

FORM APPROVED COUNTY COUNSEL  
BY: GREGORY P. PRIAMOS DATE 3/23/16

Departmental Concurrence

SUBMITTAL TO THE BOARD OF COMMISSIONERS  
HOUSING AUTHORITY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

929



FROM: Housing Authority

SUBMITTAL DATE:  
March 3, 2016

SUBJECT: Public Hearing for the Housing Authority Annual Agency Plans and Supporting Documents, All Districts [\$0]

RECOMMENDED MOTION: That the Board of Commissioners:

1. Conduct a Public Hearing regarding the Housing Authority of the County of Riverside's annual plans and documents which include: Agency Annual Plan; Administrative Plan for the Housing Choice Voucher Program; Statement of Policies for the Affordable Public Housing Program; Capital Fund Annual Plan and 5-Year Action Plan; and Administrative Plan for the Homeownership Program.

BACKGROUND:  
Summary

Commences on Page 2.

Robert Field  
Executive Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: N/A

Budget Adjustment: No

For Fiscal Year: 2016/17

C.E.O. RECOMMENDATION:

APPROVE

BY:

  
Rohini Dasika

County Executive Office Signature

MINUTES OF THE HOUSING AUTHORITY BOARD OF COMMISSIONERS

☐ A-30  
☐ 4/5  
☐ Vote

☐ Positions Added  
☐ Change Order

Prev. Agn. Ref.: N/A

District: ALL

Agenda Number:

10-1

**SUBMITTAL TO THE BOARD OF COMMISSIONERS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

Housing Authority

**FORM 11:** Public Hearing for the Housing Authority Annual Agency Plans and Supporting Documents, All Districts [\$0]

**DATE:** March 3, 2016

**PAGE:** 2 of 3

**BACKGROUND:**

**Summary**

The Quality Housing and Work Responsibility Act of 1998 requires a Public Housing Agency (PHA) (as defined by HUD) to submit Annual Plans in accordance with the format outlined by the U.S. Department of Housing and Urban Development (HUD) under Title 24 Code of Federal Regulations (CFR) Part 903, Subpart B. The purpose of the PHA Plans is to provide a strategic planning framework for local accountability and an easily identifiable source by which public housing residents, participants in the tenant-based assistance program, and other members of the public may locate basic PHA policies, rules and requirements concerning the PHA's operations, programs and services. The Housing Authority of the County of Riverside (Housing Authority) is a Public Housing Agency. The annual plans prepared by the Housing Authority cover fiscal year July 1, 2016 through June 30, 2017. The annual plans prepared pursuant to the Act and 24 CFR Part 903 include annual plans for the Housing Authority's various housing assistance programs, including the Housing Choice Voucher, Affordable Public Housing and Homeownership Programs, as well as an Annual Statement/Performance & Evaluation Report and a 5-Year Action Plan for the Capital Fund Program. Drafts of the proposed annual plans are attached hereto.

Salient provisions contained in the annual plans include the following:

The Housing Authority of the County of Riverside's Policy on Zero Tolerance of Criminal Activity was amended to relax the one strike-type approach and allow for the successful completion of diversion-type activities to be considered and is now named the Housing Authority of the County of Riverside's Policy on Prohibited Criminal Activity. HUD Notice PIH 2015-19 was used as a reference tool when updating the policy.

The agency will apply with HUD for the opportunity to participate in the combined Family Unification Program (FUP) and Family Self Sufficiency (FSS) Demonstration by July 15, 2016. The demonstration will test the effectiveness of combining Housing Choice Vouchers for eligible FUP youth lacking adequate housing with assistance offered through FSS in order for youth to achieve self-sufficiency. The HA will partner with the local welfare agency on this demonstration.

The Department of Housing and Urban Development (HUD) conditionally approved three Commitments to Enter into a Housing Assistance Payment (CHAPs) under the Rental Assistance Demonstration (RAD) program for its public housing properties which will result in the full conversion of HACR's 469 unit public housing portfolio to units assisted with Project Based Vouchers, which are commonly referred to as "Section 8" units. The Affordable Public Housing program Statement of Policies and Capital Fund Program will be eliminated after full conversion to Project-Based Vouchers under the Rental Assistance Demonstration (RAD) and final approval from the Department of Housing and Urban Development and there will no longer be a community wide Affordable Public Housing waiting list and instead there will be Project Based Voucher regional waiting lists created.

As a result of HUD's conditional approval of the RAD conversion, a Significant Amendment to the 2015-16 Agency Plan was approved by the agency's Board of Commissioners on December 15, 2015 and was submitted to the local Field Office for approval.

Any public housing units converting to assistance under RAD long-term Project Based Voucher contracts shall no longer be subject to the program rules applicable to public housing. The formerly public housing units which become Section 8 units will be subject to the rules of the applicable Section 8 program, as modified by a few rules specific to RAD converted units. These specific RAD-related rules are intended to apply a few important provisions of the public housing rules to the RAD converted units, even though they would not normally be applicable in the Section 8 context.

(Continued)

**SUBMITTAL TO THE BOARD OF COMMISSIONERS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

Housing Authority

**FORM 11:** Public Hearing for the Housing Authority Annual Agency Plans and Supporting Documents, All Districts [\$0]

**DATE:** March 3, 2016

**PAGE:** 3 of 3

**BACKGROUND:**

**Summary** (Continued)

Pursuant to Title 24 CFR Section 903.17, the Housing Authority's governing body must conduct a public hearing to discuss the Housing Authority's plans and invite public comment on the plan. As required, the Housing Authority published the public notice and made the proposed plans and supporting documents available to the public at least 45 days in advance of the public hearing.

**Impact on Citizens and Businesses**

Riverside County residents are positively impacted by the rental assistance the PHA provides.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

There is no general fund cost associated with this agenda item.

**Attachments:**

- Attachment A—Notices of Public Hearing
- Attachment B—Draft Annual Agency Plan
- Attachment C—Draft Administrative Plan for the Housing Choice Voucher Program
- Attachment D—Draft Statement of Policies for the Affordable Public Housing Program
- Attachment E—Draft Capital Fund Program Annual Statement/Performance & Evaluation Report
- Attachment F—Draft Homeownership Plan


**PROOF OF  
PUBLICATION  
(2015.5 C.C.P.)  
State of California  
County of Riverside**

**NOTICE INVITING BIDS  
CNS-2835824**

I declare under penalty of perjury that: I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Black Voice News, a printed newspaper of general circulation, published weekly in the City of Riverside, County of Riverside, in which newspaper has been adjudicated a newspaper of general circulation by the Superior Court, County of Riverside, State of California, under the date of July 8, 1974 case number 108890; that the notice of which the annexed is a printed copy ( set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

**P. 1/21/2016**

**Dated at Riverside, California  
This 21<sup>st</sup> Day of January, 2016**

 signature

NOTICE IS HEREBY GIVEN that the Housing Authority of the County of Riverside's Agency Plan, which includes the Annual Plan, Annual Statement/Performance and Evaluation Report for the 'Capital Fund Program, Housing Choice Voucher Administrative Plan, Homeownership Plan and 'Affordable Public Housing Statement of Policies, is available for review at offices located at 5555 Arlington Avenue, Riverside CA 92504 and 44-199 Monroe, Suite B, Indio, CA 92201. It is also located on the Housing Authority website: [www.hanvco.org](http://www.hanvco.org). Written public comment may be directed to the Housing Authority of the County of Riverside, Attn: Director, 5555 Arlington Avenue, Riverside, CA 92504. A public hearing to solicit public comment and feedback will be held before the Board of Commissioners on Tuesday, March 15, 2016, at 10:30 a.m., in the meeting room of the Board of Supervisors, Riverside County, Administrative Center, 4080 Lemon Street, First Floor, Riverside, California. 'The Affordable Public Housing Program Statement of Policies and Capital Fund Program will be eliminated after full conversion to Project-Based Vouchers under the Rental Assistance Demonstration (RAD) and final approval from the Department of Housing and Urban Development.

AVISO POR LA PRESENTE que el Plan de Agencia del Housing Authority del Condado de Riverside, cual incluye el Plan Anual, Declaración Anual/Reporte de Rendimiento y 'Evaluación del Programa de Inversiones de Capital, Plan Administrativo de Vale de Selección de Vivienda, 'Plan de Propiedad de Viviendas y Declaración de Política de Vivienda Pública Económica, están disponibles para revisarlos en las oficinas localizadas en el 5555 Arlington Avenue, Riverside, CA 92504 y 44-199 Monroe,

Suite B, Indio, CA 92201. También es accesible en la página electrónica del Housing Authority: [www.hanvco.org](http://www.hanvco.org). Favor de presentar comentarios por escrito al Housing Authority of Riverside County, Attn: Director, 5555 Arlington Avenue, Riverside, CA 92504. Una audiencia pública para solicitar comentarios y críticas públicas tomará lugar ante la Junta Directiva de Comisionados el Martes, 15 de Marzo 2016, a las 10:30 a.m., en la sala de reuniones de la Junta Directiva de Supervisores, Condado de Riverside, Administrative Center, 4080 Lemon Street, First Floor, Riverside, California. 'La Declaración de política del programa de vivienda publicas economicas y el programa de fondo capital seran eliminados despues de la plena implementacion del Project Based Voucher bajo el programa demostracion de asistencia de alquiler (RAD) y la aprobacion final del Departamento de Vivienda y Desarrollo Urbano.

1/21/16  
CNS-2835824#

The Desert Sun  
750 N Gene Autry Trail  
Palm Springs, CA 92262  
760-778-4578 / Fax 760-778-4731

## Certificate of Publication

State Of California ss:  
County of Riverside

Advertiser: CA. NEWSPAPER SVC BUREAU/CLASS  
PO BOX 54026  
LOS ANGELES , CA 90054  
Order # 0000993788

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paret) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: The Desert Sun

1/20/2016

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 20th day of JANUARY, 2016 in Palm Springs, California.

Declarant

NO 0099: NOTICE IS HEREBY GIVEN that the Housing Authority of the County of Riverside's Agency Plan, which includes the Annual Plan, Annual Statement/Performance and Evaluation Report for the \*Capital Fund Program, Housing Choice Voucher Administrative Plan, Homeownership Plan and \*Affordable Public Housing Statement of Policies, is available for review at offices located at 5555 Arlington Avenue, Riverside CA 92504 and 44-199 Monroe, Suite B, Indio, CA 92201. It is also located on the Housing Authority website: [www.harivco.org](http://www.harivco.org). Written public comment may be directed to the Housing Authority of the County of Riverside, Attn: Director, 5555 Arlington Avenue, Riverside, CA 92504. A public hearing to solicit public comment and feedback will be held before the Board of Commissioners on Tuesday, March 15, 2016, at 10:30 a.m., in the meeting room of the Board of Supervisors, Riverside County, Administrative Center, 4080 Lemon Street, First Floor, Riverside, California. \*The Affordable Public Housing Program Statement of Policies and Capital Fund Program will be eliminated after full conversion to Project-Based Vouchers under the Rental Assistance Demonstration (RAD) and final approval from the Department of Housing and Urban Development.

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1/20/16 CNS-2835823# THE DESERT SUN



# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: 2835819

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

01/20/2016

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Jan 20, 2016

At: Riverside, California

Legal Advertising Representative, The Press-Enterprise

CALIF NEWSPAPER SERV BUREAU  
PO BOX 60460  
LOS ANGELES, CA 90060

Ad Number: 0010128019-01

P.O. Number: 2835819



### Ad Copy:

NOTICE IS HEREBY GIVEN that the Housing Authority of the County of Riverside's Agency Plan, which includes the Annual Plan, Annual Statement/Performance and Evaluation Report for the \*Capital Fund Program, Housing Choice Voucher Administrative Plan, Homeownership Plan and \*Affordable Public Housing Statement of Policies, is available for review at offices located at 5555 Arlington Avenue, Riverside CA 92504 and 44-199 Monroe, Suite B, Indio, CA 92201. It is also located on the Housing Authority website: [www.harivco.org](http://www.harivco.org). Written public comment may be directed to the Housing Authority of the County of Riverside, Attn: Director, 5555 Arlington Avenue, Riverside, CA 92504. A public hearing to solicit public comment and feedback will be held before the Board of Commissioners on Tuesday, March 15, 2016, at 10:30 a.m., in the meeting room of the Board of Supervisors, Riverside County, Administrative Center, 4080 Lemon Street, First Floor, Riverside, California. \*The Affordable Public Housing Program Statement of Policies and Capital Fund Program will be eliminated after full conversion to Project-Based Vouchers under the Rental Assistance Demonstration (RAD) and final approval from the Department of Housing and Urban Development.

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**DECLARATION**

I am a resident of Los Angeles County, over the age of eighteen years and not a party to any or interested in the matter noticed.

The notice, of which the annexed is a printed copy appeared in the:

UNIDOS - RIV

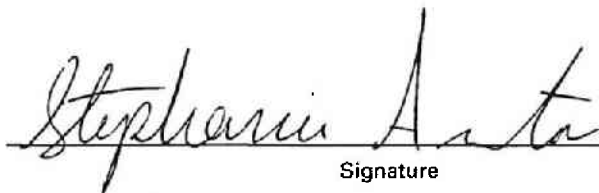
On the following dates:

JANUARY 22, 2016

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Los Angeles, California, this

22<sup>nd</sup> day of JANUARY 2016

  
Signature

**2835839**

*"The only Public Notice which is justifiable  
from the standpoint of true economy and the public interest,  
is that which reaches those who are affected by it"*



CNS-2835839#

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1/22/16

<b>Streamlined Annual PHA Plan</b> <i>(High Performer PHAs)</i>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires: 02/29/2016</b>
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

**Applicability.** Form HUD-50075-HP is to be completed annually by **High Performing PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, HCV-Only PHA, Small PHA, or Qualified PHA do not need to submit this form.

**Definitions.**

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, and that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment, and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceeds 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined, and is not PHAS or SEMAP troubled.

<b>A. PHA Information.</b>																															
<b>A.1</b>	<p> <b>PHA Name:</b> <u>Housing Authority of the County of Riverside</u>  <b>PHA Code:</b> <u>CA027</u>  <b>PHA Type:</b> <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performer  <b>PHA Plan for Fiscal Year Beginning:</b> (MM/YYYY): <u>07/01/2016</u>  <b>PHA Inventory</b> (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)  <b>Number of Public Housing (PH) Units:</b> <u>469</u>      <b>Number of Housing Choice Vouchers (HCVs):</b> <u>9062</u>  <b>Total Combined:</b> <u>9531</u>  <b>PHA Plan Submission Type:</b> <input checked="" type="checkbox"/> Annual Submission      <input type="checkbox"/> Revised Annual Submission </p> <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 of 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 website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans. </p> <p> <input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below) </p> <table border="1" style="width: 100%;"> <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> </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>Annual Plan Elements</b>
<b>B.1</b>	<p><b>Revision of PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last <b>Annual PHA Plan</b> submission?</p> <p>Y   N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Safety and Crime Prevention.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Pet Policy.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification</p> <p>(b) The PHA must submit its Deconcentration Policy for Field Office Review.</p> <p>(c) If the PHA answered yes for any element, describe the revisions for each element below:</p>
<b>B.2</b>	<p><b>New Activities.</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y   N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant Based Assistance.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Assistance under RAD.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Project Based Vouchers.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p> <p><b><u>Conversion of Public Housing to Project-Based Assistance under RAD</u></b></p> <p>The Department of Housing and Urban Development (HUD) has conditionally approved three (3) Commitments to Enter into a Housing Assistance Payment (CHAPs) under the Rental Assistance Demonstration (RAD) program for its public housing properties which will result in the full conversion of HACR's 469 unit public housing portfolio to units assisted with Project Based Vouchers, which are commonly referred to as "Section 8" units. The Affordable Public Housing program Statement of Policies and Capital Fund Program will be eliminated after full conversion to Project-Based Vouchers under the Rental Assistance Demonstration (RAD) and final approval from the Department of Housing and Urban Development and there will no longer be a community wide Affordable Public Housing waiting list and instead there will be Project Based Voucher regional waiting lists created.</p> <p>As a result of HUD's conditional approval of the RAD conversion, a Significant Amendment to the 2015-16 Agency Plan was approved by the Agency's Board of Commissioners on December 15, 2015 and was submitted to the local Field Office for approval.</p> <p>Any public housing units converting to assistance under RAD long-term Project Based Voucher contracts shall no longer be subject to the program rules applicable to public housing. The formerly public housing units which become Section 8 units will be subject to the rules of the applicable Section 8 program, as modified by a few rules specific to RAD converted units. These specific RAD-related rules are intended to apply a few important provisions of the public housing rules to the RAD converted units, even though they would not normally be applicable in the Section 8 context.</p> <p><b><u>Project-based Vouchers</u></b></p> <p>HACR currently has 48 project-based vouchers at two developments; 10 units in Blythe and 38 units in Cathedral City. The agency proposes to expand the use of project based vouchers for FY2016-17 to further facilitate the development of affordable housing within Riverside County by developing Housing Authority or Successor Agency (HASA) owned properties, those that exclusively assist veterans or farmworker families or development projects to support applications for state and federal funding opportunities. To support this expansion, the maximum allotment allowed under regulations (20% of total allocation) will be reserved.</p>

### B.3 Progress Report.

Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.

