.

HUD may waive certain statutory and regulatory provisions to administer the SVs (except for requirements related to tenant rights and protections, rent setting, fair housing, nondiscrimination, labor standards and the environment) upon a finding that any such waivers or alternative requirements are necessary to facilitate the use of funds made available for SVs. Unless expressly waived below, all statutory and regulatory requirements and HUD directives regarding the HCV program are applicable to SVs, including the use of all HUD required contracts and other forms. A PHA may request additional good cause regulatory waivers as established in Notice PIH 2018-16 in connection with the use of the SVs, which HUD will consider and assess upon the request of the PHA.

### **19-VI.B. PARTNERING ORGANIZATION [Notice PIH 2022-24]**

SV funding is only awarded to PHAs that partner with eligible Continuums of Care (CoCs) or other entities that serve the targeted population, such as Victim Service Providers (VSPs) and Veteran Service Organizations (VSOs) serving the targeted population in the PHA's jurisdiction to implement coordinated approaches to reduce the prevalence of homelessness, improve service engagement, and promote housing stability while ensuring geographical need of assistance.

The PHA must enter into a Memorandum of Understanding (MOU) with the CoC to establish a partnership with the CoC to pair SVs with CoC-funded supportive services, and to collaborate

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with the CoC and other stakeholders to develop a prioritization plan for these vouchers.

#### HACA Policy

HACA has entered into an MOU with the following partnering organization: Ending Community Homelessness Coalition (ECHO). See Exhibit 19-3 for a copy of the MOU (MOUS has been signed by HACA and is pending signature by ECHO).

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#### 19-VI.C. REFERRALS [Notice PIH 2022-24]

In general, families are issued SVs as the result of either:

- The direct referral process from the CoC or other partnering organizations; or
- A situation where the PHA makes an SV available in order to facilitate an emergency transfer for victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking.

#### CoC Referrals

The primary responsibility of the CoC under the MOU is to make direct referrals of qualifying individuals and families to the PHA and to identify any CoC-funded available supportive services that may be paired with SVs.

The CoC or other partnering agency must certify that the SV applicants they refer to the PHA meet the definition of a qualifying individual or family for SV assistance.

The referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for SV assistance. The PHA must retain this documentation as part of the family's file.

#### HACA Policy

As part of the MOU, HACA and ECHO will identify staff positions to serve as lead SV liaisons. These positions will be responsible for transmission and acceptance of referrals. ECHO must commit sufficient staff and resources to ensure eligible individuals and families are identified in a timely manner.

ECHO will use the Coordinated Entry System to identify SV-eligible individuals and families within the partnering agencies' caseloads and make referrals to the PHA.

The HACA liaison responsible for acceptance of referrals will contact the ECHO liaison via email or in person at case staffing meetings indicating the number of vouchers available and requesting an appropriate number of referrals. ECHO will provide HACA and the partnering service provider the names and ServicePoint numbers of the referrals presumed eligible for the SV. The service provider will locate and engage with the referred family and submit an application through HACA's online portal and all forms



required to determine eligibility for voucher issuance. ECHO will ensure service provider compliance with the Coordinated Entry MOU and Written Standards. HACA will not take an adverse action against a referred client that causes service provider non-compliance with the written standards.

HACA will maintain a copy of the referral from ECHO and the eligibility documents from the service provider in the participant's file. Homeless service providers may, but are not required to, use the certification form found in Exhibit 19-1 of this chapter. Victim services providers may, but are not required to, use the certification form found in Exhibit 19-2 of this chapter when identifying eligible families who qualify as victims of human trafficking.

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### Referrals from Outside the CoC

The PHA must also take direct referrals from outside the CoC process if:

- The CoC does not have a sufficient number of eligible families to refer to the PHA; or
- The CoC does not identify families that may be eligible for SV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.

If a direct referral is taken from outside of the CoC, the PHA must enter into a partnership to receive direct referrals from another entity, assuming there are such additional organizations that can certify that an individual or family is eligible for an SV.

The PHA must enter into an MOU with a partnering referral agency or may add the partnering referral agency to the MOU between the PHA and CoC.

### 19-VI.D. WAITING LIST [Notice PIH 2022-24]

#### HCV Waiting List

The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to PHAs operating the SV program. Direct referrals are not added to the PHA's HCV waiting list.

The PHA must inform families on the HCV waiting list of the availability of SVs by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2022-24.

#### HACA Policy

HACA will post information about the SV program for families on HACA's HCV waiting list on their website. The notice will:

Describe the eligible populations to which SVs are limited.

Clearly state that the availability of these SVs is managed through a direct referral process.

Advise the family to contact ECHO for information about the Coordinated Entry System if the family believes they may be eligible for SV assistance.

HACA will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. HACA will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

### SV Waiting List

The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the SV program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the SVs available, the PHA must maintain a separate waiting list for SV referrals. Upon turnover, SV vouchers must continue to remain available for eligible families.

Further, the SV waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the SV waiting list.

### HCV Waiting List Preferences

If local preferences are established by the PHA for HCV in Chapter 4, they do not apply to SVs. However, if the PHA has a homelessness preference or a preference for survivors of domestic violence, dating violence, sexual assault, stalking, or human trafficking for the regular HCV program, the PHA must refer any applicant on the waiting list that indicated they qualified for this preference to the CoC, or the applicable partnering referral agency.

#### HACA Policy

HACA has a homeless preference for the HCV waiting list as outlined in Section 4-III.C. Local Preferences.

HACA will refer any applicant on the waiting list that indicates they qualify for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an SV (based on the qualifying definition for SV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.

~~HACA will refer any applicant on the waiting list that indicates they qualify for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an SV (based on the qualifying definition for SV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.~~

#### SV Waiting List Preferences

~~With the exception of a residency preference, which may not be applied to the PHA's SV waiting list, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for SVs, or may simply choose to not establish any local preferences for the SV waiting list. The preference system may not prohibit SV admissions from any of the four qualifying categories of eligibility.~~

#### HACA Policy

~~No local preferences have been established for the SV waiting list.~~

**19-VI.E. FAMILY ELIGIBILITY [Notice PIH 2022-24]****Referring Agency Determination of Eligibility**

The CoC or referring agency determines whether the individual or family meets any one of the eligibility criteria described in Notice PIH 2022-24 and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the SV program and outlined below.

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In order to be eligible for an SV, a household must meet one of four eligibility criteria:

- Homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)) and 24 CFR 578.3;
- At-risk of homelessness as defined in 24 CFR 5.78.3;
- Those fleeing or attempting to flee domestic violence dating violence, sexual assault, stalking, or human trafficking; and
- Veterans [as defined in 38 U.S.C. 101(2); 38 CFR 3.1(d)] and families that include a veteran family member that meet one of the above criteria.

**Mandatory Denials**

HUD waived 24 CFR 982.552 and 982.553 in part for the SV applicants and established alternative requirements for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for an SV. Instead, the SV alternative requirement listed in this section will apply to all SV applicants.

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The mandatory and permissive prohibitions listed in Notice PIH 2022-24 and in this chapter, however, apply only when screening the individual or family for eligibility for an SV. When adding a family member after the family has been placed under a HAP contract with SV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

Under alternative requirements for the SV program, mandatory denials for SV applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

The PHA will also deny assistance to household members already receiving assistance from another program.

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The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited SV grounds for denial of admission first.

#### HACA Policy

While the PHA will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, HACA will first notify the family of the limited SV grounds for denial of admission as part of the notice of denial that will be mailed to the family.

#### Permissive Denial

Notice PIH 2022-24 lists permissive prohibitions for which the PHA may, but is not required to, deny admission to SV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for SV families.

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If the PHA intends to establish permissive prohibition policies for SV applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

#### HACA Policy

HACA will not adopt any permissive prohibitions for the SV program.

### Self-Certification of Income at Admission

The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the SV program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, PHA policies related to the verification of income in Section 7-I.B. do not apply to SV families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.

### HACA Policy

HACA will accept third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request. Any documents used for verification must not be damaged, altered, or in any way illegible.

Printouts from webpages are considered original documents.

Any family self-certifications must be made in a format acceptable to HACA and must be signed by the family member whose information or status is being verified.

HACA will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. HACA will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later. HACA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, HACA will terminate the family's assistance in accordance with the policies in Chapter 12.

### Recently Conducted Income Determinations

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:

- The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- The family certifies there has been no change in income or family composition in the interim.

### HACA Policy

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HACA will accept income calculations and verifications from third-party providers provided they meet the criteria outlined above.

The family certification must be made in a format acceptable to HACA and must be signed by all adult family members whose information or status is being verified.

At the time of the family's annual reexamination, the PHA must conduct the annual reexamination of income as outlined at 24 CFR 982.516 and the PHA policies in Chapter 11.

#### EIV Income Validation

Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3.

If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 12.

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### Social Security Number and Citizenship Status Verification

For the SV program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the SV program. Instead, PHAs may adopt policies to admit SV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

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If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

#### HACA Policy

HACA will admit SV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. These individuals must provide the required documentation in accordance with policies in Chapter 7 within 180 days of admission. HACA may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

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If HACA determines that an ineligible family received assistance, HACA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

### Age and Disability Verifications

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

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If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

#### HACA Policy

HACA will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to HACA and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, HACA will verify the information in EIV or through other third-party verification if the information is not available in EIV. HACA will note the family's file that self-certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status.

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If HACA determines that an ineligible family received assistance, HACA will take steps

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to terminate that family from the program in accordance with policies in Chapter 12.

#### Income Targeting

PHA must determine income eligibility for SV families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3; however, income targeting requirements do not apply for SV families. The PHA may still choose to include the admission of extremely low-income SV families in its income targeting numbers for the fiscal year in which these families are admitted.

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#### HACA Policy

HACA will include the admission of extremely low-income SV families in its income targeting numbers for the fiscal year in which these families are admitted.

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### 19-VI.F. HOUSING SEARCH AND LEASING

#### Initial Voucher Term

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, SV vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-II.E. will apply.

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#### HACA Policy

All SVs will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless HACA grants an extension.

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#### HQS Pre-Inspections

To expedite the leasing process, PHAs may pre-inspect available units that SV families may be interested in leasing in order to maintain a pool of eligible units.

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#### HACA Policy

To expedite the leasing process, HACA may pre-inspect available units that SV families may be interested in leasing to maintain a pool of eligible units. If an SV family selects a unit that passed a HQS pre-inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval, the unit may be approved provided that it meets all other conditions under 24 CFR 982.305. The family will be free to select his or her unit.

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When a pre-inspected unit is not selected, HACA will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required reinspections.

### Initial Lease Term

Unlike in the standard the HCV program, SV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-I.E., Term of Assisted Tenancy.

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### Portability

The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to SVs. Exceptions are addressed below.

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- Under SV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy in Section 10-II.B.
- A receiving PHA cannot refuse to assist an incoming SV family, regardless of whether the PHA administers SVs under its own ACC.
- If the SV family moves under portability to another PHA that administers SVs under its own ACC:
  - The receiving PHA may only absorb the incoming SV family with an SV (assuming it has an SV voucher available to do so).
  - If the PHA does not have an SV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with SV assistance and may not absorb the family with a regular HCV when the family leases the unit.
  - Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's SV assistance, the SV administration of the voucher is in accordance with the receiving PHA's SV policies.
- If the SV family moves under portability to another PHA that does not administer SVs under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

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- Family Briefing

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA must inform the family how portability may impact the special SV services and assistance that may be available to the family.

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The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

### HACA Policy

In addition to following HACA policy on briefings in Chapter 5, as part of the briefing

packet for SV families, HACA will include a written notice that HACA will assist the family with moves under portability.

For limited English proficient (LEP) applicants, HACA will provide interpretation services in accordance with the PHA's LEP plan (See Chapter 2).

## 19-VI.G. PAYMENT STANDARDS

### Overview

For the SV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for SVs. Lower SV payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the SV payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate SV payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payments standards for SVs, HUD has provided other regulatory waivers:

- Defining the "basic range" for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).
- Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD-published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.

### HACA Policy

HACA may establish a SV exception payment standard up to 120%.

All rent reasonableness requirements apply to SV units, regardless of whether the PHA has established an alternative or exception SV payment standard.

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**Increases in Payment Standards**

The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to SV. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

**HACA Policy**

HACA will not establish an alternative policy for increases in the payment standard. HACA policy in Section 11-III.B. governing increases in payment standards will apply to SVs.

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**19-VI.H. PROJECT-BASED UNITS**

All tenant-based SV awards can be converted to Project-Based Vouchers (PBV) at any time after award without HUD approval provided all the established PBV regulations and requirements are followed.

All PBV requirements in 24 CFR Part 983 and in Chapter 17 apply to project-based SVs with the exception of 24 CFR 983.251(c)(1), which requires PHAs to select families for project-based units from its HCV or PBV waiting list. HUD is waiving this requirement and establishing an alternative requirement that PHAs receive SV referrals from CoC partners for vouchers as well as project-based assistance.

**EXHIBIT 19-1: SAMPLE STABILITY VOUCHER (SV) HOMELESS PROVIDER'S  
CERTIFICATION**

**Stability Voucher (SV)  
HOMELESS CERTIFICATION**

SV Applicant Name: \_\_\_\_\_

☐ Household without dependent children (complete one form for each adult in the household)

☐ Household with dependent children (complete one form for household)

Number of persons in the household: \_\_\_\_\_

This is to certify that the above named individual or household meets the following criteria based on the check mark, other indicated information, and signature indicating their current living situation

**Check only one box and complete only that section**

**Living Situation: place not meant for human habitation (e.g., cars, parks, abandoned buildings, streets/sidewalks)**

☐ The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus station, airport, or campground.

