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

ITEM: 13.1
(ID # 29959)
MEETING DATE:
Tuesday, March 24, 2026

FROM : HOUSING AUTHORITY

SUBJECT: HOUSING AUTHORITY: Adopt Resolution No. 2026-003, Approving the Housing Authority of the County of Riverside's Streamlined Annual (PHA) Plan 2026-2027, Administrative Plan for the Housing Choice Voucher Program, and Administrative Plan for the Homeownership Program, and Authorizing the Chair of the Board of Commissioners to Sign the PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Certification; All Districts. [$0] (Not a Project under CEQA and/or CEQA Exempt)(Clerk of the Board to File Notice of Exemption)

RECOMMENDED MOTION: That the Board of Commissioners:

1. Find that the Housing Authority of the County of Riverside's Streamlined Annual Public Housing Agency Plan for 2026-2027, Administrative Plan for the Housing Choice Voucher Program for 2026-2027, and Administrative Plan for the Homeownership Program for 2026-2027 (collectively "PHA" Plans) are not projects pursuant to State CEQA Guidelines Section 15378(b)(5);
2. Find that the PHA Plans are exempt from the provisions of the National Environmental Policy Act (NEPA) pursuant to Title 24 Code of Federal Regulations Sections 58.34(a)(1) and (a)(3);

Continued on Page 2

ACTION:Policy

Heidi Marshall, Director of Housing, Homelessness Prevention 3/9/2026

MINUTES OF THE BOARD OF COMMISSIONERS

On motion of Commissioner Gutierrez, seconded by Commissioner Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes:	Medina, Spiegel, Washington, Perez, and Gutierrez
Nays:	None
Absent:	None
Date:	March 24, 2026
xc:	HA, Recorder, State Clearinghouse

Kimberly A. Rector
Clerk of the Board
By: _____ Deputy

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

RECOMMENDED MOTION: That the Board of Commissioners:

3. Approve and Adopt Resolution No. 2026-003, Approving the Housing Authority of the County of Riverside's Streamlined Annual Public Housing Agency (PHA) Plan 2026-2027, Administrative Plan for the Housing Choice Voucher Program, and Administrative Plan for the Homeownership Program; and Authorizing the Chair of the Board of Commissioners to Sign the PHA Certifications of Compliance;
4. Approve the attached Certifications of Compliance with PHA Plans and Related Regulations (Standard, Troubled, HCV-Only, and High Performer PHAs) (Form HUD-50077-ST-HCV-HP) and authorize the Chair of the Board of Commissioners to execute the same;
5. Approve the attached Civil Rights Certification (Qualified PHAs) (Form HUD-50077-CR) and authorize the Chair of the Board of Commissioners to execute the same;
6. Authorize the Executive Director, or designee, to sign all remaining documents and certifications pertaining to the Annual PHA Plan, and the Housing Authority's Affordable Housing Programs, including but not limited to, the Housing Choice Voucher Program and Homeownership Program, and implement the U.S. Department of Housing and Urban Development (HUD) plan submission requirements set forth in 24 CFR Section 903.5, subject to approval as to form by County Counsel; and
7. Direct the Clerk of the Board to file a Notice of Exemption within five (5) business days of the approval of Resolution No. 2026-003 and PHA Plans with the County Clerk and Office of Planning and Research.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	$ 0	$ 0	$ 0	$ 0
NET COUNTY COST	$ 0	$ 0	$ 0	$ 0
SOURCE OF FUNDS: N/A			**Budget Adjustment:** No	
			For Fiscal Year: 26/27	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Quality Housing and Work Responsibility Act of 1998 (Act) requires a Public Housing Agency (PHA) 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 participants in the tenant-based and project-based rental assistance programs, 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, 2026, through June 30, 2027. The Annual Plan prepared pursuant to the Act and 24 CFR Part 903 covers the Housing Authority's housing assistance

programs, including the Housing Choice Voucher, Project-Based Voucher, and Homeownership programs. A public hearing was held before the PHA's governing body, the Board of Commissioners, on March 10, 2026 (Agenda Item 10.3), as required. Final versions of the Annual Plan and supporting documents are attached hereto.

The proposed revisions to the Housing Authority's Administrative Plan are intended to clarify program operations, align policies with current HUD and state requirements, and improve consistency across housing assistance programs. These revisions are designed to streamline administrative processes, reduce burdens on the Housing Authority, participants, and housing partners, and enhance overall operational efficiency. Key updates include:

- **Extraordinary Local Preference – Chapter 3:**
  Updated terminology replacing references to the Continuum of Care with the Office of Homeless Services to reflect the County's current organizational structure.

- **Reasonable Accommodations – Chapter 7:**
  Revised review timelines for permanent disability-related requests for separate bedrooms to align with existing policies for live-in aids.

- **Inspections – Chapter 10:**
  Incorporated recent state law requirements related to smoke detectors, carbon monoxide detectors, and appliance maintenance.

- **Project-Based Voucher (PBV) – Chapter 21:**
  Clarified PBV policies related to participant selection, site-based waiting lists, occupancy standards, vacancy management, rent determinations, utility allowance methodologies, and Choice Mobility. Updated language clarifies acceptance of Coordinated Entry System (CES) referrals, including households experiencing chronic homelessness, homelessness, or at risk of homelessness, consistent with HUD definitions.

- **Emergency Housing Vouchers (EHV) – Chapter 22:**
  Added language describing the planned transfer of the EHV program to the Housing Choice Voucher (HCV) program by December 31, 2026, consistent with HUD guidance, including transition and preference provisions.

- **Family Unification Program (FUP) and Foster Youth Independence (FYI) – Chapter 23:**
  Added a new chapter outlining program requirements and implementation.

- **Appendix A – Glossary:**
  Updated the Annual Income definition to reflect Housing Opportunity Through Modernization Act (HOTMA) requirements.

These revisions align the Administrative Plan with current regulatory requirements, eliminate obsolete provisions, and strengthen operational consistency across programs. The updates are expected to reduce administrative burden, streamline internal processes, and support more efficient delivery of housing assistance to families and housing partners.

Pursuant to 24 CFR 903.17, the Housing Authority's governing body is required to conduct a public hearing to present the Annual Plan and receive public comment. In compliance with this requirement, public notice was published and the proposed Annual Plan and supporting documents were made available for public review at least 45 days prior to the hearing.

Additionally, the Housing Authority, as a PHA, must submit a completed and signed form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations (PHA Certifications of Compliance), signed by the Chairperson, acting on behalf of the Board of Commissioners of the Housing Authority. The PHA Certifications of Compliance and Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan (form HUD 50077-SL) and Civil Rights Certification (form HUD 50077-CR) are attached hereto.

The Housing Authority's Annual Plan and supporting documents for Fiscal Year 2026-2027 (collectively, the Plans) are not projects as defined by State California Environmental Quality Act (CEQA) Guidelines Section 15378, because they are an administrative activity of the government that will not result in direct or indirect physical changes to the environment. The Plans consist of the continuation of ongoing programs to provide housing assistance to certain low-income populations within the County and will not result in direct or indirect physical changes to the environment and as such are not projects pursuant to State CEQA Guidelines Section 15378(b)(5). In the alternative, even if a determination is made that the Plans are a project subject to CEQA, the Plans are exempt pursuant to State CEQA Guidelines Section 15061(b)(3) as they will not have any potential for direct or reasonably foreseeable indirect physical environmental impact, only administrative or financial impacts. In addition, the Plans are exempt from the provisions of the National Environmental Policy Act (NEPA) pursuant to Title 24 Code of Federal Regulations Sections 58.34(a)(1) and (a)(3) since the Plans are an administrative and planning/strategy activity.

County Counsel has reviewed and approved as to form, Resolution 2026-003, the 2026-2027 Annual Plan and supporting documents for FY 2026-2027. Staff recommends that the Board formally approve and adopt Resolution No. 2026-003 and approve and adopt the 2026-2027 Annual Plan and supporting documents for FY 2026-2027.

Impact on Residents and Businesses

County of Riverside residents benefit directly from the rental assistance programs administered by the Housing Authority. Continued HUD funding is essential to sustaining affordable housing opportunities throughout the County.

SUPPLEMENTAL:

Additional Fiscal Information

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

ATTACHMENTS:

- Resolution No. 2026-003
- Certifications of Compliance with PHA Plans and Related Regulations (Standard, Troubled, HCV-Only, and High Performer PHAs) (Form HUD-50077-ST-HCV-HP)
- Certifications by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan (form HUD-50077-SL)
- Civil Rights Certification (form HUD-50077-CR)
- Resident Advisory Board Narrative Summary
- Streamlined Annual PHA Plan
- Administrative Plan for the Housing Choice Voucher Program
- Administrative Plan for the Homeownership Program
- Notice of Exemption

Stacey Pena
Stacey Pena, EO Management Analyst 3/17/2026

Aaron Gettis
Aaron Gettis, Chief Deputy County Counsel 3/12/2026



Peter Aldana
Riverside County
Assessor-County Clerk-Recorder
2724 Gateway Drive
Riverside, CA 92507
(951) 486-7000
www.rivcoacr.org

Receipt: 26-86858

Product	Name	Extended
FISH	CLERK FISH AND GAME FILINGS	$50.00
	# Pages	1
	Document #	E-202600247
	Filing Type	7
	State Fee Prev Charged	false
	No Charge Clerk Fee	false
F&G Notice of Exemption Fee		$50.00
Total		$50.00
Tender (On Account)		$50.00

Account# CEQAHWS/WDD
Account Name CEQAHWS/WDD - HOUSING AND WORKFORCE SOLUTIONS, WORKFORCE DEVELOPMENT DIVISION
Balance $500.00

3/24/26, 3:07 PM PST
Gateway Clerk

State of California - Department of Fish and Wildlife

2026 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/26) Previously DFG 753.5a

RECEIPT NUMBER: 26-86858

STATE CLEARINGHOUSE NUMBER *(If applicable)*

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
HOUSING AUTHORITY OF THE COUNTY OF	ERGONZALEZ@RIVCO.ORG	03/24/2026

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
RIVERSIDE	E-202600247

PROJECT TITLE

2026-2027 APPROVAL OF THE HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE' S ANNUAL PUBLIC HOUSING AGENCY PLAN

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
HOUSING AUTHORITY OF THE COUNTY OF	ERGONZALEZ@RIVCO.ORG	19513435464

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
5555 ARLINGTON AVENUE,	RIVERSIDE	CA	92504

PROJECT APPLICANT *(Check appropriate box)*

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$4,227.50	$
☐ Mitigated/Negative Declaration (MND)(ND)	$3,043.75	$
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,437.25	$
☒ Exempt from fee		
☒ Notice of Exemption (attach)		
☐ CDFW No Effect Determination (attach)		
☐ Fee previously paid (attach previously issued cash receipt copy)		
☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$
☒ County documentary handling fee		$ $50.00
☐ Other		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☒ Other **TOTAL RECEIVED** $ $50.00

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X	Deputy Adrienne Ribac

FILED / POSTED
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder
E-202600247
03/24/2026 03:07 PM Fee: $ 50.00
Page 1 of 1
Removed: By: Deputy

Notice of Exemption

To:
☒ Office of Planning and Research
For U.S.Mail: P.O. Box 3044, Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Sacramento, CA 95814

☒ County Clerk
County of: Riverside
2724 Gateway Drive
P.O. Box 751
Address: Riverside, CA 92502-0751

From:
Public Agency: Housing Authority of the County of Riverside
Address: 5555 Arlington Avenue
Riverside, CA 92504
Contact: Erlan Gonzalez, Principal Dev. Specialist
Phone: (951) 343-5464

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Exemption in Compliance with Section 15378 (b)(5) & Section 15061(b)(3) of CEQA Guidelines.
State Clearinghouse Number (if submitted to State Clearinghouse):

Project Title: 2026-2027 Approval of the Housing Authority of the County of Riverside's Annual Public Housing Agency Plan

Project Location: Within the County of Riverside and Twelve Entitlement Cities within Riverside County

Project Description:
The Housing Authority of the County of Riverside is a Public Housing Agency (PHA) and is required to submit a 5-Year Plan and an Annual Plan 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. These plans serve as a strategic planning framework for local accountability and an easily identifiable source by which participants in the tenant-based and project-based rental assistance programs, and other members of the public, may locate basic PHA policies, rules and requirements concerning the PHA's operations, programs and services.

Project Sponsor: Housing Authority of the County of Riverside

This is to advise that the Riverside County Board of Supervisors approved the above project on
☒ Lead agency or ☐ Responsible Agency
March 24, 2026 and has made the following determinations regarding the above-described project:
(Board of Supervisors date)

Exempt Status: The project is exempt pursuant to State CEQA Guidelines Sections 15378(b)(5) and 15061(b)(3).
Reasons Why Project is Exempt: The Housing Authority's Annual Plan and supporting documents are not projects as defined by California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378, because they are an administrative activity of the government that will not result in direct or indirect physical changes to the environment. The plans consist of the continuation of ongoing programs to provide housing assistance to certain low-income populations within the County and will not result in direct or indirect physical changes to the environment and as such are not project pursuant to State CEQA Guidelines Section 15378(b)(5). In the alternative, even if a determination is made that the Plans are a project subject to CEQA, the Plans are exempt pursuant to State CEQA Guidelines Section 15061(b)(3) as they will not have any potential for direct or reasonably foreseeable indirect physical environmental impact, only administrative or financial impacts. The County of Riverside Board of Supervisors has considered the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) and finds no substantial changes to the plans or circumstances under which the Plans will be undertaking necessitating further environmental documentation.

The Notice of Exemption Declaration is available to the General Public at:
County of Riverside
5555 Arlington Avenue, Riverside, CA 92504

Signature: (Public Agency) EG Title: Erlan Gonzalez, Principal Dev. Specialist, Housing Authority of the County of Riverside

Date: 2/26/2026 Date received for filing at OPR:

Document Root (Read-Only)

Selected Document

2026031048 - NOE - 2026-2027 Approval of the Housing Authority of the County of Riverside's Annual Public Housing Agency Plan

Riverside County
Created - **3/24/2026** | Submitted - **3/24/2026** | Posted - **3/24/2026** | Received - **3/24/2026** | Published - **3/24/2026**
Whitney N Mayo

Document Details

Public Agency
Riverside County

Document Type
Notice of Exemption

Document Status
Published

Title
2026-2027 Approval of the Housing Authority of the County of Riverside's Annual Public Housing Agency Plan

Document Description
The Housing Authority of the County of Riverside is a Public Housing Agency (PI-IA) and is required to submit a 5-Year Plan and an Annual Plan in accordance with the format outlined by the U.S. Department of Housing and Urb an Development (HUD) und er Tit le 24 Code of Federal Regulation s (CFR) Part 903 Subpart 8 . These plans serve as a strategic planning framework for local accountability and an easily identifiable source by which participants in the tenant-based and project-based rental assistance programs, and other members of the public may locate basic
PHA policies rules and requirements concern in g the PHA 's operations programs and services.

Attachments (Upload Project Documents)

13.1 - NOE - Annual Public Housing Agency Plan.pdf

Contacts

HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE - *ERLAN GONZALEZ*

5555 ARLINGTON AVENUE
RIVERSIDE, CA 92504
Phone : (951) 343-5464
ERGonzalez@rivco.org

Regions

Southern California

Counties

Riverside

Cities

Within the County of Riverside and Twelve Entitlement Cities

Location Details

Other Location Info
Within the County of Riverside and Twelve Entitlement Cities within Riverside County

Notice of Exemption

Exempt Status

Other

Type, Section Number or Code Number

15378(b)(5)

Reasons why project is exempt

Th e Housing Authority's Annual Plan and supporting documents are not projects as defined by California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378, because they are an administrative activity of the government that will not result in direct or indirect physical changes to the environment. The plans consist of the continuation of ongoing programs to provide housing assistance to certain low- income populations within the County
and will not result in direct or indirect physical changes to the environment and as such are not project pursuant to State CEQA Guidelines Section 15378(b)(5). In the alternative, even if a determination is made that the Plans are a project subject to CEQA, the Plans are exempt pursuant to State CEQA Guidelines Section 15061(b)(3) as they will not have any potential for direct or reasonably foreseeable indirect physical environmental impact, only administrative or financial impacts. The County of Riverside Board of Supervisors has cons ide red the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) and finds no substantial changes to the plans or circumstances under which the Plans will be undertaking necessitating further environmental documentation.

The Notice of Exemption Declaration is available to the General Public at:
County of Riverside
5555 Arlington Avenue, Riverside, CA 92504

Exempt Status

Other

Type, Section Number or Code Number

15061(b)(3)

Reasons why project is exempt

Th e Housing Authority's Annual Plan and supporting documents are not projects as defined by California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378, because they are an administrative activity of the government that will not result in direct or indirect physical changes to the environment. The plans consist of the continuation of ongoing programs to provide housing assistance to certain low- income populations within the County
and will not result in direct or indirect physical changes to the environment and as such are not project pursuant to State CEQA Guidelines Section 15378(b)(5). In the alternative, even if a determination is made that the Plans are a project subject to CEQA, the Plans are exempt pursuant to State CEQA Guidelines Section 15061(b)(3) as they will not have any potential for direct or reasonably foreseeable indirect physical environmental impact, only administrative or financial impacts. The County of Riverside Board of Supervisors has cons ide red the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) and finds no substantial changes to the plans or circumstances under which the Plans will be undertaking necessitating further environmental documentation.

The Notice of Exemption Declaration is available to the General Public at:
County of Riverside
5555 Arlington Avenue, Riverside, CA 92504

County Clerk(s)

Riverside

Signature

Title

Date

Outlook

SCH Number 2026031048

From Thomas Hubbard <THOMAS.HUBBARD@lci.ca.gov>
Date Tue 3/24/2026 2:55 PM
To Mayo, Whitney <WMayo@Rivco.org>

CAUTION: This email originated externally from the **Riverside County** email system. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Thank you for submitting your notice through CEQA Submit. Your document has been successfully published.

To view your submission, use the following link.
https://ceqasubmit.lci.ca.gov/Document/Index/331766/1

Please contact the SCH with any questions at state.clearinghouse@lci.ca.gov.

Thank you,



Thomas Hubbard | *he/him/his*
Jr. CEQA Analyst
Governor's Office of Land Use & Climate Innovation
thomas.hubbard@lci.ca.gov
Connect with us on:
LinkedIn | **Facebook** | **Instagram** | **X** | **lci.ca.gov**

***Note*: No reply, response, or information provided constitutes legal advice.

LCI - Public

Confidentiality Notice: The information contained in this email and any attachments is for the exclusive use of the intended recipient(s) and may contain confidential and privileged information. It is the property of the California Governor's Office of Land Use and Climate Innovation. Unauthorized use, disclosure, or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender immediately by return email and destroy all copies of the original message and any attachments.

BOARD OF COMMISSIONERS

HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE

RESOLUTION NO. 2026-003
APPROVING THE HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE'S STREAMLINED ANNUAL PUBLIC HOUSING AGENCY (PHA) PLAN 2026-2027, ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM, AND ADMINISTRATIVE PLAN FOR THE HOMEOWNERSHIP PROGRAM; AND AUTHORIZING THE CHAIR OF THE BOARD OF COMMISSIONERS TO SIGN THE PHA CERTIFICATIONS OF COMPLIANCE

WHEREAS, the Housing Authority of the County of Riverside ("Authority") is a Public Housing Agency ("PHA") as defined by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, the Quality Housing and Work Responsibility Act of 1998 requires Public Housing Agencies to submit Annual Plans in accordance with Title 24 Code of Federal Regulations ("CFR") Part 903, Subpart B; and

WHEREAS, pursuant to Title 24 CFR Section 903.5(b), the Authority is required to submit an Annual Plan once every PHA fiscal year, no later than 75 days before the commencement of the PHA's fiscal year; and

WHEREAS, the Authority's fiscal year begins on July 1, 2026, and the Streamlined Annual Plan covers Fiscal Year July 1, 2026 through June 30, 2027; and

WHEREAS, the Authority is authorized by HUD to administer the Housing Choice Voucher, Project-Based Voucher and Homeownership Programs (collectively the, "Authority's Affordable Housing Programs") throughout the County of Riverside; and

WHEREAS, the proposed revisions to the Administrative Plan are intended to align Authority policies with current federal and state requirements, clarify program operations, improve consistency across housing assistance programs, and enhance overall administrative efficiency; and

WHEREAS, the Annual Plan submittal must include a HUD PHA Certifications of Compliance with PHA Plans and Related Regulations (form HUD-50077-ST-HCV-HP) certifying the Authority's compliance with the PHA's Annual Plan, a Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

FORM APPROVED COUNTY COUNSEL
BY: AMRITA DHILLON DATE 3/11/2026

MAR 2 4 2026 13.1

(form HUD 50077-SL), and a Civil Rights Certification (form HUD-50077-CR), collectively referred to as "PHA Certifications of Compliance"; and

WHEREAS, the Board of Commissioners desires to approve the Authority's Streamlined Annual Plan and supporting documents for Fiscal Year 2026-2027, the Administrative Plan for the Housing Choice Voucher Program, and the Administrative Plan for the Homeownership Program, as submitted to the Clerk of the Board; and

WHEREAS, the Authority is in compliance with the PHA 5-Year Plan, the Annual Plan, Consolidated Plan, and related regulations; and

WHEREAS, the Board of Commissioners desires to authorize the Chair of the Board of Commissioners to sign the PHA Certifications of Compliance, attached hereto as Exhibit A and incorporated herein by this reference;

WHEREAS, continued HUD funding of the Authority's housing assistance programs is essential to maintaining affordable housing opportunities for low-income residents throughout Riverside County; and

WHEREAS, the Housing Authority's Streamlined Annual Plan, and supporting documents for Fiscal Year 2026-2027 ("Plans") are not projects as defined by California Environmental Quality Act ("CEQA") Section 21065 and State CEQA Guidelines Section 15378, because they are an administrative activity of the government that will not result in direct or indirect physical changes to the environment, and are not projects pursuant to State CEQA Guidelines Section 15378(b)(5). Even if a determination is made that the Plans are a project subject to CEQA, the Plans are exempt pursuant to State CEQA Guidelines Section 15061(b)(3) as they will not have any potential for direct or reasonably foreseeable indirect physical environmental impact, only administrative and financial impacts. In addition, the Plans are exempt from the provisions of the National Environmental Policy Act ("NEPA") pursuant to Title 24 Code of Federal Regulations Sections 58.34(a)(1) and (a)(3), since the Plans are an administrative and planning/strategy activity; and

WHEREAS, County Counsel has reviewed Resolution No. 2026-003 and approved it as to form.

NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Commissioners of the Housing Authority of the County of Riverside, State of California, in regular session assembled on March 24, 2026, as follows:

1. That the Board of Commissioners hereby finds and declares that the above Recitals are true, correct and incorporated herein.
2. That the Board of Commissioners hereby approves and adopts the Authority's PHA Streamlined Annual Plan and supporting documents for Fiscal Year 2026-2027, the Administrative Plan for the Housing Choice Voucher Program, and the Administrative Plan of the Homeownership Program, as submitted to the Clerk of the Board.
3. That the Board of Commissioners hereby approves the PHA Certifications of Compliance, attached hereto as Exhibit A and incorporated herein by this reference, and authorizes the Chair of the Board of Commissioners to sign such certifications.
4. That the Board of Commissioners hereby finds that that Housing Authority's Streamlined Annual Plan and supporting documents for Fiscal Year 2026-2027 are not projects as defined by California Environmental Quality Act ("CEQA") Section 21065 and State CEQA Guidelines Section 15378 because they are an administrative activity of the government that will not result in direct or indirect physical changes to the environment, and are not projects pursuant to State CEQA Guidelines Section 15378(b)(5). Even if a determination is made that the Plans are a project subject to CEQA, the Plans are exempt pursuant to State CEQA Guidelines Section 15061(b)(3) as they will not have any potential for direct or reasonably foreseeable indirect physical environmental impact, only administrative and financial impacts. In addition, the Plans are exempt from the provisions of the National Environmental Policy Act ("NEPA") pursuant to Title 24 Code of Federal Regulations Sections 58.34 (a)(1) and (a)(3), since the Plans are an administrative and planning/strategy activity.

BOARD OF COMMISSIONERS **HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE**

RESOLUTION NO. 2026-003

APPROVING THE HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE'S STREAMLINED ANNUAL PUBLIC HOUSING AGENCY (PHA) PLAN 2026-2027, ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM, AND ADMINISTRATIVE PLAN FOR THE HOMEOWNERSHIP PROGRAM; AND AUTHORIZING THE CHAIR OF THE BOARD OF COMMISSIONERS TO SIGN THE PHA CERTIFICATIONS OF COMPLIANCE

ROLL CALL:

Ayes:	Medina, Spiegel, Washington, Perez, and Gutierrez
Nays:	None
Absent:	None
Abstain:	None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KIMBERLY A. RECTOR, Clerk of said Board

By: _____

Deputy

03/24/2026 Item 13.1

EXHIBIT A

PHA Certifications of Compliance

(form HUD-50077-ST-HCV-HP)

(form HUD-50077-SL)

(form HUD-50077-CR)

(behind this page)

Certifications of Compliance with PHA Plan and Related Regulations *(Standard, Troubled, HCV-Only, and High Performer PHAs)*	**U.S. Department of Housing and Urban Development** Office of Public and Indian Housing **OMB No. 2577-0226** **Expires 09/30/2027**

PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations including PHA Plan Elements that Have Changed

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year and/or X Annual PHA Plan, hereinafter referred to as "the Plan," of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning 07/2026, in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a signed certification by the appropriate State or local official (form HUD-50077-SL) that the Plan is consistent with the applicable Consolidated Plan, which includes any applicable fair housing goals or strategies, for the PHA's jurisdiction and a description of the way the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the Resident Advisory Board (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the way the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
   i. The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
   ii. The changes were duly approved by the PHA Board of Directors (or similar governing body); and
   iii. The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours. Where possible, PHAs should make documents available electronically, for public inspection upon request.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment. The PHA ensured all notices and meetings provided effective communication with persons with disabilities and further provided meaningful language access for persons with Limited English Proficiency (LEP).
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), the Violence Against Women Act (34 U.S.C. § 12291 et seq.), and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Violence Against Women Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs.
7. The PHA will affirmatively further fair housing, in compliance with the Fair Housing Act, 24 CFR § 5.150 et seq., 24 CFR § 903.7(o), and 24 CFR § 903.15, which means that it will take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living

MAR 2 4 2026 13.1

patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws (24 CFR § 5.151). Pursuant to 24 CFR § 903.15(c)(2), a PHA's policies should be designed to reduce the concentration of tenants and other assisted persons by race, national origin, and disability. PHA policies should include affirmative steps stated in 24 CFR § 903.15(c)(2)(i) and 24 CFR § 903.15(c)(2)(ii). Furthermore, under 24 CFR § 903.7(o), a PHA must submit a civil rights certification with its Annual and 5-year PHA Plans, except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document. The PHA certifies that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing.

8. For PHA Plans that include a policy for site-based waiting lists:
    - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module and/or its successor system: the Housing Information Portal (HIP) in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);
    - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
    - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
    - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
    - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination based on age pursuant to the Age Discrimination Act of 1975.
10. In accordance with the Fair Housing Act, the PHA will not base a determination of eligibility for housing on marital status and will not otherwise discriminate because of sex.
11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, 'Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped' for people with physical disabilities.
12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
13. The PHA will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implement the regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 2 CFR 200.302 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to always be available at all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary

business office of the PHA and, where possible, should be made available for public inspection in an electronic format.

22. The PHA certifies that it is following all applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Housing Authority of the County of Riverside
PHA Name

CA027
PHA Number/HA Code

X Annual PHA Plan for Fiscal Year 20**26**

_ 5-Year PHA Plan for Fiscal Years 20-20

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802)

Name of Executive Director: **MS Heidi Marshall**	Name of Board Chairman: **V. Manuel Perez**
Signature: Heidi Marshall Date: 3/27/2026	Signature: V. M. Perez Date: MAR 2 4 2026

This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Form identification: *CA027-Housing Authority of the County of Riverside form HUD-50077-ST-HCV-HP (Form ID -2312) for CY 2026 printed by Erlan Gonzalez in HUD Secure Systems/Public Housing Portal at 03/23/2026 01:21AM EST*

FORM APPROVED COUNTY COUNSEL
BY Amrit P. Dhillon 3/24/2026
AMRIT P. DHILLON DATE

ATTEST:
KIMBERLY A. RECTOR, Clerk
By _____ DEPUTY

MAR 2 4 2026 13.1

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan (All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Michael Walsh (*Official's Name*), the Assistant Director, Housing and Workforce Solutions (*Official's Title*)

certify that the 5-Year PHA Plan for fiscal years _____ and/or Annual PHA Plan for fiscal year 26/27 of the Housing Authority of the County of Riverisde (*PHA Name*) is consistent with the

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

Riverside County
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The PHA plan is consistent with Riverside County's Consolidated Plan as both agencies have similar goals to expand the supply of affordable housing, ensure equal opportunity and affirmatively further fair housing.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Michael Walsh	Assistant Director
Signature:	Date: 2/23/2026

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

FORM APPROVED COUNTY COUNSEL
BY AMRIT P. DHILLON 3/11/2026 DATE

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Anne V. Ambrose, the Interim City Manager
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years _____ and/or Annual PHA Plan for fiscal year 26/27 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Cathedral City
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

Please see the description on the next page.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Anne V. Ambrose	Interim City Manager
Signature:	Date: 2-9-26

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Docusign Envelope ID: 4842A91F-74C0-457B-9F70-9A42366E8D97

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Jacob Ellis, the City Manager, City of Corona
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2025-2030 and/or Annual PHA Plan for fiscal year 2026-2027 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Corona
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The PHA Plan provided, is consistent with the City of Corona's Consolidated Plan goals for Affordable Housing and Public Services.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Jacob Ellis	City Manager
Signature: DocuSigned by: Jacob Ellis 8CB6AE0895844B4... DS	Date: 2/17/2026

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Mark Prestwich, the City Manager
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years _____ and/or Annual PHA Plan for fiscal year 26-27 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Hemet
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The PHA Plan is consistent with the City of Hemet's Consolidated Plan as both agencies have similar goals to expand the supply of affordable housing, ensure equal opportunity, and affirmatively further Fair Housing.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Mark Prestwich	City Manager
Signature: Mark Prestwich (Feb 3, 2026 13:54 UTC)	Date: Feb 3, 2026

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Bryan H. Montgomery, the City Manager
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2025-2030 and/or Annual PHA Plan for fiscal year 2026-2027 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Indio
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The City of Indio ("City") has reviewed the County of Riverside PHA and has no concerns regarding the proposed administrative plan for the housing choice voucher program. This program is consistent with the City's Consolidated Plan of increasing activities that provide affordable housing opportunities and anti-poverty strategies.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Bryan H. Montgomery	City Manager
Signature:	Date: 2/18/2026

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan (All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Rod B. Butler (*Official's Name*), the City Manager (*Official's Title*)

certify that the 5-Year PHA Plan for fiscal years ____ and/or Annual PHA Plan for fiscal year 2026-27 of the County of Riverside (*PHA Name*) is consistent with the

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Jurupa Valley (*Local Jurisdiction Name*)

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

Both agencies have consistent goals to expand the supply of affordable housing and ensure equal opportunity of fair housing.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Rod B. Butler	City Manager
Signature: Rod B. Butler	Date: 2-5-26

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan *(All PHAs)*

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Armando G. Villa, the City Manager
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 25/26 and/or Annual PHA Plan for fiscal year 25/26 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

Menifee
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The PHA plan is consistent with the City's Consolidated Plan as both agencies have similar goals to expand the supply of affordable housing, ensure equal opportunity and affirmatively further Fair Housing.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Armando G. Villa	City Manager
Signature: x	Date: x 2-2-26

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Docusign Envelope ID: 5D89E463-EA0E-44F9-BF4D-AFB26D3EDA3A

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Brian Mohan, the City Manager
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years _____ and/or Annual PHA Plan for fiscal year 26/27 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan, including any applicable fair housing goals or strategies to:

City of Moreno Valley
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The Housing Authority of Riverside County (PHA) Plan is aligned with the City's 2023–2028 Consolidated Plan and the Analysis of Impediments to Fair Housing Choice. The Consolidated Plan guides the Housing Authority's actions to address the needs of extremely low-, very low-, and low-income families. In addition, the PHA Plan supports the City's fair housing goals by implementing affirmative measures to promote equal housing opportunities.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Brian Mohan	City Manager
Signature: DocuSigned by: Brian Mohan 1099D0CFD9FA4D9...	Date: 2/13/2026 | 9:44:48 AM PST

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Chris Escobedo (*Official's Name*), the City Manager (*Official's Title*)

certify that the 5-Year PHA Plan for fiscal years 26/27 and/or Annual PHA Plan for fiscal year 26/27 of the Palm Desert Housing Authority (*PHA Name*) is consistent with the

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Palm Desert
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Chris Escobedo	City Manager
Signature:	Date:
	2-4-26

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Docusign Envelope ID: 58359195-73BA-4A08-9A49-21DC33F251CB

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Scott C. Stiles, the City Manager, City of Palm Springs
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2025-2030 and/or Annual PHA Plan for fiscal year 26/27 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Palm Springs
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The plan aligns with the consolidated plans objectives by expanding affordable housing opportunities, enhancing fair housing access, addressing homelessness and special needs housing, and improving public housing conditions.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Scott C. Stiles	City Manager
Signature: DocuSigned by: Scott Stiles 6377D99978EB4B6...	Date: 2/2/2026

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan (All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Clara Miramontes, the City Manager
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2025-2030 and/or Annual PHA Plan for fiscal year 2026 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Perris
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The Housing Authority Agency Plan is aligned with the City of Perris Consolidated Plan 2024-2029, which prioritizes the expansion of affordable housing opportunities, neighborhood revitalization efforts, homelessness prevention services, compliance with fair housing requirements, and the implementation of programs and delivery of resources and services to support low to moderate income residents.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Clara Miramontes	City Manager
Signature:	Date: 2/17/2026

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 3/31/2024

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Mike Futrell, the City Manager, certify that the 5-Year PHA Plan for fiscal years _
Official's Name *Official's Title*

2025-2030 and/or Annual PHA Plan for fiscal year **2026/20267** of the **Housing Authority of the**

County of Riverside is consistent with the Consolidated Plan or State Consolidated Plan including
PHA Name
the Analysis of Impediments (AI) to Fair Housing Choice or Assessment of Fair Housing (AFH) as

applicable to the City of Riverside,__ pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3)
Local Jurisdiction Name

and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The Housing Authority of the County of Riverside's PHA Plan is consistent with the City of Riverside's 5-Year HUD Consolidated Plan goals that include: (1) Expand the supply of assisted housing using HOME Investment Partnerships Program grant funds; (2) Ensure equal opportunity and affirmative further fair housing. The goal is being carried out by Fair Housing Councill of Riverside County and funded by the City's Community Development Block Grant; and (3) Address housing needs for individuals with disabilities and family housing for households with incomes that are at or below 50% of area median income.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official:	Title:
Mike Futrell	City Manager
Signature: Charles M. Futrell	Date: 2/23/2026

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan
(All PHAs)

U. S Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, Aaron Adams, the City Manager, City of Temecula
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2025-2030 and/or Annual PHA Plan for fiscal year 2026-2027 of the Housing Authority of the County of Riverside is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Temecula
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15..