#### **PHA Goal: Expand the supply of assisted housing.**

Objective: Increase housing choices for families and individuals.

- Apply for additional vouchers
  - The agency applied for and received 75 additional tenant-based VASH vouchers in fy 15-16
  - The agency applied for and received 75 additional project-based VASH vouchers in fy 15-16 at March Air Reserve Base in Moreno Valley
  - The agency applied for and received 15 additional project-based VASH vouchers in fy 15-16 at Community of Friends in Riverside
- Leverage private or other public funds
  - The agency leveraged HOME, HASA and NSP funding to expand affordable housing opportunities via project-based vouchers at 6 new developments throughout Riverside County. Multi-family properties are in varying stages of development at the following locations:
    - Vista Rio Apartments in Jurupa Valley (8 PBV at a 39 unit development)
    - Summerhouse/Madera Vista Apartments in Temecula (7 PBV at a 30 unit development)
    - Illinois Avenue Apartments in Beaumont (21 PBV at a 38 unit development)
    - Cedar Glen II Apartments in Riverside (23 PBV at a 50 unit development)
    - Operation Safe House in Riverside (3 PBV at a 14 unit development)
- Acquire, construct, or rehabilitate housing units and developments to expand affordable housing opportunities and promote homeownership for low-income households

#### **PHA Goal: Improve the quality of assisted housing.**

Objective: Maintain safe, decent, sanitary units and improve quality of life for residents living in assisted housing.

- Obtain and maintain High Performer status for HCV voucher management (SEMAP Score)
  - The Agency successfully met this goal in fy 14-15 for the 13<sup>th</sup> consecutive year
- Obtain and maintain High Performer status for Public Housing management (PHAS Score)
  - The Agency received a Capital Fund Troubled rating for fy 14-15. After RAD conversion PHAS scoring will no longer apply
- Provide excellent customer service
  - The Agency received a 98% favorable customer service rating via completed customer service surveys
- Renovate or modernize public housing units
  - At vacancy, units are rehabbed and the recent REAC score was an average of 94 for all 3 AMPs.
- Annually inspect units to meet Housing Quality Standards with the option to bi-annually inspect units that regularly pass inspection.
  - The Agency annually inspects units to ensure they meet Housing Quality Standards. The option to conduct bi-annual inspections remains in place but has not been utilized.
- Allocate project-based vouchers for qualified housing projects
  - This goal was successfully met. See the above PHA Goal to Expand the Supply of Existing Housing.

#### **PHA Goal: Increase assisted housing choices.**

Objective: Encourage resident choice in rental selection

- Conduct outreach efforts to potential landlords
  - Quarterly landlord workshops are conducted and advertised on the agency's official website.
  - Rental units are listed using GoSection8.com and both landlords and tenants utilize this complementary resource
- Provide replacement vouchers
  - The agency actively selects families from the HCV waiting list to fill all funded turnover vouchers. In cy 2015, the agency selected over 5,000 new families from the waiting list in order to fill turnover vouchers.
  - The HCV waiting list is open for new registrations.
- Expand self-sufficiency programs for participant households
  - The FSS program was selected for a National Family Self Sufficiency Evaluation and was unable to accept new enrollments for CY 2015. Starting January 1, 2016, the agency started to enroll new families into the FSS program and will continue to do so until further notice.
  - The agency will apply for the opportunity to participate in the Family Unification Program (FUP) and Family Self Sufficiency Demonstration by July 15, 2016 testing the effectiveness of combining housing choice vouchers for eligible youth lacking adequate housing under the Family Unification Program (FUP) with assistance under the Family Self Sufficiency (FSS) program. The purpose is to increase opportunities for housing youth with support to achieve self-sufficiency. Specifically, this demonstration extends the 18-month time limit to match the length of the FSS contract, typically five years with the possibility of extending the Contract of Participation for up to 2 years (for a total of 7 years). HUD's Fiscal Year 2015 Appropriations' allows the Secretary to establish alternative requirements under section 8(x) of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) to establish a demonstration. This demonstration does not waive or establish alternative requirements under the FSS program.
- Allocate project-based vouchers for qualified housing projects
  - This goal was successfully met. See the above PHA Goal to Expand the Supply of Existing Housing.

**PHA Goal: Promote self-sufficiency within assisted housing programs**

Objective: Promote economic independence for families and individuals.

- Connect working-able and work-ready households to employment opportunities
- Provide or attract supportive services to improve assisted members' employability
- Expand self-sufficiency programs for residents in the assisted housing programs
- Partner with local workforce development centers to positively further self-sufficiency within assisted housing households.
  - For the items listed under this goal, the agency does the following:
  - Connects interested families to employment opportunities via the local Workforce Development Centers throughout Riverside County.
  - Utilizes 7 full time FSS coordinators to work with interested participants to achieve their self-sufficiency goals.
  - Electronically displays work opportunities and other self-sufficiency opportunities in its Riverside and Indio offices.
  - Continues to have a local waiting list preference for working families (and disabled and elderly families).

**PHA Goal: Ensure equal opportunity and affirmatively further fair housing.**

Objective: Promote equal housing opportunities.

- Facilitate affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, and disability
- Carry out affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability
- Promote equal housing opportunities
  - For the items listed under this PHA goal, the agency strives to affirmatively further fair housing opportunities for classes protected under the Fair Housing Act, including the following:

**1. Marketing HACR programs to all eligible persons, including persons with disabilities and persons with limited English proficiency.**

All HACR programs will be marketed to all eligible persons, including persons with disabilities and persons with limited English proficiency. This marketing and outreach will include newspaper notices including publications in minority newspapers, outreach to community groups that serve persons with disabilities and persons with limited English proficiency, postings on the HACR website ([www.harivco.org](http://www.harivco.org)), and lobby signs posted in our office locations. Persons with disabilities will be assisted if the application process if requested as a reasonable accommodation. Translation services are available to persons with limited English proficiency at no cost to the participant. HACR also employs several bi-lingual staff members who regularly provide assistance to Spanish speaking applicants/participants.

**2. Utilizing buildings and communications that facilitate service delivery to persons with disabilities.**

Application intake, office appointments, voucher/contract issuance, and informal hearings are all conducted in accessible office spaces. HACR also provides home visits for appointments upon request as a reasonable accommodation. Sign language and Braille services are also available if necessary to service hearing and visually impaired persons.

**3. Supporting and expanding housing choice through landlord outreach, participant education, and security deposit assistance**

HACR conducts workshops for prospective and exiting landlords to educate them on the -Housing Choice Voucher Program and HUD guidelines. Participants receive information on housing choice and housing opportunities at all briefing sessions. Additionally, HACR administers a security deposit assistance program for new participants to support housing choice efforts.

**4. Referrals to fair housing agencies**

Referrals to fair housing agencies are available upon request. Additionally, staff will advise participants to seek fair housing services if a situation arises that warrants such as referral (i.e. landlord/tenant issue, questions regarding tenant rights, renters rights in foreclosure).

**5. Informing participants on how to file a fair housing complaint.**

The HUD fair housing form is provided to applicants/participants in the applicant briefing packet and upon request. Fair housing notices are posted in all office locations. Applicants/participants are provided assistance in filling out the form and are referred to HUD for additional information and assistance. The toll-free number for the Housing Discrimination Hotline is posted in office lobbies and also provided in briefing packet materials.

**6. Staff training**

All HACR staff members are informed of the importance of affirmatively furthering fair housing and providing equal opportunity to all participants, including providing reasonable accommodations to persons with disabilities, as part of the agency's overall commitment to quality customer service. Staff is regularly trained on local, state, and federal fair housing laws and issues.

**7. The Family Self Sufficiency (FSS) program is an important program for promoting housing opportunities, housing choice, and housing mobility through self-sufficiency. As such, HACR will take additional steps to ensure that this program is administered in a manner that affirmatively furthers fair housing. This includes:**

- Whenever a FSS coordinator position is available and advertised, HACR will advertise throughout the community allowing all interested parties an opportunity to apply. Notices are published in the local newspapers, posted on the County of Riverside website, and distributed among HACR employees. Consideration will be given to qualified applicants who have experience in fair housing issues, housing counseling, and/or are bi-lingual

	<ul style="list-style-type: none"> <li>• The FSS program will be marketed to all eligible persons, including persons with disabilities and persons with limited English proficiency. HACR markets the FSS program through periodic mailings to all Housing Choice Voucher (HCV) participants; announcements and program descriptions provided in briefing sessions and annual recertification packets; and lobby signs posted in our office locations. Translation services are available to persons with limited English proficiency at no cost to the participant. In addition, HACR employs several bi-lingual staff members who regularly provide assistance to Spanish speaking participants.</li> <li>• Promoting fair housing in homeownership. FSS participants enrolled in the homeownership program receive information on fair lending practices and laws.</li> </ul> <p>8. Record Keeping HACR will maintain a record of the following information for all participants: the race, ethnicity, familial status, and disability status of program participants; any reasonable accommodation requests and the disposition of each; and the employment status of all participants. Program information will be reviewed on an ongoing basis for program reporting and planning.</p> <p><b>Other PHA Goal and Objective: Implement the requirements of the Violence Against Women Act (VAWA)</b></p> <ul style="list-style-type: none"> <li>➤ Protect certain victims of criminal domestic violence, dating violence, sexual assault, or stalking (as well as members of the victims' immediate families) from losing their HUD assisted housing as a consequence of abuse of which they were the victim</li> <li>➤ Undertake affirmative measures to make tenants participating in the HCV and Public Housing programs aware of VAWA requirements.</li> <li>➤ Undertake affirmative measure to make Owners participating in the HCV program aware of VAWA requirements. <ul style="list-style-type: none"> <li>➤ In order to meet this goal, the denial of assistance to an applicant or termination of assistance of a participant for criminal activity are subject to the provisions of the Violence Against Women Act of 2005 and reviewed by a committee on a case by case basis, with supporting documentation (including form HUD 50066).</li> </ul> </li> </ul>
<b>B.4.</b>	<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  <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<b>Other Document and/or Certification Requirements.</b>	
<b>C.1</b>	<p><b>Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan</b></p> <p><i>Form 50077-ST-HCV-HP, Certification of Compliance with PHA Plans and Related Regulations, must be submitted by the PHA as an electronic attachment to the PHA Plan.</i></p>
<b>C.2</b>	<p><b>Civil Rights Certification.</b></p> <p><i>Form 50077-ST-HCV-HP, Certification of Compliance with PHA Plans and Related Regulations, must be submitted by the PHA as an electronic attachment to the PHA Plan.</i></p>
<b>C.3</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y   N  <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<b>C.4</b>	<p><b>Certification by State or Local Officials.</b></p> <p><i>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.</i></p>
<b>D Statement of Capital Improvements.</b> Required in all years for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).	
<b>D.1</b>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.</p>

# Instructions for Preparation of Form HUD-50075-HP

## Annual Plan for High Performing PHAs

### A. PHA Information. All PHAs must complete this section.

- A.1** Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **PHA Inventory**, **Number of Public Housing Units and or 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. ([24 CFR §903.23\(4\)\(e\)](#))

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

### B. Annual Plan.

#### B.1 Revision of 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. 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 and families with disabilities, and (iii) households of various races and ethnic groups residing in the jurisdiction or on the waiting list based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. For years in which the PHA’s 5-Year PHA Plan is also due, this information must be included only to the extent it pertains to the housing needs of families that are on the PHA’s public housing and Section 8 tenant-based assistance waiting lists. ([24 CFR §903.7\(a\)\(1\)](#)) and 24 CFR §903.12(b). Provide a description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. For years in which the PHA’s 5-Year PHA Plan is also due, this information must be included only to the extent it pertains to the housing needs of families that are on the PHA’s public housing and Section 8 tenant-based assistance waiting lists. ([24 CFR §903.7\(a\)\(2\)\(ii\)](#)) and 24 CFR §903.12(b).

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection and Admissions.** Describe the PHA’s admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA’s policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to 24 CFR §903.2(b)(2) for developments not subject to deconcentration of poverty and income mixing requirements. ([24 CFR §903.7\(b\)](#)) Describe the PHA’s procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists. ([24 CFR §903.7\(b\)](#)) A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV. ([24 CFR §903.7\(b\)](#)) Describe the unit assignment policies for public housing. ([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 operating, capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or 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 rents charged for public housing and HCV dwelling units, including applicable public housing flat rents, minimum rents, voucher family rent contributions, and payment standard policies. ([24 CFR §903.7\(d\)](#))

☐ **Homeownership Programs.** A description of any homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval. For years in which the PHA’s 5-Year PHA Plan is also due, this information must be included only to the extent that the PHA participates in homeownership programs under section 8(y) of the 1937 Act. ([24 CFR §903.7\(k\)](#)) and 24 CFR §903.12(b).

☐ **Safety and Crime Prevention (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. ([24 CFR §903.7\(m\)\(5\)](#))

☐ **Pet Policy.** Describe the PHA’s policies and requirements pertaining to the ownership of pets in public housing. ([24 CFR §903.7\(n\)](#))

☐ **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. Should the PHA fail to define ‘significant amendment/modification’, HUD will consider the following to be ‘significant amendments or modifications’: a) changes to rent or admissions policies or organization of the waiting list; b) additions of non-emergency public housing CFP work items (items not included in the current CFP Annual Statement or CFP 5-Year Action Plan); or c) any change with regard to demolition or disposition, designation, homeownership programs or conversion activities. See guidance on HUD’s website at: [Notice PIH 1999-51](#). ([24 CFR §903.7\(r\)\(2\)\(ii\)](#))

If any boxes are marked “yes”, describe the revision(s) to those element(s) in the space provided.

PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see [24 CFR 903.2](#). ([24 CFR §903.23\(b\)](#))



**B.2 New Activities.** If the PHA intends to undertake any new activities related to these elements or discretionary policies in the current Fiscal Year, mark “yes” for those elements, and describe the activities to be undertaken in the space provided. If the PHA does not plan to undertake these activities, mark “no.”

☐ **Hope VI.** 1) A description of any housing (including project name, number (if known) and unit count) for which the PHA will apply for HOPE VI; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI is a separate process. See guidance on HUD’s website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>. (Notice PIH 2010-30)

☐ **Mixed Finance Modernization or Development.** 1) A description of any housing (including name, project number (if known) and unit count) for which the PHA will apply for Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Mixed Finance Modernization or Development is a separate process. See guidance on HUD’s website at:

<http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>. (Notice PIH 2010-30)

☐ **Demolition and/or Disposition.** Describe any public housing projects owned by the PHA and subject to ACCs (including name, project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD’s website at: [http://www.hud.gov/offices/pih/centers/sac/demo\\_dispo/index.cfm](http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm). (24 CFR §903.7(h))

☐ **Conversion of Public Housing.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA is required to convert or plans to voluntarily convert to tenant-based assistance; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD’s website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>. (24 CFR §903.7(j))

☐ **Project-Based Vouchers.** Describe any plans to use HCVs for new project-based vouchers. (24 CFR §983.57(b)(1)) If using project-based vouchers, provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan.