Description of current living situation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Homeless Street Outreach Program Name: \_\_\_\_\_

This certifying agency must be recognized by the local Continuum of Care (CoC) as an agency that has a program designed to serve persons living on the street or other places not meant for human habitation. Examples may be street outreach workers, day shelters, soup kitchens, Health Care for the Homeless sites, etc.

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Living Situation: Emergency Shelter**

- ☐ The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a supervised publicly or privately operated shelter as follows:

Emergency Shelter Program Name: \_\_\_\_\_

*This emergency shelter must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to the U.S. Department of Housing and Urban Development (HUD) or otherwise be recognized by the CoC as part of the CoC inventory (e.g., newly established Emergency Shelter).*

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Living Situation: Recently Homeless**

- ☐ The person(s) named above is/are currently receiving financial and supportive services for persons who are homeless. Loss of such assistance would result in a return to homelessness (e.g., households in rapid rehousing programs, residents of permanent supportive housing programs participating in Moving On, etc.)

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*This referring agency must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory.*

Immediately prior to entering the household's current living situation, the person(s) named above was/were residing in:

☐ Emergency shelter OR ☐ A place unfit for human habitation

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**EXHIBIT 19-2: SAMPLE VICTIM SERVICE PROVIDER'S CERTIFICATION****Stability Voucher (SV)****SAMPLE CERTIFICATION FOR SURVIVORS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND/OR HUMAN TRAFFICKING****Use of this Optional Form:**

Service providers may utilize this form to certify a family's eligibility for SV to document households who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, and/or human trafficking. In response to this request, the service provider may complete this form and submit it to the Public Housing Agency (PHA) to certify eligibility for the U.S. Department of Housing and Urban Development's (HUD) Stability Voucher program.

**Confidentiality:**

All information provided during the referral process concerning the incident(s) of domestic violence, dating violence, dating violence, sexual assault, stalking, and human trafficking shall be kept confidential and such details shall not be entered into any shared database. Employees of the PHA will not have access to these details, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED ON BEHALF OF SURVIVORS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND/OR HUMAN TRAFFICKING**

SV Applicant Name: \_\_\_\_\_

The applicant named above is a survivor of (please check from the list all that apply):

☐ Domestic Violence

☐ Dating Violence

☐ Sexual Assault

☐ Stalking

☐ Human Trafficking

This certifies that the above named individual or household meets the definition for persons who are fleeing, or attempting to flee domestic violence, dating violence, sexual assault, stalking and/or human trafficking as these terms are defined under 34 U.S.C. Section 12291 of the Violence Against Women Act<sup>4</sup> and 22 U.S.C. Section 7102(11) of the Trafficking Victims Protection Act.<sup>5</sup>

I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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<sup>4</sup> The Violence Against Women Act protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

<sup>5</sup> The Victims of Trafficking and Violence Protection Act of 2000 provides assistance to victims of trafficking making housing, educational health care, job training and other federally-funded social service programs available to assist victims in rebuilding their lives.

## **PART VII: EMERGENCY HOUSING VOUCHER PROGRAM**

### **The Housing Authority of the City of Austin**

#### **Temporary Policy Supplement (TPS)**

### **Emergency Housing Voucher (EHVs) Policy**

#### **INTRODUCTION**

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARP) (P.L. 117-2). Section 3202 of the ARP appropriated \$5 billion for the creation, administration, and renewal of new incremental emergency housing vouchers (EHVs) and other eligible expenses related to COVID-19.

On May 5, 2021, HUD issued Notice PIH 2021-15, which described HUD's process for allocating approximately 70,000 EHVs to eligible PHAs and set forth the operating requirements for PHAs who administer them. Based on criteria outlined in the notice, HUD notified eligible PHAs of the number of EHVs allocated to their agency, and PHAs were able to accept or decline the invitation to participate in the program.

PHAs may not project-base EHVs; EHVs are exclusively tenant-based assistance.

All applicable nondiscrimination and equal opportunity requirements apply to the EHV program, including requirements that the PHA grant reasonable accommodations to persons with disabilities, effectively communicate with persons with disabilities, and ensure meaningful access for persons with limited English proficiency (LEP).

This chapter describes HUD regulations and HACA's policies for administering EHVs. The policies outlined in this chapter are organized into seven sections, as follows:

Part I: Funding

Part II: Partnering Agencies

Part III: Waiting List Management

Part IV: Family Eligibility

Part V: Housing Search and Leasing

Part VI: Use of Funds, Reporting, and Financial Records

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs.

## **PART I: FUNDING**

### **TPS-I.A. FUNDING OVERVIEW**

The American Rescue Plan Act of 2021 (ARP) provides administrative fees and funding for the costs of administering emergency housing vouchers (EHVs) and other eligible expenses defined in Notice PIH 2021-15. These fees may only be used for EHV administration and other eligible expenses and must not be used for or applied to other HACA programs or vouchers. The HACA must maintain separate financial records from its regular HCV funding for all EHV funding.

#### **Housing Assistance Payments (HAP) Funding**

ARP funding obligated to the HACA as housing assistance payments (HAP) funding may only be used for eligible EHV HAP expenses (i.e., rental assistance payments). EHV HAP funding may not be used for EHV administrative expenses or for the eligible uses under the EHV services fee.

The initial funding term will expire December 31, 2022. HUD will provide renewal funding to the PHAs for the EHVs on a calendar year (CY) basis commencing with CY 2023. The renewal funding allocation will be based on the HACA's actual EHV HAP costs in leasing, similar to the renewal process for the regular HCV program. EHV renewal funding is not part of the annual HCV renewal funding formula; EHVs are renewed separately from the regular HCV program. All renewal funding for the duration of the EHV program has been appropriated as part of the ARP funding.

#### **Administrative Fee and Funding**

The following four types of fees and funding are allocated as part of the EHV program:

- **Preliminary fees** support immediate start-up costs that the HACA will incur in implementing alternative requirements under EHV, such as outreach and coordination with partnering agencies:
  - \$400 per EHV allocated to the HACA, once the consolidated annual contributions contract (CACC) is amended.
  - This fee may be used for any eligible administrative expenses related to EHVs.
  - The fee may also be used to pay for any eligible activities under EHV service fees (TPS-I.B).

- Placement fees/expedited issuance reporting fees will support initial lease-up costs and the added cost and effort required to expedite leasing of EHV's:
  - \$100 for each EHV initially leased, if the PHA reports the voucher issuance date in Public Housing Information Center–Next Generation (PIC–NG) system within 14 days of voucher issuance or the date the system becomes available for reporting or as further defined by HUD.
  - Placement fees:
    - o \$500 for each EHV family placed under a HAP contract effective within four months of the effective date of the ACC funding increment; or
    - o \$250 for each EHV family placed under a HAP contract effective after four months but less than six months after the effective date of the ACC funding increment.
    - o HUD will determine placement fees in the event of multiple EHV allocations and funding increment effective dates.
  - Placement/expedited issuance fees only apply to the initial leasing of the voucher; they are not paid for family moves or to turnover vouchers.
- Ongoing administrative fees, which are calculated in the same way as the standard HCV program:
  - PHAs are allocated administrative fees using the full column A administrative fee amount for each EHV under contract as of the first day of each month.
  - Ongoing EHV administrative fees may be subject to proration in future years, based on available EHV funding.
- Services fees, which are a one-time fee to support PHAs' efforts to implement and operate an effective EHV services program in its jurisdiction (TPS-I.B):
  - The fee is allocated once the PHA's CACC is amended to reflect EHV funding.
  - The amount allocated is \$3,500 for each EHV allocated.

**TPS-I.B. SERVICE FEES**

Services fee funding must be initially used for defined eligible uses and not for other administrative expenses of operating the EHV program. Service fees fall into four categories:

- Housing search assistance
- Security deposit/utility deposit/rental application/holding fee uses
- Owner-related uses
- Other eligible uses such as moving expenses or tenant-readiness services

The PHA must establish the eligible uses and the parameters and requirements for service fees in the PHA's administrative plan.

**HACA Policy**

In coordination with the EHV participant, CoC case manager and HACA's representative, a customized service fee allocation plan will be created to help each EHV participant successfully obtain and retain housing. If funds are identified from another resource in the community that resource will be utilized with no duplication of assistance. Generally, the allocation for each participant will not exceed \$3,500. However, depending on the needs of individual participants and if funds are available, the service fee dollar amount could go above this amount.

The eligible uses for service fees include the following and will be paid subject to funding availability.

**Housing search assistance**, which may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, providing housing mobility services to encourage moves to high opportunity neighborhoods, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and HACA forms, and helping to expedite the EHV leasing process..

**Application fees/non-refundable administrative or processing fees/refundable application deposit assistance**. HACA may assist the family with these expenses when other resources are unavailable.

**Security deposit assistance**. HACA may assist with the security deposit payment. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. Security deposit assistance will be for initial move-ins and paid directly to the owner on behalf of the family when other resources cannot.

**Utility deposit assistance.** HACA may provide utility deposit assistance for family's utility deposit expenses. Utility deposit assistance includes connection fees required for the utilities to be supplied by the tenant under the lease. HACA may pay the utility deposit assistance directly to the utility company or may pay the assistance to the family when other resources cannot. If paid to the family, HACA will require documentation the family paid the utility deposit. HACA will not require the utility supplier or family to return the utility deposit assistance to the HACA.

**Utility arrears.** Some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult to establish services for tenant-supplied utilities. HACA may provide the family with assistance to help address these utility arrears to facilitate leasing when other resources cannot.

**Owner recruitment and outreach for EHV's.** The HACA may use the service fee funding to conduct owner recruitment and outreach. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments.

**Owner Sign-on Bonus.** HACA may pay a sign-on bonus to a property owner that agree to enter into a HAP Contract with HACA to provide housing to an EHV family. The sign-on bonuses are not housing assistance payments or part of the rent to owner. Sign-on bonuses will equal \$1,000 per HAP Contract execution. Sign-on bonuses are paid at the beginning of the initial HAP Contract term. Only one sign-on bonus is allowed per EHV participant. HACA will not pay sign-on bonuses for units owned by the Austin Affordable Housing Corporation (AAHC), a subsidiary of HACA.

**Owner retention payments.** HACA may make retention payments to owners that agree to renew the initial lease of an EHV family. Payments will be made as a single payment at the lease renewal upon receipt of a new 12-month lease. Owner retention payments are not housing assistance payments, are not part of the rent to owner, and are not taken into consideration when determining whether the rent for the unit is reasonable. Retention payments will equal \$1,000 per lease renewal. Retention payments are only paid at renewal of the first lease term and owners are not eligible for a second retention payment.

**Risk mitigation funds.** HACA may provide risk mitigation funds to owners who initially lease their units to EHV families. HACA may pay risk mitigation in cases where the security deposit is insufficient to cover the cost of damages and other amounts owed under the lease. Payment consideration will occur after receipt of the final itemized ledger and receipts for repairs made within 30 days of the date the tenant vacated the assisted unit. Owners are no longer eligible for risk mitigation funds upon renewal of the initial lease. Assisted units that are part of the CoC's partnership portfolio are not eligible for HACA's risk mitigation funds. Maximum risk mitigation payment amounts are as follows:

0-bedroom unit: \$500

1-bedroom unit: \$700

2-bedroom unit: \$1,000

3-bedroom units and larger: \$1,200

**Rental arrears to private landlords for admission.** HACA may provide applicants with rental arrear assistance for some or all of the applicant's rental arrears to a private landlord but only if the rental arrear is a barrier to leasing the EHV unit. For example, the EHV family found a landlord, but the landlord will not lease the unit because of the previous rental debt (this may occur if the EHV unit is with the same landlord or management agent). HACA will pay the rental arrears assistance directly to the private landlord. HACA may not use the EHV services fee for debts owed by the family to the PHA, another PHA, or a closely-associated entity affiliated with the PHA.

**Moving expenses (including move-in fees and deposits).** HACA may provide assistance for moving expenses when they initially lease a unit with the EHV program. HACA will not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do. HACA will reimburse families up to \$300 upon providing a receipt for the incurred cost when other resources cannot.

**Pre-tenancy services and services that support EHV families in fulfilling their family obligations under the EHV program.** HACA may use services fees to help create a customized plan to address or mitigate barriers that individual families may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears. HACA may run full criminal background, rental, and credit history checks for adult family members at initial voucher issuance at a cost not to exceed \$50 per adult with the family member's permission. HACA may also use the services fee for services to remedy a lease violation/prevent an eviction or notice to vacate (e.g. rectifying unsanitary living conditions or property damage) and will establish a spending cap for this service of \$3,500; this excludes financial assistance for rental/utility arrears. All services and training provided must be voluntary for the family and cannot be a condition of the lease or a PHA requirement for admission or continued participation in the EHV program.

**Renter's insurance.** HACA may assist the family with renters insurance not to exceed \$200 for one policy. HACA will not assist with this expense beyond the initial lease term.

Any services fee assistance returned to the HACA after its initial or subsequent use may only be applied to the eligible services fee uses defined in Notice PIH 2021-15 (or subsequent notice) or other EHV administrative costs. Any amounts not expended for these eligible uses when the HACA's EHV program ends must be remitted to HUD.



## **PART II: PARTNERING AGENCIES**

### **TPS-II.A. CONTINUUM OF CARE (CoC)**

PHAs that accept an allocation of EHVs are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of EHVs.

#### HACA Policy

HACA has entered into an MOU with the Ending Community Homelessness Coalition (ECHO).

### **TPS-II.B. OTHER PARTNERING ORGANIZATIONS**

The PHA may, but is not required to, partner with other organizations trusted by persons experiencing homelessness, such as victim services providers (VSPs) and other community partners. If the PHA chooses to partner with such agencies, the PHA must either enter into an MOU with the partnering agency or the partnering agency may be added to the MOU between the HACA and CoC.