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The PHA Plan provided, is consistent with the City of Temecula's Consolidated Plan goals for Affordable Housing and Public Services.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:	Title:
Aaron Adams	City Manager
Signature:	Date: 2/17/26

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Civil Rights Certification
(Qualified PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB Approval No. 2577-0226
Expires: 09/30/2027

WHEN DOCUMENT IS FULLY EXECUTED RETURN
CLERK'S COPY
to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147
Thank you.

Civil Rights Certification

Annual Certification and Board Resolution

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year PHA Plan, hereinafter referred to as "the Plan," of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the fiscal year beginning 7/1/2026 *, in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the submission of the Plan and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d—4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Title II of the Americans with Disabilities Act (42 U.S.C. 12101 *et seq.*), the Violence Against Women Act (34 U.S.C. § 12291 et seq.), and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Violence Against Women Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs. The PHA will affirmatively further fair housing in compliance with the Fair Housing Act, 24 CFR § 5.150 et seq., 24 CFR § 903.7(o), and 24 CFR § 903.15, which means that it will take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws (24 CFR § 5.151). Pursuant to 24 CFR § 903.15(c)(2), a PHA's policies are designed to reduce the concentration of tenants and other assisted persons by race, national origin, and disability. PHA policies include affirmative steps stated in 24 CFR § 903.15(c)(2)(i) and 24 CFR § 903.15(c)(2)(ii). Furthermore, under 24 CFR § 903.7(o), a PHA must submit a civil rights certification with its Annual and 5-year PHA Plans, except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document. The PHA certifies that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing.

Housing Authority of the County of Riverside	CA027
PHA Name	PHA Number/HA Code

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802)

Name of Executive Director:	Name of Board Chairperson:
Heidi Marshall	V. Manuel Perez
Signature: Date:	Signature: V. M. Perez Date: MAR 2 4 2026

FORM APPROVED COUNTY COUNSEL
BY: AMRITA K. DHILLON 3/11/2026
DATE

The information is collected to ensure that PHAs carry out applicable civil rights requirements.

Public reporting burden for this information collection is estimated to average 0.16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 Notice. The United States Department of Housing and Urban Development is authorized to collect the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

MAR 2 4 2026 13.1

ATTEST:
KIMBERLY A. RECTOR, Clerk
By _____ DEPUTY

Streamlined Annual PHA Plan *(HCV Only PHAs)*	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 09/30/2027

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. They also inform HUD, families served by the PHA, and members of the public of the PHA's mission, goals, and objectives for serving the needs of low-, very low-, and extremely low- income families.

Applicability. The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

(1) ***High-Performer PHA*** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers (HCVs) and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, SEMAP for PHAs that only administer tenant-based assistance and/or project-based assistance, or PHAS if only administering public housing.

(2) ***Small PHA*** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.

(3) ***Housing Choice Voucher (HCV) Only PHA*** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.

(4) ***Standard PHA*** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.

(5) ***Troubled PHA*** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.

(6) ***Qualified PHA*** - A PHA with 550 or fewer public housing dwelling units and/or HCVs combined and is not PHAS or SEMAP troubled.

A. PHA Information.

A.1

PHA Name: Housing Authority of the County of Riverside **PHA Code:** CA027

PHA Plan for Fiscal Year Beginning: (MM/YYYY): 07/2026

PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)

Number of Housing Choice Vouchers (HCVs) 8584

PHA Plan Submission Type: ☑ Annual Submission ☐ Revised Annual Submission

Public Availability of Information. 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 and should make documents available electronically for public inspection upon request. PHAs are strongly encouraged to post complete PHA Plans on their official websites and to provide each resident council with a copy of their PHA Plans.

The public may view the Housing Authority of the County of Riverside's Agency Plans in person at the following two-office locations, 5555 Arlington Ave., Riverside, CA 92504 and 44-199 Monroe St., Suite B Indio, CA 92201 and online at https://harivco.org/about-us/policies-regulations

FORM APPROVED COUNTY COUNSEL
BY AMRITA K. DHILLON
3/11/2026
DATE

☐ **PHA Consortia**: (Check box if submitting a joint Plan and complete table below)

Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program
Lead HA:				

B. Plan Elements.

B.1 Revision of Existing PHA Plan Elements.

a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?

Y	N	
☐	☑	Statement of Housing Needs and Strategy for Addressing Housing Needs.
☐	☑	Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.
☐	☑	Financial Resources.
☐	☑	Rent Determination.
☐	☑	Operation and Management.
☐	☑	Informal Review and Hearing Procedures.
☐	☑	Homeownership Programs.
☐	☑	Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.
☐	☑	Substantial Deviation.
☐	☑	Significant Amendment/Modification.

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

B.2 **New Activities.**

(a) Does the PHA intend to undertake any new activities related to the following in the PHA's applicable Fiscal Year?

Y	N	
☐	☑	Project-Based Vouchers

(b) If Project-Based Voucher (PBV) activities are planned for the applicable Fiscal Year, provide the projected number of PBV units and general locations, and describe how project-basing would be consistent with the PHA Plan.

In the current Fiscal Year, the Housing Authority plans to allocate approximately 684 Project-Based Vouchers (PBVs) across 24 new developments throughout Riverside County. These PBV units are part of the Housing Authority's strategy to expand affordable housing opportunities and increase housing choice for low-income families. The PBV allocations support developments leveraging multiple funding sources, including HOME, NSP, HASA, PLHA, NPLH, and LIHTC, ensuring a diverse portfolio of quality affordable housing options, including units located in high-opportunity areas across the County. This activity is consistent with the Housing Authority's goal of increasing housing availability, promoting housing stability, and improving quality of life for residents. By allocating PBVs to these developments, the Housing Authority is enhancing access to communities with improved proximity to education, employment, transportation, and other essential services.

1. Desert Marigold at Cathedral City (96 PBV in a 97-unit development), expected to be completed May 2026
2. Sparrow at Mulberry Gardens, Riverside (14 PBV in a 59-unit development), expected to be completed September 2026
3. Summit View (Beaumont 3 in Beaumont (47 PBV in a 48-unit development), expected to be completed March 2026
4. Sunrise at Bogart in Riverside (11 PBV in a 23-unit development), expected to be completed December 2026
6. 5th Street Apts in Corona (11 PBV in a 11-unit development), expected to be completed December 2026
7. Bell Ranch (aka Wildomar Family Cottages), Wildomar (32 PBV in a 129-unit development) expected to be completed January 2027
8. Mary Mcdonald Riley Street Apartments, Lake Elsinore (15 PBV in a 16-unit development), expected to be completed January 2027
9. Cambern Apartments, Lake Elsinore, (19 PBV in a 76-unit development), expected to be completed January 2027
11. Thomas Village Apartments, Palm Desert (8 PBV in a 40-unit development), expected to be completed August 2026
12. Villa Verde Apts in Coachella (87 PBV in a 152-unit development), expected to be completed August 2028
13. Camino Terrace in Jurupa Valley (42 PBV in a 80 unit development), expected to be completed September 2026
14. JFM Villas Phase I in Indio (25 PBV in a 100-unit development), expected to be completed June 2027
15. JFM Villas Phase II in Indio (25 PBV in a 50-unit development), expected to be completed June 2027
16. Murrieta Apartments Phase I in Murrieta (8 PBV in a 119-unit development), completed November 2026
17. Palm Desert Millenium (Palm Villas Phase I), Palm Desert (45 PBV in a 88 unit development), expected to be completed September 2026
18. Murrieta Phase II Apts. In Murrieta (32 PBV in a 81 unit development), expected to be completed October 2026
19. Palm Desert Millenium (Palm Villas II Phase II), Palm Desert (45 PBV in a 88 unit development), expected to be completed November 2026
20. Viscar Terrace Apartments, Murrieta (31 PBV in a 151-unit development), expected to be completed October 2026
21. Oakview Phase II (aka Murrieta Phase II), Murrieta (32 PBV in a 81 unit development), expected to be completed August 2026
22. Goldfinch at Mulberry Gardens, Riverside (37 PBV in a 150-unit development), expected to be completed October 2027
23. Rubidoux Gateway Villas in Jurupa Valley (14 PBV in a 57-unit development), expected to be completed September 2027
24. Second Street Family Apartments, Corona(8 PBV in a 115 unit development), expected to be completed May 2028

B.3 **Progress Report.**

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

During the first year of the 2026–2031 5-Year Plan, the Housing Authority of the County of Riverside (HACR) began implementing its updated mission:"We are a compassionate and innovative team committed to empowering individuals and families by providing affordable housing solutions. Our aim is to create stable environments where everyone can thrive and truly feel at home."HACR continues to expand affordable housing opportunities through the planned allocation of approximately 684 Project-Based Vouchers (PBVs) across 24 developments throughout Riverside County. These developments leverage funding sources such as HOME, PLHA, NPLH, LIHTC, and other public-private partnerships to increase housing availability in diverse communities, including permanent supportive housing for special populations.The Veterans Affairs Supportive Housing (VASH) program remains a key part of HACR's work to address homelessness among veterans. HACR currently administers 798 VASH vouchers, with 525 households successfully leased and 132 households actively searching for housing. In coordination with the U.S. Department of Veterans Affairs (VA), vouchers are issued on a biweekly basis to maintain steady progress toward full lease-up. Of the total allocation, 193 vouchers are project-based across five locations in Riverside County, expanding permanent supportive housing options for veterans.To support lease-up efforts and landlord participation, HACR utilized $254,765 in HUD VASH funding for security deposit assistance, landlord incentives, and rental affordability payments. More than 60 households have received incentives totaling $116,733, helping to facilitate placements and promote housing stability.HACR also continues to support long-term housing stability through its Homeownership and Moderate Rehabilitation programs. Currently, five families are participating in the Housing Choice Voucher Homeownership program, allowing them to purchase homes and build long-term stability. In addition, 79 of 80 Moderate Rehabilitation (MOD Rehab) units are occupied, reflecting strong utilization and continued preservation of affordable housing units within the county.HACR also administers the Housing Choice Voucher program, special purpose vouchers including EHV and FYI, and the Family Self-Sufficiency (FSS) program, while maintaining partnerships with the Continuum of Care and local service providers.These efforts represent meaningful progress during the first year of the 5-Year Plan and reflect HACR's continued commitment to expanding access to affordable housing, supporting veterans, preserving existing units, and helping families achieve stability.

B.4	**Capital Improvements.** – Not Applicable
B.5	**Most Recent Fiscal Year Audit.** (a) Were there any findings in the most recent FY Audit? Y N N/A ☐ ☑ ☐ (b) If yes, please describe:
C.	**Other Document and/or Certification Requirements.**
C.1	**Resident Advisory Board (RAB) Comments.** (a) Did the RAB(s) have comments to the PHA Plan? Y N ☑ ☐ (b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations. Key themes raised by Resident Advisory Board participants included concerns related to property management practices, maintenance, security, and communication following ownership or management changes. Additional comments addressed resident safety and quality-of-life issues, including towing practices and access to basic services. Housing Authority reviewed all comments received and determined that the issues raised primarily relate to owner and property management responsibilities governed by state and local law. While Housing Authority does not directly manage privately owned complexes, the Housing Authority will continue to monitor owner compliance with applicable HUD program requirements and address matters within its regulatory authority. Based on this review, no changes to the PHA Plan were required.

C.2	**Certification by State or Local Officials.** Form HUD 50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan.
C.3	**Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.** Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed,* must be submitted by the PHA as an electronic attachment to the PHA Plan.
C.4	**Challenged Elements.** If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public. (a) Did the public challenge any elements of the Plan? Y N ☐ ☑ (b) If yes, include Challenged Elements.

Instructions for Preparation of Form HUD-50075-HCVAnnual PHA Plan for HCV-Only PHAs

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

A.1 Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **Number of Housing Choice Vouchers (HCVs)**, **PHA Plan Submission Type**, and the **Public Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan. Note: The number of HCV's should include all special purpose vouchers (e.g. Mainstream Vouchers, etc.) (24 CFR 903.23(e)).

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table (24 CFR 943.128(a)).

B. Plan Elements. All PHAs must complete this section (24 CFR 903.11(c)(3)).

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

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the "yes" box. If an element has not been revised, mark "no."

☐ **Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA's strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR 903.7(a)(2)(i)). Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA's reasons for choosing its strategy (24 CFR 903.7(a)(2)(ii)).

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** A statement of the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV (24 CFR 903.7(b)).

☐ **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program and state the planned use for the resources (24 CFR 903.7(c)).

☐ **Rent Determination.** A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies (24 CFR 903.7(d)).

☐ **Operation and Management.** A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA (24 CFR 903.7(e)).

☐ **Informal Review and Hearing Procedures.** A description of the informal hearing and review procedures that the PHA makes available to its applicants (24 CFR 903.7(f)).

☐ **Homeownership Programs**. A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval (24 CFR 903.7(k)).

☐ **Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.** A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA's partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA's partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program's size (including required and actual size of the FSS program) and means of allocating assistance to households. (24 CFR 903.7(l)(i)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements (24 CFR 903.7(l)(iii)).

☐ **Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan (24 CFR 903.7(s)(2)(i)).

☐ **Significant Amendment/Modification**. PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan (24 CFR 903.7(s)(2)(ii)).

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

B.2 New Activities. If the PHA intends to undertake any new activities related to these elements in the applicable 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."

☐ **Project-Based Vouchers.** Describe any plans to use HCVs for new project-based vouchers, which must comply with PBV goals, civil rights requirements, Housing Quality Standards (HQS) and deconcentration standards, as stated in 24 CFR 983.55(b)(1) and set forth in the PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. If using project-based vouchers, provide the projected number of project-based units and general locations (including if PBV units are planned on any former or current public housing units or sites), and describe how project-basing would be consistent with the PHA Plan (24 CFR 903.7(b)(3), 24 CFR 903.7(r).)

B.3 **Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan (24 CFR 903.11(c)(3), 24 CFR 903.7(s)(1)).

B.4 **Capital Improvements.** This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs.

B.5 **Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided (24 CFR 903.7(p)).

C. Other Document and/or Certification Requirements.

C.1 **Resident Advisory Board (RAB) comments**. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations (24 CFR 903.13(c), 24 CFR 903.19).

C.2 **Certification by State of Local Officials.** Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan (24 CFR 903.15). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 **Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.** Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of 24 CFR 5.150 *et seq*., 24 CFR 903.7(o)(1), and 24 CFR 903.15.

C.4 **Challenged Elements**. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public (24 CFR 903.23(b)).

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 4.52 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. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

Resident Advisory Board (RAB) Plan Comments (2026-2027)

The Housing Authority of the County of Riverside (HACR) received two (2) written responses via a Resident/Public Comment Form. Key themes raised by the RAB participants included:

1. **Property Management Practices and Oversight**
   Concerns were raised regarding property management transitions, including responsiveness to resident needs, maintenance issues, and communication following ownership or management changes. Residents noted issues such as broken gates, safety concerns, and delays in addressing property conditions.
2. **Resident Safety and Quality-of-Life Issues**
   One comment highlighted concerns about vehicle towing practices at assisted housing developments, describing them as predatory and requesting stronger enforcement of lawful towing procedures and accountability for property owners and management companies receiving federal funding.
3. **Access and Basic Services**
   Additional concerns included damage to mailboxes, barriers to accessing mail services, and the presence of unhoused individuals near residential buildings, all of which residents indicated negatively affect safety and daily living conditions.

Resident Advisory Board (RAB) Narrative

The Housing Authority of the County of Riverside (HACR) responded to each household individually.

Many of the issues raised such as towing practices, property maintenance, security measures, and mail service access fall under the operational responsibilities of property owners as well as local law enforcement or municipal code enforcement agencies. While HA does not directly manage privately owned HCV or PBV properties, the HA will continue to:

- Monitor owner and property manager compliance with applicable HUD requirements and Housing Assistance Payment (HAP) contract provisions;
- Address issues within HA's regulatory authority when identified through inspections, compliance reviews, or resident complaints;
- Encourage owners and management properties to comply with applicable state and local laws related to resident safety, property operations, and tenant protections; and
- Refer matters outside of HA's jurisdiction to the appropriate local agencies when necessary.

At this time, no changes to the Administrative Plan were required as a direct result of the comments received. However, the feedback provided by the Resident Advisory Board will continue to inform HA's ongoing oversight, resident engagement efforts, and communication with owners and property managers.

HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE
Resident/Public Comment Form

In preparation for the annual update to the Housing Authority of the County of Riverside's (HACR) Administrative Plan and Annual Plan, HACR is seeking input and feedback from residents and other community stakeholders. Please provide any comments or suggestions in the space provided below. Contact information is optional but appreciated. Assistance will be provided to persons with disabilities who require an accommodation to review and comment on the existing plan. If you require such assistance, please notify the meeting facilitators.

Name CAROLYN RICHARD Telephone # 727-237-2036
Address SAME
Email address CAROLYNRICHARD863 + G mail
Please circle the appropriate answer.
Are you a program participant? yes (no) Are you a Waiting List registrant? yes (no)

Comments (Please attach additional sheets if necessary):

Im not involved, But What Can you do when a new Company Takes over Bought Building of about 60 families Low income seniors The gates that use to be locked for yrs Broke Down & still BROKEN - Laundry Room has been Broken into also We have homeless sleeping by dumbsters, & Now our Mail Boxes were broken into! People Can't get to Post office! This Company Don't want to spend money - But raise Rents! They bought it about 2 yrs ago I have been here about 8 yrs - It was really nice!

Signature: Carol Richard Date: 10/13/25

Sorry if these is late but Can't get out right now, I called Mr Huson & told him about our mailboxes!

HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE

Resident/Public Comment Form

In preparation for the annual update to the Housing Authority of the County of Riverside's (HACR) Administrative Plan and Annual Plan, HACR is seeking input and feedback from residents and other community stakeholders. Please provide any comments or suggestions in the space provided below. Contact information is optional but appreciated. Assistance will be provided to persons with disabilities who require an accommodation to review and comment on the existing plan. If you require such assistance please notify the receptionist or meeting facilitators.

Name Christopher Baca Telephone # 951-567-8187.

Address 24560 Cottonwood #207 Moreno Valley CA 92557

Email address Christopherbaca2016@gmail.com.

Please circle the appropriate answer.

Are you a program participant? yes / no Are you a Waiting List registrant? yes / no

Comments (Please attach additional sheets if necessary) :

Predatory Towings at Apt. complex's:
owners & Management companies recieving Gov. Funding ex. Sec 8.
must follow the law in towing of Vehicles Practices!
The law states Managers must call in & be present when towing is conducted. Police must be present.
[management getting kick backs? from tow companie for each vehicle towed.]
Conclusion:
IT should be stated that Management Co may lose funding if they practice/are in conjuctions with predatory towings!.

Signature: [signature] Date: 10/23/2025

* Some Apt. Complex's are allowing tow companies to patrol lots and tow vehicle at their descretions: this is ILLEGAL!

ADMINISTRATIVE PLAN FOR THE HOMEOWNERSHIP PROGRAM

Housing Authority of the County of Riverside

Effective July 1, 2026

FORM APPROVED COUNTY COUNSEL
BY AMRIT P. DHILLON DATE 3/11/2026

TABLE OF CONTENTS

GENERAL PROVISIONS 3

A. FAMILY ELIGIBILITY REQUIREMENTS 4
1. First-Time Homeowner 4
2. Minimum Income Requirements 4
3. Minimum Employment Requirements 5
4. Minimum Down Payment Requirements 5
5. Other Program Requirements 5
6. Other Program Requirements After Admission 7

B. Eligible Units 7
1. Unit types 7
2. HCV Housing Quality Standards 7
3. Independent Inspections 8
4. Other requirements for eligible units 8

C. Homeownership Confirmation Letter 8

D. Purchase Agreement 9

E. Affordability 9

F. Financing 9
1. Financing of Purchase
2. Refinancing

G. Calculation of Homeownership Assistance Payments 10
1. Occupancy of home 10
2. Cooperative and Condominiums 11
3. HAP Payment 12
4. Income Changes 12

H. Maximum Term of Homeownership Assistance 12

I. Portability 13
1. Incoming Portable Families 13
2. Outgoing Portable Families. 13

J. Move with continued tenant-based assistance 13
1. Purchase of a new unit 14
2. Sale of Original HP Unit and Return to Tenant-Based Rental Assistance 14

K. Denial or Termination of Assistance 14

L. Recapture 15

M. Program size and Waiver or Modification of Homeownership Policies 15

GENERAL PROVISIONS

The Public Housing Reform Act of 1998 includes language that allows the United States Department of Housing and Urban Development (HUD) to assist Section 8 Housing Choice Voucher Program (HCVP) recipients to purchase a home. HUD published the Section 8 Homeownership Program Final Rule that implemented this option under Section 8(y) of the U.S. Housing Act of 1937 that authorized a Public Housing Agency (PHA) to provide tenant-based assistance for an eligible family that purchases a home. The rule became effective on October 12, 2000. Title 24 Code of Federal Regulations (CFR) 982.625(c)(1)(i) enables the Housing Authority of the County of Riverside (HACR) to provide monthly homeownership assistance payments to eligible families.

The Housing Choice Voucher (HCV) Homeownership Program (HP) allows qualified participants the option to purchase a home and use the HCV Housing Assistance Payment (HAP) towards mortgage payments and other allowable housing costs.

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

The HACR's policies and practices are designed to provide assurances that all persons with disabilities will be provided reasonable accommodations so that they may fully access the housing program. Persons requiring special accommodations due to a disability must notify the HACR, in writing, of their needs. The reasonable accommodation request will be verified via a Licensed Professional and then reviewed by the HACR. The HACR will provide written notification of either the approval or denial of the reasonable accommodation request. In matters where the HACR has discretion, waivers to existing policy shall be determined by the Executive Director or designee.

A. FAMILY ELIGIBILITY REQUIREMENTS

The HCV Homeownership Program (HP) of the Housing Authority of the County of Riverside (HACR) is available to qualified Housing Choice Voucher participants. Participation in the Homeownership Program is voluntary. Applicants must meet the following criteria to be considered for the HACR HP.

1. First-Time Homeowner

An eligible Section 8 HCVP family must be considered a first-time home buyer. A first-time home buyer means that no member of the household has had any interest or ownership in any residence during the three years before applying for homeownership assistance or at the commencement of participation in the homeownership program. The purchaser must sign a sworn application attesting that they have not owned a home or have been included on a home loan. In addition, the last three years tax returns will be reviewed to ascertain that no mortgage interest or real estate tax deductions have been claimed.

Single parents or displaced homemakers who owned a home while married or resided in a home owned by a spouse also qualify as first-time homebuyers provided that three years have passed since homeownership ended.

2. Minimum Income Requirements

Calculation of income-eligibility for the purpose of admission to the HCV Homeownership Program will be conducted under the guidelines for HCV rental assistance as noted in this Administrative Plan.

The head of household, spouse and/or other adult member(s) of the household that will hold title to the home must have a combined annual gross income of not less than 50% of the Area Median Income (AMI) adjusted for the family size.

A family whose income does not meet the 50% AMI requirement, but does meet all other HP requirements, may request admission provided the family can demonstrate that the annual income is not less than the HUD minimum requirement established below:

a. In the case of a disabled family, the monthly Federal Supplemental Security Income (SSI) benefit for an individual living alone (or paying his or her share of food and housing costs) multiplied by twelve; or
b. In the case of other families, the Federal minimum wage multiplied by 2,000.

In addition, a family that meets the applicable HUD minimum income requirement described above, but not the HACR minimum income limit of 50% AMI, shall be considered to satisfy the minimum income requirement only if:

a. The family demonstrates that it has been pre-qualified or pre-approved for financing;
b. The pre-qualified or pre-approved financing meets any HACR established requirements under 24 CFR 982.632 for financing the purchase of the home (including qualifications of lenders and terms of financing); and
c. The pre-qualified or pre-approved financing amount is sufficient to purchase housing that meets Housing Quality Standards (HQS) in the HACR's jurisdiction.

Welfare assistance may not be included in the minimum gross annual income above, except for elderly or disabled families. Welfare assistance includes payments from Cal Works/TANF (Cash Aid for needy families), Supplementary Security Income (SSI) that is subject to an income eligibility test, food stamps, general assistance (GA); or other welfare assistance as specified by HUD.

3. Minimum Employment Requirements

One or more adult members of the household that will hold title to the home must be currently employed and working not less than an average of 30 hours per week and has been so continuously employed for one year prior to execution of the sales agreement.

Once escrow has closed, employment by the adult member of the household that holds title to the home must continue at least 30 hours per week. Should an event arise that the homeowner loses employment a 90 day grace period will be granted for them to regain fulltime employment.

Employment requirements do not apply to elderly or disabled families that otherwise qualify for the HP. A family with a member with disabilities may request an exemption from the work requirements if needed as a reasonable accommodation for the disabled family member. HACR and HUD minimum income requirements still apply.

The HACR's Executive Director and/or designee may also consider whether and to what extent an employment interruption is considered permissible in satisfying the employment requirement. The Executive Director and/or designee may also consider successive employment during the one-year period and self-employment in a business.

The family must still meet the overall minimum income requirements outlined in Section 2.

4. Minimum Down Payment Requirements

a. The family must demonstrate the ability to provide a minimum of three percent **(3%)** down payment on the home.

b. At least three percent (3%) of the down payment must come from the family's personal resources. 24 CFR 982.625(g)(1).

c. Family Self-Sufficiency (FSS) participants may use FSS escrows towards this requirement. Families with an Individual Development Account (IDA) may also count these funds towards the minimum down payment.

5. Other Program Requirements

a. The family must be under HCV rental assistance in Riverside County for the most recent 12 consecutive months prior to application for HCV Homeownership.
b. The family must have completed an initial HCV lease term and completed the family's first annual recertification in the HCV Program. The family must terminate a current lease agreement in compliance with the lease when transitioning into homeownership.
c. The family must verify that no family member has previously defaulted on a mortgage loan assisted under the HCV HP.
d. All families will be required to complete a series of 15 workshops through Community Action IDA Program and provide verification of workshop completion. Working families will be required to complete the application process to gain entry into the IDA Program so they may earn a 2:1 match of savings. Workshops may include the following:

- First Time Home Buyers Information
- Lenders Language and Procedures
- Home Safety: Fire and Earthquake
- Selecting a Realtor and the Right Home
- Basic Repair & Maintenance
- Budgeting
- Balancing Your Checkbook
- Understanding Credit & Credit Cards
- Credit Repair
- Debt Management
- Financial Planning
- Borrowing Basics (basic concepts of loans)

e. The head of household and any adult member that will hold title to the home must successfully complete a HUD approved 8 hour homeownership and housing counseling program. At a minimum, the counseling will cover the following:

- Home Maintenance
- Budgeting and money management
- Credit Counseling
- Financing
- Locating a home
- Fair housing, predatory lending
- Truth in lending, RESPA

f. Family members may not owe any debt to the HACR or other housing authority. Enterprise Income Verification (EIV) will be run to determine if the family has/had owed any debts to any housing authority. If it is found that the family owes money to any housing authority, they will be disqualified from utilizing this program.

g. The family must maintain good tenant standing with its landlord and the HACR. The family must provide a letter from their landlord when entering this program. The letter must certify that the family has paid rent on time for the past 12 months, is current with rent and has kept the rental unit in good repair (ie: no damage beyond normal wear and tear).

h. The designated Head of Household must actively participate in the Family Self-Sufficiency (FSS) program with homeownership as one of the established goals.

i. The family must also:

- Comply with HUD Family Obligations under the HCV Program. If the HACR has mailed out one or more pre-termination appointments within the past 3 years for either failing to provide and/or other program violations, the family will be disqualified from utilizing the homeownership program until such time that this requirement is met;
- Adhere to the requirements of their lease agreement;
- Not have outstanding debts to the landlord or to any utility company;
- Report all household income;
- Pass the most recent Housing Quality Standards (HQS) inspection with no tenant-caused failure items.

6. <u>Other Program Requirements After Admission</u>

a. Supply any information, certification, release or other documentation required by the HACR. For homeownership families, this specifically includes information about any mortgages and/or defaults, and sale or transfer of the home, and refinance.

b. Comply with the HCV Administrative Plan, Administrative Plan for the

Homeownership Program and Obligations of Participant set forth in 24 CFR 982.551. For purposes of interpreting 24 CFR 982.551 in connection with the HP, all references to the "owner" are replaced with "lender". Comply with any other requirements by the HACR, such as any requirements to attend and complete ongoing homeownership and housing counseling.

B. Eligible Units

HCV Homeownership assistance may be used to purchase units within the jurisdiction of the HACR that are under construction or already existing at the time the family is approved for homeownership. The family unit size will be determined using the same formula for the Housing Choice Voucher rental program.

1. Unit Types

a. One unit property (single family residence).
b. A single dwelling unit in a cooperative, condominium or planned use development.
c. A manufactured home with a permanent foundation, if the family has the right to occupy the same site for a period of at least forty (40) years.
d. The unit must be seller occupied or vacant for at least ninety (90) days; an exception is where the tenants are purchasing the unit in which they have been residing.
e. The unit must pass HQS.

Depending on the unit size selected by the family, the HACR may approve the purchase of a unit up to one bedroom size larger than the authorized payment standard the family qualifies for and the unit must be deemed affordable (the family's portion cannot be higher than 50% of gross income).

2. HCV Housing Quality Standards

The unit must be inspected by the HACR and satisfy the Housing Quality Standards (HQS) for the HCV Program before HP assistance can begin. The HQS inspection will be completed prior to the independent inspection to prevent the family from the added expense of an inspection in the event the home has major damage or necessary repairs that the seller will not agree to repair and/or the buyer, made aware of the repairs, no longer wishes to purchase the home.

The HACR will conduct a HQS inspection once annually and reserves the right to inspect the unit more often if the subject property receives a public complaint after escrow closes or is visibly in disrepair. If the unit passes HQS inspection at the first visit by HACR staff (i.e. did not fail inspection at a prior visit that year) the unit may be inspected once every other year (biannually).

3. Independent Inspection

The unit must be inspected by a certified independent inspector designated and paid by the family, and pre-approved by the HACR. The inspector must be a member of the California Real Estate Inspectors Association, the American Society of Home Inspectors, or the International Conference of Building Officials. This inspection must cover, at a minimum, all major building systems and components including:

- Foundation and structure

- Housing interior and exterior
- Roofing
- Plumbing
- Electrical systems
- Heating systems

The HACR must receive and approve a copy of the inspection report before HP assistance will commence. The HACR may disapprove a unit for assistance under HP because of information obtained through the inspection report, even if the unit passes the HQS inspection. If the HACR or 3rd party (such as entity providing down payment assistance) calls out additional repairs, the buyer will be required to pay a re-inspection fee to the certified inspector who completed the original home inspection.

4. Other Requirements for Eligible Units

The seller of the home may not be on the HUD list of debarred and suspended contractors, or subject to a limited denial of participation under 24 CFR 24.1.

C. Homeownership Confirmation Letter

Once approved for participation in the HCV HP, the family will be issued a confirmation letter subject to the following requirements:

- The family must execute a statement in which the family agrees to comply with all family obligations under the Homeownership Option.
- The family will be given **90 calendar days** to locate a home to purchase. ("Selection Period"). Within two weeks prior to the end of the selection period, if the family has not yet selected a home, the family may submit a written request to the HACR for **one 30 day extension**. The extension request must include the reason for the extension and outline the family's search efforts. The extension request will be reviewed and verified by the HACR and if an extension is granted, the family will receive a revised confirmation letter with the new Selection Period expiration date. Any extension granted is at the discretion of the HACR and the availability of funds to provide monthly mortgage assistance.
- After a home is chosen during the 90 day Selection Period, the family will be given **90 calendar days to open and close escrow**. The *opening* of escrow must occur no later than the last day of the Selection Period.
- It is the family's responsibility to find a home that meets the criteria for voucher homeownership assistance.
- The HACR may require families unable to locate a suitable unit during the Selection Period to wait for a period of one (1) year to re-apply for HP.
- The family must report its progress towards locating and purchasing a unit if requested by the HACR.

If the family is unable to locate an acceptable unit for purchase during the Selection Period, the HACR may, at its discretion, allow the family to remain leased up under the HCV rental voucher.

If the family submits a purchase contract to the HACR that is not approved due to reasons other than the family's lack of compliance, the family may request an extension using the process outlined above in this paragraph relating to the Selection Period.

D. Purchase Agreement

Prior to execution of the offer to purchase, or the purchase agreement, the financing terms must be provided by the family to the HACR for approval.