☐ **Other Capital Grant Programs** (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

**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 §903.7(r)(1))

**B.4 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 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 SM-HP.

**C.2 Civil Rights Certification.** Form HUD-50077 SM-HP, *PHA Certifications of Compliance with the PHA Plans and Related Regulation*, 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 AFFH Certification if: it can document that it examines its programs and proposed programs to identify any 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.3 Resident Advisory Board (RAB) comments.** If the RAB provided comments to 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.4 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. (24 CFR §903.15)

**D. Statement of Capital Improvements.** PHAs that receive funding from the Capital Fund Program (CFP) must complete this section. (24 CFR 903.7 (g))

**D.1 Capital Improvements.** In order to comply with this requirement, the PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan. PHAs can reference the form by including the following language in Section C. 8.0 of the PHA Plan Template: “See HUD Form 50075.2 approved by HUD on XX/XX/XXXX.”

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 and Annual PHA Plan. 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.

Public reporting burden for this information collection is estimated to average 16.64 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.

**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.





**ADMINISTRATIVE PLAN  
FOR THE HOUSING CHOICE  
VOUCHER PROGRAM**

**Housing Authority of the  
County of Riverside**

**DRAFT  
Effective July 1, 2016**

## Table of Contents

CHAPTER 1.....	6
STATEMENT OF POLICIES AND OBJECTIVES.....	6
A.    PURPOSE OF THE PLAN .....	6
B.    SERVICE POLICY/ACCOMMODATIONS.....	6
C.    TRANSLATION OF DOCUMENTS .....	6
D.    FAMILY OUTREACH .....	7
E.    PRIVACY RIGHTS AND PROVIDING INFORMATION TO OWNERS.....	7
F.    EQUAL OPPORTUNITY .....	7
G.    SPECIAL HOUSING TYPES.....	7
H.    RULES AND REGULATIONS .....	7
I.    JURISDICTION .....	7
J.    MONITORING PROGRAM PERFORMANCE.....	8
K.    PROGRAM INTEGRITY MONITORING (PIM) .....	8
L.    REQUESTS FOR INFORMATION FROM FILES .....	8
M.    USE OF ADMINISTRATIVE FEE RESERVE .....	8
N.    CODE OF CONDUCT .....	8
CHAPTER 2.....	9
ELIGIBILITY FOR ADMISSION .....	9
A.    QUALIFICATION AS A FAMILY (24 CFR 5.403).....	9
B.    INCOME LIMITS [24 CFR 982.201 (B) (1)].....	11
C.    DISCLOSURE OF SOCIAL SECURITY NUMBERS- PIH 2010-3 AND 24 CFR 5.216.....	11
D.    CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS (24 CFR PART 5).....	12
E.    SUITABILITY OF FAMILY .....	12
F.    CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT.....	12
G.    INELIGIBLE FAMILIES .....	13
CHAPTER 3.....	14
APPLYING FOR ADMISSION .....	14
A.    WAITING LIST REGISTRATION .....	14
B.    HOUSING CHOICE VOUCHER PROGRAM APPLICATION .....	15
CHAPTER 4.....	17
SELECTION OF FAMILIES FROM WAITING LIST .....	17
A.    WAITING LIST PREFERENCES.....	17
B.    EXCEPTIONS FOR SPECIAL ADMISSIONS (24 CFR 982.203) .....	18
C.    TARGETED FUNDING.....	19
D.    ORDER OF SELECTION.....	19
E.    IF PREFERENCES ARE NOT MET.....	19
F.    REMOVAL FROM WAITING LIST AND PURGING .....	19
CHAPTER 5.....	21
SUBSIDY STANDARDS .....	21
A.    DETERMINING VOUCHER SIZE .....	21
B.    CHANGES IN VOUCHER SIZE .....	22
CHAPTER 6.....	25
ELIGIBILITY FACTORS.....	25

A.	HOUSEHOLD COMPOSITION.....	25
B.	INCOME, ALLOWANCES & MINIMUM FAMILY CONTRIBUTION 24 CFR 5.609 .....	28
CHAPTER 7.....		36
VERIFICATION PROCEDURES.....		36
A.	RELEASE OF INFORMATION.....	37
B.	METHODS OF VERIFICATION PIH NOTICE 2010-19 (HA) & 24 CFR 5.233.....	37
C.	COMPUTER MATCHING .....	39
D.	ITEMS TO BE VERIFIED .....	39
E.	VERIFYING NON-FINANCIAL FACTORS .....	39
CHAPTER 8.....		43
VOUCHER ISSUANCE AND BRIEFINGS .....		43
A.	ISSUANCE OF VOUCHERS.....	43
B.	BRIEFING TYPES AND REQUIRED ATTENDANCE (24 CFR 982.301) .....	43
C.	ENCOURAGING PARTICIPATION IN LOW POVERTY AREAS .....	44
D.	ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION .....	44
E.	ASSISTANCE TO FAMILIES WITH DISABILITIES .....	44
F.	SECURITY DEPOSIT REQUIREMENTS (24 CFR 982.313) .....	44
G.	TERM OF VOUCHER (24 CFR 982.303).....	45
H.	VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS (24 CFR 982.315) .....	45
I.	REMAINING MEMBER OF TENANT FAMILY-RETENTION OF VOUCHER .....	46
CHAPTER 9.....		47
REQUEST FOR TENANCY APPROVAL (RFTA) AND CONTRACT EXECUTION .....		47
A.	REQUEST FOR TENANCY APPROVAL (RFTA) (24 CFR 982.302).....	47
B.	INFORMATION TO OWNERS.....	49
C.	OWNER DISAPPROVAL .....	49
D.	CONTRACT EXECUTION PROCESS .....	49
E.	CHANGE IN OWNERSHIP .....	49
CHAPTER 10.....		50
HOUSING QUALITY STANDARDS AND INSPECTIONS .....		50
A.	TYPES OF INSPECTIONS .....	50
B.	ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS.....	50
C.	INSPECTIONS [24 CFR 982.405 (A)] .....	51
D.	EMERGENCY REPAIR ITEMS [24 CFR 982.404 (A) (3) (B) (2)].....	52
E.	INITIAL HQS INSPECTION.....	52
F.	SPECIAL/COMPLAINT INSPECTIONS .....	52
G.	QUALITY CONTROL INSPECTIONS [24 CFR 982.405 (B)] .....	53
CHAPTER 11.....		54
OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS .....		54
A.	OWNER PAYMENT IN THE VOUCHER PROGRAM.....	54
B.	LATE PAYMENTS TO OWNERS .....	54
C.	MAKING PAYMENTS TO OWNERS .....	54
D.	EXCEPTION PAYMENT STANDARD.....	55
E.	RENT REASONABLENESS DETERMINATIONS (24 CFR 982.507) .....	55
F.	PAYMENT STANDARDS AND ADJUSTMENTS (24 CFR 982.503).....	55
G.	RENT INCREASES (24 CFR 982.507).....	56
CHAPTER 12.....		57
REEXAMINATIONS.....		57

A.	ANNUAL RECERTIFICATION/REEXAMINATION (24 CFR 982.516).....	57
B.	REPORTING INTERIM CHANGES .....	58
C.	TIMELY REPORTING OF CHANGES IN INCOME AND ASSETS.....	59
D.	NOTIFICATION OF RESULTS OF REEXAMINATIONS.....	60
CHAPTER 13.....		61
MOVES WITH CONTINUED ASSISTANCE/PORTABILITY .....		61
A.	ALLOWABLE MOVES.....	61
B.	RESTRICTIONS ON MOVES.....	62
C.	PORTABILITY .....	62
D.	OUTGOING PORTABILITY .....	62
E.	INCOMING PORTABILITY .....	63
CHAPTER 14.....		64
CONTRACT TERMINATIONS.....		64
A.	CONTRACT TERMINATION .....	64
B.	TERMINATION OF LEASE BY OWNER .....	64
C.	TERMINATION OF THE CONTRACT BY HA.....	65
D.	TERMINATIONS DUE TO INELIGIBLE IMMIGRATION STATUS.....	66
CHAPTER 15.....		67
DENIAL OR TERMINATION OF ASSISTANCE.....		67
A.	GROUND FOR DENIAL OF ASSISTANCE (24 CFR 982.552-553).....	67
B.	GROUND FOR TERMINATION OF ASSISTANCE (24 CFR 982.552-553) .....	69
C.	VIOLENCE AGAINST WOMEN ACT (VAWA) OF 2005 .....	70
D.	FAMILY OBLIGATIONS (24 CFR 982.551).....	71
E.	PROCEDURES FOR NON-CITIZENS.....	74
F.	ZERO HOUSING ASSISTANCE PAYMENT FOR TENANTS .....	75
G.	MISSED APPOINTMENTS AND DEADLINES.....	75
CHAPTER 16.....		76
OWNER DISAPPROVAL AND RESTRICTIONS .....		76
A.	DISAPPROVAL OF OWNER.....	76
B.	OWNER RESTRICTIONS AND PENALTIES .....	77
C.	OTHER REMEDIES FOR OWNER VIOLATIONS .....	77
CHAPTER 17.....		78
OWNER OR FAMILY DEBTS TO THE HA .....		78
A.	REPAYMENT AGREEMENT FOR FAMILIES .....	78
B.	DEBTS DUE TO FRAUD/NON-REPORTING OF INFORMATION.....	79
C.	OWNER DEBTS TO THE HA .....	79
CHAPTER 18.....		80
COMPLAINTS AND APPEALS .....		80
A.	COMPLAINTS TO THE HA.....	80
B.	NOT MEETING PREFERENCES.....	80
C.	INFORMAL REVIEW .....	80
D.	INFORMAL HEARING .....	81
E.	INFORMAL REVIEW/HEARING PROCEDURES .....	83
F.	HEARING AND APPEAL PROVISIONS FOR RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS .....	85
CHAPTER 19.....		86

<b>FAMILY SELF-SUFFICIENCY (FSS) PROGRAM .....</b>	<b>86</b>
A. <b>ENROLLMENT AND RECRUITMENT .....</b>	<b>86</b>
B. <b>CONTRACT OF PARTICIPATION .....</b>	<b>87</b>
C. <b>INDIVIDUAL TRAINING AND SERVICE PLAN (ITSP).....</b>	<b>88</b>
D. <b>CASE MANAGEMENT AND COMMUNITY SERVICES.....</b>	<b>88</b>
E. <b>ESCROW ACCOUNTS .....</b>	<b>88</b>
F. <b>SUPPORTIVE SERVICES.....</b>	<b>89</b>
<b>CHAPTER 20.....</b>	<b>92</b>
<b>PROGRAM INTEGRITY MONITORING (PIM).....</b>	<b>92</b>
A. <b>CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD .....</b>	<b>92</b>
B. <b>STEPS THE HA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD .....</b>	<b>93</b>
C. <b>STEPS THE HA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD .....</b>	<b>93</b>
D. <b>THE HA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD .....</b>	<b>94</b>
E. <b>OVERPAYMENTS TO OWNERS .....</b>	<b>95</b>
F. <b>HOW THE HA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD.....</b>	<b>95</b>
G. <b>PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS OBTAINED BY THE HA.....</b>	<b>96</b>
H. <b>CONCLUSION OF THE HA'S INVESTIGATIVE REVIEW.....</b>	<b>96</b>
I. <b>EVALUATION OF THE FINDINGS.....</b>	<b>96</b>
J. <b>ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED.....</b>	<b>96</b>
<b>CHAPTER 21.....</b>	<b>100</b>
<b>PROJECT-BASED VOUCHERS .....</b>	<b>100</b>
21.1 <b>INTRODUCTION [24 CFR 983. 5] .....</b>	<b>100</b>
21.2 <b>LEVEL OF ASSISTANCE [24 CFR 983.6].....</b>	<b>100</b>
21.3 <b>OWNER PROPOSAL SELECTION PROCEDURE [24 CFR 983.51] .....</b>	<b>100</b>
21.4 <b>HOUSING ELIGIBLE FOR ASSISTANCE [24 CFR 983.52 AND 983.53] .....</b>	<b>101</b>
21.5 <b>LIMITS ON ASSISTANCE [24 CFR 983.56] .....</b>	<b>101</b>
21.6 <b>PROJECT SELECTION CRITERIA [24 CFR 983.57] .....</b>	<b>102</b>
21.7 <b>AGREEMENT TO ENTER INTO THE HAP CONTRACT [24 CFR 983.152] .....</b>	<b>104</b>
21.8 <b>SELECTION OF PARTICIPANTS [24 CFR 983.251] .....</b>	<b>105</b>
21.9 <b>INFORMATION FOR ACCEPTED FAMILIES [24 CFR 983.252] .....</b>	<b>106</b>
21.10 <b>LEASING OF CONTRACT UNITS [24 CFR 983.253] .....</b>	<b>106</b>
21.11 <b>VACANCIES [24 CFR 983.254] .....</b>	<b>106</b>
21.12 <b>TENANT SCREENING [24 CFR 983.255] .....</b>	<b>106</b>
21.13 <b>HOUSING ASSISTANCE PAYMENTS CONTRACT .....</b>	<b>106</b>
21.14 <b>INSPECTIONS [24 CFR 983.103] .....</b>	<b>108</b>
21.15 <b>LEASE [24 CFR 983.256] .....</b>	<b>108</b>
21.16 <b>FAMILY OCCUPANCY OF WRONG-SIZE OR ACCESSIBLE UNIT [24 CFR 983.259].....</b>	<b>109</b>
21.17 <b>DETERMINING RENT TO OWNER [24 CFR 983.301] .....</b>	<b>110</b>
21.18 <b>PAYMENT TO OWNER [24 CFR 983.351] .....</b>	<b>111</b>
<b>CHAPTER 22.....</b>	<b>112</b>
<b>RAD CONVERSION .....</b>	<b>112</b>
<b>AFFORDABLE PUBLIC HOUSING CONVERTED TO PROJECT-BASED VOUCHERS .....</b>	<b>112</b>
A. <b>CONVERSION TO PROJECT BASED RENTAL ASSISTANCE OR PROJECT BASED VOUCHERS.....</b>	<b>112</b>
B. <b>COMPLIANCE WITH FAIR HOUSING AND CIVIL RIGHTS REQUIREMENTS .....</b>	<b>112</b>
C. <b>IMPLICATIONS OF RAD CONVERSION ON THE CAPITAL FUND BUDGET .....</b>	<b>112</b>
D. <b>RESIDENT RIGHTS, PARTICIPATION, WAITING LIST AND GRIEVANCE PROCEDURES .....</b>	<b>113</b>
E. <b>RELOCATION PLANS .....</b>	<b>113</b>
F. <b>SIGNIFICANT AMENDMENT DEFINITION .....</b>	<b>113</b>
<b>ATTACHMENT 1 RESIDENT RIGHTS, PARTICIPATION, WAITING LIST AND GRIEVANCE PROCEDURES APPLICABLE TO PROPERTIES CONVERTING TO PROJECT BASED VOUCHERS.....</b>	<b>115</b>

EXCERPTS OF PIH NOTICE 2012-32: SECTIONS 1.6.C AND 1.6.D.....	115
C.    PBV RESIDENT RIGHTS AND PARTICIPATION.....	115
D.    PBV: OTHER MISCELLANEOUS PROVISIONS .....	118
ATTACHMENT 2 LIST OF RAD PROGRAM ELEMENTS AFFECTING RESIDENT RIGHTS AND PARTICIPATION WAITING LIST AND GRIEVANCE PROCEDURES FOR PBV .....	122
ATTACHMENT 3 .....	123
SPECIFIC INFORMATION RELATED TO THE PUBLIC HOUSING DEVELOPMENTS SELECTED FOR RAD .....	123
APPENDIX A: GLOSSARY .....	126
APPENDIX B: CODE OF CONDUCT .....	140
APPENDIX C: <b>POLICY ON PROHIBITED CRIMINAL ACTIVITY</b> <del>ZERO TOLERANCE POLICY</del> .....	142
APPENDIX D: REASONABLE STEPS TO AFFIRMATIVELY FURTHER FAIR HOUSING .....	147



## **Chapter 1**

### **STATEMENT OF POLICIES AND OBJECTIVES**

#### **INTRODUCTION**

The Housing Choice Voucher (Section 8) Program was enacted as part of the Housing and Community Development Act of 1974, which re-codified the U.S. Housing Act of 1937. The Act has been amended from time to time, and its requirements are described in, and implemented through this Administrative Plan.