#### HACA Policy

HACA may choose to enter into an MOU with other partnering agencies or add the agency to the MOU with ECHO if it deems necessary to effectively serve the homeless.

### **TPS-II.C. REFERRALS**

#### **CoC and Partnering Agency Referrals**

The primary responsibility of the CoC under the MOU with the PHA is to make direct referrals of qualifying individuals and families to the PHA. The PHA must generally refer a family that is seeking EHV assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for EHV assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHVs. The CoC or other direct referral partner must provide supporting documentation to the PHA verifying that the family meets one of the four eligible categories for EHV assistance.

**HACA Policy**

The CoC or partnering agency must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the HACA. The CoC or other partnering agency must certify that the EHV applicants referred to HACA meet at least one of the four EHV eligibility criteria. The HACA will maintain a copy of the referral or certification from the CoC or other partnering agency in the participant's file along with other eligibility paperwork.

As part of the MOU, the HACA and CoC or other partnering agency will identify staff positions to serve as lead EHV liaisons. These positions will be responsible for transmission and acceptance of referrals. The CoC or partnering agency must commit sufficient staff and other resources to ensure eligible individuals and families are identified and determined eligible in a timely manner.

The HACA liaison responsible for acceptance of referrals will contact the CoC or partnering agency liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. The CoC will submit referrals in a timely manner and in a method and format defined in the MOU.

**Offers of Assistance with CoC Referral**

The HACA may make an EHV available without a referral from the CoC or other partnering organization in order to facilitate an emergency transfer under VAWA in accordance with the HACA's Emergency Transfer Plan (ETP) in Chapter 16.

The HACA must also take direct referrals from outside the CoC if:

- The CoC does not have a sufficient number of eligible families to refer to the HACA; or
- The CoC does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

If at any time the HACA is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC or other partner referral agency, HUD may permit the HACA on a temporary or permanent basis to take EHV applications directly from applicants and admit eligible families to the EHV program in lieu of or in addition to direct referrals in those circumstances.

### **PART III: WAITING LIST MANAGEMENT**

#### **TPS-III. A. HCV WAITING LIST**

The regulation that requires the HACA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to HACAs operating the EHV program. Direct referrals are not added to the HACA's HCV waiting list.

The HACA must inform families on the HCV waiting list of the availability of EHV's by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2021-15.

#### **HACA Policy**

HACA will inform the public and families on the HCV waiting list of the availability of EHV's by posting the information on the HACA website. The notice will:

- Describe the eligible populations to which EHV's are limited
- Clearly state that the availability of these EHV's is managed through a direct referral process
- Advise the family to contact the CoC or any other applicable HACA referral partner

The HACA will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. The HACA will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

#### **TPS-III.B. EHV WAITING LIST**

The HCV regulations requiring PHAs to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the EHV program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the EHV's available, the PHA must maintain a separate waiting list for EHV referrals, both at initial leasing and for any turnover vouchers that may be issued prior to September 30, 2023.

Further, the EHV waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list.

**TPS-III.C. PREFERENCES****HCV Waiting List Preferences**

If local preferences are established by the PHA for HCV, they do not apply to EHV's. However, if the PHA has a homeless preference or a VAWA preference for the HCV waiting list, the PHA must adopt additional policies related to EHV's in accordance with Notice PIH 2021-15.

**HACA Policy**

The HACA has a homeless preference for the HCV waiting list as outlined in Section 4-III.C. Local Preferences.

HACA will refer any applicant on the waiting list that indicates they qualify for the homeless preference to the CoC. The CoC will determine whether the family is eligible for an EHV (based on the qualifying definition for EHV assistance for homelessness or another eligible category as applicable). The CoC will also determine if the family is eligible for other homeless assistance.

**EHV Waiting List Preferences**

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV's. The PHA may, however, choose to not establish any local preferences for the EHV waiting list.

**HACA Policy**

No local preferences have been established for the EHV waiting list. The ECHO (CoC) or partnering agency must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the HACA.

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**PART IV: FAMILY ELIGIBILITY****TPS-IV.A. OVERVIEW**

The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2021-15 and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the EHV program and outlined below.

**TPS-IV.B. REFERRING AGENCY DETERMINATION OF ELIGIBILITY**

In order to be eligible for an EHV, an individual or family must meet one of four eligibility criteria:

- Homeless as defined in 24 CFR 578.3;

- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2021-15), or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability as determined by the CoC or its designee in accordance with the definition in Notice PIH 2021-15.

As applicable, the CoC or referring agency must provide documentation to the HACA verifying that the family meets one of the four eligible categories for EHV assistance. The HACA must retain this documentation as part of the family's file.

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#### **TPS-IV.C. HACA SCREENING**

##### **Overview**

HUD waived 24 CFR 982.552 and 982.553 in part for the EHV applicants and established alternative requirement for mandatory and permissive prohibitions of admissions. Except where applicable, HACA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for an EHV. Instead, the EHV alternative requirement listed in this section will apply to all EHV applicants.

The mandatory and permissive prohibitions listed in Notice PIH 2021-15 and in this chapter, however, apply only when screening the individual or family for eligibility for an EHV. When adding a family member after the family has been placed under a HAP contract with EHV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the HACA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3.

##### **Mandatory Denials**

Under alternative requirements for the EHV program, mandatory denials for EHV applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited EHV grounds for denial of admission first.

HACA Policy

HACA will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms. The HACA will notify the family of the limited EHV grounds for denial of admission via email and mail.

Permissive Denial

Notice PIH 2021-15 lists permissive prohibitions for which the HACA may, but is not required to, deny admission to EHV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for EHV families.

If the PHA intends to establish permissive prohibition policies for EHV applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

HACA Policy

The HACA will not adopt any permissive prohibitions for the EHV program.

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TPS-IV.D. INCOME VERIFICATION AT ADMISSIONSelf-Certification at Admission

The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the EHV program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, HACA policies related to the verification of income in Section 7-I.B. do not apply to EHV families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the HACA's request.

HACA Policy

Any documents used for verification must not be damaged, altered, or in any way illegible.

HACA will consider self-certification the highest form of income verification at admission. HACA will request written third party verification if readily available in attempt to mitigate future material discrepancies.

HACA will accept third-party documents provided by applicants that represent the

applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the HACA's request. For example, a Supplemental Security Income (SSI) benefit letter that was issued in November 2020 to represent the applicant's benefit amount for 2021 and was provided to the HACA in September 2021 would be an acceptable form of income verification.

Printouts from webpages are acceptable documentation.

Any family self-certifications must be made in a format acceptable to the HACA and must be signed by the family member whose information or status is being verified. HACA will define its standard Certification Forms for new admissions as a format acceptable to the HACA.

The HACA will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. The HACA will address any material discrepancies (i.e., unreported income or a substantial difference in reported income). The HACA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, the HACA will terminate the family's assistance in accordance with the policies in Chapter 12.

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#### **Recently Conducted Income Determinations**

HACAs may accept income calculations and verifications from third-party providers or from a certification or recertification that the HACA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial certification of income as long as:

- The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- The family certifies there has been no change in income or family composition in the interim.

#### **HACA Policy**

The HACA will accept income calculations and verifications from third-party providers provided they meet the criteria outlined above.

The family certification must be made in a format acceptable to the HACA and must be signed by all adult family members whose information or status is being verified.

At the time of the family's annual certification the HACA must conduct the annual certification of income as outlined at 24 CFR 982.516 and HACA policies in Chapter 11.

#### **EIV Income Validation**

Once HUD makes the EIV data available to HACAs under this waiver and alternative requirement, the HACA must:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, HACA must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with HACA policies in Chapter 3.

If HACA later determines that an ineligible family received assistance, the HACA must take steps to terminate that family from the program in accordance with Chapter 12.

#### **TPS-IV.E. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION**

For the EHV program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. Instead, PHAs may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

#### **HACA Policy**

The HACA will accept self-certification and admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. These individuals must provide the required documentation in accordance with policies in Chapter 7 within 180 days of admission. HACA will verify SSN in EIV if the family is unable to obtain verification by the deadline and address material discrepancies as they arise. HACA will provide an additional 90-day extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation of eligible immigration status.

If the HACA determines that an ineligible family received assistance, the HACA will take



steps to terminate that family from the program in accordance with policies in Chapter 12.

#### **TPS-IV.F. AGE AND DISABILITY VERIFICATION**

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

##### **HACA Policy**

The HACA will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to the HACA and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, the HACA will verify the information in EIV or through other third-party verification method. The HACA will note the family's file that self-certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status.

If the HACA determines that an ineligible family received assistance, the HACA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

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#### **TPS-IV.G. INCOME TARGETING**

The PHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and HACA policy in Chapter 3; however, income targeting requirements do not apply for EHV families. The PHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

##### **HACA Policy**

The HACA will include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

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### **PART V: HOUSING SEARCH AND LEASING**

#### **TPS-V.A. INITIAL VOUCHER TERM**

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial search term of at least 120 days. HACA policies on extensions as outlined in Section 5-II.E. will apply.

##### **HACA Policy**

All EHV's will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless HACA grants an extension.

#### **TPS-V.B. HOUSING SEARCH ASSISTANCE**

The PHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the PHA or through the CoC or another partnering agency or entity.

At a minimum, housing search assistance must:

- Help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods;
- Provide transportation assistance and directions to potential units;
- Conduct owner outreach;
- Assist with the completion of rental applications and PHA forms; and
- Help expedite the EHV leasing process for the family

#### HACA Policy

As identified in the MOU between the HACA and CoC, the following housing search assistance will be provided to each EHV family:

#### HACA will:

- Conduct owner outreach in accordance with policies in Chapter 13
- Provide directions to potential units as part of the EHV briefing packet
- Expedite the EHV leasing process for the family and in accordance with policies in this chapter
- At least every 30 days, conduct check-ins via email and telephone with families who are searching with an EHV and remind them of their voucher expiration date
- Assign a dedicated landlord liaison for EHV voucher families

#### HACA or the partner agency identified by the CoC will:

- Help families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods
- Provide transportation assistance to potential units

- Assist the family with the completion of rental applications and HACA forms

### **TPS-V.C. HQS PRE-INSPECTIONS**

To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units.

#### **HACA Policy**

To expedite the leasing process, HACA may pre-inspect available units that EHV families may be interested in leasing to maintain a pool of eligible units. If an EHV family select a unit that passed a HQS pre-inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval, the unit may be approved provided that it meets all other conditions under 24 CFR 982.305.

The family will be free to select his or her unit.

When a pre-inspected unit is not selected, HACA will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required initial or re-inspections.

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### **TPS-V.D. INITIAL LEASE TERM**

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-I.E., Term of Assisted Tenancy.

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### **TPS-V.E. PORTABILITY**

The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to EHV's. Exceptions are addressed below.

#### **Nonresident Applicants**

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of HACA's policy in Section 10-II.B.

#### **Billing and Absorption**

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV's under its own ACC.

- If the EHV family moves under portability to another PHA that administers EHV's under its own ACC:
  - The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do so).

- If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.
- Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.
- If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

### **Family Briefing**

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.

The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

### **HACA Policy**

In addition to HACA'S policy on briefings described in Chapter 5, HACA will inform the family in writing that HACA will assist with moves under portability.

For limited English proficient (LEP) applicants, the HACA will provide interpretation services in accordance with the HACA's LEP plan (See Chapter 2).

### **Coordination of Services**

If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services to determine the appropriate assistance available to the family.

### **HACA Policy**

For EHV families who are exercising portability, when HACA contacts the receiving PHA in accordance with Section 10-II.B. Preapproval Contact with Receiving PHA, the HACA will consult and coordinate with the receiving PHA to ensure there is no duplication of EHV services and assistance, and ensure the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family.

### **Services Fee**

Standard portability billing arrangements apply for HAP and ongoing administrative fees for EHV families.

For service fees funding, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the receiving HACA or \$1,750, unless the initial PHA and receiving PHA mutually agree to change the \$1,750 cap. Service fees are paid as follows:

- If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA regardless of whether the receiving PHA bills or absorbs.
- If the receiving PHA administers EHV's, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance.
- If the receiving PHA does not administer EHV's, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

#### **Placement Fee/Issuance Reporting Fee**

If the portability lease-up qualifies for the placement fee/issuance reporting fee, the receiving PHA receives the full amount of the placement component of the placement fee/issuance reporting fee. The receiving PHA is eligible for the placement fee regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up. The initial PHA qualifies for the issuance reporting component of the placement fee/issuance reporting fee, as applicable.

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#### **TPS-V.F. PAYMENT STANDARDS**

##### **Payment Standard Schedule**

For the EHV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for EHV's. Lower EHV payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate EHV payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payments standards for EHV's, HUD has provided other regulatory waivers:

- Defining the "basic range" for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).
- Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code

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area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The HACA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.

- The PHA must notify HUD if it establishes an EHV exception payment standard based on the SAFMR.

#### HACA Policy

HACA will implement higher payment standards for EHV's. The EHV payment standard will be set at 120% of the current Fair Market Rent (FMR) for the metropolitan area.

#### Rent Reasonableness

All rent reasonableness requirements apply to EHV units, regardless of whether the HACA has established an alternative or exception EHV payment standard.

#### Increases in Payment Standards

The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to EHV. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

#### HACA Policy

The HACA will not establish an alternative policy for increases in the payment standard. HACA policy in Section 11-III.B governing increases in payment standards will apply to EHV.

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### TPS-V.G. TERMINATION OF VOUCHERS

After September 30, 2023, a PHA may not reissue EHV's when assistance for an EHV-assisted family ends. This means that when an EHV participant (a family that is receiving rental assistance under a HAP contract) leaves the program for any reason, the PHA may not reissue that EHV to another family unless it does so no later than September 30, 2023.