The purchase agreement must include the following:

- Specify the price and other terms of the sale by the seller to the purchaser;
- Provide that the purchaser will arrange for a certified inspection of the unit by an independent certified inspector selected by the purchaser;
- State that the purchaser is not obligated to purchase the unit unless such inspections are satisfactory to both the HACR and purchaser;
- Provide that the purchaser is not obligated to pay for any necessary repairs;
- Provide that the purchaser is not obligated to purchase if the mortgage financing terms, or any other terms, are not approved by the HACR; and
- Contain a seller certification from the HACR that the seller has not been debarred, suspended, or subject to a limited denial of participation in accordance with 24 CFR 24.1

E. Affordability

The purchase price of the home must be affordable to the family, as determined by the HACR and the lender. The price shall be considered affordable if the monthly homeownership expenses payable by the family do not exceed fifty percent (50%) of the family's total monthly gross income.

F. Financing

1. The family shall allow the HACR to review the terms of the mortgage secured to purchase the property before close of escrow. The HACR may disapprove proposed financing, refinancing or other debt, in its reasonable discretion, if the HACR determines that the debt is unaffordable to the family or if the HACR determines that the lender or the loan terms do not meet HACR or HUD qualifications. The family must locate and qualify for a mortgage that satisfies the following minimum requirements:

a. The mortgage must be determined to be affordable by the HACR. The HACR may take into account expenses such as interest, taxes and insurance when determining affordability. The family's portion of the monthly homeownership expenses may not exceed (50%) of the family's total monthly gross income.
b. Short-term mortgages with large final "balloon payment" will not be allowed.
c. Interest only mortgages will not be allowed.
d. Only fully amortized, fixed rate mortgages will be allowed.
e. The family may not obtain private first mortgage financing from a family member or any other private source.
f. The mortgage must be provided, insured, or guaranteed by the state or federal government and comply with secondary mortgage market underwriting requirements.

2. Refinancing

In addition to the requirements stated above in Section F1. "Financing", the family shall also satisfy the following requirements in connection with a request for a refinance or home equity loan:

a. The refinanced loan cannot exceed the original purchase price of the home.
b. There must be a minimum of a 1% reduction in the interest rate.
c. If you have additional loans on your home such as a second and/or a third, you are required to contact the lender to review the subordination guidelines. You must submit a written documentation from that lender that states what the subordination guidelines are to the HACR upon submission of the refinancing documents.
d. You do have the option to pay the second and/or the third loan off in full upon refinancing. This must be specified in the refinance documents.
e. Principal, interest, taxes and insurance (PITI) and mortgage insurance/private mortgage insurance (MI/PMI), if applicable on initial mortgage debt and any refinancing of such debt.
f. Real estate taxes may not exceed 2%.
g. A Home Equity loan may be considered by the HACR as long as the funds are used only for major home repairs. The amount of the home equity loan along with the first loan cannot exceed the original purchase price of the home. In addition, the family's portion of both loans cannot exceed 50% of the family's total monthly gross income. The HACR must ensure that this will be a third loan and will not interfere with the first and/or second loan.

G. Calculation of Homeownership Assistance Payment

Calculation of income for the purpose of determining income eligibility for admission to the program and/or determining the family's total tenant payment will be conducted under the guidelines for the HCV rental assistance program, except as otherwise noted in this section.

1. Occupancy of Home

The HAP will only be paid while the family resides in the home. If the family moves out of the home, the HACR will discontinue payment of the HAP commencing with the month after the family moves out.

a. Amount of monthly homeownership assistance payment. While the family is residing in the home, the HACR shall pay a monthly homeownership assistance payment on behalf of the family that is equal to the lower of the payment standard minus the total tenant payment; or the family's monthly homeownership expenses minus the total tenant payment.
b. Initial Payment Standard. The initial payment standard for a family is the lower of the payment standard for the family unit size (Voucher size); or the payment standard for the size of the home.
c. Payment Standard for subsequent reexaminations. Reexaminations (interims and annual reexaminations) will use a payment standard that is the greater of the payment standard as determined in accordance with the initial payment standard at the commencement of homeownership assistance; or the payment standard in effect at the time of the reexamination as determined using the requirements of Section G (1) (b) (Initial Payment Standard). At no time will the HACR use a payment standard less than the initial payment standard at the close of escrow.
d. The HACR will use the same payment standard schedule, payment standard amounts, and subsidy standards for the HP as for the rental voucher program.
e. Exception rent areas. If the home is located in an exception payment standard area, the HACR must use the appropriate payment standard for the

exception payment standard area.

f. Affordability of housing costs. Total monthly homeownership expenses payable by the family, as defined in (G)(1)(g) below, must be less than (50%) of the family's total gross income.

g. Homeownership expenses. The HACR will use the following expenses to determine the total homeownership expense for calculation of the HAP:
   - Principal, interest, taxes, and insurance (PITI) and mortgage insurance/private mortgage insurance (Mi/PMI), if applicable on initial mortgage debt and any refinancing of such debt;
   - Real estate taxes may not exceed 2%; and
   - Utility allowance for the home as determined by the HACR.

h. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, provided HACR has first determined that allowance of such costs as homeownership expenses are needed as a reasonable accommodation for the disabled family.

2. <u>Cooperative and Condominiums</u>

For cooperative members only (owners of condos) the following cooperative charges will also be used toward the homeownership expense:

a. Charges included in the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home; and

b. Cooperative or condominium operating charges or maintenance fees assessed by the condominium or cooperative homeowner association.

3. <u>HAP Payment</u>

a. The HACR will pay the HAP according to the terms established in the agreement the HACR and lender have entered into. If the assistance payment exceeds the amount due to the lender, the excess will be paid directly to the family.

b. The HACR will provide the lender with notice of the amount of the HAP and amount of the family's portion of the total homeownership expenses prior to close of escrow.

c. Procedure for termination of homeownership assistance.
   - The family shall be entitled to the same termination notice and informal hearing procedures set forth in the Administrative Plan for participants in the HCV rental assistance program.

d. Automatic termination of HAP.
   - Homeownership assistance for a family terminates automatically 180 calendar days after the last HAP paid on behalf of the family. The HACR has the discretion to grant relief from this requirement in those cases where automatic termination would result in extreme hardship for the family.

4. <u>Income Changes</u>

a. Changes in income must be reported in writing within 10 days of the occurrence. Changes for income *decreases* will be processed if they are anticipated to continue for sixty (60) or more days and is a monthly decrease of $100 or more. Changes for income *increases* will be processed if the increase of income is $100 monthly or more. Once these changes have been verified, the HACR will process an interim to be applied, the first of the following month the change was reported *for decreases* and the first of the next month *for increases* (giving a 30 day

notice of the increase).

H. Maximum Term of Homeownership Assistance

The time limits below apply to all family members having an ownership interest in the unit during the time that homeownership payments are made, and; the spouse of any member of the household who has an ownership interest in the unit during the time that homeownership payment are made. Except in the case of a family that qualifies as an elderly or disabled family, all families, including families that become elderly during the term of the homeownership assistance are subject to the following maximum terms:

- Initial mortgage term of twenty (20) years or longer. Pursuant to 24 CFR 982.634 (Homeownership option: Maximum Term of Homeownership assistance) the maximum term of homeownership assistance will be fifteen (15) years. In all other cases, the maximum term of homeownership assistance will be ten (10) years.

If, during the course of homeownership assistance, the family ceases to qualify as elderly or disabled, the maximum term as defined in 24 CFR 982.634(c) will become applicable from the date homeownership assistance commenced. The HACR will provide a family at least six (6) months of homeownership assistance after the maximum term becomes applicable provided the family is otherwise eligible to receive homeownership assistance in accordance with 24 CFR 982.634.

The initial maximum term limit applies if the family receives assistance for more than one home purchase, even if received from another housing authority.

In accordance with PIH 2012-3 (HA), (issued January 27, 2012) the value of the home will not be counted as an asset for the first 10 years after the purchase date of the home. After 10 years the value will be counted as an asset. The methodology the HACR will use is as follows: Equity – Expenses to Convert to Cash = Net Cash Value or, incorporating the Equity formula from above; Market Value – Loan (Mortgage) – Expenses to Convert to Cash = Net Cash Value. If the Net Cash Value is a negative number, the HACR should not make an adjustment to new family assets for this asset.

I. Portability

The HACR will permit portability of the homeownership assistance (the HACR's portion) to another jurisdiction, provided the receiving jurisdiction operates a similar homeownership program for which the applicant qualifies and for which the receiving PHA is accepting new homeownership families.

1. Incoming Portable Families

a. May purchase a unit within the jurisdiction of the HACR, provided the HACR is accepting new homeownership families at the time of the purchase.
b. Must be under HCV rental assistance in Riverside County for the most recent 12 consecutive months prior to application for HCV Homeownership.
c. Must meet the education, counseling, and all other HP requirements of the HACR.
d. Must be certified by initiating housing authority that the family is in good standing with that housing authority and landlord.

The HACR must promptly notify the initial housing authority if the family has purchased an

eligible unit under the program, or if the family is unable to purchase a home within the maximum time established by the HACR.

2. Outgoing Portable Families

Outgoing portable families shall adhere to the following:

a. Purchase a unit within the receiving jurisdiction, provided they operate a homeownership program and they are accepting new homeownership families at the time of the purchase.
b. Shall meet the education, counseling, and all other HP requirements of the receiving housing authority.
c. Shall be certified by the initiating HACR that the family is in good standing with the housing authority and landlord.

The HACR must notify the housing authority, if the family has purchased an eligible unit under the program, or if the family is unable to purchase a home within the maximum time established by the housing authority.

J. Move with Continued Tenant-Based Assistance

A family receiving HACR homeownership assistance may purchase and move to a new unit with continued voucher homeownership assistance as long as no family member owns any title or other interest in the prior home. A family receiving homeownership assistance may move to a new unit with continued voucher homeownership assistance no more than once every five (5) years and the total of such assistance terms is subject to the maximum term described in this Section J.

1. Purchase of a new unit

A family receiving homeownership assistance may purchase and move to a new unit with continued assistance, provided that the family fulfills all requirements of the HP at the time of the purchase of the new unit. The following applies to a family purchasing a new unit under the HP:

a. The family will not be eligible to move with continued assistance for a period of five (5) years after the initial purchase.
b. The HACR may, at its discretion, require the family to complete a new housing counseling program or receive additional counseling prior to close of escrow.
c. The requirement that the family must be a first-time homebuyer is not applicable.
d. The HACR may deny permission to move with continued assistance in the case of lack of funding or if the HACR has denied or terminated assistance to the family under section K below.

2. Sale of Original HP Unit and Return to Tenant-Based Rental Assistance

The HACR may, at its discretion, allow a family to return to tenant-based rental assistance. The following applies to a family returning to tenant-based rental assistance:

a. The HACR may deny permission to move with continued assistance in the case of lack of funding or if the HACR has denied or terminated assistance to the family as defined under Section K of this plan.
b. The HACR will not commence continued tenant-based assistance for occupancy of a rental unit so long as any family member owns any title or other interest in the home

previously assisted through the HP. In addition, eighteen (18) months must have passed since the family's receipt of the down-payment assistance grant.

K. Denial or Termination of Assistance

The HACR shall deny or terminate homeownership assistance for the family in the event any of the following occurs:

- Failure to report all household income;
- Failure to comply with Housing Authority County of Riverside HCV Homeownership Program requirements;
- Failure to comply with any HUD Family Obligations;
- Failure to meet the Housing Authority of the County of Riverside's Policy on Prohibited Criminal Activity; or
- The family defaults on the mortgage(s).

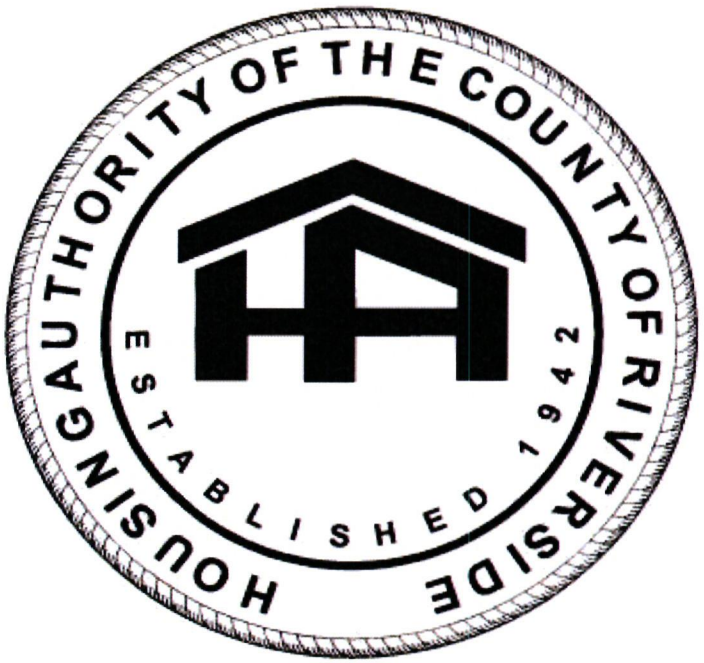
L. Recapture

The HACR will not recapture any Homeownership Voucher payments unless there was an act of fraud or misrepresentation of material facts in order to obtain a benefit. The HCV HP recapture provision does not apply to any other program funds that may be used in the transaction.

M. Program Size and Waiver or Modification of Homeownership Policies

The Executive Director (ED) of the HACR, and/or designee, shall have the discretion to waive or modify any provision of the Homeownership Program or policies not governed by statute or regulation for good cause or to comply with changes in HUD regulations or directives. The ED and/or designee may limit homeownership assistance to families pursuant to 24 CFR 982.626 (b).

For fiscal year 2026-2027, the HACR has established a homeownership assistance limit of no more than 5 families.



ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM

Housing Authority of the County of Riverside

Effective July 1, 2026

FORM APPROVED COUNTY COUNSEL
BY _____ 3/11/2026
AMRIT P. DHILLON DATE

TABLE OF CONTENTS

CHAPTER 1 ..... **8**

STATEMENT OF POLICIES AND OBJECTIVES **8**

1.1 INTRODUCTION 8

1.2 PURPOSE OF THE PLAN 8

1.3 SERVICE POLICY/ACCOMMODATIONS 8

1.4 TRANSLATION OF DOCUMENTS 9

1.5 FAMILY OUTREACH 9

1.6 PRIVACY RIGHTS AND PROVIDING INFORMATION TO OWNERS 9

1.7 EQUAL OPPORTUNITY 9

1.8 SPECIAL HOUSING TYPES 9

1.9 RULES AND REGULATIONS 9

1.10 JURISDICTION 10

1.11 MONITORING PROGRAM PERFORMANCE 10

1.12 PROGRAM INTEGRITY MONITORING (PIM) 10

1.13 REQUESTS FOR INFORMATION FROM FILES 10

1.14 USE OF ADMINISTRATIVE FEE RESERVE 10

1.15 CODE OF CONDUCT 10

CHAPTER 2 ..... **12**

ELIGIBILITY FOR ADMISSION **12**

2.1 INTRODUCTION 12

2.2 QUALIFICATION AS A FAMILY (24 CFR 5.403) 12

2.3 INCOME LIMITS [24 CFR 982.201 (B) (1)] 18

2.4 DISCLOSURE OF SOCIAL SECURITY NUMBERS- PIH 2012-10 AND 24 CFR 5.216 18

2.5 CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS (24 CFR PART 5, SUBPART E, RESTRICTIONS ON ASSISTANCE TO NONCITIZENS) 19

2.6 SUITABILITY OF FAMILY 19

2.7 CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT 19

2.8 INELIGIBLE FAMILIES 20

CHAPTER 3 ..... **21**

APPLYING FOR ADMISSION **21**

3.1 INTRODUCTION 21

3.2 EXTRAORDINARY LOCAL PREFERENCE 21

3.3 WAITING LIST REGISTRATION 21

3.5 HOUSING CHOICE VOUCHER PROGRAM APPLICATION 23

CHAPTER 4 ..... **25**

SELECTION OF FAMILIES FROM WAITING LIST **25**

4.1 INTRODUCTION 25

4.2 WAITING LIST PREFERENCES 25

4.3 EXCEPTIONS FOR SPECIAL ADMISSIONS (24 CFR 982.203) 27

4.4 TARGETED FUNDING 27

4.5 ORDER OF SELECTION 27

4.6 IF PREFERENCES ARE NOT MET 27

4.7 REMOVAL FROM WAITING LIST AND PURGING 28

[INTENTIONALLY BLANK]CHAPTER 5 ..... **28**

SUBSIDY STANDARDS **29**

5.1 INTRODUCTION 29
5.2 DETERMINING VOUCHER SIZE 29
5.3 CHANGES IN VOUCHER SIZE 30

CHAPTER 6 ..... **33**

ELIGIBILITY FACTORS **33**
6.1 INTRODUCTION 33
6.2 HOUSEHOLD COMPOSITION 33

CHAPTER 7 ..... **54**

VERIFICATION PROCEDURES **54**
7.1 INTRODUCTION 54
7.2 RELEASE OF INFORMATION 55
7.3 METHODS OF VERIFICATION 55
7.4 SAFE HARBOR 57
7.5 ITEMS TO BE VERIFIED 58
7.6 VERIFYING NON-FINANCIAL FACTORS 58

CHAPTER 8 ..... **62**

VOUCHER ISSUANCE AND BRIEFINGS **62**
8.1 INTRODUCTION 62
8.2 ISSUANCE OF VOUCHERS 62
8.3 BRIEFING TYPES AND REQUIRED ATTENDANCE (24 CFR 982.301) 62
8.4 ENCOURAGING PARTICIPATION IN HIGH-OPPORTUNITY AREAS 63
8.5 ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION (24 CFR 982.304) 63
8.6 ASSISTANCE TO FAMILIES WITH DISABILITIES 63
8.7 SECURITY DEPOSIT REQUIREMENTS (24 CFR 982.313) 63
8.8 TERM OF VOUCHER (24 CFR 982.303) 64
8.9 VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS 64
8.10 REMAINING MEMBER OF TENANT FAMILY-RETENTION OF VOUCHER 65

CHAPTER 9 ..... **66**

REQUEST FOR TENANCY APPROVAL (RFTA) AND CONTRACT EXECUTION **66**
9.1 INTRODUCTION 66
9.2 REQUEST FOR TENANCY APPROVAL (RFTA) (24 CFR 982.302) 66
9.3 INFORMATION TO OWNERS 68
9.4 OWNER DISAPPROVAL 68
9.5 CONTRACT EXECUTION PROCESS (24 CFR 982.305) 68
9.6 CHANGE IN OWNERSHIP 68

CHAPTER 10 ..... **69**

HOUSING QUALITY STANDARDS AND INSPECTIONS **69**
10.1 INTRODUCTION 24 CFR 982.404 69
10.2 TYPES OF INSPECTIONS 69
10.3 ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS AND/OR NSPIRE 69
10.4 INSPECTIONS [24 CFR 982.405 (A)] 70
10.5 EMERGENCY REPAIR ITEMS [24 CFR 982.404 (A) (3) AND (B) (2)] 72
10.6 INITIAL HQS AND/OR NSPIRE INSPECTION 74
10.7 SPECIAL/COMPLAINT INSPECTIONS 74
10.8 QUALITY CONTROL INSPECTIONS [24 CFR 982.405 (C)] 74

CHAPTER 11 ..... **76**

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS **76**

11.1 INTRODUCTION 76
11.2 OWNER PAYMENT IN THE VOUCHER PROGRAM 76
11.3 LATE PAYMENTS TO OWNERS 76
11.4 PAYMENT STANDARDS AND ADJUSTMENTS (24 CFR 982.503) 77
11.5 MAKING PAYMENTS TO OWNERS 78
11.6 EXCEPTION PAYMENT STANDARD 78
11.9 RENT INCREASES (24 CFR 982.507) 81

CHAPTER 12 ..... **83**

REEXAMINATIONS **83**
12.1 INTRODUCTION 83
12.2 ANNUAL RECERTIFICATION/REEXAMINATION (24 CFR 982.516) 83
12.3 REPORTING INTERIM CHANGES 84
12.4 TIMELY REPORTING OF CHANGES IN HOUSEHOLD COMPOSITION, INCOME AND ASSETS 90
12.5 NOTIFICATION OF RESULTS OF REEXAMINATIONS 90

CHAPTER 13 ..... **91**

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY **91**
13.1 INTRODUCTION 91
13.2 ALLOWABLE MOVES 91
13.3 RESTRICTIONS ON MOVES (INCLUDING OUTGOING PORTABILITY) 92
13.4 PORTABILITY 92
13.5 OUTGOING PORTABILITY (24 CFR 982.355) 92

CHAPTER 14 ..... **94**

CONTRACT TERMINATIONS **94**
14.1 INTRODUCTION 94
14.2 CONTRACT TERMINATION 94
14.3 TERMINATION OF LEASE BY OWNER 94
CALIFORNIA CIVIL CODE 1946.2 SPECIFIES THE "JUST CAUSES" TO EVICT A TENANT. IF THE LANDLORD DOES NOT HAVE ONE OF THESE REASONS TO JUSTIFY THE EVICTION, ATTEMPTING TO EVICT THE TENANT WOULD BE UNLAWFUL. THE "JUST CAUSES" FOR EVICTION INCLUDE "AT FAULT" REASONS AND "NO FAULT" REASONS. 96
"AT FAULT JUST CAUSE" REASONS INCLUDE: 96
• DEFAULTING IN THE PAYMENT OF THE RENT; 96
• BREACHING A MATERIAL TERM OF THE LEASE; 96
• COMMITTING A NUISANCE ON THE PROPERTY; 96
• ILLEGALLY SUBLETTING THE UNIT; 96
• REFUSING TO LET AN OWNER ENTER THE UNIT AS REQUIRED BY STATE LAW; 96
◦ HOWEVER, NOTE THAT TENANTS HAVE THE RIGHT TO PRIVACY AND THE QUIET ENJOYMENT OF THEIR HOME. THUS, EXCEPT IN SPECIFIC SITUATIONS 96
SUCH AS AN EMERGENCY, STATE LAW DOES NOT REQUIRE THE TENANT TO LET AN OWNER ENTER UNLESS THE LANDLORD HAS A LAWFUL PURPOSE, ... 96
PROPOSES TO ENTER DURING REGULAR BUSINESS HOURS, AND HAS GIVEN AT LEAST 24 HOURS ADVANCE WRITTEN NOTICE. SEE CALIFORNIA CIVIL CODE 1954 FOR DETAILS. 96
• COMMITTING A CRIMINAL ACT ON THE PROPERTY; 96
• AN EMPLOYEE WHO LIVES ON SITE FAILING TO VACATE THEIR UNIT AFTER THEIR EMPLOYMENT HAS BEEN TERMINATED 96
"NO FAULT JUST CAUSE" REASONS INCLUDE: 96
• IF A LANDLORD WANTS TO MOVE INTO THE UNIT OR MOVE IN A CLOSE FAMILY MEMBER; 96
• IF A LANDLORD PLANS TO TAKE THE UNIT OFF THE RENTAL MARKET; 96
• IF A LANDLORD INTENDS TO DEMOLISH OR SUBSTANTIALLY REMODEL THE UNIT SUCH THAT IT IS

UNINHABITABLE FOR AT LEAST 30 DAYS. 96
IN THE INSTANCE OF A "NO FAULT" EVICTION, THE LANDLORD MUST PROVIDE EACH TENANT WITH RELOCATION ASSISTANCE EQUAL TO ONE MONTH'S RENT 96
THIS FOLLOWING TYPES OF RESIDENTIAL REAL PROPERTIES OR RESIDENTIAL CIRCUMSTANCES SHALL BE EXEMPT FROM THE "JUST CAUSE" PROTECTIONS: 96
(1) TRANSIENT AND TOURIST HOTEL OCCUPANCY AS DEFINED IN SUBDIVISION (B) OF SECTION CALIFORNIA CIVIL CODE 1940 96
(2) HOUSING ACCOMMODATIONS IN A NONPROFIT HOSPITAL, RELIGIOUS FACILITY, EXTENDED CARE FACILITY, LICENSED RESIDENTIAL CARE FACILITY FOR THE ELDERLY, AS DEFINED IN SECTION 1569.2 OF THE HEALTH AND SAFETY CODE, OR AN ADULT RESIDENTIAL FACILITY, AS DEFINED IN CHAPTER 6 OF DIVISION 6 OF TITLE 22 OF THE MANUAL OF POLICIES AND PROCEDURES PUBLISHED BY THE STATE DEPARTMENT OF SOCIAL SERVICES 97
(3) DORMITORIES OWNED AND OPERATED BY AN INSTITUTION OF HIGHER EDUCATION OR A KINDERGARTEN AND GRADES 1 TO 12, INCLUSIVE, SCHOOL. 97
(4) HOUSING ACCOMMODATIONS IN WHICH THE TENANT SHARES BATHROOM OR KITCHEN FACILITIES WITH THE OWNER WHO MAINTAINS THEIR PRINCIPAL RESIDENCE AT THE RESIDENTIAL REAL PROPERTY. 97
(5) SINGLE-FAMILY OWNER-OCCUPIED RESIDENCES, INCLUDING A RESIDENCE IN WHICH THE OWNER-OCCUPANT RENTS OR LEASES NO MORE THAN TWO UNITS OR BEDROOMS, INCLUDING, BUT NOT LIMITED TO, AN ACCESSORY DWELLING UNIT OR A JUNIOR ACCESSORY DWELLING UNIT. 97
(6) A DUPLEX IN WHICH THE OWNER OCCUPIED ONE OF THE UNITS AS THE OWNER'S PRINCIPAL PLACE OF RESIDENCE AT THE BEGINNING OF THE TENANCY, SO LONG AS THE OWNER CONTINUES IN OCCUPANCY.97
(7) HOUSING THAT HAS BEEN ISSUED A CERTIFICATE OF OCCUPANCY WITHIN THE PREVIOUS 15 YEARS. 97
(8) RESIDENTIAL REAL PROPERTY THAT IS ALIENABLE SEPARATE FROM THE TITLE TO ANY OTHER DWELLING UNIT, PROVIDED THAT BOTH OF THE FOLLOWING APPLY: 97
(A) THE OWNER IS NOT ANY OF THE FOLLOWING: 97
(I) A REAL ESTATE INVESTMENT TRUST, AS DEFINED IN SECTION 856 OF THE INTERNAL REVENUE CODE. 97
(II) A CORPORATION. 97
(III) A LIMITED LIABILITY COMPANY IN WHICH AT LEAST ONE MEMBER IS A CORPORATION. 97
(B) (I) THE TENANTS HAVE BEEN PROVIDED WRITTEN NOTICE THAT THE RESIDENTIAL PROPERTY IS EXEMPT FROM THIS SECTION USING THE FOLLOWING STATEMENT: 97
"THIS PROPERTY IS NOT SUBJECT TO THE RENT LIMITS IMPOSED BY SECTION 1947.12 OF THE CIVIL CODE AND IS NOT SUBJECT TO THE JUST CAUSE REQUIREMENTS OF SECTION 1946.2 OF THE CIVIL CODE. THIS PROPERTY MEETS THE REQUIREMENTS OF SECTIONS 1947.12 (D)(5) AND 1946.2 (E)(8) OF THE CIVIL CODE AND THE OWNER IS NOT ANY OF THE FOLLOWING: (1) A REAL ESTATE INVESTMENT TRUST, AS DEFINED BY SECTION 856 OF THE INTERNAL REVENUE CODE; (2) A CORPORATION; OR (3) A LIMITED LIABILITY COMPANY IN WHICH AT LEAST ONE MEMBER IS A CORPORATION." 97
(9) HOUSING RESTRICTED BY DEED, REGULATORY RESTRICTION CONTAINED IN AN AGREEMENT WITH A GOVERNMENT AGENCY, OR OTHER RECORDED DOCUMENT AS AFFORDABLE HOUSING FOR PERSONS AND FAMILIES OF VERY LOW, LOW, OR MODERATE INCOME, AS DEFINED IN SECTION 50093 OF THE HEALTH AND SAFETY CODE, OR SUBJECT TO AN AGREEMENT THAT PROVIDES HOUSING SUBSIDIES FOR AFFORDABLE HOUSING FOR PERSONS AND FAMILIES OF VERY LOW, LOW, OR MODERATE INCOME, AS DEFINED IN SECTION 50093 OF THE HEALTH AND SAFETY CODE OR COMPARABLE FEDERAL STATUTES 97
14.4 TERMINATION OF THE CONTRACT BY HA 98
14.5 TERMINATIONS DUE TO INELIGIBLE IMMIGRATION STATUS (24 CFR PART 5, SUBPART E – RESTRICTIONS ON ASSISTANCE TO NONCITIZENS) 98

CHAPTER 15 ..... **99**

DENIAL OR TERMINATION OF ASSISTANCE **99**
15.1 INTRODUCTION [24 CFR 982.552 (C)(1)(III)] 99
15.2 GROUNDS FOR DENIAL OF ASSISTANCE (24 CFR 982.552-553) 99

THE HA SHALL HAVE THE RIGHT TO DENY OR TERMINATE ASSISTANCE FOR A FAMILY PURSUANT TO THE AUTHORITY SET FOR IN 24 CFR 982.552-553 99
15.3 GROUNDS FOR TERMINATION OF ASSISTANCE (24 CFR 982.552-553) 101
15.4 VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) OF 2022 103
15.6 PARTICIPANT FAMILY OBLIGATIONS (24 CFR 982.551) 109
15.7 PROCEDURES FOR NON-CITIZENS 111
15.8 AUTOMATIC TERMINATION OF HAP CONTRACT (24 CFR 982.455) 112
15.9 MISSED APPOINTMENTS AND DEADLINES 112

CHAPTER 16 ..... **114**

OWNER DISAPPROVAL AND RESTRICTIONS **114**
16.1 INTRODUCTION 114
16.2 DISAPPROVAL OF OWNER [24 CFR 982.306(C)] 114
16.3 OWNER RESTRICTIONS AND PENALTIES 115
16.4 OTHER REMEDIES FOR OWNER VIOLATIONS 115

CHAPTER 17 ..... **116**

OWNER OR FAMILY DEBTS TO THE HA **116**
17.1 INTRODUCTION 116
17.2 REPAYMENT AGREEMENT FOR FAMILIES 116
17.3 DEBTS DUE TO FRAUD/NON-REPORTING OF INFORMATION 117
17.4 OWNER DEBTS TO THE HA 117

CHAPTER 18 ..... **118**

COMPLAINTS AND APPEALS **118**
18.1 INTRODUCTION 118
18.2 COMPLAINTS TO THE HA 118
18.3 NOT MEETING PREFERENCES 118
18.4 INFORMAL REVIEW OF APPLICANT (24 CFR 982.554) 118
18.5 INFORMAL HEARING FOR PARTICIPANT [24 CFR 982.555(A)(1)] 119
18.6 INFORMAL REVIEW/HEARING PROCEDURES 120
18.7 HEARING AND APPEAL PROVISIONS FOR RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS 122

CHAPTER 19 ..... **124**

FAMILY SELF-SUFFICIENCY (FSS) PROGRAM **124**
19.1 INTRODUCTION 124
19. 3 ENROLLMENT AND RECRUITMENT 124
19.4 CONTRACT OF PARTICIPATION 125
19.5 INDIVIDUAL TRAINING AND SERVICE PLAN (ITSP) 126
19.6 CASE MANAGEMENT AND COMMUNITY SERVICES 127
19.7 ESCROW ACCOUNTS 127
19.8 SUPPORTIVE SERVICES FOR HCVP FSS PARTICIPANTS 128
19.9.1 ENROLLMENT AND RECRUITMENT FOR FYI YOUTH 129
19.9.2 ..... CONTRACT OF PARTICIPATION FOR FYI YOUTH 130
19.9.3 ..... INDIVIDUAL TRAINING AND SERVICE PLAN (ITSP) FOR FYI YOUTH 130
19.9.4 ..... CASE MANAGEMENT AND COMMUNITY SERVICES FOR FYI YOUTH 131
19.9.5 ..... ESCROW ACCOUNTS FOR FYI YOUTH 131
19.9.6SUPPORTIVE SERVICES FOR FYI YOUTH 132

CHAPTER 20 ..... **136**

PROGRAM INTEGRITY MONITORING (PIM) **136**
20.1 INTRODUCTION 136
20.2 CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD 136
20.3 STEPS THE HA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD 137
20.4 STEPS THE HA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD 137
20.5 THE HA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD 138
20.6 OVERPAYMENTS TO OWNERS 139
20.7 HOW THE HA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD 139
20.8 PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS OBTAINED BY THE HA 140
20.9 CONCLUSION OF THE HA'S INVESTIGATIVE REVIEW 140
20.10 EVALUATION OF THE FINDINGS 140
20.11 ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED 140

CHAPTER 21 ..... **146**

PROJECT-BASED VOUCHERS **146**
21.1 INTRODUCTION (DESCRIPTION OF PBV PROGRAM) (24 CFR 983. 5) 146
21.2 LEVEL OF ASSISTANCE (24 CFR 983.6) 146
21.3 OWNER PROPOSAL SELECTION PROCEDURE (24 CFR 983.51) 148
21.4 HOUSING ELIGIBLE FOR ASSISTANCE (24 CFR 983.52 AND 983.53) 152
21.5 LIMITS ON ASSISTANCE (24 CFR 983.54) 153
21.6 PROJECT SELECTION CRITERIA (24 CFR 983.57) 154
21.7 AGREEMENT TO ENTER INTO THE HAP CONTRACT (24 CFR 983.152) 156
21.7.1 DISCRETION NOT TO USE AN AHAP (24 CFR 983.154(F)) 156
21.7.2 ENVIRONMENTAL REVIEW ..... **(24 CFR 983.58)** 156
21.8 SELECTION OF PARTICIPANTS (24 CFR 983.251) 157
21.9 INFORMATION FOR ACCEPTED FAMILIES (24 CFR 983.252) 171
21.10 LEASING OF CONTRACT UNITS (24 CFR 983.253) 171
21.11 VACANCIES (24 CFR 983.254) 171
21.12 TENANT SCREENING (24 CFR 983.255) 171
21.13 HOUSING ASSISTANCE PAYMENTS CONTRACT 171
21.14 INSPECTIONS (24 CFR 983.103) 173
21.15 LEASE (24 CFR 983.256) 174
21.16 FAMILY OCCUPANCY OF WRONG-SIZE OR ACCESSIBLE UNIT (24 CFR 983.260) 176
21.17 DETERMINING RENT TO OWNER (24 CFR 983.301-983.305) 176
Utility Allowance Methodologies for PBV Projects **178**
21.18 PAYMENT TO OWNER (24 CFR 983.351) 179

CHAPTER 22 ..... **181**

EMERGENCY HOUSING VOUCHERS (EHVS) **181**

➢ **THE FEE MAY ALSO BE USED TO PAY FOR ANY ELIGIBLE ACTIVITIES UNDER EHV SERVICE FEES.** **182**

➢ **THE AMOUNT ALLOCATED IS $3,500 FOR EACH EHV ALLOCATED.** **183**

NO LOCAL PREFERENCES HAVE BEEN ESTABLISHED FOR THE EHV WAITING LIST.187

IF A PHA LATER DETERMINES THAT AN INELIGIBLE FAMILY RECEIVED ASSISTANCE, THE PHA MUST TAKE STEPS TO TERMINATE THAT FAMILY FROM THE PROGRAM IN ACCORDANCE WITH CHAPTER 15 ..... **190**

- **HELP EXPEDITE THE EHV LEASING PROCESS FOR THE FAMILY** **191**

PHA RECEIVES THE FULL AMOUNT OF THE PLACEMENT COMPONENT OF THE PLACEMENT FEE/ISSUING REPORTING THE RECEIVING PHA IS ELIGIBLE FOR THE PLACEMENT FEE REGARDLESS OF WHETHER THE RECEIVING PHA BILLS THE INITIAL PHA OR ABSORBS THE FAMILY INTO ITS OWN PROGRAM AT INITIAL LEASE-UP. THE INITIAL PHA QUALIFIES FOR THE ISSUANCE REPORTING COMPONENT OF THE PLACEMENT FEE/ISSUANCE REPORTING FEE, AS APPLICABLE. 193

BUDGET AUTHORITY 194

ASSISTED EHV FAMILIES 195

HCV PROGRAM REQUIREMENTS AT 24 CFR 982.158. 196

APPENDIX A: GLOSSARY 200

APPENDIX B: CODE OF CONDUCT 218

APPENDIX C: POLICY ON PROHIBITED CRIMINAL ACTIVITY 220

APPENDIX D: REASONABLE STEPS TO AFFIRMATIVELY FURTHER FAIR HOUSING...225

Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

1.1 INTRODUCTION

The Housing Choice Voucher (Section 8) Program ("HCV Program" or "HCV") was enacted as part of the Housing and Community Development Act of 1974 (Act), 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", "Housing Authority", "HACR", and "PHA" herein) 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 (County) and the County of Riverside Consolidated Plan.