Administration of the Housing Choice Voucher Program and the functions and responsibilities of the Housing Authority of the County of Riverside (HA) staff shall be in compliance with the United States Department of Housing and Urban Development's (HUD) Housing Choice Voucher Program Regulations as well as federal, state and local fair housing laws and regulations.

The HA is committed to the goals and policies contained in the Housing Element of the General Plan for the County of Riverside and the County of Riverside Consolidated Plan.

#### **A. PURPOSE OF THE PLAN**

The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local objectives. The Plan covers both admission and continued participation in these programs.

The HA is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence.

#### **B. SERVICE POLICY/ACCOMMODATIONS**

This policy is applicable to all situations described in this Administrative Plan when a family initiates contact with the HA, when the HA initiates contact with a family including when a family applies, and when the HA schedules or reschedules appointments of any kind.

It is the policy of this HA to be customer service oriented in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to the families within our jurisdiction.

The HA's policies and practices are designed to provide assurances that all persons with disabilities will be provided accommodations, whenever reasonable, so that they may have equal access to the housing programs and related services. Persons requiring special accommodations due to a disability must notify the HA of their needs.

In matters where the HA has discretion, waivers to existing policy shall be determined by the Director or designee.

#### **C. TRANSLATION OF DOCUMENTS**

The Housing Authority will provide verbal translation of documents into Spanish, as well as other languages when feasible.

#### **D. FAMILY OUTREACH**

It is the goal of the HA to assure that participating families in the program are representative of the County's targeted population groups, as identified in the Consolidated Plan of its area of operation. The HA will publicize and disseminate information to make known the availability of housing assistance and related services for low income families on an as needed basis. The HA will publicize the availability and nature of housing assistance for low income families in a newspaper of general circulation, minority media, through the agency's website at [www.harivco.org](http://www.harivco.org) and by other suitable means (such as distributing information to non-profit agencies within the county).

#### **E. PRIVACY RIGHTS AND PROVIDING INFORMATION TO OWNERS**

The HA's policy regarding release of information is in accordance with state and local laws which restricts the release of family information.

The HA's practices and procedures are designed to safeguard the privacy of applicants, program participants, and participating owners or property managers. All applicant and participant hard files and imaged files will be stored in a secure location that is only accessible by authorized staff. Owner records will be filed and/or imaged with the participant's file.

In accordance with HUD requirements, the HA will furnish prospective owners with the names and addresses of current and prior landlords of applicants and participants for tenant screening purposes.

#### **F. EQUAL OPPORTUNITY**

The HA practices equal opportunity in hiring, promotion and conditions of employment. The HA will comply with the equal opportunity housing requirements in regard to non-discrimination in housing.

#### **G. SPECIAL HOUSING TYPES**

The HA routinely provides Manufactured home space rental assistance and will provide Shared Housing, and Single Room Occupancy (SRO), as a reasonable accommodation to applicants and participants who request it in order to make the program more accessible. All units must pass Housing Quality Standards as outlined in the Code of Federal Regulations. Except where specifically regulated, all HA policies in this Administrative Plan also apply to the special housing types.

#### **H. RULES AND REGULATIONS**

This Administrative Plan is set forth to define the HA's local policies for operation of the housing programs in the context of federal laws and regulations. All issues related to Housing Choice Voucher Program not addressed in this document are governed by such federal regulations, HUD memos, notices and guidelines, or other applicable law.

#### **I. JURISDICTION**

The HA's area of operation is all of the incorporated and unincorporated cities and areas in Riverside County.

#### **J. MONITORING PROGRAM PERFORMANCE**

The HA will monitor program performance in compliance with the Annual Contributions Contract and other applicable laws, regulations and guidelines. It is the agency's objective to receive the highest rating from HUD using the Section 8 Management Assessment Program (SEMAP).

The HA will monitor Housing Quality Standards (HQS) in accordance with the Code of Federal Regulations 24 CFR Part 982, by conducting quality control inspections in an amount necessary to meet HUD requirements.

#### **K. PROGRAM INTEGRITY MONITORING (PIM)**

The Housing Authority of the County of Riverside administers Program Integrity Monitoring (PIM). The purpose of the program is to ensure that public funds are paid only on behalf of qualified and eligible participants, and to landlords and owners who comply with all contract provisions in accordance with federal regulations. (Refer to Appendix E)

PIM also staffs a toll-free fraud hotline [(800) 300-0439]. Through this hotline, the public can anonymously report any suspected participant/owner/employee fraud. The fraud hotline number is available through the internet web site, and Housing Authority newsletters.

#### **L. REQUESTS FOR INFORMATION FROM FILES**

The HA will make public records available to all persons, unless otherwise exempted from disclosure by applicable law. Copies of disclosable public records may be purchased from the HA or they can be viewed at no charge at the HA offices during normal business hours. The HA charges \$0.50 for the first page copied and \$0.10 for each additional page thereafter. To the extent permitted by law, under certain circumstances the HA may recover additional costs in connection with retrieving electronic data.

#### **M. USE OF ADMINISTRATIVE FEE RESERVE**

The HA Board of Commissioners must authorize any withdrawal from administrative fee reserves proposed through the annual budget approval process. The Board of Commissioners must authorize any amount in excess of \$75,000 per occurrence that is used during the fiscal year in addition to the previously approved amount.

#### **N. CODE OF CONDUCT**

All employees are expected to abide by the Code of Conduct for the Housing Authority, which is included as Appendix B of this document.

## Chapter 2

### ELIGIBILITY FOR ADMISSION

#### **INTRODUCTION**

This chapter defines the HUD and HA criteria for admission and denial of admission to the program. The policy of the HA is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The HA staff will review all information provided by the family carefully and without regard to factors other than those defined in this chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the HA pertaining to their eligibility.

To be eligible for participation, an applicant must meet HUD criteria, as well as any permissible additional criteria established by the HA, i.e., Policy on ~~Zero Tolerance of~~ Prohibited Criminal Activity (see Appendix C), and established local preferences (see Chapter 4).

The family's placement on the waiting list will be made in accordance with their registration date, and self-disclosed preferences.

#### **A. QUALIFICATION AS A FAMILY** (24 CFR 5.403)

The applicant must qualify as a family. A family includes but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, the following:

A single (one) person, who may be an elderly person, a displaced person, disabled person, near-elderly person, or any other single person; or

A group of persons residing together and such group includes, but is not limited to:

A family with or without minor(s) (a minor who is temporarily away, 182 days or less, from the home because of placement in foster care is considered a member of the family)

An elderly family

A near-elderly family

A disabled family

A displaced family; and

The remaining member of a tenant family

#### **Head of Household**

The head of household is the adult member of the household who is designated by the family, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under state/local law. Emancipated minors who qualify under state law may be recognized as the head of household.

### **Live-In Aide** (24 CFR 982.316)

A family that consists of one or more elderly, near-elderly or disabled persons may request that the HA approve a live-in aide to reside in the unit and provide necessary supportive services for a family member who is a person with disabilities. The HA must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR Part 8 to make the program accessible to and usable by the family member with a disability. A statement from a licensed professional supporting the need for a Live-In Aide will be required. This statement must be renewed every year at the annual recertification. For relocations and/or changes in care provider, the verification must be current within the last 120 days.

Live-in aide means a person 18 years or older who resides with one or more elderly persons, near-elderly or disabled persons, and who:

1. Is determined by the HA to be essential to the care and wellbeing of the person ~~an elderly person or a person with disabilities,~~
2. Is not obligated for the support of the person(s),
3. Would not be living in the unit except to provide the necessary supportive services.
4. Is required by a medical professional
5. Is not a member of the assisted family and is not entitled to the HCV as the remaining member of the tenant family
6. See PIH Notices 2009-22 and 2008-20 for live-in aide provisions.

Occasional, intermittent, multiple or rotating care givers do not meet the definition of a live-in aide since 24CFR Section 982.402(b)(7) implies live-in-aides must reside with a family permanently for the family unit size to be adjusted in accordance with the subsidy standards established by the PHA. Therefore, regardless of whether these caregivers spend the night, an additional bedroom should not be approved (PIH 2009-22).

A PHA may only approve one additional bedroom for a live- in aide. Although a live-in aide may have PHA-approved family member/s live with him/her in the assisted unit, no additional bedrooms will be provided for the family members of the live-in aide. The PHA must ensure that housing quality standards (HQS) will not be violated and that there will be no more than two people per bedroom or living/sleeping space in the unit in accordance with 24 CFR § 982.401(d)(2)(ii). If the approval of additional family members of a live- in aide would result in the violation of HQS, the additional family members of the live- in aide may not be approved. PIH 2010-51 (HA)

A live-in aide is treated differently than family members:

1. Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.
2. Live-in aides will not be considered as a remaining household member of the tenant family or be entitled to any housing assistance independent of the participant and will sign a certification to that effect.

At any time, the HA may refuse to approve a particular person as a live-in aide, or may withdraw such approval, if:

1. The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program; or

2. The person violates the Policy on Prohibited Criminal Activity; or
3. The person currently owes rent or other amounts to the HA or to another HA in connection with Housing Choice Voucher Program or Public Housing Assistance under the 1937 Act; or
4. The live-in aide requires a live-in aide or care provider for themselves; or
5. The HOH requires a live-in aide, the HOH may not be a live-in aide/caretaker for someone else.
6. The live-in aide would not be living in the unit except to provide the necessary supportive services (i.e. spouse/co-head or parent of a child); or
7. The person is already living in the unit as a household member; or
8. The person is under 18 years of age.

### **Multiple Families in the Same Household - Joint Custody of Minor(s)**

When two families living together apply for assistance, (such as a mother and father and a daughter with her own husband or minor(s)), they will be treated as a single family unit.

Minors who are subject to a joint custody agreement, but live with one parent at least 51 percent of the time will be considered members of the household. “51 percent of the time” is defined as 183 days of the year, which do not have to run consecutively.

When both parents are trying to claim the minor, the HA will consider court records as the authority for custody. In the absence of court records, the parent whose address is listed in the school records will be allowed to claim the school-age minor as a dependent and as a member of that household.

### **B. INCOME LIMITS** [24 CFR 982.201 (b) (1)]

HUD determines income limits for admission to the Housing Choice Voucher Program. To be eligible, the applicant must be a family in any of the following categories:

- A “very low income” family;
- A low-income family that is “continuously assisted” under the 1937 Housing Act;
- A low-income family that meets additional eligibility criteria specified in the PHA administrative plan. Such additional PHA criteria must be consistent with the PHA plan and with the consolidated plans for local governments in the PHA jurisdiction;
- A low-income family that qualifies for voucher assistance as a non-purchasing family residing in a HOPE 1 (HOPE for public housing homeownership) or HOPE 2 (HOPE for homeownership of multifamily units) project. (Section 8(o)(4)(D) of the 1937 Act (42 U.S.C. 1437f(o)(4)(D));
- A low-income or moderate-income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing as defined in § 248.101 of this title;
- A low-income family that qualifies for voucher assistance as a non-purchasing family residing in a project subject to a resident homeownership program under § 248.173 of this title.

A family who is determined to be over the Very Low (50% of median) Income Limits at time of release will be withdrawn from the waiting list and sent a denial letter.

### **C. DISCLOSURE OF SOCIAL SECURITY NUMBERS-** PIH ~~2010-3~~ 2012-10 and 24 CFR



## **5.216**

All applicants and participants are required to disclose a social security number. PHAs will not need to re-verify previously disclosed valid SSNs. PHAs may rely on documentation of the SSN provided by another government agency (federal or state). Addition of new household members at least 6 years of age or under the age of 6 and who **has an assigned SSN**, the participant must disclose the SSN and provide documentation of the SSN to the PHA at the time of request to add new household member or during interim re-exam. The new household member **cannot** be added to the family composition until the family has complied with SSN disclosure and verification requirements. Addition of new household members under the age of 6 **without an assigned SSN**, are included as household members and entitled to benefits and the Head of Household is given 90 days to provide documentation of the SSN (with the potential for an extension of an additional 90 days) if the HA determines that the failure to provide proof of the SSN was due to circumstances outside the family's control. Failure to furnish verification of social security numbers is grounds for denial or termination of assistance.

### **D. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS** (24 CFR Part 5)

#### **Mixed Families**

An applicant family is eligible for assistance so long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called mixed households. Such applicant families will be given notice that their assistance will be prorated and that they may request a hearing if they contest this determination.

#### **No eligible members**

Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

#### **Non-citizen students**

Non-citizen students as defined by HUD in the non-citizen regulations are not eligible for assistance.

#### **Appeals**

For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

### **E. SUITABILITY OF FAMILY**

It is the responsibility of the owner to screen the applicants as to their suitability for tenancy.

### **F. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT**

Changes that occur after the issuance of a Voucher, but before the execution of a lease and contract must be processed so that under no circumstance will a family be admitted if they are over the HUD published 50% Area Median Income Limit. For example, if a household goes over the income limit prior to lease up, the applicant is no longer eligible for the program [24 CFR 982.201(b)(4)]. They will be notified in writing of their ineligible status and their right to an informal review.

In order to be compliant with regulatory requirements, the Housing Authority will release families to result in a lease up of 75% of the families being at or below 30% of the median income

(extremely low income). If a family has a change in income that results in the family exceeding the 30% income limits for the family size at the time of verification and up until voucher issuance and/or prior to lease up, the family's income will be updated and they will be returned to the waiting list and notified in writing. The family will be eligible for a future release between 30% and 50% of the income limits (very low income).

Non-income changes that are reported after voucher issuance will not affect the preference eligibility of the household once the preference criterion has been verified.

**G. INELIGIBLE FAMILIES**

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to non-citizen status.

## Chapter 3

### APPLYING FOR ADMISSION

#### **INTRODUCTION**

The ~~HA~~ Housing Choice Voucher (Section 8) Program waiting list ~~will open~~ re-opened as of July 1, 2015 for new registrations. This chapter describes the policies and procedures for completing the waiting list registration, placement on the waiting list, and completion of the Section 8 Application, including verifications and other required documents. Registrants will be placed on the waiting list in accordance with this Plan.

#### **EXTRAORDINARY LOCAL PREFERENCE**

Up to a total of 15% of annual admissions will be targeted for an extraordinary local preference for the following registrants: Referrals by the Court Program (A program run by Riverside County Family and Dependency Drug Courts); and, registrants displaced by government action or emergency as certified by a city, county or state agency official (executive level or above), etc. The approval of the Director or designee is necessary for an extraordinary local preference. These admissions must meet the County of Riverside Residency Preference except for those who are displaced by government action. **24 CFR 982.204 (a) and 24 CFR 982.207 (a) (2) and (3).**

#### **A. WAITING LIST REGISTRATION**

~~At such time as the Housing Choice Voucher Program waiting list reopens, public notice will be issued and outreach will be conducted by distribution of waiting list registration forms to libraries, non-profit organizations and other public agencies.~~ The HA waiting list is open at this time. Outreach is conducted on a continual basis to libraries, non-profit organizations and other public agencies. Advertisement of the housing programs is done on an as needed basis in the local paper of record, minority newspapers and other media and the agency's website at [www.harivco.org](http://www.harivco.org).