If an applicant family that was issued the EHV is unsuccessful in finding a unit and the EHV expires after September 30, 2023, the EHV may not be reissued to another family.

All EHV's under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since this prohibition only applies to EHV's

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that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHV to cease leasing any unleased EHV if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families.

#### **PART VI: USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS**

EHV funds allocated to the PHA for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to the HACA may not be used for EHV administrative expenses or the other EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to the PHAs are to be used for those purposes and must not be used for HAP.

The appropriated funds for EHV are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHV and cannot be used for regular HCVs. EHV funding may not be used for the repayment of debts or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD), or other monitoring review findings.

The PHA must comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15.

The PHA must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent the administration of the EHV in accordance with the HCV program requirements at 24 CFR 982.158.



# Housing Authority of the City of Austin

*Established in 1937*

**Board of Commissioners**  
Carl S. Richie Jr., Chairman  
Charles Bailey  
Tyra Duncan-Hall  
Edwina Carrington  
Mary Apostolou

**President & CEO**  
Michael Gerber

December 1, 2023

Texas RioGrande Legal Aid, Inc.  
Attn: Fred Fuchs  
4920 North IH-35  
Austin, TX 78751

Re: Comments on Proposed Changes to HACA'S Housing Choice Voucher Administrative Plan

Dear Mr. Fuchs,

The following is in response to your comments on November 21, 2023, regarding the proposed changes to HACA's Housing Choice Voucher Administrative Plan.

**Comment #1:**

Page 76 – Removal of provision allowing for denial of admission if family owes move-out balance to HACA.

This is a positive change that we believe will be of help to very poor families who are most likely to have incurred a balance in the past. It should be modified to specify that this includes families who may owe a move-out balance to other PHAs or federally subsidized landlords.

**Response to Comment #1:**

This section is on "Preliminary Eligibility Criteria" and states what will be done before someone is placed on the HCV waiting list. In review of Admissions current procedures, applicants are not screened for debts owed before being added to the housing choice voucher waiting list and are not sent a debt notification letter. The deletion was to make the plan match our actual practices.

The policy regarding denying admissions if an applicant owes a debt to a PHA or other public housing assistance under the 1937 Act remains in place as reflected on pages 78 – 79 of the HCV Administrative Plan and states:

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.

*Bringing Opportunity Home*

1124 S. I.H. 35, Austin, TX. 78704 • P.O. Box 6159 Austin, TX 78762-6159 • (512) 477-4488 • Fax (512) 477-0953



**Comment #2:**

Pages 172-73 – Changing minimum rent from \$25.00 to \$0.00.

This too is a positive change that will help those families who most need the financial help. With inflationary pressures increasing the cost of food, transportation, and utilities, this will be of some help to those very poor families who pay the minimum rent.

**Response to Comment #2:**

HACA appreciates your support of this change.

**Comment #3:**

Pages 287-88 – Revising reporting requirements to require reporting all changes in income, assets, or family composition within 30 Days of Occurrence.

This change should be modified in several respects. First, we suggest that the policy track the HUD model lease and require reporting of income changes between annual recertification reviews only if (1) an adult member of the household who was reported as unemployed on the most recent certification obtains employment or (2) the household's income cumulatively increases by \$200 or more a month. Requiring reporting in only these instances acts as a small incentive to a family to increase its income and, importantly, will lessen the administrative burden of staff.

Second, a family should be required to report changes in assets only at the annual recertification review and not between reviews. For instance, if a participant qualifies for SSI and receives a lump sum award, the participant should be required to first report the lump sum award at the next annual recertification review. In most cases, the participant will immediately spend down the award for necessities that have been put on hold. Any increase in the participant's share of the rent will be de minimis. It is just not worth the administrative paperwork to require reporting of asset changes that will in almost every case result in no change in the family's rent share.

Third, the phrase "from the date of occurrence" should be defined to mean the date of receipt of the first paycheck or receipt of the first payment of any benefit, such as SSI or unemployment compensation. Our experience is that this is how most families interpret the duty to report the change, so this makes the most sense.

**Response to Comment #3:**

1. On September 29, 2023, HUD issued Notice PIH 2023-27, the implementation guidance for Sections 102 and 104 of the Housing Opportunities Through Modernization Act (HOTMA). Housing Authorities are required to update their policies to comply with HOTMA no later than January 1, 2025. HACA is reviewing the HOTMA requirements and will revise policies to comply with HOTMA requirements. Before approval, HACA will have another public comment period.

The changes concerning tenant reporting requirements are intended to help households prepare for the upcoming changes. Currently, families are in the habit of reporting changes within 30 days of occurrence.

In 2022, HACA revised the tenant reporting requirement to ease the administrative burden on families. However, with the upcoming HOTMA requirements, the annual reexamination will consider client changes reported throughout the year. All reported interim changes are necessary to determine an accurate yearly income for a preceding 12-month period.

HUD has recommended as a best practice that PHAs maintain documentation of reported changes in annual adjusted income in the family's file, including increases of any size and those that did not result in an interim reexamination.

2. As recommended, I removed the requirement to report assets between recertifications.
3. In response to your recommendation regarding "from the date of occurrence." It has been HACA's policy to define the date of occurrence as the date of hire or the effective date to receive a benefit for unearned income. This policy provides the most consistency in establishing the date, as the date people receive their first paycheck or benefit may vary. HACA will keep this policy in place.

**Comment #4:**

Page 503 -- Removing requirement that HACA will notify family about choice mobility as part of the 90 day letter sent prior to the annual recertification appointment.

This change should not be adopted. Families in RAD-converted properties must be able to plan any transition to other housing. We find a great deal of misunderstanding among families in the RAD-converted properties about their status on the voucher waiting list. Anything that can be done to help families stay on top of where they stand with respect to the waiting list should be done. Giving notice 90 days from the date of the annual recertification appointment is important in allowing a family to plan.

**Response to Comment #4:**

In the RAD Notice, HUD requires RAD properties to provide information to residents in the House Rules regarding the Choice Mobility program and how to apply. The proposed change to the HCV Administrative Plan does not remove this requirement. HACA will continue to provide that information in the House Rules.

HUD does not require RAD properties to provide annual updates about how to apply. HACA provides annual information through the 90-day letter sent when a family recertifies. The proposed change removes HACA's self-imposed annual notification because HUD does not require this. There is no negative resident impact because the information remains available to the resident through the House Rules.

The current 90-day letter sent at recertification does not contain any information about a household's spot on the Choice Mobility waiting list or any potential upcoming voucher issuance. If a resident has questions about their place on the waiting list, the resident is instructed to contact the Admissions Department.

**Comment #5**

Page 506 -- Providing that families in Project-based Rental Assistance Properties are ineligible for a voucher if they have outstanding debt, including families on repayment agreements.

This change should be modified to provide that families on repayment agreements are eligible for a mobility voucher so long as they remain current on the repayment agreement. So long as the family remains current, no good reason exists to deny the family a voucher. This is in keeping with the change that families will not be denied a voucher because of an unpaid debt to HACA.

**Response to Comment #5**

As indicated in response to comment #1, the change on page 76 was to allow applicants with debts to be added to the HCV waitlist. The policy regarding denying admissions if an applicant owes a debt to a PHA or other public housing assistance under the 1937 Act remained in place.

Debts and repayment agreements result from behaviors or actions that violated the lease (i.e., failure to report income, unauthorized occupants, inability to keep utilities on) or poor care of their unit (damage charges). The debt must be paid in full for a family to regain good standing in their current federally subsidized housing program. The proposed policy is revised to require families transferring from a HACA PBRA property to repay the debt in full to HACA before HCV admissions approval.

Thank you for providing your written comments.

Sincerely,

Lisa Garcia  
Vice President of Assisted Housing

# Texas RioGrande Legal Aid, Inc.

4920 North IH-35  
Austin, Texas 78751  
Austin Office Telephone (512) 374-2700  
FAX (956) 591-8752  
INTAKE 956-996-8752

Fred Fuchs - 512-374-2720  
Email: [ffuchs@trla.org](mailto:ffuchs@trla.org)

Sent via email to: [executive@hacanet.org](mailto:executive@hacanet.org)

November 21, 2023

Housing Authority of City of Austin (HACA)  
Mr. Michael Gerber  
Attn: President and CEO  
1124 South IH-35  
Austin, Texas 78704

Re: Comments on Proposed Changes to HACA'S Housing Choice  
Voucher Administrative Plan

Dear Mr. Gerber:

These brief comments are submitted in response to the request for comments on proposed changes to HACA's Housing Choice Voucher Administrative Plan.

1. Page 76 - Removal of provision allowing for denial of admission if family owes move-out balance to HACA.

This is a positive change which we believe will be of help to very poor families who are most likely to have incurred a balance in the past. It should be modified to specify that this includes families who may owe a move-out balance to other PHAs or federally subsidized landlords.

2. Pages 172-73 - Changing minimum rent from \$25.00 to \$0.00.

This too is a positive change that will help those families who most need the financial help. With inflationary pressures increasing the cost of food, transportation, and utilities, this will be of some help to those very poor families who pay the minimum rent.

3. Pages 287-88 - Revising reporting requirements to require reporting all changes in income, assets, or family composition within 30 Days of Occurrence.

This change should be modified in several respects. First, we suggest that the policy track the HUD model lease and require reporting of income changes between annual recertification reviews only if (1) an adult member of the household who was reported as unemployed on the most recent certification obtains employment or (2) the household's income cumulatively increases by \$200 or more a month. Requiring reporting in only these instances acts as a small incentive to a family to increase its income and, importantly, will lessen the administrative burden of staff.

Second, a family should be required to report changes in assets only at the annual recertification review and not between reviews. For instance, if a participant qualifies for SSI and receives a lump sum award, the participant should be required to first report the lump sum award at the next annual recertification review. In most cases, the participant will immediately spend down the award for necessities that have been put on hold. Any increase in the participant's share of the rent will be de minimis. It is just not worth the administrative paperwork to require reporting of asset changes that will in almost every case result in no change in the family's rent share.

Third, the phrase "from the date of occurrence" should be defined to mean the date of receipt of the first paycheck or receipt of the first payment of any benefit, such as SSI or unemployment compensation. Our experience is that this is how most families interpret the duty to report the change, so this makes the most sense.

4. Page 503 -- Removing requirement that HACA will notify family about choice mobility as part of the 90 day letter sent prior to the annual recertification appointment.

This change should not be adopted. Families in RAD-converted properties must be able to plan any transition to other housing. We find a great deal of misunderstanding among families in the RAD-converted properties about their status on the voucher waiting list. Anything that can be done to help families stay on top of where they stand with respect to the waiting list should be done. Giving notice 90 days from the date of the annual recertification appointment is important in allowing a family to plan.

5. Page 506 -- Providing that families in Project-based Rental Assistance Properties are ineligible for a voucher if they have an outstanding debt, including families on repayment agreements.

This change should be modified to provide that families on repayment agreements are eligible for a mobility voucher so long as they remain current on the repayment agreement. So long as the family remains current, no good reason exists to deny the family a voucher. This is in keeping with the change that families will not be denied a voucher because of an unpaid debt to HACA.

We appreciate the opportunity to submit comments.

Sincerely,

*Fred Fuchs*  
\_\_\_\_\_  
Fred Fuchs

Sent by email to [Executive@hacanet.org](mailto:Executive@hacanet.org)



# Housing Authority of the City of Austin

*Established in 1937*

**Board of Commissioners**  
Carl S. Richie Jr., Chairman  
Charles Bailey  
Tyra Duncan-Hall  
Edwina Carrington  
Mary Apostolou

**President & CEO**  
Michael Gerber

December 5, 2023

ADAPT of Texas  
1100 S. IH35  
Austin, TX 78704

Re: Comments on Proposed Changes to HACA'S Housing Choice Voucher Administrative Plan, Annual Plan, and 2020-2024 PHA 5-year plan

Dear ADAPT,

The Housing Authority of the City of Austin appreciates you taking the time to provide comments on HACA's Housing Choice Voucher Administrative Plan, Annual Plan, and 2020-2024 PHA 5-year plan.

The following is in response to your comments on December 4, 2023.

## **ADAPT's Comment #1**

While ADAPT strongly supports services and supports for people who need them, we do not support having these services tied to housing, they should be separate. People, including people with disabilities — even mental health disabilities — deserve to have a home that is their refuge, even from social workers.

## **HACA's Response to Comment #1**

For all rental vouchers that include support services provided by a service provider, people with disabilities may choose to participate in support services. There is no mandatory requirement to participate in support services.

## **ADAPT's Comment #2**

Additionally, people with criminal background problems need a place, too, and their situations should be individually assessed, not dismissed out of hand by category, especially those whose criminal background problems are related to their disabilities.

## **HACA's Response to Comment #2**

On December 7, 2022, HACA revised its criminal screening criteria to include only HUD mandatory criminal screening criteria to provide broader access to housing choice vouchers for people with criminal backgrounds. In denying assistance, HACA will consider the nature and gravity of the offense and any other mitigating factors known and available. Upon consideration of such factors, HACA may decide not to deny assistance. If a person is denied a voucher, they may appeal the denial.

### **ADAPT's Comment #3**

However, focus on the lack of housing for people who are homeless has meant a lessening of resources for the already underserved very low income population that are not homeless but need housing. HACA has served as the main resource for these folks and we would just urge, as you expand your plans for housing options, that you remember your unique role for these individuals. We are not saying don't serve homeless people, they need housing. We are saying don't throw out, or push to the back of the line, the non-homeless low-income members from the boat of our community. In addition, there are many people with disabilities of all ages stuck in nursing homes because they cannot find accessible, affordable housing. They are homeless too, despite what HUD may say. Nursing homes are not housing and no one should have to live there for lack of better options.