1.2 PURPOSE OF THE PLAN

The purpose of this Administrative Plan for the Housing Choice Voucher Program (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 for the Housing Choice Voucher Program.

The HA is responsible for complying with all changes in HUD regulations pertaining to these programs. Capitalized terms not defined within the Plan may have the meaning ascribed to such terms in Appendix A "Glossary" attached hereto and incorporated herein by this reference. If such changes conflict with this Plan, HUD regulations will have precedence.

1.3 SERVICE POLICY/ACCOMMODATIONS

The policies discussed herein are 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 Executive Director or designee. Furthermore, if registrants require a reasonable accommodation they will need to submit a request to the Housing Authority and participants will submit reasonable accommodation requests to their assigned caseworker.

1.4 TRANSLATION OF DOCUMENTS

The HA will provide verbal translation of documents into Spanish, as well as other languages.

1.5 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 HA's website at www.harivco.org and by other suitable means (such as distributing information to non-profit agencies within the County).

1.6 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 name, address and phone number of current and prior landlords of applicants and participants for tenant screening purposes. This information will be based on the contact data provided to the HA.

1.7 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.

1.8 SPECIAL HOUSING TYPES

HUD regulations permit, but do not generally require, HA to allow families to use voucher assistance in a number of special housing types in accordance with the specific requirements applicable to those programs. The special housing types include single room occupancy (SRO) housing, congregate housing, group home, manufactured home space (where the family owns the manufactured home and leases only the space), cooperative housing and homeownership option. The regulations require the HA to permit use of any special housing type if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

All units must pass Housing Quality Standards [HQS and/or National Standards for the Physical Inspection of Real Estate (NSPIRE)] as outlined in the Code of Federal Regulations. Except where specifically regulated, all HA policies in this Administrative Plan also apply to the aforementioned special housing types.

1.9 RULES AND REGULATIONS

The purpose of this Plan is to set forth and define the HA's local policies for operation of the housing

programs in the context of federal laws and regulations. All issues related to the HCV Program not addressed in this document are governed by applicable federal regulations, HUD memos, notices and guidelines, or other applicable law, including, but not limited to, 24 CFR PART 982 et seq. and 24 CFR PART 983 et seq., 24 CFR PART 984 et. seq., and 24 CFR PART 5, et seq. (collectively "regulations" or "Regulations").

1.10 JURISDICTION

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

1.11 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 HA's objective to receive the highest rating from HUD using the Section Eight Management Assessment Program (SEMAP).

The HA will monitor Housing Quality Standards [HQS and/or National Standards for the Physical Inspection of Real Estate (NSPIRE)] 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.

1.12 PROGRAM INTEGRITY MONITORING (PIM)

The Housing Authority of the County of Riverside administers Program Integrity Monitoring (PIM). The purpose of PIM 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 Chapter 20)

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 also available at www.harivco.org .

1.13 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.

1.14 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.

1.15 CODE OF CONDUCT

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

[Intentionally Blank]

Chapter 2

ELIGIBILITY FOR ADMISSION

2.1 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 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.

2.2 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
    - Section 103(a) of Fostering Stable Housing Opportunities (FSHO) amended the definition of ''family'' at section 3(b)(3)(A) of the U.S. Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(A)) to clarify that a family may include families consisting of a single person who is a youth described in section 8(x)(2)(B) of the U.S. Housing Act of 1937 (42 U.S.C. 1437f(x)(2)(B)). Implementation Action. This statutory change was effective as of the date of enactment of FSHO (i.e., December 27, 2020).

- 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

2.2.1 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.

2.2.2 Students Enrolled in Institutions of Higher Education (24 CFR 5.612 and FR Notice 4/10/06, FR Notice 9/21/16)

Section 327 of Public Law 109-115 and the implementing regulation at 24 CFR 5.612 established new restrictions on the eligibility of certain students (both part-time and full-time) who are enrolled in institutions of higher education. If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the student's eligibility must be examined along with the income eligibility of the student's parents. In these cases, both the student and the student's parents must be income eligible for the student to receive HCV assistance. If, however, a student in these circumstances is determined independent from his/her parents in accordance with HA policy, the income of the student's parents will not be considered in determining the student's eligibility. The new law does not apply to students who reside with parents who are applying to receive HCV assistance. It is limited to students who are seeking assistance on their own, separately from their parents.

Definitions

In determining whether and how the new eligibility restrictions apply to a student, the HA will rely on the following definitions [FR 4/10/06].

Dependent Child

In the context of the student eligibility restrictions, dependent child means a dependent child of a student enrolled in an institution of higher education. The dependent child must also meet the definition of dependent in 24 CFR 5.603, which states that the dependent must be a member of the assisted family, other than the head of household or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student. Foster children and foster adults are not considered dependents.

Independent Student

The HA will consider a student "independent" from his or her parents and the parents income will not be considered when determining the student's eligibility if the following four criteria are all met:

1. The individual is of legal contract age under state law.

2. The individual has established a household separate from his/her parents for at least one year prior to application for occupancy or the individual meets the U.S. Department of Education's definition of independent student.

To be considered an independent student according to the Department of Education, a student must meet one or more of the following criteria:

- The individual is at least 24 years old by December 31 of the award year for which aid is sought

- The individual is an orphan, in foster care, or a ward of the court, or was an orphan, in foster

care, or ward of the court at any time when the individual was 13 years of age or older

- The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence

- The individual is a veteran of the U.S. Armed Forces or is currently serving on active duty in the Armed Forces for other than training purposes

- The individual is a graduate or professional student

- The individual is married

- The individual has one or more legal dependents other than a spouse (for example, dependent children or an elderly dependent parent)

- The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth, or as unaccompanied, at risk of homelessness, and self-supporting by:

    - A local educational agency homeless liaison

    - The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act or a designee of the director

    - A financial aid administrator

- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

- The individual was not claimed as a dependent by his/her parents pursuant to IRS regulations, as demonstrated on the parents' most recent tax forms or the student's FAFSA.

- The individual provides a certification of the amount of financial assistance that will be provided by his/her parents. This certification must be signed by the individual providing the support and must be submitted even if no assistance is being provided.

If the HA determines that an individual meets the definition of a vulnerable youth such a determination is all that is necessary to determine that the person is an independent student for the purposes of using only the student's income for determining eligibility for assistance.

Institution of Higher Education

The HA will use the statutory definition under section 102 of the Higher Education Act of 1965 to determine whether a student is attending an institution of higher education.

Parents

For purposes of student eligibility restrictions, the definition of parents includes biological or adoptive parents, stepparents (as long as they are currently married to the biological or adoptive parent), and guardians (e.g., grandparents, aunt/uncle, godparents, etc).

Person with Disabilities

The HA will use the statutory definition under section 3(b) (3)(E) of the 1937 Act to determine whether a student is a person with disabilities.

Vulnerable Youth

A vulnerable youth is an individual who meets the U.S. Department of Education's definition of independent student in paragraphs (b), (c), or (h), as adopted in Section II of FR Notice 9/21/16:

- The individual is an orphan, in foster care, or a ward of the court, or was an orphan, in foster care, or ward of the court at any time when the individual was 13 years of age or older

- The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence

- The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth, or as unaccompanied, at risk of homelessness, and self-supporting by:

    - A local educational agency homeless liaison

    - The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act or a designee of the director

    - A financial aid administrator

Determining Student Eligibility

If a student is applying for assistance on his/her own, apart from his/her parents, the HA must determine whether the student is subject to the eligibility restrictions contained in 24 CFR 5.612. If the student is subject to those restrictions, the HA must ensure that: (1) the student is individually eligible for the program, (2) either the student is independent from his/her parents or the student's parents are income eligible for the program, and (3) the "family" with which the student is applying is collectively eligible for the program.

For any student who is subject to the 5.612 restrictions, the HA will:

- Follow its usual policies in determining whether the student individually and the student's "family" collectively are eligible for the program

- Determine whether the student is independent from his/her parents in accordance with the definition of independent student in this section

- Follow the policies below, if applicable, in determining whether the student's parents are income eligible for the program

If the HA determines that the student, the student's parents (if applicable), or the student's "family" is not eligible, the HA will send a notice of denial in accordance with the policies in Chapter 15 (Denial or Termination of Assistance), and the applicant family will have the right to request an informal review in accordance with the policies in Chapter 18 (Complaints and Appeals).

Determining Parental Income Eligibility

For any student who is subject to the 5.612 restrictions and who does not satisfy the definition of independent student in this section, the HA will determine the income eligibility of the student's parents as follows:

- If the student's parents are married and living together, the HA will obtain a joint income declaration and certification of joint income from the parents.

- If the student's parent is widowed or single, the HA will obtain an income declaration and certification of income from that parent. If the student's parents are divorced or separated, the HA will obtain an income declaration and certification of income from each parent.

- If the student has been living with one of his/her parents and has not had contact with or does not know where to contact his/her other parent, the HA will require the student to submit a certification under penalty of perjury describing the circumstances and stating that the student does not receive financial assistance from the other parent. The HA will then obtain an income declaration and certification of income from the parent with whom the student has been living or had contact.

In determining the income eligibility of the student's parents, the HA will use the income limits for the jurisdiction in which the parents live.

2.2.3 Live-In Aide (24 CFR 5.403 and 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. The Housing Authority will verify whether a live-in aide is required by sending a 3rd party verification to the specified licensed professional. If the licensed professional indicates on the 3rd party that the need for a live in aide is permanent, the verification will be renewed every 5 years at the annual recertification. If the 3rd party indicates that the need for a live-in aide is temporary, the verification will be renewed annually. Note: At time of relocation, in either case, staff will need to determine if a new verification is required in order to be compliant with the timeframes above.

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,
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 2008-2, 2009-22, and 2010-51 (HA) for live-in aide provisions.

Occasional, intermittent, multiple or rotating care givers do not meet the definition of a live-in aide since 24 CFR 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 2008-20 (HA), PIH 2009-22 (HA),), and PIH 2010-51 (HA)).

The Housing Authority may only approve one additional bedroom subsidy for a live-in aide. Although a live-in aide may have 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 HA must ensure that housing quality standards (HQS and/or NSPIRE) 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.

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.
3. Under no circumstance will a live-in-aide become or transition into a household member.

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 Head of Household (HOH) or any household member that requires a live-in aide, the HOH or any household member 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/significant other or parent of a child); or
7. The person is already living in the unit as a household member; or has lived in the unit as a household member within the last 12 months; or
8. The person is under 18 years of age and is not emancipated.

2.2.4 Joint Custody of Minor(s)

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.

2.3 INCOME LIMITS [24 CFR 982.201 (b) (1)]

HUD determines income limits for admission to the HCV 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 24 CFR 248.101;
- 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 24 CFR 248.173.

Under no circumstance will a family be admitted if they are over the HUD published 50% Area Median Income Limit. 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 withdrawn from the waiting list and sent a denial letter, notifying them of their right to an informal review. Upon conducting an informal review, if the HA determines that the applicant has experienced an involuntary change of income (within 30 days of the denial notice) which now makes them income eligible, the HA will return the family to the waiting list with their original registration date and the family will be selected again in the future if eligible.

2.4 DISCLOSURE OF SOCIAL SECURITY NUMBERS- PIH 2012-10 and 24 CFR 5.216

All applicants and participants are required to disclose a social security number. The HA will not need to re-verify previously disclosed valid Social Security Numbers (SSNs). PHAs may rely on documentation of the SSN provided by another government agency (federal or state). If a participant is adding a new household member 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 HA at the time of request to add such new household member or during the 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.

2.5 CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS (24 CFR Part 5, Subpart E, Restrictions on Assistance to Noncitizens)

2.5.1 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.

2.5.2 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.

The HA must deny or terminate assistance for failure to submit evidence or failure to establish citizenship or eligible immigration status in accordance with 24 CFR PART 5 Subpart E – Restrictions on Assistance to Noncitizens and within the framework of HA's policy and procedure.

2.5.3 Non-citizen students

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

2.5.4 Appeals

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

2.5.5 Eligible Immigration Status

The definitions and requirements for eligible immigration status are set forth in Section 214 of the Housing and Community Development Act of 1980, as amended [42 U.S.C. 1436a(a)] and in 24 CFR PART 5, Subpart E – Restrictions on Assistance to Noncitizens. Eligible immigration status is verified by documents designated by the United States Citizenship and Immigration Services (USCIS).

2.6 SUITABILITY OF FAMILY

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

2.7 CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT

Changes that occur after the issuance of a HCV, but before the execution of a lease and contract must be reviewed to ensure 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 and the voucher will be withdrawn [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 select families from the waiting list 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 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 to 50% of the area median income, the family's income will be updated and they will be returned to the waiting list and notified in writing and family will be eligible for a future selection from the waiting list between 30% and 50% of the income limits (very low income). NOTE: This only applies if the selection from the waiting list is targeted at 30% AMI.

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. Upon conducting an informal review, if the HA determines that the applicant has experienced an involuntary change of income (within 30 days of the denial notice) which now makes them income eligible, the HA will return the family to the waiting list with their original registration date and the family will be selected again in the future if eligible.

2.8 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. Families who are returned to the waiting list for not meeting preferences are not entitled to an informal review as they have not been found ineligible.

[Intentionally Blank]

Chapter 3

APPLYING FOR ADMISSION

3.1 INTRODUCTION

- The Housing Choice Voucher (Section 8) *waiting list has effective September 1, 2025 been closed to all registrants. Reopening the waiting list will be reevaluated once the waiting list is exhausted.* This chapter describes the policies and procedures for completing the waiting list registration, placement on the waiting list, and completion of the HCV Application and Eligibility Questionnaire , including verifications and other required documents. Registrants will be placed on the waiting list in accordance with this Plan.

3.2 EXTRAORDINARY LOCAL PREFERENCE

Up to a total of 15% of annual admissions will be targeted to an extraordinary local preference for the following registrants: referrals from the "HomeConnect", County of Riverside Office of Homeless Services Coordinated Entry System Lead Agency, Behavioral Health, for those who are not eligible for HUD funded long-term housing through the Continuum of Care and are able to live independently with minimal support (the "HomeConnect" system assesses a person's vulnerability in order to direct them to the best housing option that meets their needs); 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 Executive 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).**

3.3 WAITING LIST REGISTRATION

Outreach is conducted on a continual basis through libraries, non-profit organizations and other public agencies. Advertisement of the housing programs is done on an as needed basis in the local newspaper paper of general circulation, minority newspapers and other media and the HA's website at 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

Any family asking to be placed on the waiting list for the HCV Program must complete a registration form using the HA's web-based waiting list portal at www.harivco.org. 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.

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. 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. In the event the registrant is no longer

part of the household, their placement on the waiting list cannot be transferred to anyone else. 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 1st and December 31st 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 justification. 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.

If an applicant registers without a mailing address or email address, then their application will be purged from the waitlist due to the HA being unable to contact them.

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.

3.4 WAITING LIST MANAGEMENT

Opening the Waiting List **(24 CFR 982.206)**

When the HA opens the waiting list, the HA must:

- Give public notice that families may apply for tenant-based assistance. The public notice must state where and when to apply. HA must give the public notice by publication in a local newspaper of general circulation, and also by minority media and other suitable means.
- The notice must comply with HUD fair housing requirements.
- The public notice must state any limitations on who may apply for available slots in the program.
- The HA may adopt criteria defining what families may apply for assistance under a public notice.
- If the waiting list is open, the HA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance because of action or inaction by members of the family) for the grounds stated in §§ 982.552 and 982.553.

Closing the Waiting List **(24 CFR 982.206)**

- If the HA determines that the existing waiting list contains an adequate pool for use of available

program funding, the HA may stop accepting new applications, or may accept only applications meeting criteria adopted by the HA.

- The Housing Choice Voucher (Section 8) *waiting list has been closed effective September 1, 2025 to all registrants. Reopening the waiting list will be reevaluated once the waiting list is exhausted.*

3.5 HOUSING CHOICE VOUCHER PROGRAM APPLICATION

When funding is available, registrants will be sent a HCV Program Application and 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 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, HUD Form 92006 Supplemental and Optional Contact Information, and the Declaration of Citizenship. The IRS Form 4506-01 may also be requested. Failure to provide any forms as required by the HA will be cause for denial of the application.

The HCV Program Application and 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 determines 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. Upon conducting an informal review, if the HA determines that the applicant has experienced an involuntary change of income (within 30 days of the denial notice) which now makes them income eligible, the HA will return the family to the waiting list with their original registration date and the family will be selected again in the future if eligible.

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.

[Intentionally Blank]

Chapter 4

SELECTION OF FAMILIES FROM WAITING LIST

4.1 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.

4.2 WAITING LIST PREFERENCES

The HA has implemented the following preferences for selecting families from the waiting list. In accordance with California State Law [Health and Safety Code Section 34322.2 (b)], at each level of preference, families meeting the definition of a veteran according to either the United States Code, Title 38 (38 U.S.C.), Section 101 or the 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 select from families to result in a lease up of: 75% of the families will be at or below 30% of the area median income (extremely low income), and 25% of the families will be between 30% and 50% of the area median income (very low income). Any Project-Based Voucher (PBV) development under HAP Contract will observe preferences outlined in the Housing Assistance Payments (HAP) Contract (i.e. veterans, elderly or families receiving supportive services). If the first level selections do not satisfy the regulations regarding extremely low income families, selections will be done at the second level of preferences until the 75% extremely low income requirement is met.

In order to be compliant with applicable regulatory requirements, the Housing Authority will select families to result in a lease up of 75% of the families being at or below 30% of the area median income (extremely low income). If a family has a change in income that results in the family exceeding the 30% income limits but not more than 50% 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 and the family will be eligible for a future selection between 30% and 50% of the area median income limits (very low income). However, for the Project Based Voucher (PBV) Program, an applicant whose annual income exceeds the maximum income limit for the specific region and/or development will be withdrawn from the waiting list for the specific PBV development and/or site-based waiting list from which they were selected.

4.2.1 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 from the "HomeConnect", County of Riverside Office of Homeless Services Coordinated Entry System Lead Agency, Behavioral Health, for those who are not eligible for HUD funded long-term housing through the Office of Homeless Services and are able to live independently with minimal support (the "HomeConnect" system assesses a person's vulnerability in order to direct them to the best housing option that meets their needs); 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
County of Riverside Residency Preference, and

1) Qualified veterans; or
2) Families whose head of household, spouse or co-head is 70 years of age and older; or
3) A client referred by Adult Protective Services (APS), a division within the County of Riverside Department of Public Social Services (DPSS), who is 62 years or older and homeless or at-risk of being homeless ; 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.

    a. Family Unification Program (FUP) Youth or Foster Youth to Independence Initiative (FYI) Youth.
5) Participants who have utilized a special rental assistance program administered by (or under contract/Memorandum of Understanding (MOU) with) the Housing Authority of the County of Riverside for a minimum of a six (6) month term and no longer require supportive services; or
6) Participants transitioning or "moving on" who have been assisted through a Permanent Supportive Housing Program administered by a partnering agency and no longer require intensive supportive services; or
7) Non-elderly persons at least 18 years of age and less than 62 years of age with disabilities who are transitioning out of institutional and other segregated settings, at serious risk of institutionalization, homeless, or at risk of becoming homeless; or
8) Family Unification Program (FUP) Youth or Foster Youth to Independence Initiative (FYI) Youth whose FUP/FYI youth assistance is expiring and will have a lack of adequate housing as a result of their termination from the program.

SECOND LEVEL
County of Riverside Residency Preference, and

1) Families with minors or Elderly Families or Disabled Families

THIRD LEVEL
County of Riverside Residency Preference, and

1) Families without minors

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

4.2.2 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 inform the HA of changes in family composition, income, and address, as well as any changes in the preference status using the Housing Authority's web-based portal.

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 HCV Program Application and Eligibility Questionnaire up until voucher issuance.

4.3 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.

4.4 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 or by a referral through an established MOU.

Examples of targeted programs are:

- Mainstream
- Family Unification Program (FUP)
- Foster Youth to Independence (FYI)
- Emergency Housing Voucher (EHV)

4.5 ORDER OF SELECTION

Income eligible families are selected from the waiting list and sent a HCV Program Application and Eligibility Questionnaire based on the waiting list preferences listed in Section 4.2 of this Chapter. 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 HCV Program Application and Eligibility Questionnaire 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.

4.6 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 30 calendar days. Applicants may exercise other rights if they believe they have been discriminated against.

4.7 REMOVAL FROM WAITING LIST AND PURGING

If a registrant fails to respond in writing (preferred) or by phone (case-by-case) 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 U.S. 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 1st and December 31st of every year, registrants are required to update their waiting list registration once annually using the Housing Authority's web-based list at www.harivco.org. 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.

[Intentionally Blank]

Chapter 5

SUBSIDY STANDARDS

5.1 INTRODUCTION

HUD guidelines require that HAs establish subsidy standards for the determination of the Housing Choice Voucher bedroom size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the HCV 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 HAs procedures when a family's size changes, or a family selects a unit size that is different from the Voucher.

5.2 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 Amendment Act (FHAA) of 1988 (Pub. L. 100-430 Approved Sept. 13, 1988 and effective March 12, 1989) guidelines. All standards in this section relate to the number of bedrooms on the Voucher, not the family's actual living arrangements.

Irrespective of any increase or decrease in the payment standard amount, if the family unit size increases or decreases during the HAP contract term, the new family unit size must be used to determine the payment standard amount for the family beginning at the family's first regular re-examination following the change in family unit size. [24 CFR 982.505 (c) (5)]

One bedroom will be assigned for the Head of Household and spouse/co-head, and one bedroom for every two nucleus household members, regardless of familial status, age or gender, except when such member is a pregnant woman. A living room may be used as a bedroom/sleeping space for up to two persons. Non-nucleus members are not assigned a subsidy. Adding additional non-nucleus members will not be approved if it causes the family to be under-housed (overcrowded). Please note: 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 status, age or gender, except when such member is a pregnant woman. A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family [24 CFR 982.402 (b) (5)].

In accordance with the subsidy standard above, 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 in accordance with subsidy standard above. 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 the member returns back home within 180 days of moving out or to offer a reasonable accommodation for a disabled family member. Any change in payment standard will apply at the next annual re-examination or relocation. 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 (overcrowded).

Exceptions may be approved 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 and/or NSPIRE) 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. If the approval of additional family members of a live-in aide would result in the violation of HQS and/or NSPIRE, the additional family members of the live-in aide may not be approved. **PIH 2010-51 (HA) and), as extended pursuant to PIH 2012-33 (HA) and as cross-reference in 2014-25 (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.

5.3 CHANGES IN VOUCHER SIZE

5.3.1 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.

5.3.2 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 justification to the disability is present to make the program accessible to and usable by the family member with a disability. Requests for a larger subsidy will be reviewed by an established committee. For an additional subsidy for separate bedroom for sleeping, medical equipment and/or a live-in aide, this will be verified through a third party licensed professional's verification. Final determination whether to increase or decrease the subsidy standard will be made by an established committee.

Medical equipment -- An additional subsidy for medical equipment must be verified at least annually on a Housing Authority approved form. In addition, requests involving separate bedrooms for medical equipment may 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.

Separate bedroom for sleeping -- An additional subsidy for separate bedroom must be verified at least annually, however when the disability is verified as permanent it will be reviewed every 5 years, on a Housing Authority approved form.

Live-in aide -- If the licensed professional indicates on the 3rd party verification that the need for a live in aide is permanent, the verification will be renewed every 5 years at the annual recertification. If the 3rd party verification indicates that the need for a live-in aide is temporary, the verification will be

renewed annually. Note: At time of relocation, in either case, staff will need to determine if a new verification is required in order to be compliant with the timeframes above. The HA may only approve one additional bedroom for a live-in aide. Although a live-in aide may have HA-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 must report this change in writing within 30 calendar days. 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.

5.3.3 Subsidy Standards Flexibility:

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). The amount of assistance is based on the authorized or actual bedroom size, whichever is less.
Larger-Sized Units: The unit size listed on a Voucher does not preclude the family from selecting a larger size unit provided the family's share of the rent and utilities does not 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 unless as a reasonable accommodation. The utility allowance is calculated using the amount of assistance based on the authorized or actual bedroom size, whichever is less "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. 24 CFR 982.305(a)(5) & 24 CFR 982.508

Persons in Household

# of Bedrooms in Unit	Maximum Number
0	2
1	4
2	6
3	8
4	10
5	12
6	14

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

If a unit does not meet HQS and/or NSPIRE 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. The maximum allotted time for the family to relocate shall not exceed 90 calendar days. The HAP will terminate at the end of the calendar month that follows the calendar month in which the HA gives such notice to the owner (CFR 982.402), or when the family relocates, whichever comes first.

5.3.5 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 monthly 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, the gross rent will be used as the payment standard.

5.4 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.

[Intentionally Blank]

Chapter 6

ELIGIBILITY FACTORS

6.1 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.

6.2 HOUSEHOLD COMPOSITION

The HA must compute all applicable income of every family member, including those who are temporarily absent (less than 180 days). 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 30 calendar days.

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

6.2.1 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 in writing 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; conducting the following checks:
    - 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.

6.2.2 Absence of Any Member

Except as otherwise provided in this Chapter 6, 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.

6.2.3 Absence due to Medical Reasons

Housing Assistance Payments (HAP) 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 and any utilities that the tenant is responsible for according to the lease and HAP Contract must be paid during the hospitalization period.

6.2.4 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.

6.2.5 Temporary Caretaker for Minor(s)

If neither parent (or legal guardian) are able to care for the child and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the minor(s).

A Caretaker or Guardian may have PHA-approved family member/s live with him/her in the assisted unit, however, no additional subsidy will be provided for the family members of the Caretaker or Guardian. The Housing Authority must ensure that housing quality standards (HQS and/or NSPIRE) 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. If the approval of additional family members of a Caretaker or Guardian would result in the violation of HQS and/or NSPIRE, the additional family members of the Caretaker or Guardian may not be approved. The HA, on a case-by-case basis, may consider increasing the subsidy size if the Caretaker or Guardian's family size increases as a result of birth, adoption or court-awarded custody.

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.

The HA will transfer the Voucher to the caretaker until the first re-examination following the 18th birthday of oldest nucleus minor. 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 first re-examination following the 18th birthday of oldest minor. This procedure will be applied until no remaining minor nucleus members exists. In no case will the caretaker be eligible to become the remaining member.

6.2.6 Absent Adult

The family will be required to notify the HA in writing within 30 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 member of the household is away from the home for more than 180 days then the person will be considered permanently absent.

6.2.7 Visitors

Any person not included on the Form HUD 50058 (except minors as noted below) who has been in the unit more than 14 consecutive days, or a total of 30 cumulative 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.

6.2.8 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 and the family will be in violation of their household obligations. Additions to the household by birth of a newborn, adoption or court-awarded custody must be reported in writing to the HA within 30 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.

The HA will only add a minor child to the assisted household when the Head of Household/Spouse/Co-Head can demonstrate legal responsibility for the minor. Acceptable documentation includes legal guardianship, court-awarded custody, or adoption issued by a court of competent jurisdiction.

If a family member leaves the household, the family must report this change to the HA, in writing, within 30 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.

6.3 INCOME, ALLOWANCES & MINIMUM FAMILY CONTRIBUTION 24 CFR 5.609

6.3.1 INCOME INCLUSIONS AND EXCLUSIONS

Reference: *Housing Choice Voucher Program Guidebook; Chapter 5: Eligibility and Denial of Assistance*

6.3.2 INCOME INCLUSIONS:

HUD regulations define incomes and allowances. The HA will include and exclude income in accordance with 24 CFR Part 5. Once the HA 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 Section 6.3.3 below.

(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 (b)(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 $50,000, 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 [pursuant to PIH 2012-29 NOTE: HA is using the current national rates established by the Federal Deposit Insurance Corporation (FDIC)];

(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 payments.

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families

(TANF) program are included in annual income only to the extent such payments:
(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31; and
(B) Are not otherwise excluded under paragraph (c) of this section.
(ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
(B) 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 and any other required fees and charges 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). (24 CFR 5.609)

(A) Expenses related to attending an institution of higher education must **not** be included as tuition. Examples of these expenses include, but are not limited to, room and board, books, supplies, meal plans, transportation and parking, student health insurance plans, and other non-fixed sum charges. **(Consistent with Page 3 of 5 of PIH 2015-21)**

(B) PHAs must include amounts of financial assistance an individual receives in excess of tuition and other required fees and charges when determining annual income in accordance with 24 CFR 5.609(b)(9). **(Consistent with Page 4 of 5 of PIH 2015-21)**

(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 Veterans Educational Assistance Act of 2008 is not considered a duplicate subsidy; provided, however the amount received for the housing allowance must be counted when determining the family's income and rent.**

6.3.3 INCOME EXCLUSION:

Annual income does not include the following:
(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 persons with disabilities, unrelated to the tenant family, who are unable to live alone); [Note: PIH-2012-1 (HA) was issued on 01/06/2012 and clarified the Income Exclusion of Kinship, Kin-GAP and Other Guardianship Care Payments. HUD 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 § 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(b)(4).]
(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 (except as provided in paragraph (b)(5) of section); (b)(5) in this sentence refers to (b)(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 in 24 CFR 5.403;
(6)Subject to paragraph (b)(9) above in Income Inclusions: For persons over the age of 23 with dependent children 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) (i) Amounts received under training programs funded by HUD;
(ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
(iii) 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;
(iv) Amounts received under a resident service stipend. A resident service stipend 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. Such services may include, but are 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
(v) 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/co-head);
(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; or
(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 any program to which the exclusions set forth in 24 CFR 5.609(c) apply. 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 by HUD 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 and 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.A. 5506);
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) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub.L- 94-540, 90 Stat. 2503-04);
g) 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);
h) 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-1);
i) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056g);
j) 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, PL 101-201, December 6, 1989, 103 Stat. 1795;
k) 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);
l) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));
m) 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, October 10, 1978, 92 Stat. 1047);
n) Allowances, earnings and payments to AmeriCorps participants under the National and

Community Service Act of 1990 (42 U.S.C. 12637(d));

o) 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);

p) 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 (34 U.S.C. 20102); and

§ 5.609 Annual income (the following revisions are effective January 1, 2024 per the final rule officially published in the Federal Register on February 14, 2023. The final rule revises HUD regulations to put sections 102 and 104 of Housing Opportunity Through Modernization Act of 2016 (HOTMA) into effect)

(a) **Annual income includes, with respect to the family:**

(1) All amounts, not specifically excluded in paragraph (b) of this section, received from all sources by each member of the family who is 18 years of age or older or is the head of household or spouse of the head of household, plus unearned income by or on behalf of each dependent who is under 18 years of age, and

(2) When the value of net family assets exceeds $50,000 (which amount HUD will adjust annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers) and the actual returns from a given asset cannot be calculated, imputed returns on the asset based on the current passbook savings rate, as determined by HUD.

(b) **Annual income does not include the following:**

(1) Any imputed return on an asset when net family assets total $50,000 or less (which amount HUD will adjust annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers) and no actual income from the net family assets can be determined.

(2) The following types of trust distributions:

(i) For an irrevocable trust or a revocable trust outside the control of the family or household excluded from the definition of net family assets under § 5.603(b):

(A) Distributions of the principal or corpus of the trust; and

(B) Distributions of income from the trust when the distributions are used to pay the costs of health and medical care expenses for a minor.

(ii) For a revocable trust under the control of the family or household, any distributions from the trust; except that any actual income earned by the trust, regardless of whether it is distributed, shall be considered income to the family at the time it is received by the trust.

(3) Earned income of children under the 18 years of age.