Outreach and advertisement notices include:

1. A brief description of the housing programs
2. Basic information on eligibility requirements
3. The HA's address and telephone number

~~When the Housing Choice Voucher Program waiting list reopens,~~ The HA waiting list is open at this time. Any family asking to be placed on the waiting list for Housing Choice Voucher rental assistance must complete a registration form ~~Until registrants are able to register independently using the agency's new web-based waiting list portal. registrations will be taken on the Internet, by mail, or by personal delivery to the HA offices. Once the agency's web-based waiting list portal is fully operational, registrations must be completed online.~~ Requests for reasonable accommodations for persons with disabilities will be reviewed on a case-by-case basis. Please note that in order to be placed on the waiting list, a valid address must be provided since the HA's primary form of communication is by mail. This is to avoid an applicant being withdrawn or removed from the waiting list for failure to respond to correspondence or returned mail. If an applicant has no valid address (homeless, etc.), it is suggested that they obtain a Post Office (PO) Box or provide a valid General Delivery Address. Upon request, reasonable accommodations will be made for persons with disabilities.

When the on-line waiting list registration process is completed, the registrant will receive a confirmation number. The registrant should print and maintain this confirmation for their records. ~~form is received by the HA, first time registrants will receive a letter that confirms placement on the waiting list.~~ The person whose name is listed on the registration will be considered the Head of Household and will be the person entitled to the placement on our waiting list. ~~The letter will include instructions to verify information and report changes as they occur.~~ Registrants are required to inform the HA of changes in family composition, income, and address, as well as any changes in their preference status (See Chapter 4) using the Housing Authority's web-based portal.

In addition, between October 1<sup>st</sup> and December 31<sup>st</sup> of every year, registrants are required to update their waiting list registration once annually using the Housing Authority's web-based waiting list portal. An annual update is required, regardless of whether there are any changes to the household's registration information. Failure to do so will result in the withdrawal of all waiting list registrations. Reasonable Accommodation (RA) requests will be accommodated should a registrant who is a person with disabilities be unable to use the web-based portal. Reasonable Accommodation requests must be submitted in writing during the October-December update period. All other RA requests submitted by persons with disabilities will be reviewed and considered for approval based on verification and nexus. Failure of the household to update their registration during the annual 3 month update period will result in the registrant being removed from all waiting lists.

The purpose of the registration form is to permit the HA to determine placement on the waiting list based on the information provided by the applicant. Registrants are also required to respond to requests from the HA to update information on their registration, or to determine their continued interest in assistance. Failure to provide information or to respond to mailings will result in the registrant being removed from the waiting list.

## **B. HOUSING CHOICE VOUCHER PROGRAM APPLICATION**

When funding is available, registrants will be sent a Housing Choice Voucher Program Application Eligibility Questionnaire (EQ) according to their preference-determined sequence by the date the registration was received by the HA. This process is followed regardless of family size. All adult members must complete and sign the Application Eligibility Questionnaire, as well as accompanying forms including the HUD Form 9886, Release of Information, HUD Form 52675, What You Should Know About EIV, What is Fraud Form, ~~IRS Form 4506-01~~, HUD Form 92006 Supplemental and Optional Contact Information, and the Declaration of Citizenship. Failure to provide necessary certifications and release as required by the HA will be cause for denial of the application.

The Housing Choice Voucher Program Application Eligibility Questionnaire and related verifications determines the family's ability to claim a preference. The qualification for preference must exist at the time the preference is verified regardless of the length of time an applicant has been on the waiting list because the preference is based on current status. If the family does not meet the current preferences, they are returned to the Waiting List.

If the HA utilizes an interview at the time of the full application, it is the applicant's responsibility to reschedule the interview if she/he misses the appointment. Appointments are rescheduled only if missing the appointment is justifiable and the request is made no later than 10 calendar days from

the original appointment date. Requests for rescheduled appointments must be submitted in writing with verification (doctor's note, etc.) as to the reason for the reschedule. If the applicant does not reschedule a missed meeting, the HA will deny the application. Upon request, reasonable accommodations will be made for persons with a disability.

If the HA determines at or after the interview that additional information or document(s) are needed, the HA will request the document(s) or information in writing. The family will be given 10 calendar days to supply the information. If the information is not supplied in this time period, the HA will provide the family a notification of denial for assistance and their name will be withdrawn from the waiting list.

If an applicant is denied assistance and withdrawn from the waiting list, the applicant will be offered an opportunity to request an informal review.

The Eligibility Questionnaire is used to determine final eligibility for Voucher issuance and requires full verification. After the verification process is completed, the HA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the HA, and the current eligibility criteria in effect. If the family meets the preferences and is determined eligible, a briefing will be scheduled to issue a Voucher and explain the family's obligations and the program requirements.

During the initial eligibility determination process and any subsequent eligibility reexaminations, all contact such as correspondence, telephone calls, interviews, or inspections will be documented by the Housing Specialist.

## Chapter 4

### SELECTION OF FAMILIES FROM WAITING LIST

#### **INTRODUCTION**

It is the HA's objective to ensure that the families are placed in the proper order on the waiting list so that an offer of assistance is not delayed to any family, or made to any family prematurely. This chapter defines the eligibility criteria for the HA, and it explains the waiting list order which the HA has adopted to meet local housing needs.

By maintaining an accurate waiting list, the HA will be able to perform the activities which ensure that an adequate pool of qualified registrants will be available so that program funds are used in a timely manner.

#### **A. WAITING LIST PREFERENCES**

The HA has implemented the following preferences for drawing names from the waiting list. In accordance with California State Law [HSC 34322.2 (b)], at each level of preference, families meeting the definition of a veteran according to California Military and Veterans Code, Section 980, will have priority. In accordance with Federal Regulations [24 CFR 982.201 (b) (2)], at each level below, from the families that meet the preferences, the Housing Authority will release families to result in a lease up of: 75% of the families will be at or below 30% of the median income (extremely low income), and 25% of the families will be between 30% and 50% of the median income (very low income). Any Project-Based Voucher (PBV) development under HAP Contract will observe preferences outlined in the HAP Contract (i.e. veterans, elderly or families receiving supportive services). If the first level releases do not satisfy the regulations regarding extremely low income families, releases will be done at the second level of preferences until the 75% extremely low income requirement is met.

In order to be compliant with regulatory requirements, the Housing Authority will release families to result in a lease up of 75% of the families being at or below 30% of the median income (extremely low income). If a family has a change in income that results in the family exceeding the 30% income limits for the family size at the time of verification and up until voucher issuance and/or prior to lease up, the family's income will be updated and they will be returned to the waiting list and notified in writing. The family will be eligible for a future release between 30% and 50% of the income limits (very low income).

#### **EXTRAORDINARY LOCAL PREFERENCE**

Up to a total of 15% of annual admissions will be targeted for an extraordinary local preference for the following registrants: Referrals by the Court Program (A program run by Riverside County Family and Dependency Drug Courts); and, registrants displaced by government action or emergency as certified by a city, county or state agency official (executive level or above), etc. The approval of the Director or designee is necessary for an extraordinary local preference. These admissions must meet the County of Riverside Residency Preference except for those who are displaced by government action. **24 CFR 982.204 (a) and 24 CFR 982.207 (a) (2) and (3).**



### FIRST LEVEL

- 1) County of Riverside Residency Preference, **and**
- 2) Qualified veterans, **or**
- 3) Families whose head of household or co-head is 75 years of age and older, **or**
- 4) Families or Foster Care Youth referred to the HA by the Riverside County Public Child Welfare Agency (PCWA) for admission through the Family Unification Program (HUD designated special purpose vouchers), **or**
- 5) Participants who have utilized a special rental assistance program for a 3 year term and no longer require supportive services, **or**
- 6) Homeless families with minor children residing in shelters.

### SECOND LEVEL

- 1) County of Riverside Residency Preference, **and**
- 2) Working Families (see Working Families definition) with minors **or** Elderly families **or** Disabled families

### THIRD LEVEL

- 1) County of Riverside Residency Preference, **and**
- 2) Non-Working Families **with** minors

### FOURTH LEVEL

- 1) County of Riverside Residency Preference, **and**
- 2) Working families (see Working Families definition) **without** minors

### FIFTH LEVEL

- 1) County of Riverside Residency Preference, **and**
- 2) Non-working families **without** minors.

The Housing Authority will exhaust all families at each preference level before releasing from the next lower level except as noted above. Date of registration for registrants with equal preferences will determine order of release.

### Change in Circumstances

Changes in a registrant's circumstances while on the waiting list may affect the family's entitlement to a preference. Registrants are required to notify the HA when circumstances change.

When a registrant claims an additional preference, she/he will maintain the original date of registration and will be updated on the waiting list in the appropriate order determined by the newly claimed preference. The qualification for preference must exist at the time the preference is verified regardless of the length of time an applicant has been on the waiting list because the preference is based on current status. Preference eligibility is verified at the time of completion of the Housing Choice Voucher Program Application up until voucher issuance.

### **B. EXCEPTIONS FOR SPECIAL ADMISSIONS** (24 CFR 982.203)

If HUD awards program funding that is targeted for a specific group, the HA will admit these families under a special admission procedure. The families will be selected in accordance with the

Notice of Funding Availability and the HA's application for funding.

Special admissions families **who are income eligible (Very Low)** will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The HA maintains separate records of these admissions.

### **C. TARGETED FUNDING**

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first family meeting the targeted funding criteria, based on date of registration.

Examples of targeted programs are:

- Mainstream
- Family Unification

### **D. ORDER OF SELECTION**

**Income eligible** families are selected from the waiting list and sent a Housing Choice Voucher Program Application **Eligibility Questionnaire** based on the preferences listed above. The waiting list will be organized by date among registrants with equal preference status regardless of family size. Preference information will be verified when families complete a Housing Choice Voucher Program Application and the qualification for preference must exist at the time the preference is verified up until voucher issuance regardless of the length of time an applicant has been on the waiting list because the preference is based on current status.

### **E. IF PREFERENCES ARE NOT MET**

If the applicant does not qualify for a preference, the HA will return the family to the waiting list. The HA will notify the applicant in writing of the reasons why the preference was denied and inform the applicant that they have been returned to the waiting list with their original registration date before they were selected. If the applicant falsifies documents or makes false statements in order to qualify for any preference they will be denied assistance (lifetime ineligible) and offered an opportunity to request an informal review in writing within 10 days. Applicants may exercise other rights if they believe they have been discriminated against.

### **F. REMOVAL FROM WAITING LIST AND PURGING**

If a registrant fails to respond within 30 calendar days to a mailing from the HA, the registrant will be removed from the waiting list. If a letter is returned by the Post Office without a forwarding address, the registrant will be removed from all waiting lists without further notice, and a record will be maintained on the computer. Reasonable accommodations will be made for persons with disabilities.

Between October 1<sup>st</sup> and December 31<sup>st</sup> of every year, registrants are required to update their waiting list registration once annually using the Housing Authority's web-based portal. An annual update is required, regardless of whether there are any changes to their registration. Failure to do so will result in the withdrawal of all waiting list registrations. Reasonable Accommodation (RA) requests will be accommodated should a registrant who is a person with disabilities be unable to use the web-based portal but RA requests must be made during the October-December update period. Failure to update their registration during the annual update period will result in the registrant being

removed from all waiting lists.

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## Chapter 5

### SUBSIDY STANDARDS

#### **INTRODUCTION**

HUD guidelines require that HA's establish subsidy standards for the determination of the Voucher bedroom size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the Voucher size also must be within the minimum unit size requirements of HUD's Housing Quality Standards. This chapter explains the subsidy standards which will be used to determine the Voucher size for various sized families when they are selected from the waiting list, as well as the HA's procedures when a family's size changes, or a family selects a unit size that is different from the Voucher.

#### **A. DETERMINING VOUCHER SIZE**

The HA does not determine who shares a bedroom/sleeping room, but there must be at least one person per subsidized bedroom. A living room may be used as a bedroom/sleeping space for up to two persons. The HA's subsidy standards for determining Voucher size shall be applied in a manner consistent with Fair Housing guidelines. All standards in this section relate to the number of bedrooms on the Voucher, not the family's actual living arrangements.

The unit size on the Voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented. During the HAP contract term, the unit size on the Voucher (subsidy) may only change at the first full recertification after the change in family unit size. [24 CFR 982.505 (c) (5)]

One bedroom shall be assigned for the Head of Household and spouse/co-head, and one bedroom shall be assigned for every two nucleus household members. A living room may be used as a bedroom/sleeping space for up to two persons. Non-nucleus members are not assigned a subsidy. If the Housing Authority is designated as a Shortfall Agency by HUD, or another HUD designation as a result of a funding shortfall, subsidy standards may decrease so that one bedroom will be assigned for every two nucleus household members, regardless of familial, age or gender. A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family [CFR 982.402 (b) (5)].

The HA will not issue a larger bedroom size unless it is through birth of a newborn, adoption or court-awarded custody of a minor child (not emancipated) or marriage. Reasonable accommodation requests will be considered for the addition of a non-nucleus adult who is a person with disabilities and cannot live independently. A larger bedroom size will not be issued if a member of the nucleus family moves out and returns as an adult, unless it is to offer a reasonable accommodation for a disabled family member. If a member returns as an adult and brings additional non-nucleus members with them, the voucher size does not increase. Adding additional non-nucleus members will not be approved if it causes the family to be under-housed.

Exceptions will be made in the documented cases of a live-in aide or as a reasonable accommodation to make the program accessible to and usable by the nucleus family member with a disability. The family unit size for any family consisting of a single person must be either a zero or a one-bedroom unit. A PHA may only approve one additional bedroom for a live-in aide. Although

a live-in aide may have PHA-approved family member/s live with him/her in the assisted unit, no additional bedrooms will be provided for the family members of the live-in aide. The PHA must ensure that housing quality standards (HQS) will not be violated and that there will be no more than two people per bedroom or living/sleeping space in the unit in accordance with 24 CFR § 982.401(d)(2)(ii). If the approval of additional family members of a live-in aide would result in the violation of HQS, the additional family members of the live-in aide may not be approved. PIH 2010-51 (HA)

Any foster members, who are minors, who are in the home at the time of initial voucher issuance, at the time of relocation or at an annual re-examination, and are determined to be long-term placement, will be considered as family members in the determination of subsidy size. For the purpose of determining subsidy size, long-term placement is defined as 12 or more months.

## **B. CHANGES IN VOUCHER SIZE**

### **Changes for Applicants and Participants:**

The Voucher size is determined at the time of Voucher issuance by comparing the family composition to the HA subsidy standards. If an applicant or participant requires a change in the Voucher size, the following guidelines will apply:

### **Requests for Exception to Subsidy Standard**

Upon request by the participant, and if funding is available, the HA may approve a larger subsidy as a reasonable accommodation for a person with disabilities if the family demonstrates a nexus to the disability is present to make the program accessible to and usable by the family member with a disability. This will be verified through a third party licensed professional's verification. Verification of the need must be provided at least annually on a Housing Authority approved form. In addition, requests involving separate bedrooms for medical equipment will be verified at the time of a participant's annual inspection or a special inspection may be conducted after an initial lease up to ensure that program funds are being used for the purpose in which they were intended. A PHA may only approve one additional bedroom for a live-in aide. Although a live-in aide may have PHA-approved family member/s live with him/her in the assisted unit, no additional bedrooms will be provided for the family members of the live-in aide. If the live-in aide passes away, or no longer resides in the assisted unit, the family will be given a 60 day opportunity to locate a new live in aide in order to retain the already approved additional subsidy. Should the family fail to find a new, approvable live-in aide within 60 calendar days, an annual recertification will need to be conducted and the appropriate subsidy will be given. The PHA must ensure that housing quality standards (HQS) will not be violated and that there will be no more than two people per bedroom or living/sleeping space in the unit in accordance with 24 CFR § 982.401(d)(2)(ii). If the approval of additional family members of a live-in aide would result in the violation of HQS, the additional family members of the live-in aide may not be approved. **PIH 2010-51 (HA).**

**Subsidy Standards Flexibility:** The criteria and standards prescribed for the determination of an applicant's unit size to be listed on the Voucher should apply to the vast majority of families. In some cases, however, the relationship, age, sex, health, or handicap of the family members may warrant the assignment of a different unit size than that which would result from strict application of the criteria. Such flexibility is permissible to the extent the determinations are made on the basis

of such factors. Any allowable determinations of this type, however, should be fully documented in the applicant's file.

For example, an elderly, handicapped, or disabled person who requires a live-in aide may be assigned a Voucher to provide a private bedroom for the attendant in addition to the bedroom for the assisted household members who are not disabled or handicapped.