### **HACA's Response to Comment #3**

HACA's wait list preferences seek a balanced approach to provide opportunities for people needing a housing choice voucher. Currently, HACA has a preference for people with disabilities, the elderly, families with minor children, and persons experiencing homelessness to have access to a voucher. Additionally, HACA has several special-purpose vouchers for persons with disabilities, including 488 Mainstream Vouchers that assist non-elderly people with disabilities. HACA also has 36 Non-elderly disabled vouchers designated for persons with disabilities currently residing in nursing homes or other healthcare institutions to allow them to transition into renting a home in an independent living situation.

### **ADAPT's Comment 4**

Something I hope HACA is already aware of, but did not see reflected in these updates is the rewrite of the Section 504 regulations. After 50 years, HUD has finally seen fit to update these critical regulations. And frankly HUD has done a remarkable job. Right now they are still being written but we are awaiting the new rules with great anticipation. Hopefully HACA is as well, and is familiarizing themselves with the changes.

In the upcoming year we hope HACA will consider supporting training for people with disabilities and staff on the new updated 504 regulations that will be coming from HUD in the near future.

### **HACA's Response to Comment 4**

HACA is reviewing the updates to Section 504 regulations and will support training for HACA employees and people with disabilities on updated 504 regulations and policies.

Thank you for providing your written comments. HACA will continue working with the disability rights community regarding affordable housing and workforce development issues to expand accessibility to housing for people with disabilities.

Sincerely,

Lisa Garcia  
Vice President of Assisted Housing



Attn.: Michael Gerber, President/CEO  
 HACA  
 1124 S IH 35  
 Austin, TX 78704

# ADAPT Comments on the HACA Updates to the 2020-2024 PHA 5 year plan and Draft 2022 PHA Annual Plan

ADAPT would like to compliment HACA and commend them for their strong efforts to expand the number of subsidized housing units in Austin. Their efforts have been positively assisted by Austin Affordable Housing Corporation. Almost 18,000 new and preserved affordable units is nothing to sneeze at.

Affordability is at a crisis in Austin, you can hear people talk about it all the time. However, they are mostly talking about housing for people at 80% MFI. For people who are at 60% and below, most especially those at 30% and below the situation is horrible. Add to that the limited to non-existent transportation to and from, and even around, communities on the outskirts of Austin (where many lower income people have moved as affordability got worse), and you begin to see the real crisis that is upon us. Adding the issue of accessibility to the rest only makes it that much worse. Austin is the 10<sup>th</sup> or 11<sup>th</sup> largest city in the US and yet, apparently HUD thinks we only deserve a little over 7,000 vouchers? That seems way too low to us. The average rent in Austin is \$1,806 per month. That is way over SSI and most SSDI total incomes, let alone the 1/3 of your income HUD thinks should be the cost limit.

Services, jobs and other basics of life are more available in Austin than in the surrounding communities, but getting to them is increasingly difficult for the lower-income members of our community. Hence the importance of in-town affordable housing. We can talk about increased public transit as a way to assist affordability, but everyone knows that is years away, at best.

A further compounding issue is the growing degree of homelessness in Austin. You see people living by the sides of highways, under bridges, in parks, etc. all over town. A ban on camping has hidden some of the people who have no where to go, but it does nothing to solve the problem. There needs to be housing for these individuals and families, and not in large mental institutions as was done in the past. While ADAPT strongly supports services and supports for people who need them, we do not support having these services tied to housing, they should be separate. People, including people with disabilities – even mental health disabilities – deserve to have a home that is their refuge, even from social workers. Additionally, people with criminal background problems need a place to live too and their situations should be individually assessed, not dismissed out of hand by category, especially those whose criminal background problems are related to their disabilities.

However, focus on the lack of housing for people who are homeless has meant a lessening of resources for the already underserved very low income population that are not homeless but need housing. HACA has served as the main resource for these folks and we would just urge, as you expand your plans for housing options, that you remember your unique role for these individuals. We are not saying don't serve homeless people, they need housing. We are saying don't throw out, or push to the back of the

line, the non-homeless low-income members from the boat of our community. In addition, there are many people with disabilities of all ages stuck in nursing homes because they cannot find accessible, affordable housing. They are homeless too, despite what HUD may say. ***Nursing homes are not housing and no one should have to live there for lack of better options.***

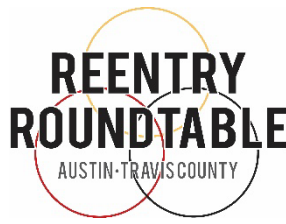
We have been pleasantly amazed at HACA's and AAHC's efforts and ability to expand the amount of housing they provide. The RAD efforts at Chalmers have produced beautiful housing with many more units of greatly improved quality and we feel sure Rosewood and Santa Rita will be the same. HACA has done a great deal to include residents in the planning and outreach for these projects.

Something I hope HACA is already aware of, but did not see reflected in these updates is the rewrite of the Section 504 regulations. After 50 years, HUD has finally seen fit to update these critical regulations. And frankly HUD has done a remarkable job. Right now they are still being written but we are awaiting the new rules with great anticipation. Hopefully HACA is as well, and is familiarizing themselves with the changes.

In the upcoming year we hope HACA will consider supporting training for people with disabilities and staff on the new updated 504 regulations that will be coming from HUD in the near future.

We also would like to suggest that similar to the automotive repair program, HACA consider a wheelchair and durable medical equipment repair program. It is becoming more and more difficult to get this kind of equipment properly repaired, and the skilled repair people are aging out of the business.

HACA's Blueprint Housing Solutions is a terrific idea, and ADAPT hopes some of the solutions offered include accessibility for people with disabilities.



## Austin-Travis County Reentry Roundtable

*Building Successful Strategies for  
Reentry and Reintegration in Austin/Travis County, Texas*  
[www.reentryroundtable.org](http://www.reentryroundtable.org)

December 4<sup>th</sup>, 2023

Mr. Michael Gerber, President and CEO  
Housing Authority of the City of Austin  
1124 South IH-35  
Austin, Texas 78704  
Delivered to: [executive@hacanet](mailto:executive@hacanet)

Dear Mr. Gerber:

The Austin/Travis County Reentry Roundtable welcomes the opportunity to submit written comments on the proposed changes to HACA's Draft 2024 PHA Annual Plan and 2020-2024 PHA Five-Year Plan. Our comments are outlined below:

### **Criminal Screening Criteria for Public Housing**

The Roundtable applauds HACA for revising the HCV criminal screening criteria policy to only include federal mandatory denial language and remove other previous reasons for admissions denial for criminal activity. This action will substantially increase access to housing for individuals who live with a criminal history and their families, which will also decrease racial and ethnic disparities in our community. We encourage HACA to include the same language relating to Fair Housing Act standards and the use of criminal records in denials and to make the same revisions to criminal screening criteria for all HACA-owned public housing in its PHA 5-Year and Annual Plan.

### **Affirmatively Furthering Fair Housing**

As a recipient of federal funding, HACA must certify that it is affirmatively furthering fair housing in its PHA Plans. Under the Fair Housing Goal: *Implement Displacement Mitigation Strategies that are related to Disproportionate Housing Needs*, the Roundtable recommends including a strategy relating to the creation of no barrier or low-barrier housing options for individuals who are directly and negatively impacted in their housing options due to their (or a family member's) previous involvement with the criminal legal system.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Shearer".

Melissa Shearer  
Vice Chair  
[exec@reentryroundtable.org](mailto:exec@reentryroundtable.org)

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## BOARD ACTION REQUEST

### RESOLUTION NO. 02824

#### QUALITY CONTROL

#### ITEM NO. 3.

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**MEETING DATE:** December 15, 2023

**STAFF CONTACT:** Kelly Crawford, Director of Compliance Oversight

**ITEM TITLE:** Presentation, Discussion and Possible Action Regarding Resolution No. 02824; Approval to Submit the 2024 PHA Annual Plan and Update to the 2020-2024 Five-Year Plan to the U.S. Department of Housing and Urban Development.

**BUDGETED ITEM:** N/A

**TOTAL COST:** N/A

#### ACTION

The Board is being asked to approve, adopt and submit the 2024 PHA Annual Plan and update to the Five-Year Plan to the U.S. Department of Housing and Urban Development.

#### 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, including changes to these policies. They also inform 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. PHAs with no public housing, such as HACA, that administer only Housing Choice Voucher (HCV) programs utilize Form HUD-50075-HCV and HUD-50075-5Y to submit changes to its PHA Plans.

The Draft 2024 PHA Annual Plan incorporates proposed changes to the Housing Choice Voucher Administrative Plan along with updates regarding the agency's Five-Year Goals and Objectives.

##### ***Process:***

A 45-day public comment period commencing at 8:00 a.m. on Friday, October 20, 2023 and concluding at 5:00 p.m. on Monday, December 4, 2023 was held to solicit comments regarding the 2024 Public Housing Authority (PHA) Annual Plan and updates to the Five-Year Plan. Notices regarding the announcement of the public comment period for these plans were sent to various community organizations, posted on the HACA website, and advertised in the Austin American Statesman, The Villager, and La Prensa. Notice letters of the draft 2024 PHA Annual Plan were sent to the Austin Tenants' Council, the City of Austin's Housing Department, ADAPT of Texas, ECHO, and Texas RioGrande Legal Aid, along with other interested

community leaders and stakeholders. Additionally, a public hearing was held on October 30, 2023.

HACA received written comments from Texas RioGrande Legal Aid in support of the changes to the HCV program regarding the reduction of minimum rent from \$25 to \$0 and other comments touching on revising reporting requirements within 30 days of occurrence, choice mobility, and regarding eligibility of families in the PBRA program to receive housing choice vouchers if the family has an outstanding debt. All comments were reviewed and considered.

HACA also received written comments from ADAPT of Texas. Comments revolved around the needs of persons with disabilities, updates to Section 504 regulations, and removing barriers to housing for persons with criminal backgrounds. All comments were reviewed and considered.

***Staff Recommendation:***

Staff is asking the Board of Commissioners to approve, adopt and submit the 2024 PHA Annual Plan and updates to the Five-Year Plan to the U.S. Department of Housing and Urban Development.

**ATTACHMENTS:**

- ▣ **PHA Annual Plan**
- ▣ **Five Year Plan**

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**RESOLUTION NO. 02824**

**Approval to Submit the 2024 Public Housing Authority (PHA) Annual Plan and the Update to the 2020-2024 Five Year Plan to the U.S. Department of Housing and Urban Development**

**WHEREAS**, to be in compliance with the Quality Housing Work Responsibility Act of 1998, the Housing Authority of the City of Austin (HACA) has completed the 2024 Public Housing Authority (PHA) Annual Plan and the update to the 2020-2024 Five-Year Plan;

**WHEREAS**, to meet the requirements for public notification, HACA advertised the announcement of the draft plan through the local media, sent notices of the draft plans to various community service partners and providers, and conducted a public hearing;

**WHEREAS**, to meet the requirements for the public comment period, HACA made available copies of the draft plan at its Administration Building and on the agency's internet site for a forty-five day public comment period ending December 4, 2023;

**WHEREAS**, HACA received written comments from two community organizations during the public comment period. All comments were reviewed and considered; and

**WHEREAS**, HACA has completed the requirements to submit the 2024 Agency Plan and the update to the Five-Year Plan effective December 15, 2023.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the Housing Authority of the City of Austin Board of Commissioners approves and adopts the agency's 2024 PHA Annual Plan and the update to the 2020-2024 Five-Year Plan effective December 15, 2023.

**PASSED, APPROVED AND ADOPTED** this 15<sup>th</sup> day of December 2023.

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Michael G. Gerber, Secretary

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Carl S. Richie, Jr., Chairperson

## Housing Authority of the City of Austin

# DRAFT 2024 PUBLIC HOUSING AUTHORITY ANNUAL PLAN



A 45-Day Public Comment Period for the 2024 PHA Annual Plan and updates to the 2020-2024 Five-year Plan commenced on Friday, October 20, 2023 and concluded on Monday, December 4, 2023. A Public Hearing was held October 26, 2023 at NOON to receive public input for the draft 2024 Annual Plan and updates to the 2020-2024 Five Year Plan. The final draft was presented to and approved by the HACA Board of Commissioners at the December 15, 2023 Board of Commissioners meeting.

<b>Streamlined Annual PHA Plan (HCV Only PHAs)</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires 03/31/2024</b>
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, including changes to these policies, 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.** The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

**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 the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 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 exceed 550, and that was designated as a standard performer in the most recent PHAS and 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.

<b>A.</b>	<b>PHA Information.</b>																																							
<b>A.1</b>	<div> <div> PHA Name: <u>Housing Authority of the City of Austin</u> PHA Code: <u>TX001</u> </div> <div> PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>04/2024</u> </div> <div> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) </div> <div> Number of Housing Choice Vouchers (HCVs) <u>6,363 HCV + 488 Mainstream + 242 Emergency Housing Vouchers = 7,093</u> </div> <div> PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission </div> </div> <div> <p><b>Availability of Information.</b> A 45-Day Public Comment Period for the draft 2024 PHA Annual Plan and updates to the 2020-2024 Five-year Plan will commence on Friday, October 20, 2023 and conclude on Monday, December 4, 2023. A Public Hearing will be held on Monday, October 30, 2023 at noon to receive public input for the draft 2023 Annual Plan and 2020-2024 Five Year Plan update. The final draft will be presented to the HACA Board of Commissioners for approval at the December 15, 2023 Board of Commissioners meeting.</p> <p>Copies of the 2024 Annual Plan and 2020-2024 Five Year Plan update are available at the HACA Central Office and on the HACA website, <a href="http://www.hacanet.org">www.hacanet.org</a>. All supporting documentation is available at the HACA Central Office or via the HACA website.</p> <p><input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a joint Plan and complete table below)</p> <table border="1"> <thead> <tr> <th>Participating PHAs</th> <th>PHA Code</th> <th>Program(s) in the Consortia</th> <th>Program(s) not in the Consortia</th> <th>No. of Units in Each Program</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table> </div>					Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	Lead HA:																													
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<b>B.</b>	<b>Plan Elements.</b>																																							



## B.1

**Revision of Existing PHA Plan Elements.**

a) Have the following PHA Plan elements been revised by the PHA since its last Annual 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.  
☒ ☐ Operation and Management.  
☐ ☒ Informal Review and Hearing Procedures.  
☐ ☒ Homeownership Programs.  
☐ ☒ Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.  
☐ ☒ Substantial Deviation.  
☐ ☒ Significant Amendment/Modification.