(4) Payments received for the care of foster children or foster adults, or State or Tribal kinship or guardianship care payments.

(5) Insurance payments and settlements for personal or property losses, including but not limited to payments through health insurance, motor vehicle insurance, and workers' compensation.

(6) Amounts received by the family that are specifically for, or in reimbursement of, the cost of health and medical care expenses for any family member.

(7) Any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law, that resulted in a member of the family becoming disabled.

(8) Income of a live-in aide, foster child, or foster adult as defined in §§ 5.403 and 5.603, respectively.

(9)(i) Any assistance that section 479B of the Higher Education Act of 1965, as amended (20 U.S.C. 1087uu), requires be excluded from a family's income; and

(ii) Student financial assistance for tuition, books, and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, and other fees required and charged to a student by an institution of higher education (as defined under Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

(A) Student financial assistance, for purposes of this paragraph (9)(ii), means a grant or scholarship received from—

(*1*) The Federal government;

(*2*) A State, Tribe, or local government;

(*3*) A private foundation registered as a nonprofit under 26 U.S.C. 501(c)(3);

(*4*) A business entity (such as corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, or nonprofit entity); or

(*5*) An institution of higher education.

(B) Student financial assistance, for purposes of this paragraph (9)(ii), does not include—

(*1*) Any assistance that is excluded pursuant to paragraph (b)(9)(i) of this section;

(*2*) Financial support provided to the student in the form of a fee for services performed (*e.g.*, a work study or teaching fellowship that is not excluded pursuant to paragraph (b)(9)(i) of this section);

(*3*) Gifts, including gifts from family or friends; or

(*4*) Any amount of the scholarship or grant that, either by itself or in combination with assistance excluded under this paragraph or paragraph (b)(9)(i), exceeds the actual covered costs of the student. The actual covered costs of the student are the actual costs of tuition, books and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, or other fees required and charged to a student by the education institution, and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit. This calculation is described further in paragraph (b)(9)(ii)(E) of this section.

(C) Student financial assistance, for purposes of this paragraph (b)(9)(ii) must be:

(*1*) Expressly for tuition, books, room and board, or other fees required and charged to a student by the education institution;

(*2*) Expressly to assist a student with the costs of higher education; or

(*3*) Expressly to assist a student who is not the head of household or spouse with the reasonable and actual costs of housing while attending the education institution and not residing in an assisted unit.

(D) Student financial assistance, for purposes of this paragraph (b)(9)(ii), may be paid directly to the student or to the educational institution on the student's behalf. Student financial assistance paid to the student must be verified by the responsible entity as student financial assistance consistent with this paragraph (b)(9)(ii).

(E) When the student is also receiving assistance excluded under paragraph (b)(9)(i) of this section, the amount of student financial assistance under this paragraph (b)(9)(ii) is determined as follows:

(*1*) If the amount of assistance excluded under paragraph (b)(9)(i) of this section is equal to or exceeds the actual covered costs under paragraph (b)(9)(ii)(B)(4) of this section, none of the assistance described in this paragraph (b)(9)(ii) of this section is considered student financial assistance excluded from income under this paragraph (b)(9)(ii)(E).

(*2*) If the amount of assistance excluded under paragraph (b)(9)(i) of this section is less than the actual covered costs under paragraph (b)(9)(ii)(B)(4) of this section, the amount of assistance described in paragraph (b)(9)(ii) of this section that is considered student financial assistance excluded under this paragraph is the lower of:

(*i*) the total amount of student financial assistance received under this paragraph (b)(9)(ii) of this section, or

(*ii*) the amount by which the actual covered costs under paragraph (b)(9)(ii)(B)(4) of this section exceeds the assistance excluded under paragraph (b)(9)(i) of this section.

(10) Income and distributions from any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code;

and income earned by government contributions to, and distributions from, "baby bond" accounts created, authorized, or funded by Federal, State, or local government.

(11) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

(12)(i) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

(ii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (*e.g.,* special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

(iii) Amounts received under a resident service stipend not to exceed $200 per month. A resident service stipend is a modest amount received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development.

(iv) Incremental earnings and benefits resulting to any family member from participation in training programs funded by HUD or in qualifying Federal, State, Tribal, 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 unless those amounts are excluded under paragraph (b)(9)(i) of this section.

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

(14) Earned income of dependent full-time students in excess of the amount of the deduction for a dependent in § 5.611.

(15) Adoption assistance payments for a child in excess of the amount of the deduction for a dependent in § 5.611.

(16) Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts.

(17) Payments related to aid and attendance under 38 U.S.C. 1521 to veterans in need of regular aid and attendance.

(18) 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.

(19) Payments made by or authorized by a State Medicaid agency (including through a managed care entity) or other State or Federal agency to a family to enable a family member who has a

disability to reside in the family's assisted unit. Authorized payments may include payments to a member of the assisted family through the State Medicaid agency (including through a managed care entity) or other State or Federal agency for caregiving services the family member provides to enable a family member who has a disability to reside in the family's assisted unit.

(20) Loan proceeds (the net amount disbursed by a lender to or on behalf of a borrower, under the terms of a loan agreement) received by the family or a third party (*e.g.,* proceeds received by the family from a private loan to enable attendance at an educational institution or to finance the purchase of a car).

(21) Payments received by Tribal members as a result of claims relating to the mismanagement of assets held in trust by the United States, to the extent such payments are also excluded from gross income under the Internal Revenue Code or other Federal law.

(22) Amounts that HUD is required by Federal statute to exclude from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in paragraph (b) of this section apply. HUD will publish a notice in the **Federal Register** to identify the benefits that qualify for this exclusion. Updates will be published when necessary.

(23) Replacement housing "gap" payments made in accordance with 49 CFR part 24 that offset increased out of pocket costs of displaced persons that move from one federally subsidized housing unit to another Federally subsidized housing unit. Such replacement housing "gap" payments are not excluded from annual income if the increased cost of rent and utilities is subsequently reduced or eliminated, and the displaced person retains or continues to receive the replacement housing "gap" payments.

(24) Nonrecurring income, which is income that will not be repeated in the coming year based on information provided by the family. Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income under this paragraph, even if the source, date, or amount of the income varies. Nonrecurring income includes:

(i) Payments from the U.S. Census Bureau for employment (relating to decennial census or the American Community Survey) lasting no longer than 180 days and not culminating in permanent employment.

(ii) Direct Federal or State payments intended for economic stimulus or recovery.

(iii) Amounts directly received by the family as a result of State refundable tax credits or State tax refunds at the time they are received.

(iv) Amounts directly received by the family as a result of Federal refundable tax credits and Federal tax refunds at the time they are received.

(v) Gifts for holidays, birthdays, or other significant life events or milestones (*e.g.,* wedding gifts, baby showers, anniversaries).

(vi) Non-monetary, in-kind donations, such as food, clothing, or toiletries, received from a food bank or similar organization.

(vii) Lump-sum additions to net family assets, including but not limited to lottery or other contest winnings.

(25) Civil rights settlements or judgments, including settlements or judgments for back pay.

(26) Income received from any account under a retirement plan recognized as such by the Internal Revenue Service, including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals; except that any distribution of periodic payments from such accounts shall be income at the time they are received by the family.

(27) Income earned on amounts placed in a family's Family Self Sufficiency Account.

(28) Gross income a family member receives through self-employment or operation of a business; except that the following shall be considered income to a family member:

(i) Net income from the 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; and

(ii) 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.

§ 5.611 Adjusted income (the following revisions are effective January 1, 2024 per the final rule officially published in the Federal Register on February 14, 2023. The final rule revises HUD regulations to put sections 102 and 104 of HOTMA into effect).

Adjusted income means annual income (as determined under § 5.609) of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions:

(a) *Mandatory deductions.*

(1) $480 for each dependent, which amount will be adjusted by HUD annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers, rounded to the next lowest multiple of $25;

(2) $525 for any elderly family or disabled family, which amount will be adjusted by HUD annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers, rounded to the next lowest multiple of $25;

(3) The sum of the following, to the extent the sum exceeds ten percent of annual income:

(i) Unreimbursed health and medical care expenses of any elderly family or disabled family; and

(ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with a disability, to the extent necessary to enable any member of the family (including the member who is a person with a disability) to be employed. This deduction may not exceed the combined earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and

(4) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.

(b) *Additional deductions.*

(1) For public housing, the Housing Choice Voucher (HCV) and the Section 8 moderate rehabilitation programs (including the moderate rehabilitation Single-Room Occupancy (SRO) program), a PHA may adopt additional deductions from annual income.

(i) *Public housing.* A PHA that adopts such deductions will not be eligible for an increase in Capital Fund and Operating Fund formula grants based on the application of such deductions. The PHA must establish a written policy for such deductions.

(ii) *HCV, moderate rehabilitation, and moderate rehabilitation Single-Room Occupancy (SRO) programs.* A PHA that adopts such deductions must have sufficient funding to cover the increased housing assistance payment cost of the deductions. A PHA will not be eligible for an increase in HCV renewal funding or moderate rehabilitation program funding for subsidy costs resulting from such deductions. For the HCV program, the PHA must include such deductions in its administrative plan. For moderate rehabilitation, the PHA must establish a written policy for such deductions.

(2) For the HUD programs listed in § 5.601(d), the responsible entity must calculate such other deductions as required and permitted by the applicable program regulations.

(c) *Financial hardship exemption for unreimbursed health and medical care expenses and reasonable attendant care and auxiliary apparatus expenses.* (1) *Phased-in relief.* This paragraph provides financial hardship relief for families affected by the statutory increase in the threshold to receive health and medical care expense and reasonable attendant care and auxiliary apparatus expense deductions from annual income.

(i) *Eligibility for relief.* To receive hardship relief under this paragraph (c)(1), the family must have received a deduction from annual income because their sum of expenses under paragraph (a)(3) of this section exceeded 3 percent of annual income as of January 1, 2024.

(ii) *Form of relief.*

(A) The family will receive a deduction totaling the sum of the expenses under paragraph (a)(3) of this section that exceed 5 percent of annual income.

(B) Twelve months after the relief in this paragraph (c)(1)(ii) is provided, the family must receive a deduction totaling the sum of expenses under paragraph (a)(3) of this section that exceed 7.5 percent of annual income.

(C) Twenty-four months after the relief in this paragraph (c)(1)(ii) is provided, the family must receive a deduction totaling the sum of expenses under paragraph (a)(3) of this section that exceed ten percent of annual income and the only remaining relief that may be available to the family will be paragraph (d)(1) of this section.

(D) A family may request hardship relief under paragraph (c)(2) of this section prior to the end of the twenty-four-month transition period. If a family making such a request is determined eligible for hardship relief under paragraph (c)(2) of this section, hardship relief under this paragraph ends and the family's hardship relief shall be administered in accordance with paragraph (c)(2) of this section. Once a family chooses to obtain relief under paragraph (c)(2) of this section, a family may no longer receive relief under this paragraph.

(2) *General.* This paragraph (c)(2) provides financial relief for an elderly or disabled family or a family that includes a person with disabilities that is experiencing a financial hardship.

(i) *Eligibility for relief.*

(A) To receive hardship relief under this paragraph (c)(2), a family must demonstrate that the family's applicable health and medical care expenses or reasonable attendant care and auxiliary apparatus expenses increased or the family's financial hardship is a result of a change in circumstances (as defined by the responsible entity) that would not otherwise trigger an interim reexamination.

(B) Relief under this paragraph (c)(2) is available regardless of whether the family previously received deductions under paragraph (a)(3) of this section, is currently receiving relief under paragraph (c)(1) of this section, or previously received relief under paragraph (c)(1) of this section.

(ii) *Form and duration of relief.*

(A) The family will receive a deduction for the sum of the eligible expenses in paragraph (a)(3) of this section that exceed 5 percent of annual income.

(B) The family's hardship relief ends when the circumstances that made the family eligible for the relief are no longer applicable or after 90 days, whichever comes earlier. However, responsible entities may, at their discretion, extend the relief for one or more additional 90-day periods while the family's hardship condition continues.

(d) *Exemption to continue child care expense deduction.* A family whose eligibility for the child care expense deduction is ending may request a financial hardship exemption to continue the child care expense deduction under paragraph (a)(4) of this section. The responsible entity must recalculate the family's adjusted income and continue the child care deduction if the family demonstrates to the responsible entity's satisfaction that the family is unable to pay their rent because of loss of the child care expense deduction, and the child care expense is still necessary even though the family member is no longer employed or furthering his or her education. The hardship exemption and the resulting alternative adjusted income calculation must remain in place for a period of up to 90 days. Responsible entities, at their discretion, may extend such hardship exemptions for additional 90-day periods based on family circumstances.

(e) *Hardship policy requirements.*

(1) *Responsible entity determination of family's inability to pay the rent.* The responsible entity must establish a policy on how it defines what constitutes a hardship under paragraphs (c) and (d) of this section, which includes determining the family's inability to pay the rent, for purposes of determining eligibility for a hardship exemption under paragraph (d) of this section.

(2) *Family notification.* The responsible entity must promptly notify the family in writing of the change in the determination of adjusted income and the family's rent resulting from the hardship exemption. The notice must also inform the family of when the hardship exemption will begin and expire (*i.e.,* the time periods specified under paragraph (c)(1)(ii) of this section or within 90 days or at such time as the responsibility entity determines the exemption is no longer necessary in accordance with paragraphs (c)(2)(ii)(B) or (d) of this section).

§ 5.617 Self-sufficiency incentives for persons with disabilities—Disallowance of increase in annual income (the following revisions are effective January 1, 2024 per the final rule officially published in the Federal Register on February 14, 2023. The final rule revises HUD regulations to put sections 102 and 104 of HOTMA into effect).

(a) Applicable programs. The disallowance of earned income provided by this section is applicable only to the following programs: HOME Investment Partnerships Program (24 CFR part 92); Housing Opportunities for Persons with AIDS (24 CFR part 574); Supportive Housing Program (24 CFR part 583); and the Housing Choice Voucher Program (24 CFR part 982).

(b) Definitions. The following definitions apply for purposes of this section.

Baseline income. The annual income immediately prior to implementation of the disallowance described in paragraph (c)(1) of this section of a person with disabilities (who is a member of a qualified family).

Disallowance. Exclusion from annual income.

Previously unemployed includes a person with disabilities who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Qualified family. A family residing in housing assisted under one of the programs listed in paragraph (a) of this section or receiving tenant-based rental assistance under one of the programs listed in paragraph (a) of this section.

(1) Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;

(2) Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or

(3) Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance - provided that the total amount over a six-month period is at least $500.

(c) Disallowance of increase in annual income -

(1) Initial 12-month exclusion. During the 12-month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income (as defined in the regulations governing the applicable program listed in paragraph (a) of this section) of a qualified family any increase in income of the family member who is a person with disabilities as a result of employment over prior income of that family member.

(2) Second 12-month exclusion and phase-in. Upon the expiration of the 12-month period defined in paragraph (c)(1) of this section and for the subsequent 12-month period, the responsible entity must exclude from annual income of a qualified family at least 50 percent of any increase in income of such family member as a result of employment over the family member's baseline income.

(3) Maximum 2-year disallowance. The disallowance of increased income of an individual family member who is a person with disabilities as provided in paragraph (c)(1) or (c)(2) of this section is limited to a lifetime 24-month period. The disallowance applies for a maximum of 12 months for disallowance under paragraph (c)(1) of this section and a maximum of 12 months for disallowance under paragraph (c)(2) of this section, during the 24- month period starting from the initial exclusion under paragraph (c)(1) of this section.

(4) Effect of changes on currently participating families. Families eligible for and participating in the disallowance of earned income under this section prior to May 9, 2016 will continue to be governed by this section in effect as it existed immediately prior to that date (see 24 CFR parts 0 to 199, revised as of April 1, 2016).

(d) Inapplicability to admission. The disallowance of increases in income as a result of employment of persons with disabilities under this section does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

(e) *Limitation.* This section applies to a family that is receiving the disallowance of earned income under this section on December 31, 2023.

(f) *Sunset.* This section will lapse on January 1, 2026.

Effective January 1, 2024, add § 5.618 to subpart F to read as follows:

§ 5.618 Restriction on assistance to families based on assets (the following revisions are effective January 1, 2024 per the final rule officially published in the Federal Register on February 14, 2023. The final rule revises HUD regulations to put sections 102 and 104 of HOTMA into effect).

(a) *Restrictions based on net assets and property ownership.*

(1) A dwelling unit in the public housing program may not be rented, and assistance under the Section 8 (tenant-based and project-based) programs may not be provided, either initially or upon reexamination of family income, to any family if:

(i) The family's net assets (as defined in § 5.603) exceed $100,000, which amount will be adjusted annually by HUD in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers; or

(ii) The family has a present ownership interest in, a legal right to reside in, and the effective legal authority to sell, based on State or local laws of the jurisdiction where the property is located, real property that is suitable for occupancy by the family as a residence, except this real property restriction does not apply to:

(A) Any property for which the family is receiving assistance under 24 CFR 982.620; or under the Homeownership Option in 24 CFR part 982;

(B) Any property that is jointly owned by a member of the family and at least one non-household member who does not live with the family, if the non-household member resides at the jointly owned property;

(C) Any person who is a victim of domestic violence, dating violence, sexual assault, or stalking, as defined in this part 5 (subpart L); or

(D) Any family that is offering such property for sale.

(2) A property will be considered "suitable for occupancy" under paragraph (a)(1)(ii) of this section unless the family demonstrates that it:

(i) Does not meet the disability-related needs for all members of the family (*e.g.,* physical accessibility requirements, disability-related need for additional bedrooms, proximity to accessible transportation, etc.);

(ii) Is not sufficient for the size of the family;

(iii) Is geographically located so as to be a hardship for the family (*e.g.,* the distance or commuting time between the property and the family's place of work or school would be a hardship to the family, as determined by the PHA or owner);

(iv) Is not safe to reside in because of the physical condition of the property (*e.g.,* property's physical condition poses a risk to the family's health and safety and the condition of the property cannot be easily remedied); or

(v) Is not a property that a family may reside in under the State or local laws of the jurisdiction where the property is located.

(b) *Acceptable documentation; confidentiality.*

(1) A PHA or owner may determine the net assets of a family based on a certification by the family that the net family assets (as defined in § 5.603) do not exceed $50,000, which amount will be adjusted annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers, without taking additional steps to verify the accuracy of the declaration. The declaration must state the amount of income the family expects to receive from such assets; this amount must be included in the family's income.

(2) A PHA or owner may determine compliance with paragraph (a)(1)(ii) of this section based on a certification by a family that certifies that such family does not have any present ownership interest in any real property at the time of the income determination or review.

(3) When a family asks for or about an exception to the real property restriction because a family member is a victim of domestic violence, dating violence, sexual assault, or stalking, the PHA or owner must comply with the confidentiality requirements under § 5.2007. The PHA or owner must accept a self-certification from the family member, and the restrictions on requesting documentation under § 5.2007 apply.

(c) *Enforcement.*

(1) When recertifying the income of a family that is subject to the restrictions in paragraph (a) of this section, a PHA or owner may choose not to enforce such restrictions, or alternatively, may establish exceptions to the restrictions based on eligibility criteria.

(2) The PHA or owner may choose not to enforce the restrictions in paragraph (a) of this section or establish exceptions to such restrictions only pursuant to a policy adopted by the PHA or owner.

(3) Eligibility criteria for establishing exceptions may provide for separate treatment based on family type and may be based on different factors, such as age, disability, income, the ability of the family to find suitable alternative housing, and whether supportive services are being provided. Such policies must be in conformance with all applicable fair housing statutes and regulations, as discussed in this part 5.

(d) *Delay of eviction or termination of assistance.* The PHA or owner may delay for a period of not more than 6 months the initiation of eviction or termination proceedings of a family based on noncompliance under this provision unless it conflicts with other provisions of law.

(e) *Applicability.* This section applies to the Section 8 (tenant-based and project-based) and public housing programs.

6.3.4 Annualizing Income [24 CFR 5.609(c)(1), (c)(2)]

The HA must use the family's income from the preceding 12 month period.

Annualizing Income

HA must estimate the income of the family for the upcoming 12 month period for:

- Initial occupancy/assistance
- Interims

Use current circumstances to anticipate income

At annual reexaminations (unless using a streamlined income determination), the HA must use the family's income from the preceding 12-month period.

- Taking into consideration any interims
- Making adjustments to reflect current income if there was a change in the previous 12-month period that wasn't accounted for.

6.3.5 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).

6.3.6 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 and are approved for 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 HA 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 Program and is designated as "Homeless at Admission."

(vi) Households unable to pay rent due to unanticipated medical or disability expenses, as well as for households no longer eligible for the childcare expense deduction. 24 CFR 5.611(c)(1)- (c)(2) & 24 CFR 5.611(d)

What happens if family requests a hardship exemption?
(A) If a family requests a financial hardship exemption, the HA 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 24 CFR 5.628(a)(4) and 24 CFR 5.630), and not to the other elements used to calculate the total tenant payment [as determined pursuant to 24 CFR 5.628(a)(1), (a)(2) and (a)(3)].

6.3.7 Minimum Income
There is no minimum income requirement.

6.3.8 Pro-ration of Assistance for "Mixed" Families
Pro-ration of assistance must be 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.

6.3.9 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.

[Intentionally Blank]

Chapter 7

VERIFICATION PROCEDURES

7.1 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 fifty thousand dollars ($50,000.00), 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.

Pursuant to the PIH Notice 2023-27 (HA) and 24 CFR 5.603 b(3) – b(4), the following provisions will be adopted into policy:

> The PHA must obtain and document in the tenant file third-party verification of the following factors, or must document in the tenant file why third-party verification was not available:
>
> For a family with net assets equal to or less than $50,000, the PHA may accept a family's declaration that it has net assets equal to or less than $50,000, without taking additional steps to verify the accuracy of the declaration.
>
> - The declaration must state the amount of income the family expects to receive from such assets; this amount must be included in the family's income.
> - The PHA must obtain third-party verification of all family assets every 3 years.

Streamlined income determination. For any family member with a fixed source of income, the PHA may elect to determine that family member's income by means of a streamlined income determination. A streamlined income determination must be conducted by applying, for each fixed-income source, the verified cost of living adjustment (COLA) or current rate of interest to the previously verified or adjusted income amount.

Family member with a fixed source of income is defined as a family member whose income includes periodic payments at reasonably predictable levels from one or more of the following sources:

- Social Security, Supplemental Security Income, Supplemental Disability Insurance;
- Federal, state, local, or private pension plans;
- Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts; or
- Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.

A PHA must use a COLA or current rate of interest specific to the fixed source of income in order to adjust the income amount. The PHA must verify the appropriate COLA or current rate of interest from a public source or through tenant provided, third party generated documentation. If no such verification is available, then the PHA must obtain third-party verification of income amounts in order to calculate the change in income for the source. For any family member whose income is determined pursuant to a streamlined income

determination, the PHA must obtain third-party verification of all income amounts every 3 years.

7.2 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-A, 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.

7.3 METHODS OF VERIFICATION

[PIH Notice 2010-3 (HA), PIH Notice 2010-19 (HA) and extended by PIH 2015-02 (HA) & 24 CFR 5.233]

The HA will verify information through the six methods of verification acceptable to HUD in the following order:

7.3.1 Level Verification Technique Ranking

Level	Verification Technique	Ranking
6	**Upfront Income Verification (UIV)** using HUD's Enterprise Income Verification (EIV) system (not available for income verifications of applicants)	**Highest** (Mandatory)
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) Includes an original or authentic document generated by a third-party source dated within 120 days of the date received by the PHA. PHAs may accept a statement dated within the appropriate benefit year for fixed income sources.

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)

7.3.2 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 180 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 120-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 (ex. cash contributions), 12 month child support payment printout, 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 or authentic documents will be 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.

7.4 SAFE HARBOR

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

This final rule revises the provision in § 5.609(c)(3) that states that PHAs and owners may, but are not required to, use income calculation information from other programs or agencies to determine a family's income prior to applying deductions under § 5.611. Based on suggestions received in public comments, HUD adds the following to the list of means-tested forms of public assistance that PHAs and owners may rely upon: the Low-Income Housing Credit (LIHTC); the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); and Supplemental Security Income (SSI). In addition to these specific forms of public assistance, HUD is including other HUD programs, other means-tested forms of Federal public assistance for which HUD establishes a memorandum of understanding, and other means-tested forms of Federal public assistance that HUD may announce through a Federal Register notice. In response to questions received in public comments, HUD is also adding regulatory language specifying how PHAs or owners that choose to use income determinations

from other programs are to verify the information. PHAs or owners are to use third-party verification, which must include the tenant's family size and composition and state the family's annual income. The verification must also be dated within the time frame specified for the type of verification, including within the previous 12-month period for purposes of the specified means-tested forms of Federal public assistance. If the PHA or owner cannot obtain the required third-party verification, or if the family disputes the determination, the PHA or owner must calculate the family's annual income using the methods established in § 5.609(c)(1) and (2) or in the applicable program regulations.

7.5 ITEMS TO BE VERIFIED

All eligibility factors will be verified, such as waiting list preference, income, deductions and exclusions, combined assets exceeding fifty thousand dollars ($50,000.00), and household composition.

Income that is fully excluded means the entire amount qualifies to be excluded from the annual income determination. For fully excluded income, the PHA is **not required** to:

- Verify the income in accordance with the HUD-prescribed verification hierarchy;
- Document in the tenant file why third party verification was not available as required by 24 CFR 960.259(c)(i) and 24 CFR 982.516(a)(2); and report the income in Section 7 of the form HUD-50058.

The PHA's application and reexamination documentation, which is signed by all adult family members, may serve as the self-certification of the fully excluded income. Examples of common fully excluded income categories that are verifiable through applicant or participant self-certification are:

- Supplemental Nutrition Assistance Program (SNAP) benefits, formerly known as food stamps.
- Income from a live-in aide.

For a complete list of income exclusions, see 24 CFR 5.609(b)(9).

7.6 VERIFYING NON-FINANCIAL FACTORS

7.6.1 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.

7.6.2 Family Relationships

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

7.6.3 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.

7.6.4 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.

7.6.5 Verification of Disability

Third party verification procedures will be used to document and/or verify disability status.

7.6.6 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 USCIS. 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 except those that are issued only for work authorization in the absence of an original Certified Abstract of Birth. 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.

7.6.7 Verification of Social Security Number (PIH 2010-3 (HA) and 2018-24 (HA)

In accordance with 24 CFR §5.216, applicants and participants (including each member of the household and including, live-in aides, foster children, and foster adults) are required to disclose his/her U.S. Social Security Administration (SSA) assigned social security number (SSN), with the exception of the following individuals:

a. Those individuals who do not contend to have eligible immigration status (individuals who may be unlawfully present in the United States) **and** have not been assigned an SSN. These individuals in most instances would not be eligible for a SSN.

> i. A family that consists of a single household member (including a pregnant individual) who does not have eligible U.S. citizenship or eligible immigration status is **not eligible** for housing assistance and cannot be housed.
> ii. A family that consists of two or more household members **and at least one** household member that has eligible U.S. citizenship or eligible immigration status, is classified as a mixed family, and **is eligible** for prorated assistance in accordance with 24 CFR §5.520. The PHA may **not** deny assistance to mixed families due to nondisclosure of an SSN by an individual who does not contend to have eligible immigration status.
> **Note:** Financial assistance may only be provided to individuals with eligible immigration status in accordance with 42 USC §1436a, which is generally evidenced by the individual providing his/her Green Card (Form I-551 – U.S. Permanent Residence Card) or other documentation approved by the Department of Homeland Security for noncitizens with refugee or asylee status.

b. Existing program participants, who as of January 31, 2010, were 62 years of age or older (born on or before January 31, 1948). This exemption continues even if the individual moves to a new assisted unit.

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. The PHA is not authorized to generate an ALT ID for the affected household member. 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. If the family is unable to disclose and provide evidence of the SSN within 90 calendar days, the PHA is required to grant the family an additional 90-day period to comply with the SSN disclosure and documentation requirement, **only if** the PHA determines the family was unable to comply with the requirements due to circumstances that could not have reasonably been foreseen and were outside the control of the family. Examples include but are not limited to: delayed processing of SSN application by SSA, natural disaster, fire, death in family, etc. The child is to be included as part of the assisted household and is entitled to all the benefits of being a household member during the allotted time for the family to comply with the SSN disclosure and documentation requirements. The PHA is required to generate an ALT ID. **[PIH 2010-3 (HA) and 2018-24 (HA)]** Upon expiration of the provided time period, if the family has not complied with the SSN disclosure and documentation requirements, the PHA **must** terminate the entire family's tenancy or assistance, or both.

SSN Documentation. The PHA must request the applicant and participant (including each member of the household), who are not exempt under paragraph a. of this Section 7.6.7 to provide documentation of each disclosed SSN. Acceptable evidence of the SSN consists of:

a. An original SSN card or an authentic copy issued by SSA;

b. An original or authentic SSA-issued document, which contains the name and SSN of the individual;

or

c. An original or authentic document issued by a Federal, State, or local government agency, which contains the name and SSN of the individual.

7.6.8 Verification of Reasonable Accommodation

Reasonable Accommodation requests for families will be considered when a family includes a person with disabilities. The family must demonstrate a justification to the disability is present to make the program accessible to and usable by the family member with a disability. 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 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. If the licensed professional indicates on the 3rd party that the need for a live in aide is permanent, the verification will be renewed every 5 years at the annual recertification. If the 3rd party indicates that the need for a live-in aide is temporary, the verification will be renewed annually. Note: At time of relocation, in either case, staff will need to determine if a new verification is required in order to be compliant with the timeframes above.

Requests involving separate bedrooms for sleeping and/or substantial medical equipment will be verified through third-party verification from the patient's designated licensed professional on an

annual basis. For reasonable accommodations regarding a separate bedroom for sleeping purposes, if the disability is verified as permanent, the request will be reviewed every 5 years. 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.

7.6.9 Verification of Request for Exception to the 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 Policy on Prohibited Criminal Activity (see Appendix C), they may complete a Request for Exception to 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.

[Intentionally Blank]

Chapter 8

VOUCHER ISSUANCE AND BRIEFINGS

8.1 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.

8.2 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.

8.3 BRIEFING TYPES AND REQUIRED ATTENDANCE (24 CFR 982.301)

8.3.1 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).

8.3.2 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.

8.3.3 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 AffordableHousing.com (formerly GoSection8.com), a web-based program which gives the family access to owners who wish to rent their properties to participants 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 other resources 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/NSPIRE.

The HA will provide information on the advantages to moving to high opportunity areas. 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.

8.4 ENCOURAGING PARTICIPATION IN HIGH-OPPORTUNITY AREAS

During briefings sessions the Housing Authority encourages families to move to high opportunity areas by explaining the advantages of moving to an area that may offer better 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 on AffordableHousing.com , 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 owner/landlord seminars in order to expand its network of property owners and/or managers. The purpose of these seminars is to make special efforts to provide outreach and education to landlords who may not be familiar with the HCV Program.

8.5 ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION (24 CFR 982.304)

A family may claim that illegal discrimination because of race, color, religion, sex, national origin, citizenship, immigration status, primary language, age, sexual orientation, gender identity, gender expression, genetic information, marital status, source of income, military or veteran status, familial status or disability prevents the family from finding or leasing a suitable unit with assistance under the program. The HA must give the family information on how to fill out and file a housing discrimination complaint. In addition to the requirements set forth in 24 CFR 982.304, the HA will also direct the family to report suspected housing discrimination to HUD or local fair housing organizations such as the Fair Housing Council of Riverside County, Inc., Inland Fair Housing and Mediation Board, Inland Counties Legal Services, and other appropriate agencies or organizations.

8.6 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 HCV 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.

8.7 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.

8.8 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, 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 24 CFR 982.355(c)(13).

8.8.1 Expirations

For those families that have an initial Voucher, the term of the Voucher is 180 calendar days.
For participants who are relocating, Vouchers are also valid for a period of 180 calendar days from the day the voucher is issued. Extensions will be granted on a case by case basis.

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 or elderly family (i.e. 62 years or older), 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 written 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 Request for Tenancy Approval (RFTA) was submitted for fails to meet HQS and/or NSPIRE, 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. [24 CFR 982.554(c)(4); 24 CFR 982.555(b)(4)].

8.8.2 Suspensions (Tolling Time) 24 CFR 982.303 (c)

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.

8.9 VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS (24 CFR 982.315)

8.9.1 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 or 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 required information.

8.10 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 currently living in the unit.

A live-in aide or foster child/foster adult, temporary caretaker/guardian, 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 (i.e. temporary caretaker/guardian) 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.

The Housing Authority will only approve one additional bedroom subsidy 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 subsidies will be provided for the family members of the Caretaker or Guardian.

[Intentionally Blank]

Chapter 9

REQUEST FOR TENANCY APPROVAL (RFTA) AND CONTRACT EXECUTION

9.1 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 RFTAs.

9.2 REQUEST FOR TENANCY APPROVAL (RFTA) (24 CFR 982.302)

The RFTA 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 should be present for the initial inspection.

The following timeline must be observed for all incoming RFTAs:

- The unit should 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 finalized 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 and affordability is confirmed.
- 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** 30 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 calendar days from the date the inspection has passed.

9.2.1 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 to negotiate a revised rent, the HA will inform the family and owner that the RFTA is disapproved.

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.

The RFTA may be denied if the:

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

The family's voucher term will be suspended and tolling time will be provided 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.

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)]**

If the HA determines that the RFTA is approvable, staff will make every effort to 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 business 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.

9.2.2 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 any member of the participant family 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)). There must be a justification between the disability and the request to rent from a relative.

Reasonable accommodations granted to rent from a relative that were approved at initial occupancy will remain in effect as long as the participant family resides in the unit.

An Accessory Dwelling Unit (ADU) will be considered a separate unit. ADUs are also referred as "granny flats" or "second units". ADUs and Junior ADUs must be permitted in order to be considered a separate unit/dwelling.

9.3 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.

9.4 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.

9.5 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 calendar days or the contract is null and void. Copies of the documents will be furnished to the parties who signed the respective documents.