1. Smaller-Sized Units: The family may select a smaller-sized unit provided there is at least one sleeping room or living/sleeping room of appropriate size for each two persons in the household. (For example, a 3-bedroom Voucher Holder with 5 family members could select a 2-bedroom unit ~~allowing two per room and one in the living room if there would be two bedrooms for four of the family and a living/sleeping room for the fifth member~~).

2. Larger-Sized Units: The unit size listed on a Voucher does not preclude the family from selecting a larger size unit provided the gross rent does not exceed the Rent Reasonableness limitation for the bedroom size listed on the Voucher (for example, a 2-bedroom Voucher Holder could select a 3-bedroom unit not to exceed the 2-bedroom Rent Reasonableness Limitation and the family's share of the rent and utilities does exceed 40% of their household's adjusted monthly income). A higher payment standard will not be approved in situations when a household has selected a larger unit size than the household's authorized subsidy size. ~~Note: Effective 7/1/14, the utility allowance was modified pursuant to the Federal Register. Instead of applying the actual unit size,~~ The utility allowance is ~~now~~ calculated using the "lower of" authorized subsidy size or unit size ~~in accordance with the Federal Register Vol. 79, No. 122/June 25, 2014.~~

NOTE: At Initial Lease-Up for a unit, the Family Share of rent and utilities cannot exceed 40% of their Adjusted Monthly Income if the gross rent exceeds the applicable payment standard. The unit size designated on the Voucher must remain unchanged, regardless of the actual unit size selected.

#### **Under-housed (unit too small for size of family)**

If a unit does not meet HQS space standards due to an increase in family size by birth, adoption, court awarded custody or marriage, the HA will issue a Voucher upon eligibility determination for relocation.

#### **Over-housed (unit too large for size of family)**

If a participant has a decrease in the family size, the family has the option to relocate or remain in the unit they are currently renting. If the family chooses to remain in the unit, the subsidy standard will be lowered at the next annual re-examination. If the family chooses to relocate, the HA will issue a Voucher upon eligibility determination with the correct subsidy standard. The amount the family pays for rent must be affordable and the participant portion of rent and the current utility allowance cannot exceed 40% of their adjusted income at the time of lease up. The approved rent will be based on the payment standard for the number of bedrooms the family is eligible for, or the actual number of bedrooms in the unit, whichever is less. In cases where the gross rent is less than the payment standard, it will be used as the payment standard.

### **C. UNIT SIZE SELECTED**

The family may select a different size unit than that listed on the Voucher using the HUD criteria



for Payment Standards provided the unit is rent reasonable and affordable. The amount of assistance is based on the authorized or actual bedroom size, whichever is less.

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## Chapter 6

### ELIGIBILITY FACTORS

#### **INTRODUCTION**

The accurate calculation of annual income and adjusted income will ensure that families are not paying more or less money for rent than their obligation under the regulations. This chapter defines the allowable deductions from annual income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5 and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The HA's policies in this chapter address those areas which allow the HA discretion to define terms and to develop standards in order to ensure consistent application of the various factors that relate to the determination of TTP.

#### **A. HOUSEHOLD COMPOSITION**

The HA must compute all applicable income of every family member, including those who are temporarily absent. In addition, the HA must count the income of the spouse/co-head or the head of the household if that person is temporarily absent, even if that person is not on the lease. If the spouse/co-head is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay that HUD may define) is counted as income.

Income of persons permanently absent will not be counted.

It is the responsibility of the head of household to report (in writing) changes in income and family composition within 10 calendar days.

The HA will evaluate absences from the unit using this policy.

#### **Absence of Entire Family**

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the HA will terminate the contract and/or the assistance in accordance with appropriate termination procedures contained in this Plan. Sole members may not be absent for more than three weeks, except as an approved reasonable accommodation for persons with a disability (see absence due to medical reasons).

- Families are required to notify the HA before they move out of a unit.
- Families must notify the HA if they are going to be absent from the unit for more than three weeks.
- If it is determined that the family is absent from the unit, the HA will not continue assistance payments. "Absent" means that no family member is residing in the unit. In order to determine if the family is absent from the unit, the HA may, but is not limited to:
  - Write letters to the family at the unit
  - Telephone the family at the unit
  - Interview neighbors

- Verify if utilities are in service
- Contact the landlord
- Conduct special inspections

If the absence which resulted in termination of assistance was due to a person's disability, and the HA can verify that the person was unable to notify the HA in accordance with the family's responsibilities, and if funding is available, the HA may reinstate the family if an accommodation is requested by the family.

### **Absence of Any Member**

Any member of the household will be considered permanently absent if she/he is away from the unit for 180 days in a 12 month period. If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the HA's "Absence of Entire family" policy.

### **Absence due to Medical Reasons**

Housing Assistance Payments may continue up to 180 days when the subsidized unit is vacant due to hospitalization. However, hospitalization more than one month requires written medical verification that there is a reasonable expectation the person will be able to return to independent living within the six-month period. The participant's share of the rent must be paid during the hospitalization period.

### **Foster care and Absences of Minor(s)**

If the family includes a minor(s) temporarily absent from the home due to placement in foster care, the HA will determine from the appropriate agency when the minor(s) will be returned to the home.

Any foster children or foster adults who are in the home at the time of initial voucher issuance, at the time of relocation or, at an annual re-examination, and are determined to be long term placement, will be considered as family members in the determination of subsidy size. For the purpose of determining subsidy size, long-term placement is defined as 12 or more months.

### **Temporary Caretaker for Minor(s)**

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the minor(s) for an indefinite period, the HA will treat that adult as a visitor for the first 180 days.

The PHA will only approve one additional bedroom for a Caretaker or Guardian. Although a Caretaker or Guardian may have PHA-approved family member/s live with him/her in the assisted unit, no additional bedrooms will be provided for the family members of the Caretaker or Guardian. The PHA must ensure that housing quality standards (HQS) will not be violated and that there will be no more than two people per bedroom or living/sleeping space in the unit in accordance with 24 CFR § 982.401(d)(2)(ii). If the approval of additional family members of a Caretaker or Guardian would result in the violation of HQS, the additional family members of the Caretaker or Guardian may not be approved.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the HA will review the status at six month intervals. If custody or legal guardianship has not been awarded by

the court, but the action is in process, the HA will secure verification from social services staff or the attorney as to the status.

After 180 days the HA will approve a person to reside in the unit as caretaker for the minor(s), and the income will be counted pending a final disposition. The HA will transfer the Voucher to the caretaker for as long as his/her services are required. The HA will work with the appropriate service agencies and the landlord to provide a smooth transition in these cases. When court-awarded custody or legal guardianship has been awarded to the caretaker, the Voucher will be transferred to the caretaker until the minor(s) become able to care for themselves. In no case will the caretaker be eligible to become the remaining member.

### **Absent Adult**

If a member of the household is subject to a court order that restricts him/her from the home for more than six months then the person will be considered permanently absent.

The family will be required to notify the HA in writing within 10 calendar days when an adult family member moves out. The notice must contain a certification by the family as to whether the adult is temporarily or permanently absent.

If a nucleus member leaves the household, or moves out of the household, they will be considered permanently absent.

### **Visitors**

Any person not included on the HUD 50058(except minors as noted below) who has been in the unit more than 14 consecutive days, or a total of 30 days in a 12-month period (unless the lease is more restrictive), will be considered to be living in the unit as an unauthorized household member.

Minors or full time students 18 or older who live away from the home and who visit up to 182 cumulative days per year will be considered eligible visitors (subject to the lease agreement), not family members, and will not be counted in determining the subsidy standard and deductions for the family. Eligible visitors must be reported to and approved by the HA prior to visiting the home.

### **Reporting Changes in Household Composition to Owner and HA**

Reporting changes in household composition to the HA is both a HUD and a HA requirement. The family must submit a written request prior to adding household members. Any person who moves into the assisted unit without written approval from the Housing Authority will be considered an unauthorized household member. Additions to the household by birth, adoption or court-awarded custody must be reported in writing to the HA within 10 calendar days. In addition, the family must obtain prior written approval from the owner when adding members (including minors) and/or a live-in aide to the household.

If a family member leaves the household, the family must report this change to the HA, in writing, within 10 calendar days of the change and certify as to whether the member is temporarily absent or permanently absent. The HA will conduct an interim evaluation for changes in accordance with the interim policy. The HA will require verification of the family member's new address. If the head of household is unable to provide this information because the person's whereabouts are unknown, the head of household will be required to complete a Certified Statement to this effect.

**B. INCOME, ALLOWANCES & MINIMUM FAMILY CONTRIBUTION 24 CFR 5.609**

**~~SPECIAL NOTICE: This has expired per PIH Notice 2015-04 (HA)~~**

~~For the allowable period of time covered in this Administrative Plan, the HA may observe the measures permitted in PIH NOTICE 2013-03 and extended via PIH Notice 2013-26. See Chapter 7 for details regarding income streamlining for fixed-income households, self-certification of assets less than \$5,000, and using past income and EIV when verifying income.~~

~~HUD regulations define incomes and allowances. The HA will include and exclude income in accordance with 24 CFR Part 5. Once the PHA has verified all income necessary to determine income eligibility and has determined that it is ready to issue the family a voucher, it must compute the family's Annual Income in accordance with HUD regulations. Income will be calculated in accordance with the procedures outlined below:~~

~~**A. Project the income** from all known sources of income expected to come into the home during the 12-month period following the date of initial certification, annual reexamination, or interim reexamination. Regular periods of seasonal work and layoffs should be included.~~

~~**B. Where it is difficult to project income** for the coming 12-month period it may be necessary to:~~

- ~~1. Estimate the anticipated income from all sources, based on verified information. If any estimates are used, based on specific verifications or other information, in computing income or allowable expenses on an annual basis, the PHA should clearly identify the rationale for its estimate and the specific method used;~~
- ~~2. Base the projection on amounts of actual income for the past 12 months if circumstances are expected to remain the same; or,~~
- ~~3. Annualize known income amounts for a 12-month period, even though those amounts are not expected to last for the full 12 months. In such cases, an Interim Reexamination would need to be scheduled for a future date.~~

~~**C. When the Applicant Family's Total Assets Exceed \$5,000.00**, including imputed amounts of assets disposed of for less than market value during the last 2 years, it is necessary for the PHA to make both of the following calculations:~~

- ~~1. Calculate the dollar amount included in the family's annual income which is specifically derived from assets (i.e., interest derived from saving accounts, dividends, interest portions or sale of property, net income from rental of property, etc.), and;~~
- ~~2. Calculate the dollar amount resulting from multiplying the value of the family's total assets based on the current passbook savings rate, as determined by HUD. The PHA must then use the **larger** of the dollar amounts obtained from these two separate calculations in its final computation of the family's Annual Income. The resultant amount is to be included with other income sources to derive the total family income.~~

~~**D. The Total Tenant Payment** shall be the higher of the following, rounded to the nearest dollar:~~

- ~~1. 30 percent of monthly Adjusted Income;~~
- ~~2. 10 percent of monthly Annual Income; or,~~
- ~~3. The minimum rent established by the PHA.~~

~~The Total Tenant Payment shall not be increased by more than 10 percent during any twelve month period as a result of redefinition or changes in government regulations. However, Total Tenant Payment may be increased by more than 10 percent during any twelve month period to the extent that the increase is solely attributable to increases in income.~~

~~E. Adjusted income is calculated by taking the family's annual income and any applicable deductions for which the family is eligible:~~

- ~~1. A \$480.00 deduction for each dependent (i.e., each family member (other than head, spouse, or foster children) who is either under 18 years of age, is a full-time student of any age and disabled or handicapped);~~
- ~~2. The annual amount of verified medical expense that exceeds three percent of the family's annual income, for families that qualify as "elderly families" or "disabled families";~~
- ~~3. Amounts of reasonable child care expenses for children age twelve (12) and under incurred to the extent the amount allowed does not exceed the income received by the applicant/participant from employment for which these expenses are incurred, or to allow a family member to attend school;~~
- ~~4. Disability Assistance Expenses to pay for care attendants and/or auxiliary apparatus for disabled family member(s) which enable a family member (including the disabled member) to work. The amount allowable as a deduction is the amount that exceeds 3% of Annual Income and cannot exceed the amount earned. Where there are both, medical and disability assistance expenses, the deduction would equal the total of both amounts, less 3% of annual income.~~

## **INCOME INCLUSIONS AND EXCLUSIONS**

**Reference:** *Housing Choice Voucher Program Guidebook; Chapter 5: Eligibility and Denial of Assistance; (EXHIBIT 5-2)*

### **INCOME INCLUSIONS:**

HUD regulations define incomes and allowances. The HA will include and exclude income in accordance with 24 CFR Part 5. Once the PHA has verified all income necessary to determine income eligibility and has determined that it is ready to issue the family a voucher, it must compute the family's Annual Income in accordance with HUD regulations. Income will be calculated in accordance with the procedures outlined below:

(a) *Annual income* means all amounts, monetary or not, which:

(1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

(2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

(3) Which are not specifically excluded in paragraph (c) of this section.

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) Annual income includes, but is not limited to:

(1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;

(2) The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;

(3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as a deduction in



determining net income. An allowance for depreciation is permitted only as authorized in paragraph (2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

(4) The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, lotteries, disability or death benefits, and other similar types of periodic receipts, including a lump-sum payment for the delayed start of a periodic payment (but see No. 13 under Income Exclusions);

(5) Payments in lieu of earnings, such as unemployment, worker's compensation, and severance pay (but see No. 3 under Income Exclusions);

(6) Welfare Assistance.

a. Welfare assistance received by the household.

b. The amount of reduced welfare income that is disregarded specifically because the family engaged in fraud or failed to comply with an economic self-sufficiency or work activities requirement.

c. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustments by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare income to be included as income shall consist of:

(i) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(ii) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage;

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling; and

(8) All regular pay, special pay, and allowances of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family, spouse, or other person whose dependents are residing in the unit (but see paragraph (7) under Income Exclusions).

(9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance in excess of amounts received for tuition that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 *et seq.*), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, "financial assistance" does not include loan proceeds for the purpose of determining income).

(10) Compensated Work Therapy (CWT) is a Department of Veterans Affairs (VA) vocational rehabilitation program that endeavors to match and support work ready veterans in competitive jobs, and to consult with business and industry regarding their specific employment needs. In some locations CWT is also known as Veterans Industries; these designations are synonymous. This income will be counted when determining the family's income and rent (from The VASH Resource guide).

**NOTE:** 24 CFR 982.551(n) states that "an assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit

or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance program.” HUD has determined that such a housing allowance as may be received under the **Post 9/11 VEAA is not considered a duplicate subsidy. However, the amount received for the housing allowance must be counted when determining the family’s income and rent.**

## **INCOME EXCLUSIONS:**

- (1) Income from employment of children (including foster children) under the age of 18 years;
- (2) Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the tenant family, who are unable to live alone); [Note: PIH-2012-1 (HA) was issued 01/06/2012 clarified the Income Exclusion of Kinship, Kin-GAP and Other Guardianship Care Payments. The Department determined that kinship care, Kin-GAP, and similar programs funded by states serve as an alternative to foster care placements and that the compensation to participating relatives or legal guardians is comparable to the compensation to foster care parents. Payments for the care of foster children (including foster adults) are exempt from income. Thus, during annual and/or interim reexamination of family income pursuant to 24 CFR § 960.257 for public housing and 24 CFR § 982.516 for Section 8 programs, kinship, Kin-GAP and similar state guardianship care payments are to be excluded from a household’s income under 24 CFR § 5.609(c)(2).]
- (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses (but see No. 5 under Income Inclusions);
- (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide (as defined by regulation);
- (6) The full amount of student financial assistance paid directly to the student or to the educational institution;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8) (a) Amounts received under training programs funded by HUD;
- (b) Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
- (c) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
- (d) A resident service stipend. This is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the owner, on a part-time basis, that enhances the quality of life in the development. This may include, but is not limited to fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination and serving as a member of the PHA’s governing board. No resident may receive more than one such stipend during the same period of time; or
- (e) Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member

participates in the employment training program.