(b) If the PHA answered yes for any element, describe the revisions for each element(s):

**Financial Resources:**

Fiscal Year 2024 Funding	HAP	Admin Fees	Preliminary Fees	Service Fees	Total
Housing Choice Voucher Program	\$ 72,509,716	\$ 5,534,094	\$ -	\$ -	\$ 78,043,810
Mainstream Voucher	\$ 4,780,752	\$ 361,171	\$ -	\$ -	\$ 5,141,923
Emergency Housing Vouchers	\$ 2,725,090	\$ 236,004	\$ -	\$ 211,750	\$ 3,172,844
Single Room Occupancy	\$ 290,400	\$ 52,758	\$ -	\$ -	\$ 343,158
Foster Youth to Independence	\$ 1,045,917	\$ 73,872			
Continuum of Care Grant	\$ 700,296	\$ 60,726	\$ -	\$ -	\$ 761,022
FSS Grant	\$ -	\$ 462,029	\$ -	\$ -	\$ 462,029
<b>Total</b>	\$ 82,052,171	\$ 6,780,654	\$ -	\$ 211,750	\$ 87,924,786
Fiscal Year 2025 Projected Funding	HAP	Admin Fees	Preliminary Fees	Service Fees	Total
Housing Choice Voucher Program	\$ 74,685,007	\$ 5,700,117	\$ -	\$ -	\$ 80,385,124
Mainstream Voucher	\$ 4,998,688	\$ 403,476	\$ -	\$ -	\$ 5,402,164
Emergency Housing Vouchers	\$ 3,204,220	\$ 271,488	\$ -	\$ -	\$ 3,475,708
Single Room Occupancy	\$ 316,344	\$ 54,341	\$ -	\$ -	\$ 370,685
Foster Youth to Independence	\$ 652,754	\$ 35,817			\$ 688,571
Continuum of Care Grant	\$ 886,867	\$ 65,584	\$ -	\$ -	\$ 952,451
FSS Grant	\$ -	\$ 475,890	\$ -	\$ -	\$ 475,890
<b>Total</b>	\$ 84,743,881	\$ 7,006,713	\$ -	\$ -	\$ 91,750,593

**Rent Determination:** Changing minimum rent from \$25.00 to zero in order to ease the financial burden for families with limited income or resources to help stabilize their housing.

**Selection and Funding Sources** – Added Stability Vouchers and Emergency Housing Vouchers as programs HACA administers. Removed public housing and PVRA discretionary Special Accommodation preference.

	<p><b>Other HCV Administrative Plan Proposed Local Policy Revisions:</b></p> <p><b>Debts owed policy revisions</b></p> <ul style="list-style-type: none"> <li>Removed requirement that debt owed to HACA or another PHA needs to be paid before being placed on the HCV wait list and removed the four year statute of limitation requirement regarding debt owed.</li> <li>Added policy that states families in Project-Based Rental Assistance (PBRA) properties with outstanding debts will be considered ineligible to transition to the HCV program until debt is paid in full.</li> <li>Deleted policy that allowed PBRA households currently making payments on debts owed to HACA to have access to a voucher.</li> </ul> <p><b>Subsidy standards</b> - Edit subsidy standards to allow a maximum of 2 persons in efficiency units and for Single Room Occupancy units (SRO) a maximum of 1 person in the household.</p> <p><b>Reexaminations and interims</b> – Revised earned income disallowance policy per the Housing Opportunities Through Modernization Act (HOTMA) requirements and interim reporting requirements to align with HOTMA requirements.</p> <p><b>Project-Based Voucher (PBV) chapter edits to include the following:</b>  Pathways at Chalmers Courts West received 50 PBV vouchers and HUD recently awarded HACA 50 tenant-protection vouchers (TPV) for Chalmers Courts West. HACA will project-base these TPVs which will bring the total number of project-based vouchers at Chalmers West to 100 PBVs.</p> <p>Add wait list and tenant selection policy for new project-base voucher allocations for Skyline Terrace, Kensington, Burleson, Cairn Point, Lancaster, Real Gardens, Rhett, Roz, Sasha, and The Works at Tillery.</p> <p><b>Choice Mobility for Project-Based Rental Assistance program</b> – Add a Project Turnover Cap. In any calendar year, HACA will limit the number of Choice-Mobility moves exercised by eligible households to 15% of the assisted units in the project in any given year. HACA will maintain a Choice-Mobility Priority List in the order in which the requests from eligible households were received.</p> <p><b>Special Purpose Voucher Updates</b></p> <ul style="list-style-type: none"> <li><b>Veteran Affairs Supportive Housing program (VASH)</b> – Amend policy to indicate that HACA will admit VASH referrals who qualify under the low-income (80%) limit.</li> <li><b>Mainstream Extraordinary Administrative Fees (EAF)</b> – Describes the use of EAF for the Mainstream program to be used for current administrative costs for employees who work with the Mainstream program to expedite lease-up and provide support and for security deposits for initial move-ins.</li> <li><b>Stability Vouchers</b> – Added Stability Voucher policy to Chapter 19: Special Purpose Voucher chapter. HACA received an award of 44 Stability Vouchers. These new vouchers will serve people experiencing homelessness with referrals received through the Coordinated Entry System. HACA has completed a community engagement process to develop a voucher prioritization plan and has identified service partners to support program participants. Integral Care, Downtown Austin Community Court, Family Eldercare, and Lifeworks will provide Permanent Supportive Housing Services to Stability Voucher participants, which will create 44 new PSH beds in our community. The effective date of these new vouchers will be December 1, 2023. Staff utilized the Nan McKay revision service Model HCV Admin Plan to develop the Stability Voucher policy.</li> <li><b>Emergency Housing Voucher Program Service Fees Limits</b> - Revise this policy to ensure the remaining service funds are spent to help existing EHV participants successfully obtain and retain housing.</li> </ul> <p><b>RAD Activities</b> – Pathways at Santa Rita Courts (Santa Rita Courts) previously received assistance under Section 9, United States Housing Act of 1937 (42 U.S.C. Section 1437g). HACA, a public housing authority, through its public facility corporation affiliate, Austin Affordable Housing Corporation, proposes to rehabilitate and reconstruct the housing units of Santa Rita Courts.</p> <p>Santa Rita Courts applied for assistance through the Rental Assistance Demonstration (“RAD”) program administered by HUD as specified by the Consolidated and Further Continuing Appropriations Act, 2012 (Pub. L. No. 112-55) and its subsequent amendments. Santa Rita Courts has subsequently been approved by HUD for participation in the RAD program administered by HUD as specified by the Consolidated and Further Continuing Appropriations Act, 2012 (Pub. L. No. 112-55) and its subsequent amendments.</p> <p>Santa Rita Courts converted from the Public Housing program (Section 9, United States Housing Act of 1937 (42 U.S.C. Section 1437g)) to a RAD Housing Assistance Payments (HAP) PBRA contract, and currently receives assistance through RAD by virtue of the RAD PBRA HAP contract.</p>
B.2	<b>New Activities.</b> – Not Applicable

<p><b>B.3</b></p>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA’s progress in meeting its Mission and Goals described in its 5-Year PHA Plan</p> <ol style="list-style-type: none"> <li> <p><b>Expand affordable housing opportunities and preserve existing assets to ensure long-term sustainability.</b></p> <p>HACA continues to revitalize our assets, seek additional rental assistance vouchers, and advance innovative affordable housing solutions. HACA has broken ground on the redevelopment for Pathways at Rosewood Courts to provide new construction of units as well as a culture center, a community green space, and 12 townhouse-style homes that will be available for sale to low-income, first-time homebuyers. Our next redevelopment project, currently in planning, is Pathways at Santa Rita in 2025. Through our subsidiary, Austin Affordable Housing Corporation (AAHC), additional properties that are either developed and/or acquired accept voucher holders, providing greater choice within our service area. In the past year, AAHC added more than 4,500 units to its portfolio, with over 2,900 additional units currently under construction. Our subsidiary, Austin Pathways, offers homeownership opportunities through our Down Payment Assistance Program being redeveloped to respond to current market conditions.</p> </li> <li> <p><b>Optimize the reach and impact of opportunities for residents and clients to improve their quality of life, achieve self-sufficiency, and reach their full potential.</b></p> <p>HACA promotes individual responsibility and high expectations, and fosters results-based community partnerships and programs focused on our 5 pillars of health and wellness, homeownership, digital inclusion, workforce development, and youth educational success. Scholarships are provided to eligible students to assist with the cost of higher education and to improve self-sufficiency. Among many resident-oriented programs, this past year saw the Bringing Health Home program train HACA residents as certified Community Health Workers (CHWs) to improve health outcomes at one of our newly renovated Pathways at Chalmers Courts East. CHWs provide services including health assessments, nutrition education, and facilitating medical visits. This model is effective because the CHWs often share the linguistic and socioeconomic experiences of those they serve. This initiative was honored with an Award of Merit by the National Association of Housing and Redevelopment Officials and was nominated for the prestigious Award of Excellence.</p> </li> <li> <p><b>Attract, support, develop and retain a talented and diverse workforce that prioritizes HACA’s values.</b></p> <p>HACA invests in our staff, ensures accountability and effective communication, and promotes an innovative, healthy and safe work environment with training and leadership development strategies. This is accomplished through a generous benefit package, wellness programs, tuition reimbursement programs, employee referral program to aid in recruitment, family scholarships, and a hybrid/telecommuting policy. We also periodically conduct salary studies to ensure we are competitive in the local employment market.</p> </li> <li> <p><b>Support organizational efficiency that prioritizes agency resilience, climate sustainability, and the safety of residents and staff.</b></p> <p>HACA undertakes initiatives to assess program and process changes necessary with focus on ongoing development of energy conservation efforts, a secure technology infrastructure, improving business continuity to be adaptable to the ever-changing situations that can interrupt operations, as well as evaluation and promotion of safety measures to further protect residents and staff. Recent actions taken to assist with these efforts include placement of generators at properties with medically fragile residents that will provide energy if critical city infrastructure fails. HACA has also hardened our infrastructure to enhance business continuity during inclement weather and power grid outages.</p> </li> <li> <p><b>Foster exceptional customer service and enhance communications with stakeholders to nurture strong partnerships and to increase community awareness.</b></p> <p>HACA pursues opportunities to implement best practices that enhance communications with customers and stakeholders and promotes awareness of our services within the community.</p> </li> <li> <p><b>Create and implement a plan to advance inclusion, diversity and racial, economic, and social equity throughout the organization, our programs, and partnerships.</b></p> <p>Based on work with our Diversity, Equity and Inclusion (DEI) consultant, HACA continues to review, assess and communicate values and commitments, incorporate those values into the employee experience, and incorporate a broader DEI lens into agency operations to further this important initiative. A DEI Advisory Group considers issues, identifies new approaches, promotes awareness and other actions such as working with our DEI consultant to meet our goals.</p> </li> </ol>
<p><b>B.4</b></p>	<p><b>Capital Improvements. – Not Applicable</b></p>
<p><b>B.5</b></p>	<p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y   N   N/A</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>

<b>C.</b>	<b>Other Document and/or Certification Requirements.</b>
<b>C.1</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y    N  <input type="checkbox"/>   <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<b>C.2</b>	<p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD 50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>C.3</b>	<p><b>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</b></p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>C.4</b>	<p><b>Challenged Elements.</b> If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y    N  <input type="checkbox"/>   <input checked="" type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>

<b>D.</b>	<b>Affirmatively Furthering Fair Housing (AFFH).</b>
<b>D. 1</b>	<p><b>Affirmatively Furthering Fair Housing (AFFH).</b></p> <p>Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</p> <div data-bbox="180 533 1451 600"> <p><b>Fair Housing Goal:</b> Explore the feasibility to create a regional resource network for down payment assistance programs that are affirmatively marketed to under-represented homeowners.</p> </div> <div data-bbox="180 600 1451 632"> <p><b><u>Describe fair housing strategies and actions to achieve the goal</u></b></p> </div> <div data-bbox="180 632 1451 837"> <p>HACA, as one of the 10 regional partners, participated in the Central Texas Regional Housing Working group on a Regional Fair Housing Plan. HACA aligns with the City of Austin to address impediments where able/applicable. For this fair housing goal, through our subsidiary AAHC, HACA offers homeownership programs through our Down Payment Assistance Program provide permanent and sustainable opportunities for very-low income persons.</p> </div> <div data-bbox="180 863 1451 903"> <p><b>Fair Housing Goal:</b> Implement Displacement Mitigation Strategies that are related to Disproportionate Housing Needs.</p> </div> <div data-bbox="180 903 1451 934"> <p><b><u>Describe fair housing strategies and actions to achieve the goal</u></b></p> </div> <div data-bbox="180 934 1451 1106"> <p>HACA is currently redeveloping several properties on the east side of Austin, where displacement is of concern. Those properties will not only provide updated facilities and amenities; HACA is increasing the number of units to allow for more affordable units to help keep more of the impacted populations in place. HACA created a Resident Protection Team that ensures residents faced with relocation are supported and protected, and to minimize disruption and harm during the relocation period.</p> </div> <div data-bbox="180 1131 1451 1199"> <p><b>Fair Housing Goal:</b> Encourage developers and landlords who benefit from public funding and development incentives to adopt reasonable policies on tenant criminal history and not discriminate based on source of income.</p> </div> <div data-bbox="180 1199 1451 1230"> <p><b><u>Describe fair housing strategies and actions to achieve the goal</u></b></p> </div> <div data-bbox="180 1230 1451 1619"> <p>HACA will continue to educate prospective landlords in the Housing Choice Voucher programs regarding the benefit of participating in providing housing to our voucher holders. 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, childcare providers, and transportation routes that FSS participants are likely to utilize, so that FSS participants can make informed housing choices.</p> <p>Additionally, our subsidiary, AAHC's properties accept voucher holders at all their developed and/or acquired properties. This provides greater choice for voucher holders who may otherwise not qualify based on the 3x rent income requirements.</p> </div>

# Instructions for Preparation of Form HUD-50075-HCV

## Annual PHA Plan for HCV-Only PHAs

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### A. PHA Information. All PHAs must complete this section. (24 CFR §903.4)

- A.1 Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **Number of Housing Choice Vouchers (HCVs)**, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan.