9.6 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 may provide the Housing Authority a signed lease and/or rental agreement.

Chapter 10

HOUSING QUALITY STANDARDS AND INSPECTIONS

10.1 INTRODUCTION 24 CFR 982.404

Housing Quality Standards (HQS and/or NSPIRE) are the HUD minimum quality standards for tenant-based programs. HQS and/or NSPIRE inspections are required both at initial occupancy and annually during the term of the lease.

At the HA's discretion, pursuant to the 2014 Appropriations Act, the HA may conduct HQS and/or NSPIRE inspections on a biennial basis (once every two years) using a consistent methodology plan (i.e. streamlined annual files and high performing landlords with 75% units that pass inspection at the 1st HQS and/or NSPIRE visit). Also pursuant to the 2014 Appropriations Act, in lieu of conducting an HQS and/or NSPIRE inspection for existing voucher-assisted units, the HA may use Alternate Inspection Methods for annual inspections if the alternative inspection uses an equivalent or higher standard. HQS and/or NSPIRE inspections apply to the building and premises, as well as the unit. Reasonable business hours to conduct housing inspections are between 8:00 a.m. and 5:00 p.m.

These minimum standards may be enhanced by the HA, provided that by doing so the HA does not overly restrict the number of units available for lease under the program. The use of the term "HQS and/or NSPIRE" in this Administrative Plan refers to the combination of both HUD and HA requirements. This chapter describes the HA's procedures for performing HQS and/or NSPIRE and other types of inspections, and standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of non-compliance with HQS and/or NSPIRE requirements for both families and owners.

10.2 TYPES OF INSPECTIONS

Efforts will be made at all times to encourage owners to provide housing that meets or exceeds the HQS and/or NSPIRE minimum standards. All utilities and appliances must be in service before the unit will pass HQS and/or NSPIRE.

There are five types of inspections the HA will perform:

1. Initial/Move-in: HA will make every effort to schedule and perform inspection within 7 business days of receipt of Request for Tenancy Approval or from the date the unit will be ready for inspection.
2. Annual: Must be conducted within 12 months of the last inspection date.
3. Special/Complaint: At the request of an owner, family, agency or third-party.
4. Move-Out/Vacate: At the HA's discretion, the HA may conduct a move-out inspection if damage is a result of the tenant not meeting their obligations and such damage would cause tenant to lose their assistance.
5. Quality Control: Quality control inspections are conducted in an amount necessary to meet HUD requirements.

10.3 ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS and/or NSPIRE

The HA adheres to the acceptability criteria in the program regulations and HUD Inspection Manual. Additions to HQS and/or NSPIRE:

- Modifications or adaptations to a unit must meet applicable HQS and/or NSPIRE and building codes i.e., must provide copy of signed off final city building permit for additions and/or

removed structures.

- All emergency systems must be operable (i.e., pull cords for elderly/disabled complexes).
- Security bars/window bars in rooms that can be used for sleeping must have a quick release mechanism. Such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge, or force greater than that which is required for normal operation of the escape and rescue opening. *The release mechanism shall be maintained operable at all times* (Chapter 3 – Building Planning of the 2016 California Residential Code, Section R310, Emergency Escape and Rescue Openings).
- Two earthquake straps (one in the top third and one in the bottom third) are required for all hot water heaters. An exception would be in the case of electric water heaters located inside a cupboard, typically under a countertop and commonly referred to as 30 gallon stubbies (which are half the size of a normal water heater). In these instances, one earthquake strap is preferred but plumbers tape may be used to secure the water heater.
- A functional cooling system must be in all units located in the desert communities (both incorporated and unincorporated) east of the City of Desert Hot Springs (this includes the City of Desert Hot Springs).

- All exterior doors must have working deadbolts (inside cannot be keyed – must be keyless) and a doorknob.
- Certified carbon monoxide detectors must be installed in, all dwellings (1 per floor level) having a fossil fuel burning heater or appliance (such as a gas stove, or oven), fireplace or attached garage. All Smoke Detectors and Carbon Monoxide Detectors must be either 10-year battery sealed or hardwired. (SB183)
- SB (628) (10) A stove and a refrigerator that were purchased within the last 10 years, maintained in good working order. This paragraph shall only apply to a lease entered into, amended, or extended on or after January 1, 2026.

10.4 INSPECTIONS [24 CFR 982.405 (a)]

The HA conducts an inspection in accordance with Housing Quality Standards at least annually, but no sooner than 120 calendar days from the last annual inspection. Special or Quality Control inspections may be scheduled between anniversary dates.

For inspection of HA owned units the HA must obtain the services of an independent entity to perform all HQS inspections in cases where an HCV family is receiving assistance in a HA-owned unit. An HA-owned unit is defined as a unit in a project that is owned by the HA, owned by an entity wholly controlled by the HA, or owned by an LLC or limited partnership in which the HA or entity wholly controlled by the HA holds a controlling interest in the managing member or general partner [Federal Register (FR) notice (82 FR 5458) published on January 18, 2017, as revised by FR notice 82 FR 32461 published on July 14, 2017]. The independent agency must communicate the results of each inspection to the family and the HA. The independent agency must be approved by HUD, and may be the unit of general local government for the HA jurisdiction (unless the HA is itself the unit of general local government or an agency of such government).

The landlord must correct HQS and/or NSPIRE deficiencies that cause a unit to fail unless the fail item is one for which the participant is responsible. HAP payments will not be made on units that do not meet HQS and/or NSPIRE. The family is responsible for breaches of HQS and/or NSPIRE that are caused by any of the following:

- The family fails to pay for any utilities that the owner is not required to pay for, but which are to be paid for by the tenant;
- The family fails to provide and maintain any appliances that the owner is not required to provide, but which are to be provided by the tenant; or
- Any member of the household or guest damages the dwelling unit or premises (damage beyond ordinary wear and tear).
- The family fails to allow the HA to inspect the unit at reasonable times with reasonable notice.
- If the family does not contact the HA to reschedule the inspection (with good cause), or if the family misses one inspection appointment, the HA will consider the family to have violated a family obligation, and their assistance may be terminated in accordance with the termination procedure in this Plan.

Single Room Occupancy (SRO): Housing quality standards. [24 CFR 982.605]

HQS requirements described in Chapter 10 apply to SRO housing except as modified below.

(a) ***HQS standards for SRO.*** As defined in § 982.4, housing quality standards (HQS) refers to the minimum quality standards developed by HUD in accordance with 24 CFR 5.703 for housing assisted under the HCV program or a HUD approved alternative standard for the PHA under 24 CFR 5.703(g). However, the standards in this section apply in place of standards related to sanitary facilities, food preparation and refuse disposal, and space and security. Since the SRO units will not house children, the standards at 24 CFR part 35, subparts A, B, H, and R, applying to the PBC program, concerning lead-based paint, do not apply to SRO housing.

(b) ***Performance requirements.***

(1) SRO housing is subject to the additional performance requirements in this paragraph (b).

(2) Sanitary facilities, and space and security characteristics must meet local code standards for SRO housing. In the absence of applicable local code standards for SRO housing, the following standards apply:

(i) ***Sanitary facilities.***

(A) At least one flush toilet that can be used in privacy, lavatory basin, and bathtub or shower, in proper operating condition, must be supplied for each six persons or fewer residing in the SRO housing.

(B) If SRO units are leased only to males, flush urinals may be substituted for not more than one-half the required number of flush toilets. However, there must be at least one flush toilet in the building.

(C) Every lavatory basin and bathtub or shower must be supplied at all times with an adequate quantity of hot and cold running water.

(D) All of these facilities must be in proper operating condition, and must be adequate for personal cleanliness and the disposal of human waste. The facilities must utilize an approvable public or private disposal system.

(E) Sanitary facilities must be reasonably accessible from a common hall or passageway to all persons sharing them. These facilities may not be located more than one floor above or below the SRO unit. Sanitary facilities may not be located below grade unless the SRO units are located on that level.

(ii) ***Space and security.***

(A) No more than one person may reside in an SRO unit.

(B) An SRO unit must contain at least one hundred ten square feet of floor space.

(C) An SRO unit must contain at least four square feet of closet space for each resident (with an unobstructed height of at least five feet). If there is less closet space, space equal to the amount of the deficiency must be subtracted from the area of the habitable room space when determining the amount of floor space in the SRO unit. The SRO unit must contain at least one hundred ten square feet of remaining floor space after subtracting the amount of the deficiency in minimum closet space.

(D) Exterior doors and windows accessible from outside an SRO unit must be lockable.

(3) ***Access.***

(i) Access doors to an SRO unit must have locks for privacy in proper operating condition.

(ii) An SRO unit must have immediate access to two or more approved means of exit, appropriately marked, leading to safe and open space at ground level, and any means of exit required by State and local law.

(iii) The resident must be able to access an SRO unit without passing through any other unit.

(4) ***Sprinkler system.*** A sprinkler system that protects all major spaces, hard wired smoke detectors, and such other fire and safety improvements as State or local law may require must be installed in each building. The term "major spaces" means hallways, large common areas, and other areas specified in local fire, building, or safety codes.

10.4.1 Time Standards for Repairs **[24 CFR 985.3 (f)] and 24 CFR 982.404**

1. Emergency items that endanger the family's health or safety must be corrected within 24 hours of notification.
2. For non-emergency items, all repairs must be completed as specified by the HA, not to exceed 30 calendar days.
3. For major repairs, a Supervising Development Specialist (SDS) or above may approve an extension beyond 30 calendar days.

In accordance with the Notice to Repair or Certified Repair Notice, the HAP contract will be terminated if the unit is not in compliance with HQS and/or NSPIRE. If the tenant is the responsible party, a Pre-termination of Assistance Appointment letter will be sent. No payments will be made to the owner after the HAP contract has been terminated.

10.5 EMERGENCY REPAIR ITEMS **[24 CFR 982.404 (a) (3) and (b) (2)]**

The HA must not make any housing assistance payments for a dwelling unit that fails to meet HQS and or NSPIRE, unless the Owner corrects the defect within the period specified by the HA and the HA verifies the correction. If a defect is life threatening, the owner must correct the defect within no more than 24 hours. If a HQS breach is caused by the family and is life threatening, the family must correct the defect within no more than 24 hours.

Life threatening is defined as conditions that present imminent probability of serious injury.

- Large and/or sharp enough to cut and/or puncture the skin, resulting in profuse bleeding,
- Cause an injury that would damage part of the body rendering it useless or unable to be used as intended, and

- Allow exposure to toxic substances or other health hazards that can shorten life or cause substantial reduction in physical or mental efficiency.

Emergency items are defined as conditions that do not present an imminent probability of serious injury, but if left unchecked for 24 hours, would most likely lead to a health and safety condition directly affecting the tenant.

The following is a non-exhaustive list of items considered of a life threatening and/or of an emergency nature and must be corrected by the owner or tenant (whoever is responsible per statute) within 24 hours of notice by the Housing Authority:

- Lack of security for the unit
- Inoperable or missing smoke or carbon monoxide detectors
- Waterlogged or damaged ceilings, floors, or walls in imminent danger of falling
- Major plumbing leaks or flooding
- Natural or Liquid Petroleum (i.e. propane) gas leak or fumes
- Electrical problem which could result in shock or fire
- Utilities not in service
- No running hot water
- Broken glass where someone could be injured
- Obstacle which prevents tenant's entrance or exit (blocked egress)
- Lack of at least one functioning sink and toilet
- Any other item deemed an immediate health or safety hazard

In those cases where there is leaking gas or a potential of fire or other threat to public safety, and the responsible party cannot be contacted, the proper authorities will be notified by the HA.

10.5.1 CONSEQUENCES IF OWNER IS RESPONSIBLE (NON-EMERGENCY ITEMS) (24 CFR 982.404 and 982.453)

When it has been determined that a unit on the program fails to meet HQS and or NSPIRE, the owner is responsible for completing the necessary repair(s) in the time period specified by the HA. The HA must take prompt action to enforce owner obligations. HA remedies for such breach of the Housing Quality Standards may include abatement of the HAP or termination of the HAP contract.

Abatement

Should circumstances arise that warrant abatement, a notice of abatement of the housing assistance payment will be sent to the owner, and the abatement will be effective the first of the month following the specified correction period. The housing assistance payment will be abated for no more than a period of thirty (30) days, at which time the contract will be terminated if the required repairs are not made and verified by the HA.

If re-inspection is necessary, the HA will inspect abated units within seven calendar days of the owner's notification that the work has been completed.

If the owner makes repairs during the abatement period, payment will resume on the day the unit passes inspection.

No retroactive payments will be made to the owner for the period of time the rent was abated and the unit did not comply with HQS. The notice of abatement states that the tenant is not responsible for the HA's portion of rent that is abated.

Extensions to Repair Deadlines, Delaying Abatements

A Housing Authority supervisor may grant an extension to a repair deadline in lieu of abatement in the following cases:

- There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services; or
- The repairs must be delayed due to climate conditions.

The extension will be made for a period of time not to exceed 30 days. At the end of that time, if the work is not completed, the HA will begin the abatement.

Termination of Contract

If the owner is responsible for repairs and fails to correct all the deficiencies cited prior to the end of the abatement period, the HAP Contract will be terminated. A notice of termination will be mailed to owner and tenant (if tenant is still in the unit).

10.6 INITIAL HQS AND/OR NSPIRE INSPECTION

An Initial Inspection will be conducted to:

- Determine if the unit and property meet the HQS and/or NSPIRE as defined by HUD regulations and this plan.
- Determine if the rent to owner is reasonable and document the information to be used in that determination.

Also see Chapter 9, Section 9.2, for Initial HQS and/or NSPIRE inspection guidelines and timelines.

10.7 SPECIAL/COMPLAINT INSPECTIONS

If at any time a family, owner, agency, or third party notifies the HA that the unit does not meet Housing Quality and/or NSPIRE Standards, the HA will conduct an inspection. Move-Out/Vacate: As a courtesy to the owner, the HA may conduct a move-out inspection at the landlord's written request, if damage is a result of the participant not meeting their obligations and such damage would cause the participant to lose their assistance.

10.8 QUALITY CONTROL INSPECTIONS [24 CFR 982.405 (c)]

The Housing Supervisor or designee will perform Quality Control inspections, in a frequency necessary to meet HUD requirements. The purpose of Quality Control inspections is to ascertain that Housing Specialists/Program Assistants and/or contracted vendors are conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in the application of HQS and/or NSPIRE.

Chapter 11

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS

11.1 INTRODUCTION

The HA is responsible to ensure that the rents charged by owners are reasonable based upon comparable unassisted units in the rental market. When the HA has determined that the unit meets the minimum HQS and/or NSPIRE, that the lease is approvable, and that the rent is reasonable, the HA will enter into a Housing Assistance Payment Contract with the owner. This chapter explains the HA's procedures for determination of rent-reasonableness, payments to owners, adjustments to the payment standards, and rent adjustments.

HA-owned Units [24 CFR 982.352(b)]

In cases where an HCV family is receiving assistance in an HA-owned unit, the HA must obtain the services of an independent entity to determine rent reasonableness in accordance with program requirements, and to assist the family in negotiating the contract rent when the family requests assistance. A HA-owned unit is defined as a unit in a project that is owned by the HA, owned by an entity wholly controlled by the HA, or owned by an LLC or limited partnership in which the HA or entity wholly controlled by the HA holds a controlling interest in the managing member or general partner [Federal Register (FR) notice (82 FR 5458) published on January 18, 2017, as revised by FR notice 82 FR 32461 published on July 14, 2017]. The independent entity must communicate the results of the rent reasonableness determination to the family and the HA. The independent entity must be approved by HUD, and may be the unit of general local government for the PHA jurisdiction (unless the PHA is itself the unit of general local government or an entity of such government).

11.2 OWNER PAYMENT IN THE VOUCHER PROGRAM

The HCV formula for determining maximum subsidy is the lower of the Payment Standard or the Gross rent (contract rent plus current utility allowance) for the unit minus the family's Total Tenant Payment.

- The maximum subsidy for each family is determined by the payment standard for the Voucher size issued to the family (or the gross rent as stated above), less 30 percent of the family's monthly adjusted income. The actual subsidy level could be less if the family is required to pay the minimum total tenant payment (the higher of 10 percent of the family's monthly income or $50 minimum rent).
- The payment standard for SRO housing is 75 percent of the zero-bedroom payment standard amount on the HA's payment standard schedule. The utility allowance for an assisted person residing in SRO housing is 75 percent of the zero-bedroom utility allowance.
- The Voucher size issued to the family is based on the HA's subsidy standards. The payment standard for the family is based on the lesser of the payment standard for the Voucher size issued or the payment standard for the number of bedrooms of the selected unit.
- The housing assistance payment to the owner is the lesser of the subsidy described above or the rent charged by the owner.

11.3 LATE PAYMENTS TO OWNERS

The HA must pay the Housing Assistance Payment (HAP) promptly when due to the owner in accordance with the HAP contract. Late payments to owners shall be the lesser of 1) the late payment as stated in the lease between the owner and the tenant, or 2) $50.00. However, the HA shall not be

obligated to pay any late payment penalty if HUD determines that late payment by the HA is due to factors beyond the HA's control.

The HA may only use the following sources to pay a late payment penalty from program receipts under the consolidated ACC: administrative fee income for the program or the administrative fee reserve for the program. The HA may not use other program receipts for this purpose.

11.4 PAYMENT STANDARDS AND ADJUSTMENTS (24 CFR 982.503)

The subsidy amount is based on a Payment Standard set by the HA. The HA will review the Payment Standard annually to determine whether an adjustment should be made for some or all unit sizes. The Payment Standard will be reviewed according to HUD's requirements and this Plan, and if an increase is warranted, the Payment Standard will be adjusted within 90%to 110% of the current HUD-published Fair Market Rent (FMR). However, should a HUD waiver be granted to an amount that falls outside the basic range of 90-110%, the HA will adopt the new range as needed to meet funding allocations.

The HA may approve an exception Payment Standard up to 120% of the FMR when it has determined that it is needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability. In accordance with PIH 2013-18 (HA), "Exception payment standards **must** remain in effect until or unless a higher payment standard is warranted, requested, and subsequently approved." **The unit size may not exceed the authorized subsidy size for the family.** The HA may apply to HUD Headquarters to approve a Payment Standard exceeding 120% of the FMR if it determines that the increase is needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities in accordance with 24 CFR Part 8.

The HA may use some or all of the measures below in making a determination whether an adjustment should be made to the Payment Standards.

11.4.1 Increasing of the Payment Standard

Statistical analysis may reveal the Payment Standard should be increased. In accordance with 24 CFR 982.505(c)(4), the increased payment standard amount shall be used to calculate the monthly housing assistance payment for the family beginning at the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard amount.

11.4.2 Lowering of the Payment Standard

Statistical analysis may reveal the Payment Standard should be lowered, in which case the Payment Standard should not be less than 90 percent of the current FMR. If the FMR is lowered, the Payment Standard will be decreased in accordance with HUD regulations. However, those that are currently leased in place at a higher payment standard will not be affected by the lower payment standard until they relocate.

11.4.3 Financial Feasibility

Before increasing the Payment Standard, the HA may review the budget and the project reserve to determine the impact projected subsidy increases would have on available funding for the program and number of families served.

For this purpose, the HA will compare the number of families who could be served under higher Payment Standards with the number assisted under current Payment Standards.

11.5 MAKING PAYMENTS TO OWNERS

Once ownership is verified and the HAP Contract is executed, the HA begins processing monthly payments to the landlord. The HAP to owners will be processed by the Housing Authority Accounting Department. Direct deposit is required to assist in the prompt receipt of HAP payments.

11.6 EXCEPTION PAYMENT STANDARD

The HUD field office may approve an exception payment standard up to 120% of the FMR for all units of a given size leased by families in an exception area.

An area exception payment standard may not exceed 120% of the FMR. An area exception payment standard will not be approved unless HUD determines that an exception rent is needed either:

- To help families find housing outside areas of high poverty; or
- Because Voucher holders have trouble finding housing for lease under the program within the term of the Voucher.

The HA may approve an exception payment standard up to 120% of the FMR when it has determined that it is needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability. **The unit size may not exceed the authorized subsidy size for the family.**

11.7 ENHANCED PAYMENT STANDARDS (PIH Notice 2001-41 and PIH Notice 2016-02)

Enhanced vouchers are primarily provided in the case of preservation prepayments and Section 8 project-based contract opt-outs.

Enhanced voucher assistance under Section 8(t) of the United States Housing Act of 1937 is calculated differently from regular housing choice voucher assistance if the family remains in the project. A higher "enhanced" payment standard is used to determine the amount of the monthly subsidy in cases where the gross rent of the unit exceeds the normally applicable PHA payment standard. In such instances, the gross rent for the unit is used in the monthly subsidy calculation instead of the normally applicable payment standard.

The housing assistance payment calculation for an enhanced voucher family remaining in the project is the gross rent of the unit minus the greatest of (a) 30 percent of adjusted monthly income; (b) 10 percent of monthly income; (c) the welfare rent in as-paid states; (d) the enhanced voucher minimum rent (see HUD Notice PIH 2001-41, section II.c.3 for further details); or (e) such other minimum rent established by the PHA (see 24 CFR §5.630).

When an enhanced voucher holder moves out of the project, the voucher reverts to a regular HCV household and normal payment standard rules apply. The family is no longer an enhanced voucher household.

If the family continues to reside at the covered project, at such time that an enhanced voucher household resides in a unit where the actual number of bedrooms exceeds the family unit size for which the family qualifies under the HA subsidy standards, the family will become what PIH Notice 2016-02 refers to as an "over-housed family". When a family becomes over-housed, the family must transfer to another unit in the project of appropriate size, as outlined in PIH Notice 2016-02 (which strikes the obsolete policy stated in PIH Notice 2001-41).

The HA will follow the transfer requirements for over-housed families as outlined in PIH Notice 2016-02 according to the following guidelines:

1. Issue the voucher based on PHA subsidy standards, and grant additional bedrooms if approved as a reasonable accommodation in order to make the rental assistance program accessible to a person with disabilities.
2. If the household occupies a unit larger than they are authorized they are "over-housed"
3. If, at any time, the over-housed family chooses to move from the project the normal tenant-based voucher program rules apply to the subsidy calculation for the new unit.
4. Once the PHA determines the family is over-housed, the PHA must inform the family and explain the requirements of moving to a unit of appropriate size.
5. If the family indicates it wishes to remain at the project with enhanced voucher assistance, the PHA must inform the owner of the project that the family is in an over-sized unit.
6. The PHA must provide the owner with the bedroom size for which the family actually qualifies under the PHA subsidy standards (i.e. the appropriate size unit).
7. The owner must then identify all appropriate size units available in the project.
8. If an appropriate size unit *does not physically exist* at the project, the term "appropriate size unit" also includes an available bedroom size unit that is smaller than the family's current unit but is not smaller than the appropriate size unit for which the family qualifies under the PHA subsidy standards.
9. The over-housed family must move to an appropriate size unit in the project if one is available in order to receive enhanced voucher assistance.
10. If an over-housed family refuses to move to the appropriate size unit, and one exists and is available for occupancy, the PHA will calculate the family's housing assistance payment for the over-sized unit based on the normally applicable voucher subsidy formula using the applicable payment standard for the regular voucher program and the family is responsible for any amount of the gross rent not covered by the housing assistance payment.
11. If a unit of appropriate size does not physically exist at the covered project and the family wishes to remain at the project with enhanced voucher assistance but a bedroom size unit is available that is smaller than the family's current unit (but not smaller than the unit size for which the family qualifies under the PHA subsidy standards) the family must move to the smaller bedroom size unit within a reasonable time but not to exceed 30 days. The Housing Authority of the County of Riverside has determined that 30 days is a reasonable time. The enhanced voucher subsidy calculation is the gross rent for the smaller bedroom size (the smaller bedroom size refers to the reduced bedroom unit, not the appropriate size unit that does not physically exist).
12. If a unit of appropriate size is not available at the covered project, the PHA will execute a voucher HAP contract for the over-sized unit, provided rent is reasonable and the unit complies with all other voucher program requirements such as HQS and/or NSPIRE. The enhanced voucher housing subsidy calculation is based on gross rent for the over-sized unit and will continue as such (including rent increases) until an appropriate size unit in the project becomes available for occupancy.
13. The PHA must maintain a record of enhanced voucher families living in over-sized units and monitor the availability of appropriate size units at the project by contacting the owner once a quarter.
14. The owner must immediately inform the PHA and the family when an appropriate size unit will become available in the project. The owner is subject to possible financial penalties or other enforcement actions if the owner fails to notify the PHA immediately.

15. When the PHA is informed that an appropriate size unit is available, the PHA must immediately notify the over-housed family of the availability of the unit and the family must move to the appropriate size unit in a reasonable time, but not to exceed 30 days, in order to continue to receive enhanced voucher assistance. The HA has determined that 30 days is a reasonable time for the family to move to the new unit. The HA will execute a new contract with the owner and the family will enter into a new lease with the owner for the appropriate size unit. The enhanced voucher subsidy calculation is based on the gross rent for the appropriate size unit.
16. The PHA may grant an extension beyond the 30 days if it is a hardship for the family to move because of medical reasons and/or as a reasonable accommodation for a person with disabilities. Hardship extensions must be submitted by the family in writing within 30 calendar days from the date the family is notified in writing by the PHA that an appropriate size unit is available. The extension request will be verified and reviewed by the PHA Reasonable Accommodation panel. If approved, ***up to*** an additional 30 days may be granted to the family to move to the unit of appropriate size.
17. If the family does not move to the appropriate size unit within 30 days, or any extension granted, the PHA shall notify the owner that the unit may be re-leased to a family chosen by the owner. The over-housed family's subsidy is recalculated as described below.
18. If an over-housed enhanced voucher family refuses to move to the appropriate size unit or does not move within the established timeframe determined by the PHA, the PHA will recalculate the family's housing assistance payment for the oversized unit based on the normally applicable voucher subsidy formula using the applicable payment standard established by the PHA for its voucher program (see 24 CFR 982.402 (c)(d)). The family will be responsible for any amount of the gross rent not covered by the housing assistance payment.
19. If more than one over-housed enhanced voucher family residing at the project qualifies for the same size unit under the PHA's subsidy standards, and the number of appropriate size units that become available at any given time is less than the number of units necessary to accommodate the number of over-housed families, the PHA will offer the units to the families using the following method:
    - Families living in over-sized units for the longest period of time will be offered the appropriate sized units first.
20. If, as a result of a decrease in family size or change in family composition, an enhanced voucher family subsequently becomes over-housed, the family must move to an appropriate size unit in accordance with the above-outlined over-housed process.
21. The PHA will ensure effective communication with an individual with disabilities through the use of auxiliary aids and services, as determined necessary for the family.
22. If the PHA learns of available units at the project for which the owner failed to notify the PHA, the PHA must report such information to HUD by sending an email to Meena.S.Bavan@hud.gov with the subject line Over-Housed Enhanced Voucher Families. Within the email, the PHA must provide the following:
    - PHA code
    - Name and address of the project
    - Name of the project owner, if known
    - The approximate date the appropriate size units became available
    - Whether the units are currently leased to market rate or voucher families.

11.8 RENT REASONABLENESS DETERMINATIONS

[24 CFR 982.507(a)(2)(ii), 983.302(a)(2), and 983.303(b)(1) and PIH 2018-01]

Rent reasonableness determinations are made when units are placed under HAP Contract for the first time, before any increase in rent to the owner, if there is a 10% decrease in the published FMR, and/or if directed by HUD.

The HA determines rent reasonableness using AffordableHousing.com (formerly GoSection8), a database of unassisted rental units in all bedroom sizes throughout the county. Newspapers, rental magazines, calls to property owners and managers and the Internet are additional sources used to add comparables to the database.

The HA will consider comparable unassisted units preferably within a one (1) mile radius, but census tract and/or zip code may also be considered to include the location, quality, size, unit type, age of the unit, amenities, services, maintenance and utilities provided by the owner in determining rent reasonableness. The HA will require at least 1 comparable, but 3 is preferred. With supervisor approval, exceptions may be considered in remote areas where a one (1) mile radius is not sufficient. If the radius is expanded beyond the preferred (1) mile radius, the HA will expand the search to include comparable units that are closest to the subject unit/property.

A printout showing the rental amount of comparable units in the area is imaged to the family's file, signed and dated by the Housing Specialist, documenting the data used to determine rent reasonableness.

11.9 RENT INCREASES (24 CFR 982.507)

Owners may not request rent increases to be effective prior to the expiration of the initial term of the lease. An owner request for a rent increase must be in accordance with the lease, state law including, but not limited to Civil Code Section 827(b), HAP contract and HUD regulations. The owner must notify the PHA in writing of any changes in the amount of the rent to the owner at least **60 (sixty) days** before any such changes go into effect (see HAP Contract Part C: Tenancy Addendum Section 15.d). Additionally, per Assembly Bill 1482 (AB 1482, the California Tenant Protection Act of 2019) effective 1/1/2020 and expires 1/1/2030 limits annual contract rent increases to a 5% plus the local Consumer Price Index (CPI) or 10% whichever is lower in accordance with California Civil Code Section 1947.12. California Civil Code Section 1947.12 shall not apply to the following residential real properties or units:

(1) Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing.

(2) School dormitories.

(3) Housing subject to local rent control that is more restrictive.

(4) Housing issued a certificate of occupancy within the previous 15 years (which is a rolling period).

(5) Property that is alienable separate from the title to any other dwelling unit (such as single family residences, condos or townhouses), and both of the following apply:

(A) The owner is not a REIT, a corporation, or a limited liability company in which at least one

member is a corporation.

(B) The tenants have been provided written notice that the property is exempt.

(6) An owner-occupied duplex if the owner occupied a unit as the owner's principal place of residence at the beginning of the tenancy and the owner continues in occupancy.

However, a residential real property or unit exempt from California Civil Code Section 1947.12 may issue a proposed rent increase greater than 10 percent of the rental amount charged to the tenant. The notification period must be 90 (ninety) days and the notice must be delivered to the tenant prior to the effective date of the increase in accordance with California Civil Code 827 (3)(A). The owner must provide the HA with a copy of the rent increase notice that was served to the tenant(s). The requested rent increase must be reasonable for market conditions. If the rent comparisons are determined to be lower than the current contract rent, regulations state that at no time can the rent to owner exceed the reasonable rent (i.e. rent comparable/s) most recently determined by the PHA. For this reason, the PHA must complete an interim to lower the contract rent to the new amount as determined by the rent comparisons. If the HA disapproves the owner's request for a rent increase because the rent is not reasonable, both the participant and the owner will be notified in writing and the family may request that the HA issue the family a Voucher to enable them to relocate.

Any rent increase that is served for an exempt property/landlord, according to AB1482, that is beyond 5% + Consumer Price Index (CPI), must be a 90-day notice.

[Intentionally Blank]

Chapter 12

REEXAMINATIONS

12.1 INTRODUCTION

HUD requires the HA to re-certify the income, assets and household composition of all families at least annually. In addition, the HA is required to inspect the assisted unit at least annually, and to process requests for rent adjustments. These activities must be coordinated to ensure that they are completed in accordance with the regulations. It is a HUD requirement that families report all changes in household composition and income at the annual reexamination. The HA decides what other changes must be reported, and the procedures for reporting all income. This chapter defines the HA's policy for conducting annual reexaminations and coordinating the annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

12.2 ANNUAL RECERTIFICATION/REEXAMINATION (24 CFR 982.516)

12.2.1 Requirement to Attend

All adult household members may be required to attend scheduled appointments. Failure to appear for a scheduled interview may be cause to terminate assistance for failure to comply with the family obligation of providing information to the HA.

12.2.2 Documents Required from the Family

Failure to provide documents required by the HA is a violation of a family obligation and grounds for termination of assistance. The family will be given 10 calendar days to provide requested information and/or documents.

The HA may make exceptions to these policies if the family is able to document an emergency situation that prevented them from attending a scheduled appointment or providing requested information.

12.2.3 Lease Term Less than 12 Months

If the tenant and landlord enter into a less than 12 month lease, then the landlord may choose to issue a rent increase effective at the end of the lease term, subject to AB1482.

12.2.4 Tenant Rent Increases

If the tenant portion of rent increases, a notice of at least 30 calendar days is mailed to the family prior to the effective date of the change whenever possible. If the owner has served the tenant with a Rent Increase Notice, that notice shall serve as the notice to the tenant of the increase in their rent.

If there has been a misrepresentation or a material omission by the family, the family may be terminated and/or required to repay any overpaid HAP to the HA.

If the family fails to report, the HA must implement any rent increases retroactively to the first of the month following the date of the change.

12.2.5 Tenant Rent Decreases

If the tenant portion of rent decreases, it will be effective on the first day of the month after the written notification of the change. If the family causes a delay in the processing of the reexamination, the rent

change will be effective on the first day of the month following completion of the reexamination.

- If the family fails to report and it would result in a decrease, the HA implements the change:
  - No later than the first rent period following the completion of the interim (prospectively) or may apply the rent decrease retroactively.

12.3 REPORTING INTERIM CHANGES

The HA requires program participants to report all changes in household composition, assets or income in writing within 30 calendar days of the change to the HA. This includes additions due to marriage, birth, adoption and court-awarded custody. The family must obtain HA and owner approval prior to all other additions to the household.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required at the first interim unless the change takes place during the regular reexamination.

12.3.1 Interim Reexamination Policy

Participants must report all changes in income, assets, and family household composition in writing within 30 calendar days of change. Changes will be processed if they are anticipated to continue for sixty (60) or more days.

The HA may choose not to conduct an interim reexamination if a family reports an increase in income within 3 months of their next annual reexamination effective date.

If it has been determined that a participant has misrepresented any information to the PHA that causes the PHA to pay a higher HAP amount, the participant will be required to repay the excess HAP paid on their behalf. If the PHA determines that the participant has been subsidized through the participant's willful misrepresentation of income, assets, or family composition, the PHA shall notify the participant that rental assistance will be terminated and excess HAP repaid and the participant has the right to request a Hearing.

12.3.2 Decreases in Income

The HA will conduct interim decreases if the family's adjusted income will decrease by 10% or more and anticipated to continue for sixty (60) or more days.