(9) Temporary, nonrecurring, or sporadic income (including gifts). For example, amounts earned by temporary census employees whose terms of employment do not exceed 180 days (PIH Notices 2000-1; 2008-26; 2009-19; 2010-38).

(10) Reparations payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

(11) Earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse);

(12) Adoption assistance payments in excess of \$480 per adopted child;

(13) Deferred periodic payments of supplemental security income and social security benefits that are received in a lump-sum payment or in prospective monthly payments;

(14) Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit;

(15) Amounts paid by a state agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; [Note: Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act(42 U.S.C. 6001(5)).

#### DEVELOPMENTAL DISABILITY-

(A) IN GENERAL. -The term "developmental disability" means a severe, chronic disability of an individual that:

(i) is attributable to a mental or physical impairment or combination of mental and physical impairments; **114 STAT. 1684 PUBLIC LAW 106-402-OCT. 30, 2000**

(ii) is manifested before the individual attains age 22;

(iii) is likely to continue indefinitely;

(iv) results in substantial functional limitations in 3 or more of the following areas of major life activity: (I) Self-care; (II) Receptive and expressive language; (III) Learning; (IV) Mobility; (V) Self-direction; (VI) Capacity for independent living; (VII) Economic self-sufficiency; and

(v) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(B) INFANTS AND YOUNG CHILDREN. -An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life]; and,

(16) Amounts specifically excluded by any other federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the 1937 Act. A notice will be published in the *Federal Register* and distributed to PHAs identifying the benefits that qualify for this exclusion. Updates will be distributed when necessary. The following is a list of income sources that qualify for that exclusion:

a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));

b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);

c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));

d) Income derived from certain sub marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);

- e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));
  - f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29U.S.C. 1552(b); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);
  - g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub.L- 94-540, 90 Stat. 2503-04);
  - h) The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);
  - i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);
  - j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));
  - k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent*-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);
  - l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);
  - m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);
  - n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));
  - o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);
  - p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));
  - q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);
  - r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and
  - s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).
- (17) Earned Income Disallowance for persons with disabilities [24CFR5.617]
- (a) Initial Twelve Month Exclusion [24CFR5.617(C)(1)]
  - (b) Second Twelve Month Exclusion and Phase-In [24CFR5.617(C)(2)]
  - (c) Maximum Four Year Disallowance [24CFR5.617 (C) (3)]

### **Averaging Income**

The HA may average income when the income cannot be anticipated using verified sources for a full 12 months.

**Income changes from Welfare****[24 CFR 5.615 (b)]**

The HA will not decrease the family's share of the rent when there is a reduction in welfare benefits that is due to fraud or failure to participate in an economic self-sufficiency program or comply with a work activities requirement.

This prohibition on reduction of assistance is applicable only if the welfare reduction is neither the result of the expiration of a lifetime time limit on receiving benefits, nor a situation where the family has complied with welfare program requirements but cannot obtain employment (e.g., the family has complied, but loses welfare because of a durational time limit such as a cap on welfare benefits for a period of no more than two years in a five year period).

**Minimum Rent:****(24 CFR 5.630)**

The PHA has established a Minimum Rent of \$50 monthly. Families will be required to pay minimum rent unless they request an exemption because of financial hardship. Financial hardship includes these situations:

- (i) When the family has lost eligibility for or is awaiting an eligibility determination for a federal, State, or local assistance program, including a family that includes a member who is a non-citizen 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;
- (ii) When the family would be evicted because it is unable to pay the minimum rent;
- (iii) When the income of the family has decreased because of changed circumstances, including loss of employment;
- (iv) When a death of a household member (member of assisted unit) has occurred in the family;
- (v) Other circumstances determined by the PHA or HUD, specifically:
  - a) When a household is a new admission on the VASH program;
  - b) When a household is a new admission on the HCV program and is designated as "Homeless at Admission."

**What happens if family requests a hardship exemption?**

(A) If a family requests a financial hardship exemption, the PHA must suspend the minimum rent requirement beginning the month following the family's request for a hardship exemption until the responsible entity determines whether there is a qualifying financial hardship, and whether such hardship is temporary or long term.

(B) The PHA must promptly determine whether a qualifying hardship exists and whether it is temporary or long term.

(C) If the PHA determines that a qualifying financial hardship is temporary, the PHA must reinstate the minimum rent from the beginning of the suspension of the minimum rent. The PHA must offer the family a reasonable repayment agreement, on terms and conditions established by the PHA, for the amount of back minimum rent owed by the family.

(D) If the PHA determines there is no qualifying financial hardship exemption, the PHA must reinstate the minimum rent, including back rent owed from the beginning of the suspension. The family must pay the back rent on terms and conditions established by the PHA.

(E) If the PHA determines a qualifying financial hardship is long term, the PHA must exempt the family from the minimum rent requirements so long as such hardship continues. Such exemption shall apply from the beginning of the month following the family's request for a hardship exemption until the end of the qualifying financial hardship.



The financial hardship exemption only applies to payment of the minimum rent (as determined pursuant to Sec. 5.628(a)(4) and Sec. 5.630), and not to the other elements used to calculate the total tenant payment (as determined pursuant to Sec. 5.628(a)(1), (a)(2) and (a)(3)).

### **Minimum Income**

There is no minimum income requirement.

### **Pro-ration of Assistance for “Mixed” Families**

Pro-ration of assistance must be ~~offered~~ **applied** to any “mixed” applicant or participant family, provided other eligibility criteria are met. A “mixed” family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

### **Utility Allowance and Utility Reimbursement Payments**

The Utility Allowance is not a payment issued to the family (except as noted below). It is intended to help defray the cost of utilities not included in the rent and is included in the calculation of the family’s rent to the landlord. A Utility Reimbursement payment is made to the participant family in the amount by which the HAP payment exceeds the rent to owner. When there is a Utility Reimbursement, the HA pays the full amount of rent to the owner and sends the participant family, a utility reimbursement payment. The Housing Authority has the discretion to send the utility reimbursement to the utility company should this be a viable option. This occurs only rarely, usually when a participant family has no income.



## Chapter 7

### VERIFICATION PROCEDURES

#### **INTRODUCTION**

HUD regulations (24 CFR 982.516(a)) require that the factors of eligibility and Total Tenant Payment (TTP) be verified by the HA. Applicants and program participants must furnish proof of their eligibility whenever required by the HA, and the information they provide must be true and complete. The HA's verification requirements are designed to maintain program integrity. This chapter explains the HA's procedures and standards for verification of preferences, income, combined assets exceeding five thousand dollars (\$5000.00), allowable deductions, family status, and changes in family members. The HA will ensure that proper authorization from the family is always obtained before making verification inquiries.

**~~SPECIAL NOTICE: This expired per PIH Notice 2015-04 (HA)~~**

**~~For the allowable period of time covered in this Administrative Plan, the HA may observe the measures permitted in PIH NOTICE 2013-03 and extended through PIH NOTICE 2013-26. The specifics are outlined below:~~**

**~~PIH NOTICE 2013-03 (extended via PIH NOTICE 2013-26)~~** establishes temporary guidelines for public housing agencies (PHAs) in fulfilling certain Housing Choice Voucher (HCV) program requirements during this period of decreased resources available to PHAs. The guidelines are intended to facilitate the ability of PHAs to continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities.

#### **Use households actual past income in verifying income.**

~~In determining annual income, the HA will use past income received or earned with the last 12 months.~~

~~For the purpose of verifying actual past income, HUD's Enterprise Income Verification (EIV) system must be used, specifically the most recent 12 months of income information available in EIV. Because this EIV report will give actual earnings date verified by a third party, the program participant is no longer required to provide third party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice).~~

#### **Households will self-certify as to having assets of less than \$5,000**

~~Program participants with assets below \$5,000 typically generate minimal income from these assets which results in small changes to tenant rental payments.~~

~~Families with assets are required to report all assets annually. The amount of interest earned on those assets is included as income used to calculate the tenant's rent obligation. Currently, where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or percentage of the value of such assets based on the current passbook savings rate.~~

~~PIH 2013-03 allows the HA to accept a family's declaration of the amount of assets of less than \$5,000, and the amount of income expected to be received from the assets. The application and reexamination documentation, which is signed by all adult family members, will serve as declaration.~~

~~Where the family has net family assets equal to or less than \$5,000, the HA does not need to request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. Where the family has net family assets in excess of \$5000, the HA must obtain supporting documentation (e.g. bank statements) from the family to confirm the assets. Any assets will continue to be reported on HUD Form 50058.~~

**Allow streamlined annual reexaminations for elderly families and disabled families on fixed incomes.**

~~HAs are statutorily required to verify income and calculate rent annually, including for elderly and disabled families on fixed incomes. PIH 2013-03 allows for the simplification of the requirements associated with determining annual income of participants on fixed incomes (24 CFR 982.516, 960.257).~~

~~The HA may conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, the HA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.~~

~~The term 'fixed income' includes income from:~~

- ~~1. Social Security payment to include Supplemental Security income (SSI) and Supplemental Security Disability Insurance (SSDI);~~
- ~~2. Federal, State, local, and private pensions plans; and~~
- ~~3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.~~

**A. RELEASE OF INFORMATION**

The family will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information.

A copy of the release of information will be provided to a family member upon request.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to supply any information requested by the HA or HUD.

**B. METHODS OF VERIFICATION**  
2015-02 (HA) & 24 CFR 5.233

PIH Notice 2010-19 (HA) and extended by PIH

~~When PIH 2013-03, or subsequent extension notices expire,~~ The HA will verify information

through the six methods of verification acceptable to HUD in the following order:

#### **Level Verification Technique Ranking**

**6) Upfront Income Verification (UIV)-Highest** (Mandatory) using HUD's Enterprise Income Verification (EIV) system (not available for income verifications of applicants)

**5) Upfront Income Verification (UIV)** using non-HUD system-**Highest** (Optional)

**4) Written third Party Verification-High** (Mandatory to supplement EIV-reported income sources and when EIV has no data; Mandatory for non-EIV reported income sources; Mandatory when tenant disputes EIV reported employment and income information **and** is unable to provide acceptable documentation to support dispute)

**3) Written Third Party Verification Form-Medium-Low** (Mandatory if written third party verification documents are not available or rejected by the PHA; and when the applicant or tenant is unable to provide acceptable documentation)

**2) Oral Third Party Verification-Low** (Mandatory if written third party verification is not available)

**1) Tenant Declaration-Low** (Use as a last resort when unable to obtain any type of third party verification)

#### **Third Party Verification Techniques**

**Upfront Income Verification (UIV) (Level 6/5):** The verification of income before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a number of individuals.

It should be noted that the EIV system is available to all PHAs as a UIV technique. PHAs are encouraged to continue using other non-HUD UIV tools, such as The Work Number (an automated verification system) and state government databases, to validate tenant-reported income.

**\*\*For each new admission (form HUD-50058 action type 1), the PHA is required to do the following:** **i.** Review the EIV Income Report to confirm/validate family-reported income within 120 days of the PIC submission date; and **ii.** Print and maintain a copy of the EIV Income Report in the tenant file; and **iii.** Resolve any income discrepancy with the family within 60 days of the EIV Income Report date.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either within the 60-day period preceding the reexamination or PHA request date. Such documentation may be in the possession of the tenant (or applicant), and is commonly referred to as tenant-provided documents. It is the Department's position that such tenant-provided documents are written third party verification since these documents originated from a third party source. The PHA may, at its discretion, reject any tenant-provided documents-and follow up directly with the source to obtain necessary verification of information.

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary report, employer notice/letter of hire/termination, SSA benefit verification letter, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices. Current acceptable tenant-provided documents must be used for income and rent determinations.

For new income sources or when two pay stubs are not available, the PHA should project income based on the information from a traditional written third party verification form or the best available information.

**Written Third Party Verification Form (Level 3):** Also, known as traditional third party verification (a standardized form to collect information from a third party source). PHAs send the form directly to the third party source by mail, fax, or email.

It is the Department's position that the administrative burden and risk associated with use of the traditional third party verification form may be reduced by PHAs relying on acceptable documents that are generated by a third party, but in the possession of and provided by the tenant (or applicant). Many documents in the possession of the tenant are derived from third party sources (i.e. employers, federal, state and/or local agencies, banks, etc.).

**Oral Third Party Verification (Level 2):** Independent verification of information by contacting the individual income/expense source(s), as identified through the UIV technique or identified by the family. PHA staff should document in the tenant file, the date and time of the telephone call, the name of the person contacted and telephone number, along with the confirmed information.

This verification method is commonly used in the event that the independent source does not respond to the PHA's faxed, mailed, or e-mailed request for information in a reasonable time frame, i.e., ten (10) business days.

**Non-Third Party Verification Technique Tenant Declaration (Level 1):** The tenant submits an affidavit or notarized statement of reported income and/or expenses to the PHA. This verification method should be used as a last resort when the PHA has not been successful in obtaining information via all other verification techniques. When the PHA relies on tenant declaration, the PHA must document in the tenant file why third party verification was not available.

All original documents will be stamped (or notated) "**Viewed Original**" and imaged into the family file. Original documents will be photocopied and returned to the applicant/participant if specifically requested and at PHA discretion. When documents cannot be photocopied, staff viewing the documents will annotate the file accordingly. A faxed authentic document from the source will be considered as an original document.

### **C. COMPUTER MATCHING**

In addition to EIV, the HA utilizes computer matching with the Department of Social Services (DPSS), and the INS SAVE system. Other computer matching agreements with federal, state, and local government agencies will be utilized if available and cost-effective.

### **D. ITEMS TO BE VERIFIED**

All eligibility factors will be verified, such as waiting list preference, income, deductions and exclusions, combined assets exceeding five thousand dollars (\$5000.00), and household composition.

### **E. VERIFYING NON-FINANCIAL FACTORS**

### **Verification of Legal Identity**

In order to prevent program abuse, the HA will require applicants and members both nucleus and non-nucleus to furnish verification of legal identity for all family members.

### **Family Relationships**

The HA will require familial relationship verification as appropriate and necessary.

### **Verification of Permanent Absence of Adult Member**

If an adult member who was formerly a member of the household is reported permanently absent by the family, the HA will require verification of the new address.

### **Verification of Change in Family Composition**

The HA will verify changes in family composition (either reported or unreported). Third party verification procedures will be used.

### **Verification of Disability**

Third party verification procedures will be used to document permanent disability status.

### **Verification of Citizenship/Eligible Immigrant Status**

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare his or her status. Citizenship is verified via an original Certified Abstract of Birth within the U.S. or its Territories, or an original Social Security Card in the absence of an original Certified Abstract of Birth. Copies do not verify Evidence of Citizenship. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the HA hearing is pending.

If an applicant or participant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If any family member fails to provide and sign as required, the family may be denied or terminated from assistance.

If the HA determines that a family member has knowingly permitted an individual who is not eligible for assistance to reside in the family's unit, the family's assistance will be terminated, unless the ineligible individual has already been considered in prorating the family's assistance.

### **Verification of Social Security Numbers**

All applicants and participants are required to disclose a social security number. PHAs will not need to re-verify previously disclosed valid SSNs. PHAs may rely on documentation of the SSN provided by another government agency (federal or state). For the addition of new household members at least 6 years of age or under the age of 6 and who **has an assigned SSN**, the tenant must disclose the SSN and provide documentation of the SSN to the PHA at the time of request to add new household member or during interim re-exam. The new household member **cannot** be added to the family composition until the family has complied with SSN disclosure and verification requirements. Addition of new household members under the age of 6 **and no assigned SSN**, are

included as household members and entitled to benefits and the Head of Household is given 90 days to provide documentation of the SSN. Extensions may be given due to unforeseen circumstances.

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### **Verification of Reasonable Accommodation**

Reasonable Accommodation requests for families will be considered when a family includes a person with disabilities. The person with a disability, or guardian or responsible party of the person with a disability, must submit a written Reasonable Accommodation request. In cases where a separate bedroom or live-in aide is requested because of reasonable accommodation, the Housing Authority will verify the need through third party verification from the patient's designated licensed professional.