**PHA Consortia:** Check box if submitting a Joint PHA Plan and complete the table. ([24 CFR §943.128\(a\)](#))

### B. Plan Elements. All PHAs must complete this section. ([24 CFR §903.11\(c\)\(3\)](#))

#### B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

☐ **Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR 5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR § 903.7(a)).

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. ([24 CFR §903.7\(a\)\(2\)\(i\)](#)) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA’s reasons for choosing its strategy. ([24 CFR §903.7\(a\)\(2\)\(ii\)](#))

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. ([24 CFR §903.7\(b\)](#))

☐ **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. ([24 CFR §903.7\(c\)](#))

☐ **Rent Determination.** A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. ([24 CFR §903.7\(d\)](#))

☐ **Operation and Management.** A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. ([24 CFR §903.7\(e\)](#)).

☐ **Informal Review and Hearing Procedures.** A description of the informal hearing and review procedures that the PHA makes available to its applicants. ([24 CFR §903.7\(f\)](#))

☐ **Homeownership Programs.** A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. ([24 CFR §903.7\(k\)](#))

☐ **Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.** A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA’s partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA’s partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program’s size (including required and actual size of the FSS program) and means of allocating assistance to households. ([24 CFR §903.7\(l\)\(i\)](#)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. ([24 CFR §903.7\(l\)\(iii\)](#)).

☐ **Substantial Deviation.** PHA must provide its criteria for determining a “substantial deviation” to its 5-Year Plan. ([24 CFR §903.7\(r\)\(2\)\(i\)](#))

☐ **Significant Amendment/Modification.** PHA must provide its criteria for determining a “Significant Amendment or Modification” to its 5-Year and Annual Plan.

If any boxes are marked “yes”, describe the revision(s) to those element(s) in the space provided.

**B.2 New Activities.** This section refers to new capital activities which is not applicable for HCV-Only PHAs.

**B.3 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. (24 CFR §903.11(c)(3), 24 CFR §903.7(r)(1))

**B.4 Capital Improvements.** This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs

**B.5 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. (24 CFR §903.7(p))

**C. Other Document and/or Certification Requirements.**

**C.1 Resident Advisory Board (RAB) comments.** If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)

**C.2 Certification by State of Local Officials.** Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR §903.15). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

**C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.** Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations, impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o)).

**C.4 Challenged Elements.** If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

**D. Affirmatively Furthering Fair Housing (AFFH).**

**D.1 Affirmatively Furthering Fair Housing.** The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) .... Strategies and actions must affirmatively further fair housing ...." Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides 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 for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 6.02 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Act Notice.** The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

## **C.2 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 3/31/2024

**Certification by State or Local Official of PHA Plans  
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Rosie Truelove, the Director of the Housing Department  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2020-2024 and/or Annual PHA Plan for fiscal  
year 2024 of the Housing Authority of the City of Austin is consistent with the  
*PHA Name*

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair  
Housing Choice or Assessment of Fair Housing (AFH) as applicable to the  
City of Austin  
*Local Jurisdiction Name*

pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3) and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or  
State Consolidated Plan.

**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 Project Based Rental Assistance 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 Affairs  
Supportive Housing vouchers, Mainstream vouchers, Continuum of Care vouchers and Family Unification Program  
vouchers.

**COA Consolidated Plan Priority: Housing Development Assistance includes Housing Department 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 14,910 units in its portfolio to provide affordable housing with an additional 2,902 units under construction.  
AAHC continues to grow with more units in the pipeline for possible future acquisition and/or development to preserve  
affordable housing units throughout the Austin area.

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:  
**Rosie Truelove**

Title:  
**Director**

Signature: 

Date: **12/01/2023**

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**C.3 Civil Rights Certification/Certification Listing  
Policies and Programs that the PHA has Revised since  
Submission of its Last Annual Plan**

# 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 3/31/2024

## 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 Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the fiscal year beginning April 1, 2024 in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the mission, goals, and objectives of the public housing 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 (42 U.S.C. 2000d-2000d—4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 *et seq.*), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.

#### The Housing Authority of the City of Austin

PHA Name

#### TX001

PHA Number/HA Code

I hereby certify that all the statement above, 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 Executive Director:

**Michael G. Gerber**

Signature

Date 12.15.2023

Name of Board Chairperson:

**Carl S. Ritchie, Jr.**

Signature

Date 12.15.2023

The United States Department of Housing and Urban Development is authorized to collect the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 *et seq.*, and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. The information is collected to ensure that PHAs carry out applicable civil rights requirements.

Public reporting burden for this information collection is estimated to average 0.16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

## Housing Authority of the City of Austin

# Updates to the 2020-2024 PUBLIC HOUSING AUTHORITY FIVE-YEAR PLAN



A 45-Day Public Comment Period for the 2024 PHA Annual Plan and updates to the 2020-2024 Five-year Plan will commenced on Friday, October 20, 2023 and concluded on Monday, December 4, 2023. A Public Hearing will be held October 30, 2023 at noon to receive public input for the draft 2024 Annual Plan and updates to the 2020-2024 Five Year Plan. The final draft will be presented to the HACA Board of Commissioners for approval at the December 15, 2023 Board of Commissioners meeting.

<b>5-Year PHA Plan (for All PHAs)</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires: 03/31/2024</b>
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

**Applicability.** The **Form HUD-50075-5Y** is to be completed once every 5 PHA fiscal years by all PHAs.

A.	PHA Information.																																					
A.1	<div> <div> <b>PHA Name:</b> <u>Housing Authority of the City of Austin</u> <b>PHA Code:</b> <u>TX001</u> </div> <div> <b>PHA Plan for Fiscal Year Beginning:</b> (MM/YYYY): <u>04/2024</u>  <b>The Five-Year Period of the Plan (i.e. 2019-2023):</b> <u>2020-2024</u>  <b>PHA Plan Submission Type:</b>   <input type="checkbox"/> 5-Year Plan Submission                      <input checked="" type="checkbox"/> Revised 5-Year Plan Submission </div> </div> <p><b>Availability of Information.</b> In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p><b>A 45-Day Public Comment Period for the draft 2024 PHA Annual Plan and updates to the 2020-2024 Five-Year Plan will commence on Friday, October 20, 2023 and conclude Monday, December 4, 2023. A Public Hearing will be held on October 30, 2023 to receive public input for the draft 2023 Annual Plan and 2020-2024 Five-Year Plan updates. The final drafts will be presented to the HACA Board of Commissioners for approval at the December 21, 2023 Board of Commissioners meeting.</b></p> <p>Copies of the 2024 PHA Annual Plan and updates to the 2020-2024 Five-Year Plan are available at the HACA Central Office and on the HACA website, <a href="http://www.hacanet.org">www.hacanet.org</a>. All supporting documentation is available at the HACA Central Office of 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"> <thead> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></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:																							
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				PH	HCV																																	
Lead PHA:																																						

<b>B.</b>	<b>Plan Elements.</b> Required for <u>all</u> PHAs completing this form.
<b>B.1</b>	<p><b>Mission.</b> State the PHA’s mission for serving the needs of low-income, very low-income, and extremely low-income families in the PHA’s jurisdiction for the next five years.</p> <p><b>The Housing Authority of the City of Austin’s mission is to cultivate sustainable affordable housing communities and partnerships that inspire self-reliance, growth, and optimism.</b></p>
<b>B.2</b>	<p>Goals and Objectives. Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low-income, very low-income, and extremely low-income families for the next five years.</p> <p style="text-align: center;"><b>In 2023, HACA updated its Strategic Plan. The following are the updated goals and objectives.</b></p> <p><b>Goal 1: Expand affordable housing opportunities and preserve existing assets to ensure long-term sustainability.</b></p> <ul style="list-style-type: none"> <li>Expand HACA’s/AAHC’s number of units to 25,000 with an emphasis on high opportunity areas.</li> <li>Conduct a review of HACA’s portfolios to ensure long-term sustainability.</li> <li>Explore investment opportunities to create additional revenue streams to meet HACA’s current and future operational needs.</li> <li>Explore development strategies for HACA’s RAD PBRA portfolio and implement the strategies as opportunities arise, to ensure long-term sustainability and optimize resident quality of life.</li> </ul> <p><b>Goal 2: Optimize the reach and impact of opportunities for residents and clients to improve their quality of life, achieve self-sufficiency, and reach their full potential.</b></p> <ul style="list-style-type: none"> <li>Launch PBRA Family Self Sufficiency program to connect families to resources in their journey to self-sufficiency.</li> <li>Improve resident engagement and program sustainability across all PBRA programs, including youth, seniors, and persons with disabilities.</li> <li>Expand awareness and make connections to existing services to serve FSS (Family Self-Sufficiency) and non-FSS HCV (Housing Choice Voucher) Clients</li> </ul> <p><b>Goal 3: Attract, support, develop and retain a talented and diverse workforce that prioritizes HACA’s values.</b></p> <ul style="list-style-type: none"> <li>Develop a recruitment plan that catalyzes hiring and personalizes HACA’s story.</li> <li>Regularly review salaries, benefits, and the work environment to remain competitive.</li> <li>Create a systematic approach to onboard new employees and train new supervisors.</li> <li>Develop and implement a continuity and succession plan to grow employee knowledge and competencies.</li> </ul> <p><b>Goal 4: Support organizational efficiency that prioritizes agency resilience, climate sustainability, and the safety of residents and staff.</b></p> <ul style="list-style-type: none"> <li>Develop a method to assess program and process changes in a way that is most efficient and effective and streamlines processes.</li> <li>Implement initiatives to promote energy efficiency, environmental sustainability, and climate resiliency.</li> <li>Implement steps to provide secure and reliable technology with 99% availability for clients, residents, and staff.</li> <li>Assess the safety of residents, staff, and clients, and then implement an action plan with benchmarks and review annually.</li> <li>Review, update and test HACA’s business continuity plan</li> <li>Successfully adopt HUD-updated physical inspection protocols across all of HACA’s housing programs</li> <li>Successfully implement housing policies in response to HOTMA regulations</li> </ul> <p><b>Goal 5: Foster exceptional customer service and enhance communications with stakeholders to nurture strong partnerships and increase community awareness.</b></p> <ul style="list-style-type: none"> <li>Rebrand HACA to reflect a fresh, modern design that builds on the history and reputation of the agency.</li> <li>Redesign HACA’s website to streamline information, reflect new branding and improve the user experience for residents, staff, and stakeholders.</li> <li>Develop and implement a Communications Plan to enhance customer service and increase awareness of HACA’s programs and community impact.</li> <li>Launch an assisted housing portal to improve customer service for HCV landlords and participants.</li> </ul> <p><b>Goal 6: Create and implement a plan to advance inclusion, diversity and racial, economic, and social equity throughout the organization, our programs, and partnerships.</b></p> <ul style="list-style-type: none"> <li>Reconvene the DEI Advisory Committee to review and assess current values and commitments and create a plan to incorporate those values and commitments into the employee experience.</li> <li>Implement a DEI training curriculum for the agency and for new hires.</li> <li>Expand the DEI lens into agency-wide and departmental decision-making and initiatives.</li> <li>Create a framework for the creation of Employee Shared Interest or Resource Groups.</li> <li>Develop marketing and promotional materials that highlight diversity.</li> </ul>