The HA will round up to the nearest unit (e.g. a decrease from 9.5% – 9.9% will be rounded up to 10%).

The HA may decline to conduct an interim if the HA estimates the family's adjusted income will decrease by an amount that is less than 10% of the family's adjusted income.

12.3.3 Increases in Income

- HA must conduct an interim reexamination any time the family's adjusted income is estimated to have increased by 10% or more.

- The HA may not consider **earned income** in estimating whether adjusted income has increased.
    - Unless the family previously received an interim decrease during the same certification period.
    - If increase in income is due to an increase in earned income, the HA may choose not to include earned income increase in determining whether the 10% threshold is met for increases in adjusted income when the family previously had an interim performed for a decrease in adjusted income (**earned, unearned, or combined**) since the last annual reexamination.
    - In other words, for changes in **earned income**:
        - If the family had an interim decrease since their last annual, the HA will perform interims for increases in **earned income** when the 10% threshold is met.
        - If the family did **NOT** have an interim decrease since their last annual, the HA must not process increases in **earned income**.

Changes in Unearned Income

- For changes in unearned income, the HA does not consider whether or not an interim was previously performed.
- The HA only considers whether the 10% threshold has been met.

§ 982.516 Family income and composition: Annual and interim examinations [the following revisions to (a)(3), (c), (d), (e)(1), and (f) and add paragraph (h) are effective January 1, 2024 per the final rule officially published in the Federal Register on February 14, 2023. The final rule revises HUD regulations to put sections 102 and 104 of HOTMA into effect).

(a) PHA responsibility for reexamination and verification.

(1) The PHA must conduct a reexamination of family income and composition at least annually.

(2) Except as provided in paragraph (a)(3) of this section, the PHA must obtain and document in the tenant file third-party verification of the following factors, or must document in the tenant file why third-party verification was not available:

(i) Reported family annual income;

(ii) The value of assets;

(iii) Expenses related to deductions from annual income; and

(iv) Other factors that affect the determination of adjusted income.

(3) For a family with net family assets (as the term is defined in § 5.603 of this title) equal to or less than $50,000, which amount will be adjusted annually by HUD in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers, a PHA may accept, for purposes of recertification of income, a family's declaration under § 5.618(b) of this title, except that the PHA must obtain third- party verification of all family assets every 3 years.

(b) Streamlined income determination -

(1) General. A PHA may elect to apply a streamlined income determination to families receiving fixed income as described in paragraph (b)(3) of this section.

(2) Definition of "fixed income". For purposes of this section, "fixed income" means periodic payments at reasonably predictable levels from one or more of the following sources:

(i) Social Security, Supplemental Security Income, Supplemental Disability Insurance.

(ii) Federal, state, local, or private pension plans.

(iii) Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts.

(iv) Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.

(3) Method of streamlined income determination. A PHA using the streamlined income determination must adjust a family's income according to the percentage of a family's unadjusted income that is from fixed income.

(i) When 90 percent or more of a family's unadjusted income consists of fixed income, PHAs using streamlined income determinations must apply a COLA or COLAs to the family's fixed-income sources, provided that the family certifies both that 90 percent or more of their unadjusted income is fixed income and that their sources of fixed income have not changed from the previous year. For non-fixed income, the PHA is not required to make adjustments pursuant to paragraph (a) of this section.

(ii) When less than 90 percent of a family's unadjusted income consists of fixed income, PHAs using streamlined income determinations must apply a COLA to each of the family's sources of fixed income individually. The PHA must determine all other income pursuant to paragraph (a) of this section.

(4) COLA rate applied by PHAs. PHAs using streamlined income determinations must adjust a family's fixed income using a COLA or current interest rate that applies to each specific source of fixed income and is available from a public source or through tenant-provided, third-party-generated documentation. If no public verification or tenant-provided documentation is available, then the owner must obtain third-party verification of the income amounts in order to calculate the change in income for the source.

(5) Triennial verification. For any income determined pursuant to a streamlined income determination, a PHA must obtain third-party verification of all income amounts every 3 years.

(c) Interim reexaminations.

(1) At any time, the PHA may conduct an interim reexamination of family income and composition.

(2) At any time, the family may request an interim determination of family income or composition because of any changes since the last determination. The PHA must make the interim determination within a reasonable time after the family request.

(3) Interim examinations must be conducted in accordance with policies in the PHA administrative plan.

(d) Family reporting of change. The PHA must adopt policies prescribing when and under what conditions the family must report a change in family income or composition.

(c) Interim reexaminations.

(1) A family may request an interim determination of family income or composition because of any changes since the last determination. The PHA must conduct any interim reexamination within a reasonable period of time after the family request or when the PHA becomes aware of an increase in family adjusted income under paragraph (c)(3) of this section. What qualifies as a "reasonable time" may vary based on the amount of time it takes to verify information, but generally should not be longer than 30 days after changes in income are reported.

(2) The PHA may decline to conduct an interim reexamination of family income if the PHA estimates the family's adjusted income will decrease by an amount that is less than ten percent of the family's annual adjusted income (or a lower amount established by HUD through notice), or a lower threshold established by the PHA.

(3) The PHA must conduct an interim reexamination of family income when the PHA becomes aware that the family's adjusted income (as defined in § 5.611 of this title) has changed by an amount that the PHA estimates will result in an increase of ten percent or more in annual adjusted income or such other amount established by HUD through notice, except:

(i) The PHA may not consider any increase in the earned income of the family when estimating or calculating whether the family's adjusted income has increased, unless the family has previously received an interim reduction under paragraph (c)(1) of this section during the certification period; and

(ii) The PHA may choose not to conduct an interim reexamination in the last three months of a certification period.

(4) Effective date of rent changes.

(i) If the family has reported a change in family income or composition in a timely manner according to the PHA's policies, the PHA must provide the family with 30 days advance notice of any family share and family rent to owner increases, and such increases will be effective the first day of the month beginning after the end of that 30-day period. Family share and family rent to owner decreases will be effective on the first day of the first month after the date of the reported change leading to the interim reexamination of family income.

(ii) If the family has failed to report a change in family income or composition in a timely manner according to the PHA's policies, PHAs must implement any resulting family share and family rent to owner increases retroactively to the first of the month following the date of the change leading to the interim reexamination of family income. Any resulting family share and family rent to owner decrease must be implemented no later than the first rent period following completion of the reexamination. However, a PHA may apply a family share and family rent to owner decrease retroactively at the discretion of the PHA, in accordance with the conditions established by the PHA in the administrative plan and subject to paragraph (c)(4)(iii) of this section.

(iii) A retroactive family share and family rent to owner decrease may not be applied prior to the later of the first of the month following:

(A) The date of the change leading to the interim reexamination of family income; or

(B) The effective date of the family's most recent previous interim or annual reexamination (or initial examination if that was the family's last examination).

(d) Family reporting of change. The PHA must adopt policies consistent with this section prescribing when and under what conditions the family must report a change in family income or composition.

(e) Effective date of reexamination.

(1) The PHA must adopt policies prescribing how to determine the effective date of a change in the housing assistance payment resulting from an interim redetermination.

(2) At the effective date of a regular or interim reexamination, the PHA must make appropriate adjustments in the housing assistance payment in accordance with § 982.505.

(f) Accuracy of family income data.

The PHA must establish procedures that are appropriate and necessary to assure that income data provided by applicant or participant families is complete and accurate. The PHA will not be considered out of compliance with the requirements in this section solely due to de minimis errors in calculating family income but is still obligated to correct errors once the PHA becomes aware of the errors. A de minimis error is an error where the PHA determination of family income deviates from the correct income determination by no more than $30 per month in monthly adjusted income ($360 in annual adjusted income).

(i) The PHA must take any corrective action necessary to credit or repay a family if the family has been overcharged for their rent or family share as a result of an error (including a de minimis error) in the income determination. Families will not be required to repay the PHA in instances where the PHA has miscalculated income resulting in a family being undercharged for rent or family share.

(ii) HUD may revise the amount of de minimis error in this paragraph (f) through a rulemaking published in the Federal Register for public comment.

(g) Execution of release and consent.

(1) As a condition of admission to or continued assistance under the program, the PHA shall require the family head, and such other family members as the PHA designates, to execute a HUD-approved release and consent form (including any release and consent as required under § 5.230 of this title) authorizing any depository or private source of income, or any Federal, State or local agency, to furnish or release to the PHA or HUD such information as the PHA or HUD determines to be necessary.

(2) The PHA and HUD must limit the use or disclosure of information obtained from a family or from another source pursuant to this release and consent to purposes directly in connection with administration of the program.

(h) Reviews of family income under this section are subject to the provisions in section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988, as amended (42 U.S.C. 3544).

12.3.4 Zero Income Families:
Families reporting less than $100 in gross monthly household income will be asked how the family pays for necessary living expenses and the family will be required to complete, sign and date the Zero Income Certified Statement. Failure to provide required information may be cause for termination of rental assistance. HUD excluded income that is designated for a specific purpose (i.e. food stamps, etc.) does not count toward the calculation of gross income.

12.3.5 HA (De Minimis) Errors
When the HA finds that a de minimis error has been made, an interim reexamination will be conducted to correct the error. A minimum of thirty (30) days' notice will be given to family and owner if the correction results in a decrease in the HAP payment.

12.3.6 Administrative De Minimis Errors and Omissions: It is crucial that the PHA establish and maintain a high degree of accuracy in administering its program. From time to time minor administrative errors or omissions may be discovered which require immediate PHA action. Administrative errors, omissions, or mistakes made by PHA staff, owners, or families may include:

1. PHA Errors and Omissions (examples):
   a. Errors in calculations of Assistance levels;
   b. Inappropriate determinations of family eligibility;
   c. Miscalculation of gross rents; or,
   d. Approval of gross rents above allowable limitations.

2. Owner Errors and Omissions (examples):
   a. Not informing the PHA that the participant has vacated the unit.
   b. Not informing the PHA that an error in contract rent has occurred within 10 days of receiving a rent change notification.

3. Tenant Errors and Omissions (examples):
   a. Omission of a particular asset or income because of lack of information;
   b. Miscalculation of income; or,
   c. Misinformation regarding family composition.

12.3.7 Changes in family size/subsidy standards

A larger bedroom size will not be issued if a member of the nucleus family moves out and returns as an adult, unless the member returns back home within 180 days of moving out or to offer a reasonable accommodation for a disabled family member. In these cases, the HA will not approve the addition of household members if it results in overcrowding according to HQS and/or NSPIRE.

For additions to the family in the following cases, the HA will issue the family a relocation Voucher when the change causes overcrowding according to HQS and/or NSPIRE:

- Additions by marriage
- Addition of a minor who is a member of the nucleus family who had been living elsewhere
- Addition of a HA-approved live-in aide
- Addition due to birth, adoption or court-awarded custody
- Addition of long-term placement foster care minor(s) or adults

12.3.8 Family Member moves out

Families are required to notify the HA in writing within 30 calendar days if any family member leaves the assisted household. When the family notifies the HA, they must furnish the following information:

- The date the family member moved out
- The new address, if known, of the family member
- A statement as to whether the family member is temporarily (if temporary, indicate date of expected return) or permanently absent

12.4 TIMELY REPORTING OF CHANGES IN HOUSEHOLD COMPOSITION, INCOME AND ASSETS

Families who do not report required changes within thirty (30) calendar days by the HA are considered in violation of a family obligation, and are subject to termination of assistance.

12.5 NOTIFICATION OF RESULTS OF REEXAMINATIONS

The Form HUD 50058 will be completed and transmitted as required by HUD.

Chapter 13

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

13.1 INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the HA's jurisdiction, or to a unit outside of the HA's jurisdiction under portability procedures. The regulations also allow the HA the discretion to develop policies which define any limitations on moves. This chapter defines the procedures for moves, both within and outside of the HA's jurisdiction, and the policies and limitations on moves.

A family may move (relocate) to a new unit when the owner has given the family a notice to vacate and the family is eligible for continued assistance or when the family has given proper notice of lease termination and is eligible for continued assistance (see Allowable Moves for additional information). If the family needs to extend their notice to vacate both parties must be in agreement and provide written notice to the HA.

13.2 ALLOWABLE MOVES

A family may move to a new unit if:

1. The assisted lease for the old unit has terminated because the HA has terminated the HAP contract due to owner breach.
2. The HA has terminated the HAP contract because the family is underhoused (overcrowded) in accordance with HQS/NSPIRE.
3. The owner has given the family a notice to vacate and the family is eligible for continued assistance.
4. The family has given proper notice of lease termination and is eligible for continued assistance.
5. The family:
    a. Has an income change that will result in a zero HAP at the new assisted unit. In these cases, the contract with the owner will be for a six-month period only (180 days).
    b. Is currently at zero HAP and must relocate because the current assisted unit is either in foreclosure or up for sale. In these cases, the new contract will only be for the remaining time period left of the original 180 days since the last HAP paid (i.e. the 180 day time period at zero HAP does not restart).
6. A mutual agreement has been signed by both the owner and participant. This applies when a participant is requesting to move before the expiration of the lease term or the owner wishes a participant to move before the expiration of the lease term.
7. The family or a member of the family, is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, as provided in 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), and the move is needed to protect the health or safety of the family or family member, or if any family member has been the victim of a sexual assault that occurred on the premises during the 90-calendar-day period preceding the family's request to move. A PHA may not terminate assistance if the family, with or without prior notification to the PHA, moves out of a unit in violation of the lease, if such move occurs to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking and who reasonably believed he or she was threatened with imminent harm from further violence if he or she remained in the dwelling unit. However, any family member that has been the victim of

a sexual assault that occurred on the premises during the 90-calendar-day period preceding the family's move or request to move is not required to believe that he or she was threatened with imminent harm from further violence if he or she remained in the dwelling unit.

13.3 RESTRICTIONS ON MOVES (INCLUDING OUTGOING PORTABILITY)

Families will not be permitted to move during the initial term of the lease. Families will not be permitted to move more than once in a 12-month period unless a 6 month lease is in place according 24 CFR 982.309 (a). The HA will deny permission to move if:

- The family owes the HA money
- The family has violated a Family Obligation
- The family is in violation of their lease

At any time, the PHA may deny permission to move in accordance with 24 CFR 982.552 (grounds for denial or termination of assistance).

The HA may make exceptions to these restrictions if there is an emergency or safety reason for the move or as a reasonable accommodation for a disabled family member.

The HA will process a relocation using eligibility documents from the most recent Annual Re-Examination or Interim Re-Examination, whichever is more recent.

13.4 PORTABILITY

Portability applies to families moving out of or into the HA's jurisdiction within the United States and its territories. Under portability, families are eligible to receive assistance to lease a unit outside of the initial HA's jurisdiction.

13.5 OUTGOING PORTABILITY (24 CFR 982.355)

When a family requests to move outside of the HA's jurisdiction, the request must specify the area to which the family wants to move. The initial PHA must contact the receiving PHA prior to approving the family's request to move to determine if the receiving PHA will bill or absorb. The receiving PHA must respond to the initial PHA's request in writing [24 CFR 982.355(c)(3)]. If the receiving PHA fails to respond to the initial PHA, the initial PHA will make other attempts to verify via phone call, internet, etc. After the initial PHA has exhausted all efforts the initial PHA will port the family so as not to delay the family's request. Portability outside of HA's jurisdiction will be approved if the family is eligible for continued assistance and if funding is available. The HA may deny a family's request to move under portability if the PHA does not have sufficient funding for continued assistance to support the move in accordance with 24 CFR 982.354(e)(1) and PIH 2012-42. If funding is not available, the family may be denied moving to a higher cost jurisdiction if the receiving agency is "billing" and not "absorbing".

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. The receiving PHA must contact the initial PHA if the family's voucher expires before the family arrives at the receiving PHA to determine whether the initial PHA will extend the voucher [24 CFR 982.355(c)(13)]. A reasonable accommodation for a voucher extension may be requested by the family, and approved by the HA, if a justification between the disability and the request is present and may require verification by a licensed professional.

The Violence Against Women Reauthorization Act of 2013 provides that the family may receive a voucher and move in violation of the lease under the portability procedures if the family has complied with all other obligations of the voucher program and has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

13.6 INCOMING PORTABILITY (24 CFR 982.355)

13.6.1 Absorption or Administration

The HA will accept a family with a valid voucher from another jurisdiction and either administer or absorb the voucher. The voucher must be received with a minimum of 30 days before its expiration date or the file will be returned to the initial HA. When administering assistance for the family, a Portability Voucher will be issued with the same start date as the initial HA. The initial HA may grant extensions in accordance with Federal Regulations. All port-in supporting documents are to be received by secured email or by mail and EIV's must be in a sealed envelope for confidential purposes to ensure HUD compliance. 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. The receiving PHA must contact the initial PHA if the family's voucher expires before the family arrives at the receiving PHA to determine whether the initial PHA will extend the voucher [24 CFR 982.355(c)(13)]. Initially, the HA will issue a subsidy based on the family composition listed in the initial PHA's 50058. The subsidy issued will be based on the receiving HA's current subsidy standards (HA). If the receiving PHA (HA) is not absorbing, any changes must be approved by the initial PHA. The receiving PHA (HA) will absorb the incoming portability voucher if the family is a current participant in the FSS program and is enrolled in HA's FSS Program, regardless of whether HA is billing for non-FSS participating families.

13.6.2 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.

13.6.3 Administrative Fee

The initial PHA must reimburse the receiving PHA for the lesser of 80% of the initial PHA's administrative fee or 100% of the receiving PHA's administrative fee. If administrative fees are pro-rated for the HCV Program due to insufficient administrative fee funding, the pro-ration will apply to the amount of the administrative fee for which the receiving PHA may bill the initial PHA.

Chapter 14

CONTRACT TERMINATIONS

14.1 INTRODUCTION

The Housing Assistance Payments (HAP) Contract is the contract between the owner and the HA which defines the responsibilities of both parties. This chapter describes the circumstances under which the contract can be terminated by the HA and the owner, and the policies and procedures for such terminations.

14.2 CONTRACT TERMINATION

The term of the HAP contract is the same as the term of the lease. The contract between the owner and the HA may be terminated by the HA, or by the owner terminating the lease.

No future subsidy payments on behalf of the family will be made by the HA to the owner after the month in which the contract is terminated. The owner must reimburse the HA for any subsidies paid by the HA for any period after the contract termination date.

If the family continues to occupy the unit after the HAP contract is terminated, the family is responsible for the entire contract rent.

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease-up in another unit. The contract for the new unit will be effective once the unit has passed inspection and the tenant has taken occupancy of the new unit.

14.3 TERMINATION OF LEASE BY OWNER

The lease may provide for termination without cause after initial term of the lease upon advanced 90 day written notice of termination by owner to participant with a copy to the HA. The lease may terminate by mutual written consent between the owner and participant during (or after) the initial lease term. In the event that the participant passes away and there are no remaining eligible family members, the Housing Assistance Payment (HAP) will be paid in full (through the end of the month) in which the participant becomes deceased. An owner is not eligible to retain any portion of HAP for any time period beyond the month in which the participant became deceased.

For owner termination notices of less than 90 days during the initial lease term, or subsequent lease term, (including month-to-month tenancies after the initial lease term) the owner must provide the participant a written notice specifying the grounds for the termination of tenancy. A copy of the notice to vacate and if the notice to vacate is due to lease violations, written verification of the participant violations must be provided to the HA. If it is not during a lease term, the owner must provide a written notice for a time period that is compliant with the lease or rental agreement that was signed with the participant and state law (see note below). The owner and participant may mutually agree to a shorter period by written consent between the owner and participant. The HAP contract terminates automatically if the lease is terminated by the owner or the tenant. After the initial lease term "Good cause" does not need to be demonstrated if the termination occurred during month to month tenancy, however at least 90 days advance notice must be provided to participant with a copy to the HA. If the participant does not vacate based on the owner's notice, the owner must follow state and local laws to evict the participant.

The HA will continue to pay a HAP until the participant vacates the unit or the eviction is concluded, whichever occurs first. In no instance will the HAP be paid for any period beyond the contract termination date, or for the month following the month the tenant vacates the unit.

Pursuant to Federal Regulations *24 CFR 982.552(c)(1) Authority to deny admission or terminate assistance grounds for denial or termination of assistance,* The PHA may at any time deny program assistance for an applicant or terminate program assistance for a participant, for any of the grounds set forth in 24 CFR 982.552(c)(1)(i) through (xi), including but not limited to, if any member of the family has been evicted from federally assisted housing in the last five years.

Please note: California Civil Code 1954.535 states, "Where an owner terminates or fails to renew a contract or recorded agreement with a governmental agency that provides for rent limitations to a qualified tenant, the tenant or tenants who were the beneficiaries of the contract or recorded agreement shall be given at least 90 days' written notice of the effective date of the termination and shall not be obligated to pay more than the tenant's portion of the rent, as calculated under the contract or recorded agreement to be terminated, for 90 days following receipt of the notice of termination of nonrenewal of the contract." *Wasatch Property Management v. Degrate (2005) 35 Cal.4th 1111 [29 Cal.Rptr.3d 262].*

If the owner terminates the tenancy unlawfully or for other than good cause, the family will be provided a tenant-based voucher. In the event the aforementioned occurs, the HA will immediately remove the unit from the HAP contract by means of a contract amendment.

14.3.1 Termination of Tenancy and Eviction

The contract and lease shall provide that the owner shall not terminate the tenancy except for:
A. Serious or repeated violation of the terms and conditions of the lease;
B. Violations of Federal, State, or Local Law which imposes obligations on the participant in connection with the occupancy or use of the dwelling unit and surrounding premises; or,
C. Other good cause as provided in the lease including, but not limited to, the following:

1. Failure by the family to accept the offer of a new lease by the owner;
2. A family history of disturbance of neighbors or destruction of property, or of living or housekeeping habits resulting in damage to the unit or property;
3. Criminal activity by family members involving crimes of physical violence to persons or property and any illegal drug activity;
4. The Owner's desire to utilize the unit for personal or family use or for a purpose other than for use as a residential rental unit; or,
5. A business or economic reason for termination of the tenancy (such as sale of the property, renovation of the unit, desire to rent the unit at a higher rental rate).

The Owner must give the PHA a copy of any Eviction Notices served to the participant.

Family Eligibility for Continued Assistance: Termination of tenancy is not an automatic termination of assistance unless the family is:

1. Evicted and owes money to the landlord (i.e., unpaid rent), the PHA will determine the family ineligible for issuance of another voucher.

2. Determined to be ineligible for continued assistance at the time of Termination of Tenancy, the PHA is required to notify the family and provide an Informal Hearing.

Please note: A stipulation is still considered an eviction.

AB 1482 requires a landlord to have a "just cause" in order to terminate a tenancy.

The "just cause" protections (California Civil Code 1946.2) prevent landlords/owners from simply evicting tenants to set new rents with their new tenants, thus avoiding the rent caps established by the new law. The "just cause" protections do not apply until a tenant has been renting a unit continuously for 12 months. However, if during the first 24 months, the tenant adds a new adult to the lease, just cause does not apply until either:

• Any one tenant has been in the unit for 24 months OR
• All of the tenants have been in the unit for at least 12 months.
California Civil Code 1946.2 specifies the "just causes" to evict a tenant. If the landlord does not have one of these reasons to justify the eviction, attempting to evict the tenant would be unlawful. The "just causes" for eviction include "at fault" reasons and "no fault" reasons.

"At fault just cause" reasons include:

• Defaulting in the payment of the rent;
• Breaching a material term of the lease;
• Committing a nuisance on the property;
• Illegally subletting the unit;
• Refusing to let an owner enter the unit as required by state law;
◦ However, note that tenants have the right to privacy and the quiet enjoyment of their home. Thus, except in specific situations
such as an emergency, state law does not require the tenant to let an owner enter unless the landlord has a lawful purpose,
proposes to enter during regular business hours, and has given at least 24 hours advance written notice. See California Civil Code 1954 for details.
• Committing a criminal act on the property;
• An employee who lives on site failing to vacate their unit after their employment has been terminated.
"No fault just cause" reasons include:
• If a landlord wants to move into the unit or move in a close family member;
• If a landlord plans to take the unit off the rental market;
• If a landlord intends to demolish or substantially remodel the unit such that it is uninhabitable for at least 30 days.

In the instance of a "no fault" eviction, the landlord must provide each tenant with relocation assistance equal to one month's rent.

This following types of residential real properties or residential circumstances shall be exempt from the "just cause" protections:

(1) Transient and tourist hotel occupancy as defined in subdivision (b) of Section California Civil

Code 1940.

(2) Housing accommodations in a nonprofit hospital, religious facility, extended care facility, licensed residential care facility for the elderly, as defined in Section 1569.2 of the Health and Safety Code, or an adult residential facility, as defined in Chapter 6 of Division 6 of Title 22 of the Manual of Policies and Procedures published by the State Department of Social Services.

(3) Dormitories owned and operated by an institution of higher education or a kindergarten and grades 1 to 12, inclusive, school.

(4) Housing accommodations in which the tenant shares bathroom or kitchen facilities with the owner who maintains their principal residence at the residential real property.

(5) Single-family owner-occupied residences, including a residence in which the owner-occupant rents or leases no more than two units or bedrooms, including, but not limited to, an accessory dwelling unit or a junior accessory dwelling unit.

(6) A duplex in which the owner occupied one of the units as the owner's principal place of residence at the beginning of the tenancy, so long as the owner continues in occupancy.

(7) Housing that has been issued a certificate of occupancy within the previous 15 years.

(8) Residential real property that is alienable separate from the title to any other dwelling unit, provided that both of the following apply:

(A) The owner is not any of the following:

(i) A real estate investment trust, as defined in Section 856 of the Internal Revenue Code.
(ii) A corporation.
(iii) A limited liability company in which at least one member is a corporation.

(B) (i) The tenants have been provided written notice that the residential property is exempt from this section using the following statement:

"This property is not subject to the rent limits imposed by Section 1947.12 of the Civil Code and is not subject to the just cause requirements of Section 1946.2 of the Civil Code. This property meets the requirements of Sections 1947.12 (d)(5) and 1946.2 (e)(8) of the Civil Code and the owner is not any of the following: (1) a real estate investment trust, as defined by Section 856 of the Internal Revenue Code; (2) a corporation; or (3) a limited liability company in which at least one member is a corporation."

(9) Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.

14.4 TERMINATION OF THE CONTRACT BY HA

The term of the HAP contract terminates when the lease terminates, when the family vacates the unit, or when the owner has breached the HAP contract.

The HA may also terminate the contract including, but not limited to the following occurrences:

- The HA terminates assistance to the family
- The family is required to move from a unit which is overcrowded
- Funding is no longer available under the Annual Contributions Contract (ACC)
- The participant has requested their assistance be terminated
- The participant passes away and there are no remaining eligible family members

The contract will terminate automatically if 180 days have passed since the last HAP paid (24 CFR 982.455).

In the event that funding is no longer available under the ACC, the HA will implement a "first on, first off" policy on terminating families, meaning that those families who have benefited the longest will be the first to be terminated, excluding any disabled and/or elderly families. All efforts will be made to give a family no less than a 90 day notice in order to allow them substantial time to prepare. This policy is consistent with Fair Housing guidelines.

14.5 TERMINATIONS DUE TO INELIGIBLE IMMIGRATION STATUS (24 CFR PART 5, Subpart E – Restrictions on Assistance to Noncitizens)

There must be at least one member with eligible immigration status. If no family members have eligible immigration status, the HA will follow HUD rules for terminations due to ineligible immigration status.

[Intentionally Blank]

Chapter 15

DENIAL OR TERMINATION OF ASSISTANCE

15.1 INTRODUCTION [24 CFR 982.552 (c)(1)(iii)]

The HA may deny assistance for an applicant or terminate assistance for a participant because of the family's action or failure to act. The HA has determined that an applicant who was previously a participant in the HCV program and whose assistance was terminated by **any** Housing Authority may not receive HCV assistance for a minimum of **five** (5) years. The HA will consider all relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure to act. If the termination was due to fraud, the applicant/participant is ineligible for a lifetime.

The HA may impose, as a condition of continued assistance for other family members, a requirement that other family members who participated in or were culpable for the action or failure to act will not reside in the unit [24 CFR 982.552(c)(2)(ii)]

The HA will provide families with a written description of the family obligations under the program, the grounds under which the HA can deny or terminate assistance, and the HA's informal hearing procedures. This chapter describes when the HA is required to deny or terminate assistance, and the HA's policies for the denial of assistance.

15.2 GROUNDS FOR DENIAL OF ASSISTANCE (24 CFR 982.552-553)

The HA shall have the right to deny or terminate assistance for a family pursuant to the authority set for in 24 CFR 982.552-553.

15.2.1 Form of Denial of Assistance

Denial of assistance for an applicant may include any or all of the following:

1. Denial for placement on the HA waiting list
2. Denying or withdrawing a Voucher
3. Refusing to enter into a HAP contract or approve a lease
4. Refusing to process or provide assistance under portability procedures

15.2.2 Mandatory Denial of Assistance

The HA must deny assistance to applicants for the following reasons:

1. If any member of the family fails to sign and submit HUD or HA required consent forms for obtaining information.
2. The applicant is a student enrolled at an institution of higher education, is under the age of 24, is not a veteran, unmarried and does not have a dependent child, is individually ineligible for Section 8 assistance, or the student's parents are, individually or jointly, ineligible for assistance, as specified in 24 CFR 5.612.
3. If an applicant or any household member has been evicted from federally assisted housing for drug-related criminal activity within three years [see 982.553(a)(1)(i)] unless the PHA determines:
    a. That the evicted household member who engaged in the drug-related criminal activity has successfully completed a supervised drug rehabilitation program; or,

b. That the circumstances leading to the eviction no longer exist (for example, the criminal household member has died or is imprisoned).

4. If the HA determines that any household member is currently engaging in illegal use of a drug.
5. If the HA determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
6. Any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
7. If any member of the household (including minors) is subject to a registration requirement under a State sex offender registration program. (In this screening of applicants, the HA must perform criminal history background checks necessary to determine whether any household member is subject to a sex offender registration requirement in the State where the housing is located and in other States where the household members are known to have resided.)
8. The HA must deny or terminate assistance based on the restrictions on net assets and property ownership when required by § 5.618 of this title (the following revision is effective January 1, 2024 per the final rule officially published in the Federal Register on February 14, 2023. The final rule revises HUD regulations to put sections 102 and 104 of HOTMA into effect).

15.2.3 Mandatory Denial of Assistance - Net Family Assets Exceeding $100,000

1. Assistance may not be provided initially or at reexamination if the family has net family assets that exceed $100,000 regardless of family type.
2. When recertifying the income of a participant family who has exceeded the asset limitation at interim or annual, the HA may delay for a period of not more than 6 months the initiation of termination proceedings.
3. The family is given an opportunity to cure the asset limitation. In order to show the noncompliance was cured, the family must present evidence of one of the following:
   a. The family's net assets no longer exceed $100,000 (adjusted annually).
   b. The family meets one exception for real property ownership.
   c. The family has sold or no longer effectively owns real property that is suitable for occupancy.
4. The real property restriction does not apply:
   a. To any person who is a victim of domestic violence, dating violence, sexual assault, or stalking.
   b. Receiving assistance for a manufactured home.
   c. Participating in the HCV Homeownership program.

Registered Sex Offender Notice: The California Department of Justice, sheriff's departments, police departments serving jurisdictions of 200,000 or more and many other law enforcement authorities maintain for public access a data base of locations of persons required to register pursuant to California Penal Code Section 290.4(a). The data base is updated on a quarterly basis and is a source of information about the presence of these individuals in any neighborhood. Notice: Pursuant to Section 290.46 of the California Penal Code, information about specified registered sex offenders is made available to the public via an Internet Web site maintained by the Department of Justice at www.nsopw.gov. Depending on an offender's criminal history, this information will include either the address at which the offender resides or the community of residence and zip code in which he or

she resides.

15.2.4 Permissive Grounds for Denial of Assistance

The HA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the reasons listed below.

1. If the family violates any family obligation under the program.
2. If any member of the family has been evicted from federally assisted housing in the last five years.
3. If a PHA has ever terminated assistance under the program for any member of the family.
4. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
5. If the family currently owes rent or other amounts to the HA or to another PHA in connection with Section 8 or Public Housing Assistance under the 1937 Act. The family may be given an opportunity to repay the balance in full within 30 calendar days. If the family fails to do so, it will result in the denial of assistance and the family's name being removed (withdrawn) from the waiting list.
6. If the family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
7. If the family breaches an agreement with the HA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA.
8. If the family has engaged in or threatened abusive or violent behavior toward HA personnel "Abusive or violent behavior towards HA personnel" include verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial. "Threatening" refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence. Actual physical abuse or violence will always be cause for termination.
9. If the family has been engaged in criminal activity or alcohol abuse as described in 24 CFR 982.553.
10. If the HA determines that any household member is currently engaged in, or has engaged in during a reasonable time before the admission: i) Drug-related criminal activity; ii) Violent criminal activity; iii) other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or iv) other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the HA (including a HA employee or HA contractor, subcontractor, or agent). For purposes of this prohibition, a household member is "currently engaged in" criminal activity if that person has engaged in the behavior recently enough to justify a reasonable belief that the behavior is current.
11. If the HA determines that it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

15.3 GROUNDS FOR TERMINATION OF ASSISTANCE (24 CFR 982.552-553)

15.3.1 Form of Termination of Assistance

Termination of assistance for a participant may include any or all of the following:

1. Refusing to enter into a HAP contract or approve a lease.
2. Terminating housing assistance payments under an outstanding HAP contract.
3. Refusing to process or provide assistance under portability procedures.