The HA will approve the exception as a reasonable accommodation if the family demonstrates a nexus to the disability is present to make the program accessible to and usable by the family member with a disability. Verification of the need must be provided annually on a Housing Authority approved form. For relocations **and/or changes in care provider**, the verification must be current within the last ~~60~~ 120 days. In addition, requests involving separate bedrooms for substantial medical equipment will be verified at the time of a participant's annual inspection or a special inspection may be conducted after an initial lease up to ensure that program funds are being used for the purpose in which they were intended.

If the HA determines that the accommodation for the separate bedroom is not being used for the purpose in which it was intended or the medical equipment is not substantial enough to require a separate bedroom, the HA will conduct a new re-exam giving the family a 30 day notice to lower the subsidy standard. Misrepresentation of a needed accommodation may result in a repayment agreement and/or termination.

### **Verification of Request for Exception to the ~~Zero-Tolerance~~ Policy on Prohibited Criminal Activity**

If a family member with criminal activity meets the requirements to be granted an exception to the Housing Authority of the County of Riverside's ~~Zero-Tolerance~~ Policy **on Prohibited Criminal Activity** (see Appendix C), they may complete a Request for Exception to ~~Zero-Tolerance~~ the Policy **on Prohibited Criminal Activity** form to be reviewed by an established committee. In some instances, verification such as a police report, proof of completion of diversion, etc. may be required. Victims of domestic violence, date violence, sexual assault, or stalking requesting an exception to the ~~Zero-Tolerance~~ Policy **on Prohibited Criminal Activity** will be required to complete HUD Form 50066 "Certification of Domestic Violence, Date Violence, Stalking" and return it to the HA within 14 days of request.

## Chapter 8

### VOUCHER ISSUANCE AND BRIEFINGS

#### **INTRODUCTION**

The HA's objectives are to provide families selected to participate with the tools to help them be successful in obtaining an acceptable housing unit, and to give them sufficient knowledge to derive maximum benefit from the program and to comply with program requirements. When families have been determined to be eligible, the HA will conduct a mandatory briefing to ensure that families understand how the program works. The briefing will provide a broad description of owner and family responsibilities, HA procedures, and how to lease a unit. The family will also receive a briefing packet that provides more detailed information about the program. This chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

#### **A. ISSUANCE OF VOUCHERS**

When funding is available, the HA will issue Vouchers to new applicants who have been determined eligible and/or those who are relocating. The issuance of Vouchers must be within the dollar limitations set by the Annual Contributions Contract (ACC) budget.

#### **B. BRIEFING TYPES AND REQUIRED ATTENDANCE** (24 CFR 982.301)

##### **Initial Applicant Briefing**

A full HUD-required briefing will be conducted for applicant families who are determined to be eligible for assistance as well as participants that utilize portability and transfer into the Housing Authority of the County of Riverside's jurisdiction (port-ins).

##### **Briefing Packet**

A briefing packet will be given to new applicants at the initial applicant briefing and to those participants who are relocating. The documents and information provided in the briefing packets for the Voucher programs will comply with all HUD requirements. The briefing packet includes owner identification documents containing private information, that once submitted to the HA, will not be considered part of the participant file. The HA may conduct other types of briefings such as relocation and portability briefings for families, and owner briefings.

##### **Other Information to be Provided at the Briefing**

Family and owner responsibilities are explained to the new applicant and/or port-in client. In addition to literature and the HA's website, applicants and owners may request specific clarification about program issues from the assigned Housing Specialist or Supervisor.

Guidance and materials are offered to assist the family in selecting a unit. Issues to be considered include: Proximity to employment, public transportation, schools, shopping and the accessibility of services. Applicants are encouraged to evaluate the prospective unit, such as the condition, whether the rent is reasonable, average utility expense, energy efficiency and security. The Housing Authority of the County of Riverside uses a web-based program which gives the family access to owners who wish to rent their properties to recipients of the program. They may also pick up listings in person at both Housing Authority offices. The family will have access to a list of

landlords willing to lease to assisted families and non-profit organizations willing to assist in the housing search. In providing this courtesy list, the HA does not endorse any particular unit or landlord. There is no guarantee that the rents listed are reasonable or approvable, nor any guarantee that the units will pass Housing Quality Standards.

The HA will provide information on the advantages to moving to areas of low poverty. The family will be encouraged to choose a unit carefully and after due consideration.

The family will receive information about the Family Self-Sufficiency program and its advantages.

Owners and participants will be instructed that side payments or any payment not approved by the HA will not be allowed. Acceptance of side payments or additional rent will be grounds for termination from program.

### **C. ENCOURAGING PARTICIPATION IN ~~LOW-POVERTY~~ HIGH-OPPORTUNITY AREAS**

During briefings sessions the Housing Authority encourages families to move to ~~low-poverty~~ high opportunity areas by explaining the advantages of moving to an area that may offer high-quality housing, education and employment opportunities. To increase the available housing stock to its clients, and to facilitate the opportunity for owners and participants to gather for the purpose of leasing a unit, the HA may conduct periodic Rental Fairs at its main office. This gives current participants who are in the relocation process, as well as families newly released from the waiting list, the opportunity to become acquainted with property owners with available units. In addition, landlords are invited to list their property via the Housing Authority website through the landlord portal or may visit the Housing Authority offices to receive the property listing form. The HA offers Landlord Workshops in order to expand its network of property owners and/or managers. The purpose of these workshops is to make special efforts to provide outreach and education to landlords who may not be familiar with the Housing Choice Voucher Program.

### **D. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION**

The HA provides the family with the HUD Discrimination Complaint form and offers to assist in the completion of the form as well as directing the family to report suspected discrimination to the Fair Housing Council.

### **E. ASSISTANCE TO FAMILIES WITH DISABILITIES**

The HA assists families with disabilities in locating accessible units by:

1. Providing a rental listing (which includes handicapped accessible units) of owners willing to rent to Housing Choice Voucher Program participants, and
2. Providing a listing of service agencies that provide services to help the disabled, and
3. Providing reasonable accommodation by extending the term of the voucher, if warranted.

### **F. SECURITY DEPOSIT REQUIREMENTS** (24 CFR 982.313)

Security deposits charged by owners may not exceed those charged to unassisted tenants or the maximum prescribed by state or local law.

## **G. TERM OF VOUCHER**

**(24 CFR 982.303)**

During the initial applicant briefing session, each household will be issued a Housing Choice Voucher which represents an agreement between the HA and the family specifying the rights and responsibilities of each party. It does not constitute admission to the program, which occurs when the lease and contract become effective. NOTE for Incoming portable clients: ~~retain their Voucher issue and expiration dates from their initial HA.~~ The receiving PHA must issue a voucher to the ported family that does not expire before 30 calendar days from the expiration date of the initial PHA's voucher in accordance with CFR 982.355(c )(13).

### **Expirations**

For those families that have an initial Voucher, the term of the Voucher is 60 calendar days.

For participants who are relocating, Vouchers are also valid for a period of 60 calendar days from the last date that assistance was paid. For those families that have an initial HUD-VASH Voucher, the term of the Voucher is 120 days.

If the family needs and requests an extension of the Voucher term as a reasonable accommodation to make the program accessible to and usable by a family member with disabilities, the HA may extend the Voucher term up to the term reasonably required for that purpose. An extension of up to 60 days may be granted. An extension of the term is granted by HA notice to the family.

If the family requests an extension for the Voucher due to other good cause such as illness of a household member, death of a family member, natural disaster, disapproval of a unit by the HA (i.e. the unit that RFTA was submitted for fails to meet HQS, proof of ownership issues, proof of permits for additions/deletions) or other unforeseeable circumstances, the request will be reviewed along with the documentation provided by the family regarding the circumstances requiring the extension. An extension of the term may be granted by HA supervisor and notice to the family.

The family will not be entitled to a review or a hearing if the Voucher has expired. If the family is currently assisted, they may remain as a Housing Choice Voucher Program participant in their unit if there is an assisted contract in effect.

### **Suspensions**

**24 CFR 982.303 (c )**

Effective September 21, 2015, the family's voucher term will be suspended from the time the family submits a RFTA to the time the HA notifies the family, in writing, of the RFTA denial.

## **H. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS** (24 CFR 982.315)

**Family break-up:** The PHA has discretion to determine which members of an assisted family continue to receive assistance in the program if the family breaks up. If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement or judicial decree, the PHA is bound by the court's determination of which family members continue to receive assistance in the program. The factors to be considered in making this decision under the PHA policy include:

1. Whether the assistance should remain with family members remaining in the original assisted unit.
2. The interest of minor or of ill, elderly or disabled family members.

3. Whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household. (*VAWA protects the victim from losing their HUD assisted housing*).
4. Other factors specified by the PHA such as recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties. If documentation is not provided, the HA will terminate assistance on the basis of failure to provide necessary information.

#### **I. REMAINING MEMBER OF TENANT FAMILY-RETENTION OF VOUCHER**

To be considered the remaining member of the tenant family, the person must be an eligible immigrant, have been previously approved as part of the family by the HA and be currently living in the unit.

A live-in aide, by definition, is not a member of the family and will not be considered a remaining member of the family.

In order for a minor to continue to receive assistance as a remaining member:

1. The court has to have awarded emancipated minor status to the minor, or
2. The HA has to have verified that the Department of Social Services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the minor(s) for an indefinite period.

A reduction in family size may require a reduction in the authorized payment standard.

Retention of a voucher by the remaining member currently living in the unit will only be approved as a result of the death of the Head of Household, or removal of the Head of Household to an assisted living environment, or government facility.

## Chapter 9

### REQUEST FOR TENANCY APPROVAL (RFTA) AND CONTRACT EXECUTION

#### INTRODUCTION

After a family is issued a Voucher, they may search for a unit anywhere within the jurisdiction of the HA, or outside of the HA's jurisdiction (portability). If funding is not available to support portability in a higher payment standard area whereby the jurisdiction is "billing" not "absorbing", the family may be denied portability to the higher cost area.

The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with the HA. This chapter defines the types of eligible housing, the HA's policies which pertain to initial inspections, lease requirements, owner disapproval, and the processing of RFTA's.

#### A. REQUEST FOR TENANCY APPROVAL (RFTA) (24 CFR 982.302)

The RFTA and a copy of the proposed lease must be submitted by the family prior to the expiration of the Voucher.

Both the owner and Voucher holder must sign the RFTA. The HA will not permit the family to submit more than one RFTA at a time.

Both the owner, or the owner's designee, and the Voucher holder must be present for the initial inspection. If the owner chooses to have his/her designee present for the inspection in lieu of himself/herself, the designee must have the written authority to sign the Housing Assistance Payments (HAP) Contract.

The following timeline must be observed for all incoming RFTAs:

- The unit must be ready for inspection **no later than** 14 calendar days from the date the RFTA is submitted. Ready for inspection means that ownership is verified, rent is negotiated (if needed) to ensure unit affordability, rent is determined reasonable, **all** utilities are in service and permits (if any) are submitted by the owner for any additions/improvements to the unit.
- The initial inspection will be conducted by HA staff within 7 business days from the date the unit is ready or from the date the RFTA is received by the HA, whichever is later or from the date ownership is verified.
- If the unit fails the initial inspection, repairs must be made within 10 calendar days and a repair inspection will be conducted by HA staff within 4 business days from the date the HA is notified that repairs are completed. For certain repairs, the HA may utilize the Certified Repair Notice (CRN) that both the owner and tenant sign acknowledging the repair has been completed in conjunction with pictures and or receipts, as an alternative for conducting a repair check.
- The unit must pass inspection **no later than** 20 calendar days from the initial inspection or the date the unit is ready, whichever is later.
- The owner must provide a signed HAP Contract and signed Lease Agreement to the HA either on the date of the passed inspection or **no later than** 7 calendar days from the date



the participant takes occupancy of the unit.

- The participant must enter into a Lease Agreement **and** take occupancy of the unit **no later than** 60 days from the date the inspection has passed.

The RFTA may be denied if:

- the unit is not ready for inspection within 14 calendar days
- the unit does not pass inspection within 30 calendar days
- the owner does not provide the signed HAP Contract and signed Lease within 7 calendar days
- the owner and/or participant do not provide all HA required information within the requested time frames.
- the participant does not take occupancy of the unit within 60 days from the date the inspection has passed, and/or
- the unit fails initial inspection after previously being an assisted unit and the contract was terminated for failing HQS.

Effective September 21, 2015, the family's voucher term will be suspended from the time the family submits a RFTA to the time the HA notifies the family, in writing, of the RFTA denial.

HUD regulations prohibit the HA from approving a unit if the owner is the parent, child, grandparent, grandchild, sister, brother of any member of the tenant family, unless the HA determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities. [24 CFR 982.306 (d)]

#### **Review of the RFTA**

#### **24 CFR 982.507 and 982.508**

HA staff will review the rent amount to ensure the rent is reasonable based upon current rents for comparable unassisted units. The voucher program rule requires that the HA's system for determining comparability and reasonable rent take **nine** factors into consideration: location, size, type, quality and age, amenities, housing services and maintenance, and utilities provided by the owner under the lease. Also, that it is affordable as determined by HUD regulations for the family. Affordable for the family means that the family's share of the rent plus the current utility allowance cannot exceed 40 percent of the household's adjusted monthly income. If the unit does not meet the affordability criteria, the HA will attempt to negotiate the rent with the owner. If the owner does not agree on the contract rent after the HA has tried and failed to negotiate a revised rent, the HA will inform the family and owner that the RFTA is disapproved. Effective September 21, 2015, the family's voucher term will be suspended from the time the family submits a RFTA to the time the HA notifies the family, in writing, of the RFTA denial.

The HA will recalculate the voucher term to add the time the voucher was suspended and issue another RFTA to the family.

Owners must submit their own lease with the HUD lease addendum attached and a property management agreement (if applicable). The HA may review the lease to ensure compliance with HUD regulations, state and local laws. Responsibility for utilities, appliances and optional services must correspond to those provided on the RFTA.

If the HA determines that the RFTA cannot be approved for any reason (see above paragraph A of this section) the RFTA will be disapproved and the landlord and the family will be notified in

writing. Effective September 21, 2015, the family's voucher term will be suspended from the time the family submits a RFTA to the time the HA notifies the family, in writing, of the RFTA denial. The HA will recalculate the voucher term to add the time the voucher was suspended and issue another RFTA to the family.

If the HA determines that the RFTA is approvable, staff will schedule and perform the initial inspection within 7 business days from the date the RFTA is received provided the unit is ready for inspection, or within 7 days from the unit ready date or from the date ownership is verified. Any variance from this time frame will be documented in the family's file.

### **Residence Limitations**

**Interest in Unit:** The owner may not reside in the assisted unit. The owner may reside in a unit in which a voucher family is participating in a "shared housing" type of assistance. However, the owner may not be a resident owner if the Housing Choice Voucher participant is related to the owner.

**Relative Owner:** The HA must not approve a unit if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless the HA determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities (24 CFR 982.306 (d)).

### **B. INFORMATION TO OWNERS**

The HA is required to provide prospective owners with the address of the applicant and the names and addresses of the current and previous landlords if known. The HA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

The HA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. They will be encouraged to screen applicants for rent payment history, eviction history, damage to units, and other factors related to the family's suitability as a tenant.

### **C. OWNER DISAPPROVAL**

For purposes of this section, "owner" includes a principal or other interested party. The HA will disapprove the owner for the reasons stated in Chapter 16 of this Plan.

### **D. CONTRACT EXECUTION PROCESS**

24 CFR 982.305

The HA prepares the Housing Assistance Payment Contract for execution. The family and the owner will execute the lease agreement, and the owner and the HA will execute the HAP Contract with the owner **within 60 days or the contract is null and void**. Copies of the documents will be furnished to the parties who signed the respective documents.

### **E. CHANGE IN OWNERSHIP**

The HA requires written documentation of any change in ownership. A copy of the recorded grant deed is acceptable documentation. In addition, if the new owner wants to continue receiving Housing Assistance Payments, they must sign a new HAP Contract and provide the Housing Authority a signed lease and/or rental agreement.