<p><b>B.3</b></p>	<p><b>Progress Report.</b> Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in its 5-Year PHA Plan</p> <ol style="list-style-type: none"> <li>1. <b>Expand affordable housing opportunities and preserve existing assets to ensure long-term sustainability.</b> HACA continues to revitalize our assets, seek additional rental assistance vouchers, and advance innovative affordable housing solutions. HACA has broken ground on the redevelopment for Pathways at Rosewood Courts to provide new construction of units as well as a culture center, a community green space, and 12 townhouse-style homes that will be available for sale to low-income, first-time homebuyers. Our next redevelopment project, currently in planning, is Pathways at Santa Rita in 2025. Through our subsidiary, Austin Affordable Housing Corporation (AAHC), additional properties that are either developed and/or acquired accept voucher holders, providing greater choice within our service area. In the past year, AAHC added more than 4,500 units to its portfolio, with over 2,900 additional units currently under construction. Our subsidiary, Austin Pathways, offers homeownership opportunities through our Down Payment Assistance Program being redeveloped to respond to current market conditions.</li> <li>2. <b>Optimize the reach and impact of opportunities for residents and clients to improve their quality of life, achieve self-sufficiency, and reach their full potential.</b> HACA promotes individual responsibility and high expectations, and fosters results-based community partnerships and programs focused on our 5 pillars of health and wellness, homeownership, digital inclusion, workforce development, and youth educational success. Scholarships are provided to eligible students to assist with the cost of higher education and to improve self-sufficiency. Among many resident-oriented programs, this past year saw the Bringing Health Home program train HACA residents as certified Community Health Workers (CHWs) to improve health outcomes at one of our newly renovated Pathways at Chalmers Courts East. CHWs provide services including health assessments, nutrition education, and facilitating medical visits. This model is effective because the CHWs often share the linguistic and socioeconomic experiences of those they serve. This initiative was honored with an Award of Merit by the National Association of Housing and Redevelopment Officials and was nominated for the prestigious Award of Excellence.</li> <li>3. <b>Attract, support, develop and retain a talented and diverse workforce that prioritizes HACA's values.</b> HACA invests in our staff, ensures accountability and effective communication, and promotes an innovative, healthy and safe work environment with training and leadership development strategies. This is accomplished through a generous benefit package, wellness programs, tuition reimbursement programs, employee referral program to aid in recruitment, family scholarships, and a hybrid/telecommuting policy. We also periodically conduct salary studies to ensure we are competitive in the local employment market.</li> <li>4. <b>Support organizational efficiency that prioritizes agency resilience, climate sustainability, and the safety of residents and staff.</b> HACA undertakes initiatives to assess program and process changes necessary with focus on ongoing development of energy conservation efforts, a secure technology infrastructure, improving business continuity to be adaptable to the ever-changing situations that can interrupt operations, as well as evaluation and promotion of safety measures to further protect residents and staff. Recent actions taken to assist with these efforts include placement of generators at properties with medically fragile residents that will provide energy if critical city infrastructure fails. HACA has also hardened our infrastructure to enhance business continuity during inclement weather and power grid outages.</li> <li>5. <b>Foster exceptional customer service and enhance communications with stakeholders to nurture strong partnerships and to increase community awareness.</b> HACA pursues opportunities to implement best practices that enhance communications with customers and stakeholders and promotes awareness of our services within the community.</li> <li>6. <b>Create and implement a plan to advance inclusion, diversity and racial, economic, and social equity throughout the organization, our programs, and partnerships.</b> Based on work with our Diversity, Equity and Inclusion (DEI) consultant, HACA continues to review, assess and communicate values and commitments, incorporate those values into the employee experience, and incorporate a broader DEI lens into agency operations to further this important initiative. A DEI Advisory Group considers issues, identifies new approaches, promotes awareness and other actions such as working with our DEI consultant to meet our goals.</li> </ol>
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<p><b>B.4</b></p>	<p><b>Violence Against Women Act (VAWA) Goals.</b> Provide a statement of the PHA's goals, activities, objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.</p> <ul style="list-style-type: none"> <li>• <b>HACA has adopted multiple policies including:</b> <ul style="list-style-type: none"> <li>○ Emergency Transfer Move Plan</li> <li>○ Notice to Housing Choice Voucher Owners and Managers</li> <li>○ VAWA Policy and Standard Operating Procedures to follow upon an applicant, resident or participant claim</li> <li>○ VAWA Notice of Occupancy Rights under the Violence Against Women Act</li> <li>○ Extensive Coverage in HACA's Housing Choice Voucher Program's Administrative Plan</li> </ul> </li> </ul>
<p><b>C. Other Document and/or Certification Requirements.</b></p>	
<p><b>C.1</b></p>	<p><b>Significant Amendment or Modification.</b> Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <p><b>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:</b></p> <ul style="list-style-type: none"> <li>• Changes made to the admissions policies, organization of the waiting list and/or tenant rent payments;</li> <li>• 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;</li> <li>• Any changes with regard to demolition or disposition, designation, homeownership programs or conversion activities.</li> </ul> <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> <ul style="list-style-type: none"> <li>a. The decision to convert to either Project Based Rental Assistance or Project Based Voucher Assistance;</li> <li>b. Changes to the Capital Fund Budget produced as a result of each approved RAD Conversion, regardless of whether the proposed conversion will include use of additional Capital Funds;</li> <li>c. Changes to the construction and rehabilitation plan for each approved RAD conversion; and</li> <li>d. Changes to the financing structure for each approved RAD conversion.</li> </ul>
<p><b>C.2</b></p>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) have comments to the 5-Year PHA Plan? <i>The RAB convened on November 9, 2023 with no comments.</i></p> <p>Y   N  <input type="checkbox"/>   <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<p><b>C.3</b></p>	<p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD-50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<p><b>C.4</b></p>	<p><b>Required Submission for HUD FO Review.</b></p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y   N  <input type="checkbox"/>   <input checked="" type="checkbox"/></p> <p>(b) If yes, include Challenged Elements.</p>

<b>D.</b>	<b>Affirmatively Furthering Fair Housing (AFFH).</b>
<b>D.1</b>	<p><b>Affirmatively Furthering Fair Housing. (Non-qualified PHAs are only required to complete this section on the Annual PHA Plan. All qualified PHAs must complete this section.)</b></p> <p><b>Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</b></p> <div data-bbox="215 579 1471 646"> <p><b>Fair Housing Goal:</b> Explore the feasibility to create a regional resource network for down payment assistance programs that are affirmatively marketed to under-represented homeowners.</p> </div> <div data-bbox="215 667 1471 869"> <p><u><b>Describe fair housing strategies and actions to achieve the goal</b></u></p> <p>HACA, as one of the 10 regional partners, participated in the Central Texas Regional Housing Working group on a Regional Fair Housing Plan. HACA aligns with the City of Austin to address impediments where able/applicable. For this fair housing goal, through our subsidiary AAHC, HACA offers homeownership programs through our Down Payment Assistance Program provide permanent and sustainable opportunities for very-low income persons.</p> </div> <div data-bbox="215 894 1471 934"> <p><b>Fair Housing Goal:</b> Implement Displacement Mitigation Strategies that are related to Disproportionate Housing Needs.</p> </div> <div data-bbox="215 955 1471 1188"> <p><u><b>Describe fair housing strategies and actions to achieve the goal</b></u></p> <p>HACA is currently redeveloping several properties on the east side of Austin, where displacement is of concern. Those properties will not only provide updated facilities and amenities; HACA is increasing the number of units to allow for more affordable units to help keep more of the impacted populations in place. HACA created a Resident Protection Team that ensures residents faced with relocation are supported and protected, and to minimize disruption and harm during the relocation period.</p> </div> <div data-bbox="215 1213 1471 1281"> <p><b>Fair Housing Goal:</b> Encourage developers and landlords who benefit from public funding and development incentives to adopt reasonable policies on tenant criminal history and not discriminate based on source of income.</p> </div> <div data-bbox="215 1302 1471 1751"> <p><u><b>Describe fair housing strategies and actions to achieve the goal</b></u></p> <p>HACA will continue to educate prospective landlords in the Housing Choice Voucher programs regarding the benefit of participating in providing housing to our voucher holders. 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, childcare providers, and transportation routes that FSS participants are likely to utilize, so that FSS participants can make informed housing choices.</p> <p>Additionally, our subsidiary, AAHC's properties accept voucher holders at all their developed and/or acquired properties. This provides greater choice for voucher holders who may otherwise not qualify based on the 3x rent income requirements.</p> </div>

## Instructions for Preparation of Form HUD-50075-5Y - 5-Year PHA Plan for All PHAs

### A. PHA Information. All PHAs must complete this section. (24 CFR § 903.4)

- A.1** Include the full **PHA Name**, **PHA Code**, **PHA Fiscal Year Beginning** (MM/YYYY), **Five-Year Period** that the Plan covers, i.e. 2019-2023, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the hearing and proposed PHA Plan.

**PHA Consortia:** Check box if submitting a Joint PHA Plan and complete the table.

### B. Plan Elements.

- B.1 Mission.** State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years. (24 CFR § 903.6(a)(1))
- B.2 Goals and Objectives.** Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years. (24 CFR § 903.6(b)(1))
- B.3 Progress Report.** Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5- Year Plan. (24 CFR § 903.6(b)(2))
- B.4 Violence Against Women Act (VAWA) Goals.** Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. (24 CFR § 903.6(a)(3)).

### C. Other Document and/or Certification Requirements.

- C.1 Significant Amendment or Modification.** Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan. For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the 'Sample PHA Plan Amendment' found in Notice PIH-2012-32, REV 2.

#### C.2 Resident Advisory Board (RAB) comments.

- (a) Did the public or RAB have comments?
- (b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR § 903.17(b), 24 CFR § 903.19)

#### C.3 Certification by State or Local Officials.

Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

#### C.4 Required Submission for HUD FO Review.

Challenged Elements.

- (a) Did the public challenge any elements of the Plan?
- (b) If yes, include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

### D. Affirmatively Furthering Fair Housing.

(Non-qualified PHAs are only required to complete this section on the Annual PHA Plan. All qualified PHAs must complete this section.)

**D.1 Affirmatively Furthering Fair Housing.** The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) .... Strategies and actions must affirmatively further fair housing ...." Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D.; nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year PHA Plan. The 5-Year PHA Plan provides the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families and the progress made in meeting the goals and objectives described in the previous 5-Year Plan.

Public reporting burden for this information collection is estimated to average 1.64 hours per year per response or 8.2 hours per response every five years, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Act Notice.** The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

## **C.2 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 3/31/2024

**Certification by State or Local Official of PHA Plans  
Consistency with the Consolidated Plan or State Consolidated Plan**

I, **Rosie Truelove**, the **Director of Housing and Community Development**  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan for fiscal years **2020-2024** and/or Annual PHA Plan for fiscal year **2024** of the **Housing Authority of the City of Austin** is consistent with the  
*PHA Name*

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

**City of Austin**

*Local Jurisdiction Name*

pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3) and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

**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 Project Based Rental Assistance 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 Affairs Supportive Housing vouchers, Mainstream vouchers, Continuum of Care vouchers and Family Unification Program vouchers.

**COA Consolidated Plan Priority: Housing Development Assistance includes Housing Department 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 14,910 units in its portfolio to provide affordable housing with an additional 2,902 units under construction. AAHC continues to grow with more units in the pipeline for possible future acquisition and/or development to preserve affordable housing units throughout the Austin area.

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:  
**Rosie Truelove**

Title:  
**Director**

Signature:

Date:

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## BOARD ACTION REQUEST

### RESOLUTION NO. 02825

#### AUSTIN AFFORDABLE HOUSING CORPORATION

#### ITEM NO. 4.

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**MEETING DATE:** December 15, 2023

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

**ITEM TITLE:** Presentation, Discussion, and Possible Action on Resolution No. 02825 by the Board of Commissioners of the Housing Authority of the City of Austin (the “Authority”) authorizing the Authority to purchase and acquire approximately 0.68 acres of real property in Austin, Texas (the “Land”) and take any such other actions necessary or convenient to carry out this Resolution

**BUDGETED ITEM:** N/A

**TOTAL COST:** N/A

#### ACTION

The Board is being asked to approve Resolution No. 02825, authorizing the Authority to purchase and acquire approximately 0.68 acres of real property in Austin, Texas (the “Land”) and take any such other actions necessary or convenient to carry out this Resolution.

#### SUMMARY

##### ***Background:***

The Housing Authority of the City of Austin, (HACA) has been presented an opportunity to purchase a tract of land located at 1701 East 3<sup>rd</sup> street and 207 Chalmers Avenue, Austin, Texas 78702 in the East Cesar Chavez Neighborhood. The parcel is approximately .68 acres or 29,385 square feet and is located on the Northwest corner of East 3<sup>rd</sup> and Chalmers Ave.

The property is currently home to a private club called Highbrow Lowbrow Austin. With Board approval of this resolution, the club will close its operations prior to the purchase and remove the improvements to the site.

This is an important transaction to HACA as we have seen this club be a nuisance to our residents of the Chalmers development. By acquiring this site, HACA would have a variety of options for future development that would benefit both HACA and the affordable housing community and protect HACA’s interests in the immediate neighborhood by controlling the development of the tract. There could be future opportunities for additional land within the block that could enhance the potential for new developments.

##### ***Process:***

Emerald Grove Properties, LLC currently owns the property, and HACA will purchase the site for a price not



to exceed \$6,350,000 and appropriate closing costs. HACA will pay cash for the purchase using funds from its unrestricted reserves. With Board approval, the property would close in mid to late January 2024.

***Staff Recommendation:***

Staff recommends approval of Resolution No. 02825.

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**RESOLUTION NO. 02825**

**Resolution authorizing the Housing Authority of the City of Austin (The “Authority”) to purchase and acquire approximately 0.68 acres of real property in Austin, Texas (the “Land”) and take such other actions necessary or convenient to carry out this resolution.**

**WHEREAS**, the Authority currently owns the land on which the Pathways at Chalmers Courts East is located, which is located directly adjacent to the Land; and

**WHEREAS**, the Authority desires to purchase and acquire the Land;

**NOW, THEREFORE**, the Board of Commissioners of the Authority hereby approves and adopts the following resolutions, and hereby authorizes its Chief Executive Officer (or the Chief Executive Officer’s designee) to do the following:

1. Purchase and acquire the Land.
2. Review, execute and approve all such documents necessary to effectuate the purchase and acquisition of the Land, including but not limited to such deeds and other documentation or agreements on such terms and containing such provisions as the Chief Executive Officer (or the Chief Executive Officer’s designee) shall deem appropriate, and the approval of the terms of each such instrument shall be conclusively evidenced by his execution and delivery thereof.

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

*[End of Resolution]*

**PASSED, APPROVED AND ADOPTED** this 15th day of December, 2023.

\_\_\_\_\_  
CHAIRMAN

ATTEST:

\_\_\_\_\_  
SECRETARY