15.3.2 Mandatory Termination of Assistance

The HA must terminate program assistance for the following reasons:

1. If a family is evicted from housing assisted under the program for serious violation of the lease.
2. If any member of the family fails to sign and submit HUD or HA required consent forms for obtaining information.
3. If a single-person household is a student enrolled at an institution of higher education, is under the age of 24, is not a veteran, unmarried and does not have a dependent child, is individually ineligible for section 8 assistance, or the student's parents are, individually or jointly, ineligible for assistance, as specified in 24 CFR 5.612.
4. If the HA determines that any member of the household has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

15.3.3 Mandatory Termination of Assistance - Net Family Assets Exceeding $100,000

1. Assistance may not be provided initially or at reexamination if the family has net family assets that exceed $100,000 regardless of family type.
2. When recertifying the income of a participant family who has exceeded the asset limitation at interim or annual, the HA may delay for a period of not more than 6 months the initiation of termination proceedings.
3. The family is given an opportunity to cure the asset limitation. In order to show the noncompliance was cured, the family must present evidence of one of the following:
   a. The family's net assets no longer exceed $100,000 (adjusted annually).
   b. The family meets one exception for real property ownership.
   c. The family has sold or no longer effectively owns real property that is suitable for occupancy.
4. The real property restriction does not apply:
   a. To any person who is a victim of domestic violence, dating violence, sexual assault, or stalking.
   b. Receiving assistance for a manufactured home.
   c. Participating in the HCV Homeownership program.

15.3.4 Permissive Grounds for Termination of Assistance

The HA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the reasons listed below.

1. If the family violates any family obligation under the program.
2. If any member of the family has been evicted from federally assisted housing in the last five years.
3. If a PHA has ever terminated assistance under the program for any member of the family.
4. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
5. If the family currently owes rent or other amounts to the HA or to another PHA in connection with Section 8 or Public Housing Assistance under the 1937 Act.
6. If the family has not reimbursed any PHA for amounts paid to an owner under a HAP contract

for rent, damages to the unit, or other amounts owed by the family under the lease

7. If the family breaches an agreement with the HA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA.
8. If the family has engaged in or threatened abusive or violent behavior toward HA personnel "Abusive or violent behavior towards HA personnel" include verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial. "Threatening" refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence. Actual physical abuse or violence will always be cause for termination.
9. If any household member is currently engaged in any illegal use of a drug; or if a pattern of illegal use of a drug by any household member interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
10. If the HA determines that any family member has violated the family's obligation under 24 CFR 982.551(l) not to engage in any drug-related criminal activity.
11. If an applicant or family violates the Policy on Prohibited Criminal Activity.

15.4 VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) of 2022

Denial of assistance to an applicant, retaliation against a participant, or termination of assistance of a participant for criminal activity are subject to the provisions of the Violence Against Women Reauthorization Act of 2022 as described below:

1. Being a victim of domestic violence, dating violence, or stalking (see glossary for legal definitions) is not a basis for denial of assistance or admission to public or assisted housing if the participant/applicant otherwise qualifies for assistance or admission.
2. Incidents or threats of abuse will not be construed as serious or repeated violations of the lease or other "good cause" for termination of the assistance, tenancy, or occupancy rights of a victim of abuse.
3. Criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim of that abuse.
4. Notwithstanding the restrictions that VAWA places, the HA may "bifurcate" a lease without regard to whether a household member is a signatory to the lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant, and such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by federal, state, and local law for the termination of leases or assistance under the relevant program of HUD-assisted housing. Neither the authority nor the procedures under any other law is necessary to bifurcate or otherwise remove an individual from the lease. Furthermore, this federal statutory authority to bifurcate a lease or otherwise remove an individual takes precedence over any federal, state, or local law to the contrary.
5. The HA has authority to terminate voucher assistance for certain family members while permitting other members of a participant family to continue receiving assistance (providing the culpable family member will no longer reside in the unit). The HA's right to exercise this administrative discretion is not dependent on a bifurcated lease or other eviction action by the owner against an individual family member.

6. Certification of Abuse: The HA will accept a verbal or written request from the victim.
7. Right to Report Crimes and Emergencies: Participants (including landlords, homeowners, residents, occupants, and their guests, and applicants for, housing) have a right to seek law enforcement or emergency assistance on their own behalf or on behalf of another person in need of assistance. They shall not be penalized based on their request for assistance or based on criminal activities for which they are a victims or otherwise not at fault.

15.4.1 VAWA EMERGENCY TRANSFER PLAN

The Housing Authority of the County of Riverside is concerned about the safety of its participants, and such concern extends to participants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), HA allows participants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the participant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.
The ability of HA to honor such request for participants currently receiving assistance, however, may depend upon a preliminary determination that the participant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether HA has another dwelling unit that is available and is safe to offer the participant for temporary or more permanent occupancy. This plan identifies participants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to participants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that the Housing Choice Voucher Program, the Moderate Rehabilitation Program and the Project Based Voucher Program is in compliance with VAWA.

Eligibility for VAWA Emergency Transfers
A participant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR Part 5, subpart L is eligible for an emergency transfer, if: The participant reasonably believes that there is a threat of imminent harm from further violence if the participant remains within the same unit. If the participant is a victim of sexual assault, the participant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer. A participant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan. Participants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.
If the family break-up results from an occurrence of domestic violence, dating violence, sexual assault, or stalking as provided in 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), the PHA must ensure that the victim retains assistance.

The factors to be considered in making this decision under this plan include:
(1) Whether the assistance should remain with family members remaining in the original assisted unit.
(2) The interest of minor children 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 domestic violence, dating violence, sexual assault, or stalking.
(4) Whether any of the family members are receiving protection as victims of domestic violence, dating violence, sexual assault, or stalking, as provided in 24 CFR part 5, subpart L, and whether the abuser is still in the household.

(5) Other factors specified by the PHA.

To consider lease bifurcation, as provided in 24 CFR 5.2009, in circumstances involving domestic violence, dating violence, sexual assault, or stalking addressed in 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), provided that, if the HA chooses to bifurcate a lease, no assistance will be given for an individual who does not meet housing eligibility and 24 CFR 5.508(h)(2) applies to submission of evidence of citizenship or eligible immigration status. If there are no remaining members with eligible immigration status the lease and rental assistance must be terminated within 30 days in accordance with 24 CFR Part 5.

Reasons a Participant Eligible for Occupancy Rights Under VAWA May Be Evicted or Assistance May Be Terminated

Nothing in this section limits any available authority of a covered housing provider to evict or terminate assistance to a participant for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking that is in question against the participant or an affiliated individual of the participant. A participant can be evicted and assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against the participant. However, HA cannot hold participants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to participants who have not been victims of domestic violence, dating violence, sexual assault, or stalking. The protections described in the "Notice of Occupancy Rights under the Violence Against Women Act For All Tenants" might not apply, and participant could be evicted and assistance terminated, if HA can demonstrate that not evicting participant or terminating assistance would present a real physical danger that:

1) Would occur within an immediate time frame, and
2) Could result in death or serious bodily harm to other participants or tenants or those who work on the property. If HA can demonstrate the above, HA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

VAWA Emergency Transfer Request Documentation (existing language)

To request an emergency transfer, the participant shall notify HA's management office and submit a written request for a transfer to their assigned caseworker at 5555 Arlington Avenue; Riverside, CA 92504 or their assigned caseworker at 44199 Monroe, Suite B; P.O. Box 1747; Indio, CA 92201. HA will provide reasonable accommodations to this policy for individuals with disabilities. The participant's written request for an emergency transfer should include either:

1. A statement expressing that the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in the same dwelling unit assisted under HA's program; OR
2. A statement that the participant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the participant's request for an emergency transfer.

(1) In response to a written request to the applicant or tenant/participant from HA, the applicant or tenant may submit, as documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, any one of the following forms of documentation, where it is at the discretion of the tenant or applicant which one of the following forms of documentation to submit:

(i) The certification form described in 24 CFR 5.2005(a)(1)(ii); or

(ii) A document:

(A) Signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, ''professional'') from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse;

(B) Signed by the applicant or tenant;

and

(C) That specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under this subpart, and that the incident meets the applicable definition of

domestic violence, dating violence, sexual assault, or stalking under § 5.2003; or

(iii) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or

(iv) At the discretion of HA, a statement or other evidence provided by the applicant or tenant.

VAWA Emergency Transfer Request Documentation (revised language)

To request an emergency transfer, the participant shall notify HA's management office and may either submit a verbal or written request for a transfer to their assigned caseworker at 5555 Arlington Avenue, Riverside, CA 92504, or their assigned caseworker at 44199 Monroe, Suite B, P.O. Box 1747, Indio, CA 92201. HA will provide reasonable accommodations to this policy for individuals with disabilities.

The participant's request for an emergency transfer, whether verbal or written, should include either:

(i) A statement expressing that the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in the same dwelling unit assisted under HA's program; or

(ii) A statement that the participant was a victim of sexual assault, and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the participant's request for an emergency transfer.

Documentation Submission

In response to a request from HA, the applicant or tenant/participant may submit, as documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, any one of the following forms of documentation, at the discretion of the tenant or applicant:

(i) The certification form described in 24 CFR 5.2005(a)(1)(ii); or

(ii) A document:

(A) Signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, ''professional'') from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse;

(B) Signed by the applicant or tenant; and

(C) That specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under this subpart, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking under § 5.2003; or

(iii) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
(iv) At the discretion of HA, a statement or other evidence provided by the applicant or tenant.

Submission of Documentation
The time period to submit documentation is 14 business days from the date that the participant receives a written request from HA asking for documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. HA may, but is not required to, extend the time period to submit the documentation, if requested within 14 business days of receiving the written request from HA. If the requested information is not received within 14 business days of receiving the request for documentation, or any extension provided by HA, HA may not grant the participant any of the VAWA protections.

Optional Documentation Request
Nothing in this policy shall be construed to require HA to request that an individual submit documentation of their status as a victim of domestic violence, dating violence, sexual assault, or stalking.

Confidentiality
HA will keep confidential any information that the participant submits in requesting an emergency transfer, and information about the emergency transfer, unless the participant gives HA written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the participant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the participant. See the "Notice of Occupancy Rights under the Violence Against Women Act For All Tenants" for more information about HA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

VAWA Emergency Transfer Timing and Availability
HA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. HA will, however, act as quickly as possible to move a participant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. The Lease and Housing Assistance Payments Contract may be divided (bifurcated) in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking. If a participant reasonably believes a proposed transfer would not be safe, the participant may request a transfer to a different unit. If a unit is available, the transferred participant must agree to abide by the terms and conditions that govern occupancy in the unit to which the participant has been transferred. HA may be unable to transfer a participant to a particular unit if the participant has not or cannot establish eligibility for that unit. If HA has no safe and available units for which a participant who needs an emergency is eligible, HA will assist the participant in identifying other housing providers who may have safe and available units to which the participant could move. At the participant's request, HA will also assist participant in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

Safety and Security of Participants

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the participant is urged to take all reasonable precautions to be safe. Participants who are or have been victims of crime can visit the Victims of Crime Resource Center at https://1800victims.org/crime-type/ or call 1-800-842-8467. For persons with hearing impairments, that hotline can be accessed by calling 916-739-7083 (TTY). Participants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1–800–799–7233, or a local domestic violence shelter, or visit the online hotline at https://www.thehotline.org, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1–800–787–3224 (TTY).

Participants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 1-800–656–4673, or visit the online hotline at *https://online.rainn.org*. Participants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at *https://www.victimsofcrime.org/our-programs/stalking-resource-center*, or call 1-202-467-8700.

Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking:

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 (www.thehotline.org) or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact Riverside County Coalition for Alternatives to Domestic Violence, 1-800-339-7233; 951-320-1370 (www.alternativestodv.org) and/or Shelter From the Storm, Toll-free: 1-800-775-6055; 760-328-7233 (www.shelterfromthestorm.com) and/or Safe Alternatives for Everyone, visit www.safefjc.org to find your nearest Safe Family Justice center to obtain contact information, and/or Riverside County Victim Services, visit www.rivcoda.org/victim-services to find your nearest DA office location to obtain contact information, , and/or National Teen Dating Helpline at 1-866-331-9474 (www. loveisrespect.org).

For participants who are or have been victims of stalking seeking help may visit the Victim Connect Resource Center at https://victimconnect.org/learn/types-of-crime/stalking/ or the National Center for Victims of Crime's Stalking Resource Center at https://www.victimsofcrime.org/our-programs/stalking-resource-center (1-202-467-8700), and/or The California Victim Compensation Board, 1-800-777-9229 (https://victims.ca.gov/for-victims/), and/or Victim Connect Helpline, 1-855-484-2846 (www.victimconnect.org).

For help regarding sexual assault, you may contact Riverside Area Rape Crisis Center, Toll-free: 1-866-686-7273 (www.rarcc.org); 951-686-7273 and/or the National Sexual Assault Hotline, 1-800-656-4673 (https://www.rainn.org/resources) and/or The California Victim Compensation Board 1-800-777-9229 (https://victims.ca.gov/for-victims/).

For participants who are or have been victims of crime with disabilities seeking help may visit the Victims of Crime Resource Center at https://1800victims.org/crime-type/victims-with-disabilities/ or call 1-800-842-8467, and/or the National Domestic Violence Hotline at 1-800–799–7233. or visit the online hotline at https://www.thehotline.org/resoures/abuse-in-disability-communities/.

Victims of stalking seeking help may contact Victims of Crime Resource Center, 1-800-842-8467 and/or National Center for Victims of Crime Resource Center, 202-467-8700 (www.Victimsofcrime.org/our-programs/stalking-resource-center) and/or Victim Connect Helpline, 855-484-2846 (www.victimconnect.org).

15.5 FAMILY SELF-SUFFICIENCY (FSS)

The HA will not terminate assistance for FSS families who fail to comply with the FSS Contract of Participation unless participation in FSS is a requirement or condition of the program under which the family was admitted. By statute, housing assistance for Family Unification Program (FUP) Foster Care Youth is limited to 36 months except for Foster Care Youth who sign a FSS Contract of Participation (Form HUD-52650) prior to the expiration of the 36 month time limit, in which case they will maintain their housing assistance for the entire length of the FSS Contract of Participation for a period not exceeding the length of the FSS Contract of Participation. In most cases, this limit will be no more than 5 years after the first income update after the effective date of the FSS contract; however, if the FSS Contract of Participation is extended [in accordance with 24 CFR 984.303(d)], the FUP Youth voucher can be extended no more than 2 years beyond the initial 5 year expiration date. If a FUP youth participating in this demonstration fails to comply with the terms and conditions of the FSS Contract of Participation without good cause and is terminated from the FSS program, the FUP youth is no longer considered a participant in this demonstration. With FSS termination, the FUP youth is subject to the statutory time limit of 36 months, beginning from the time the first HAP contract is signed. If the FUP youth has been assisted for more than 36 months, the PHA terminates assistance to the FUP youth household. Prior to termination, the PHA will offer an informal hearing to a FUP youth wishing to appeal a PHA decision to terminate.

15.6 PARTICIPANT FAMILY OBLIGATIONS (24 CFR 982.551)

1. The family must supply any information that the HA or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status (as provided by 24 CFR Part 5). "Information" includes any requested certification, release or other documentation.
2. The family must supply any information requested by the HA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.
3. The family must disclose and verify Social Security numbers and must sign and submit consent forms for obtaining information in accordance with HUD regulations.
4. Any information supplied by the family must be true and complete.
5. The family is responsible for an HQS and/or NSPIRE breach caused by the family or their invitees.
6. The family must allow the HA to inspect the unit at reasonable times and after reasonable notice.
7. The family may not commit any serious or repeated violation of the lease.
8. The family must notify the PHA and the owner before the family moves out of the unit or terminates the lease on notice to the owner.
9. The family must give the HA a copy of any owner eviction notice in writing within 30 calendar days of occurrence.
10. The family must use the assisted unit for residence by the family. The unit must be the family's only residence.
11. The composition of the assisted family residing in the unit must be approved by the HA. The family must inform the HA in writing within 30 calendar days of occurrence of the marriage (or

the addition of a co-head), birth, adoption or court-awarded custody of a child. The family must request HA approval to add any family member as an occupant of the unit. No other person may reside in the unit (except for a foster child or live-in aide).

12. The family must notify the HA in writing within 30 calendar days of occurrence if any family member no longer resides in the unit.
13. If the HA has given approval, a foster child or a live-in aide may reside in the unit. If the family does not request approval or HA approval is denied, the family may not allow a foster child or live-in aide to reside with the assisted family.
14. Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit as a residence by members of the family.
15. The family must not sublease or let the unit.
16. The family must not assign the lease or transfer the unit.
17. The family must supply any information or certification requested by the HA to verify that the family is living in the unit, or relating to family absence from the unit, including any HA-requested information or certification on the purposes of family absences. The family must cooperate with the HA for this purpose. The family must promptly notify the HA of absence from the unit.
18. The family must not own or have any interest in the unit.
19. The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the programs.
20. The members of the family may not engage in alcohol or drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.
21. 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.
22. The members of the household must not abuse alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises.

15.6.1 Explanations and Terms

The term "promptly" when used with the family obligations always means "within 30 calendar days."

15.6.2 Housing Authority Discretion

In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the HA may consider all relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, the length of time since the violation occurred and more recent record of compliance, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure to act. All denials or terminations of assistance will be consistent with fair housing and equal opportunity provisions.

The HA may impose, as a condition of continued assistance for other family members, a requirement that other family members who participated in or were culpable for the action or failure to act will not reside in the unit.

In determining whether to deny admission or terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the HA may consider

whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. For this purpose, the HA may require the applicant or participant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

If the family includes a person with disabilities, the HA will determine if such action is subject to consideration of reasonable accommodation.

15.6.3 Lease Violations

In determining whether a serious or repeated violation of the lease will cause a termination of assistance, the HA will consider all circumstances including whether the owner terminates tenancy through court action for serious or repeated violation of the lease, the tenant's statements and documents, verifications provided by either the owner or the tenant, and any reports of lease violations, neighborhood complaints or other third party information.

15.6.4 Housing Quality Standards (HQS) and/or NSPIRE Breach

The HA will determine if an HQS breach as identified in HUD Regulations is the responsibility of the family. Families may be given extensions to cure HQS and/or NSPIRE breaches by the HA in accordance with HUD regulations.

15.6.5 Denial of Additions to the Household

Proposed additions to the family may be denied to:

- Persons who have been evicted from assisted housing.
- Persons who engage in or have engaged in, alcohol or drug-related criminal activity or violent criminal activity or any other criminal activity that violates the Policy on Prohibited Criminal Activity.
- Persons who do not meet the HA's definition of family.
- Persons who commit or have committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- Persons who currently owe rent or other amounts to the HA or to another HA in connection with Section 8 or Public Housing Assistance under the 1937 Act.
- Persons who have engaged in or threatened abusive or violent behavior toward HA personnel.

15.7 PROCEDURES FOR NON-CITIZENS

15.7.1 Termination due to Ineligible Immigrant Status

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending. Participant families in which all members are neither U.S. citizens nor eligible immigrants must have their assistance terminated; however, they will be given an opportunity for a hearing.

15.7.2 False or Incomplete Information

When the HA has clear, concrete, or substantial documentation (such as permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual given an opportunity to present relevant information.

If the individual is unable to verify their citizenship, the HA may give him/her an opportunity to provide a new declaration as an eligible immigrant or to elect not to contest their status. The HA will then verify eligible status, deny, terminate, or prorate as applicable. The HA will deny or terminate assistance based on the submission of false information or misrepresentations.

15.8 AUTOMATIC TERMINATION OF HAP CONTRACT (24 CFR 982.455)

The HAP contract terminates automatically 180 calendar days after the last housing assistance payment to the owner. If within the 180 day time frame, the total tenant payment causes the family to be eligible for a housing assistance payment, the HA will resume assistance payments for the family.

15.9 MISSED APPOINTMENTS AND DEADLINES

It is a family obligation to supply information, documentation, and certification as needed for the HA to fulfill its responsibilities. The HA schedules appointments and sets deadlines in order to obtain required information. The obligations also require that the family allow the HA to inspect the unit and appointments are made for this purpose.

If an applicant or participant does not keep an appointment, does not supply information required by a deadline or does not allow the HA to inspect the unit, the HA may deny or terminate assistance. The family will be given information about the requirement to keep appointments as specified in this Plan.

Appointments may be scheduled and time requirements will be imposed for the following events and circumstances:

- Eligibility for Admissions
- Verification Procedures
- Voucher Issuance and Briefing
- Housing Quality Standards and Inspections
- Re-certifications
- Appeals

15.9.1 Procedure when Family Obligations are not met

When the participant family fails to fulfill their obligations within the time frames established by the HA, a "Pre-Termination of Assistance" appointment will be scheduled for the family. The appointment notice shall inform the family of the obligation not met and the necessary remedy. If the obligation is still not met, a Notice of Intent to Terminate Assistance will be issued. If the family corrects the breach within the time frame allowed for requesting a hearing, the notice may be rescinded. The HA will consider whether the family has a history of non-compliance in making determinations to terminate assistance.

At the same time that the family is notified of a breach in their obligations, a "Conditional Termination of Contract" notice will be sent to the owner. This notice will inform the owner that should the family fail to comply with their obligations, the contract will terminate.

[Intentionally Blank]

Chapter 16

OWNER DISAPPROVAL AND RESTRICTIONS

16.1 INTRODUCTION

It is the policy of the HA to recruit owners to participate in the program, and to provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of the HA. The federal regulations define when the HA must disallow an owner participation in the program, and they provide the HA discretion to disapprove or otherwise restrict the participation of owners in certain categories. This chapter describes the criteria for owner disapproval and the various penalties for owner violations.

16.2 DISAPPROVAL OF OWNER [24 CFR 982.306(c)]

If informed by HUD that the owner is debarred, suspended, or subject to a limited denial of participation under 2 CFR Part 2424, or when otherwise directed by HUD, the HA must not approve a contract with the subject owner. For purposes of this section, "owner" includes a principal or other interested party.

The HA will also deny approval to lease a unit from an owner for the following reasons:

- HUD has informed the HA that the owner has been debarred, suspended, or subject to a limited denial of participation under 24 CFR Part 24, 2 CFR Part 2424.
- HUD has informed the HA that the Federal Government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.
- HUD has informed the HA that a court or administrative agency has determined that the owner has violated the Fair Housing Act or other federal equal opportunity requirements.
- The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).
- The owner has committed fraud, bribery or any other corrupt act in connection with any federal housing program.
- The owner has engaged in any drug-related criminal activity or any violent criminal activity.
- The owner has a history or practice of non-compliance with the HQS and/or NSPIRE for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program.
- The owner has a history or practice of renting units that fail to meet state or local housing codes.
- The owner has not paid state or local real estate taxes, fines or assessments.
- HA has received evidence that owner is requesting and accepting side payments for rent.
- The owner has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8 or any other federally assisted housing program for activity by the tenant, any member of the household, a guest or another person under the control of any member of the household that:
    - Threatens the health or safety of, or the right to peaceful enjoyment of the premises by other residents.
    - Threatens the health or safety of other residents, or employees of the HA, or of owner employees or other persons engaged in management of the housing.
    - Threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises.
    - Engages in drug-related criminal activity or violent criminal activity.

- HUD regulations prohibit the HA from approving a unit if the owner is the parent, child, grandparent, grandchild, sister, brother, uncle, aunt, 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.

16.3 OWNER RESTRICTIONS AND PENALTIES

If an owner commits fraud or abuse or is guilty of frequent or serious contract violations, the HA will restrict the owner from future participation in the program. The HA may also terminate some or all contracts with the owner.

Before imposing a penalty against an owner, the HA will review all relevant factors pertaining to the case, and will consider such factors as the owner's record of compliance and the number of violations.

16.4 OTHER REMEDIES FOR OWNER VIOLATIONS

16.4.1 Overpayments

If the landlord has been overpaid as a result of fraud, misrepresentation or violation of the Contract, the HA may terminate the Contract and arrange for restitution to the HA and/or family as appropriate.

The HA will make every effort to recover any overpayments made as a result of landlord fraud or abuse. Payments otherwise due to the owner may be debited from future payments in order to repay the HA or the tenant, as applicable. The HA will take court action to recover overpayments when other means fail to result in such collection.

[Intentionally Blank]

Chapter 17

OWNER OR FAMILY DEBTS TO THE HA

17.1 INTRODUCTION

This chapter describes the HA's policies for the recovery of monies which have been overpaid to an owner on behalf of an assisted family. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. Before a debt is assessed against a family or owner, the file must contain documentation to support the HA's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the owner, the family or other interested parties.

The HA will make every effort to collect monies owed to the HA. The HA will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Civil suits
- Repayment agreements
- Abatements
- Collection agencies
- Credit bureaus

17.2 REPAYMENT AGREEMENT FOR FAMILIES

A Repayment Agreement as used in this Plan is a document entered into between the HA and a person who owes a debt to the HA. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of repayment, any special provisions of the agreement, and the remedies available to the HA upon default of the agreement.

The family will be required to make monthly payments of $200.00 until paid in full. The HA reserves the right to modify the terms of the repayment agreement on a case by case basis. Signing a Repayment Agreement does not guarantee continued assistance.

17.2.1 Late Payments

A payment will be considered to be in arrears if it is two months in default and if the payment has not been received by the close of the business day on which the payment was due. If the due date is on a weekend or holiday, the due date will be at the close of the next business day.

If the family's repayment agreement is in arrears, the HA may require the family to pay in full. If the family requests a move to another unit and has a repayment agreement in place, the family will be required to pay the balance in full prior to the issuance of a Voucher.

17.3 DEBTS DUE TO FRAUD/NON-REPORTING OF INFORMATION

HUD's definition of program fraud and abuse is a single act or pattern of actions that constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead.

17.3.1 Program Fraud

Families who owe money to the HA due to program fraud will be required to repay in accordance with the guidelines in the Repayment section of this chapter and will be terminated from the housing assistance program and ineligible for a lifetime. The reason for termination and the amount owed will be added to the Enterprise Income Verification (EIV) Debts Owed Module under the Head of Household however, all adult members at the time of termination are financially responsible for the debts owed.

If a family owes $5,000 or more as a result of program fraud, the case may be referred to the HUD Inspector General. Where appropriate, the HA may refer the case for criminal prosecution.

17.4 OWNER DEBTS TO THE HA

If the HA determines that the owner has retained Housing Assistance Payments the owner is not entitled to, the HA may reclaim the amounts from future Housing Assistance Payments owed the owner for any units under contract. The HA will make every effort to collect monies owed to the HA. If future Housing Assistance Payments are insufficient to reclaim the amounts owed, the HA will use a variety of collection tools to recover debts including, but not limited to:

- Requiring the owner to pay the amount in full within a maximum of 12 months
- Pursuing collections through the court system
- Requesting lump sum payments
- Civil suits
- Repayment agreements
- Abatements
- Collection agencies
- Credit bureaus
- Restrict the owner from future participation
- or any other available method

[Intentionally Blank]

Chapter 18

COMPLAINTS AND APPEALS

18.1 INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the HA. This chapter describes the policies, procedures and standards to be used when families disagree with a HA decision. The procedures and requirements are explained for preference denials, informal reviews and hearings. It is the policy of the HA to ensure that all families have the benefit of all protections due to them under the law.

18.2 COMPLAINTS TO THE HA

The HA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The HA prefers that all complaints be put in writing, however, they may be reported by telephone. Complaints that cannot be substantiated will be so noted.

Complaints from families, owners, or the general public will be referred to the assigned Housing Specialist first. Unresolved complaints or those involving a staff member will be referred to a Housing Supervisor or Program Integrity Monitoring (PIM).

Any complaints of racial, ethnic or sexual harassment involving staff will be handled according to County personnel policies. Any complaints regarding racial, ethnic or sexual harassment not involving staff will be documented, referred to Fair Housing and/or Legal Aid, and will be reviewed by supervisory staff.

18.3 NOT MEETING PREFERENCES

When it is verified by the HA that an applicant does not meet a preference that they self-certified they did, they will be withdrawn from the waiting list and will be notified in writing of the specific reason. Applicants who are withdrawn from the waiting list for not meeting preferences are entitled to an informal review. Applicants who are returned to the waiting list for not meeting preferences are not entitled to an informal review.

18.4 INFORMAL REVIEW of APPLICANT (24 CFR 982.554)

The HA must give an applicant an opportunity for an informal review of the HA decision denying assistance to the applicant. Once a denial letter has been issued to an applicant, they have 30 calendar days from the date of their denial letter to request a review in writing. After the review, the applicant will be furnished with a written final decision including a statement of the reasons for the final decision.

The HA is **not** required to provide the applicant an opportunity for an informal review for any of the following:

1. Discretionary administrative determinations by the HA (including but not limited to preferences, etc).
2. General policy issues or class grievances (including but not limited to preferences, etc).
3. A determination of the family unit size under the HA subsidy standards.
4. HA determination not to approve an extension or suspension of a voucher term.
5. HA determination not to grant approval to lease a unit under the program or to approve a

proposed lease.

6. HA determination that a unit selected by the applicant is not in compliance with HQS and/or NSPIRE.
7. HA determination that the unit is not in accordance with HQS and/or NSPIRE because of the family size or composition.

Reviews are provided for applicants who are denied assistance before the effective date of the HAP Contract. The exception is that when an applicant is denied assistance for citizenship or eligible immigration status, the applicant is entitled to an informal hearing.

18.5 INFORMAL HEARING for PARTICIPANT [24 CFR 982.555(a)(1)]

The HA must provide participants with the opportunity for an informal hearing for decisions related to any of the following:

1. A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
2. A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the HA utility allowance schedule.
3. A determination of the family unit size under HA subsidy standards.
4. A denial of a reasonable accommodation request.
5. A determination to terminate assistance for a participant family because of the family's action or failure to act.
6. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under HA policy and HUD rules.
7. A determination to terminate assistance of a Family Unification Program (FUP) youth participating in the Family Unification Program and Family Self Sufficiency Demonstration if the participant fails to comply with the terms and conditions of the FSS Contract of Participation without good cause and is terminated from the FSS program, the FUP youth is no longer considered a participant in this demonstration. With FSS termination, the FUP youth is subject to the statutory time limit of 36 months, beginning from the time the first HAP contract is signed. If the FUP youth has been assisted for more than 36 months, the PHA terminates assistance to the FUP youth household. Prior to termination, the PHA will offer an informal hearing to a FUP youth wishing to appeal a PHA decision to terminate.

In accordance with 24 CFR 982.555(a)(2) in the cases described in clauses 4, 5 and 6 of this Section 18.5 above, the PHA must give the opportunity for an informal hearing before the PHA terminates housing assistance payments for the family under an outstanding HAP contract. Note: In the event the unit fails to meet HQS and/or NSPIRE, no Housing Assistance Payment (HAP) will be made after the specified termination date.

The HA will give the family prompt notice of such determinations which will include:

- The proposed action or decision of the HA.
- The date the proposed action or decision will take place.
- The family's right to an explanation of the basis for the HA's decision.
- The procedures for requesting a hearing if the family disputes the action or decision.
- The time limit for requesting the hearing.
- To whom the hearing request should be addressed.

The HA is not required to provide a participant family an opportunity for an informal hearing for any of the following:

1. Discretionary administrative determinations by the HA.
2. General policy issues or class grievances.
3. Establishment of the HA schedule of utility allowances for families in the program.
4. An HA determination not to approve an extension or suspension of a Voucher term.
5. An HA determination not to approve a unit or lease.
6. An HA determination that an assisted unit is not in compliance with HQS and/or NSPIRE. However, the HA must provide the opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS and/or NSPIRE caused by the family as described in 24 CFR 982.551.
7. An HA determination that the unit is not in accordance with HQS and/or NSPIRE because of the family size.
8. A determination by the HA to exercise or not to exercise any right or remedy against the owner under a HAP contract.

18.6 INFORMAL REVIEW/HEARING PROCEDURES

It is the HA's objective to resolve disputes at the lowest level possible. Informal reviews are granted to applicants and informal hearings are granted to participants. The HA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

Notification of Review/Hearing

When the HA determines that an applicant is denied assistance, and for participants, other specified actions, the family must be notified in writing. The notice must contain:

- The reason(s) the action is being taken,
- The procedure for requesting an informal review/hearing if the applicant/participant does not agree with the decision, and
- The time limit for requesting a review/hearing.

A request for an informal review/hearing must be received in writing by the close of the business day, no later than 10 calendar days from the date of the HA's notification of denial of assistance or intent to terminate assistance. For informal hearings, the information packet must be submitted to the hearing officer by the HA within 30 calendar days of receipt of the request for hearing. An appointment will be scheduled and a letter will be sent by the hearing officer within 5 business days from the date the information packet is received and the informal hearing will be conducted no more than 14 calendar days from the date the appointment letter is sent. For informal reviews, the review must be performed within 14 calendar days from the date the review is requested and the results sent to the applicant by mail within 10 business days after the review. The review will be performed in person and/or via zoom unless the applicant requests either a review by phone or letter. The informal review/hearing shall be conducted by the review/hearing officer appointed by the HA who is neither the person who made nor approved the decision, nor a subordinate of that person. The HA appoints a review/hearing officer who is a staff person at the supervisory level or above, or an individual from outside the HA.

The review/hearing shall concern only the issues for which the family has received the opportunity for a review/hearing. Evidence presented at the review/hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The applicant/participant will be given the opportunity to present oral or written objections to the

decision. Both the HA and the family may present evidence and witnesses. Both the HA and the family may use an attorney or other representative to assist them at their own expense.

A representative with written authorization to act on behalf of the applicant/participant may conduct an informal review/hearing in the absence of the applicant/participant, unless the representative has an interest in the rental assistance, i.e., the owner of the assisted unit.

When the hearing officer receives an information packet for an informal hearing, an informal hearing date will be scheduled and the notification will contain:

1. The date and time of the hearing.
2. The location where the hearing will be held.
3. The family's right to bring evidence, witnesses, legal or other representation at the family's expense.
4. The right to view any documents or evidence in the possession of the HA upon which the HA based the proposed action, and to obtain a copy of such documents prior to the review/hearing. Such documents or evidence must be sent to the family no later than 7 days before the review/hearing date.
5. A notice to the family that the HA will request a copy of any documents or evidence the family will use at the review/hearing. Such documents or evidence must be received by the HA no later than 7 days before the review/hearing date.

After a review/hearing date is scheduled, the family may request to reschedule only upon showing "good cause," which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

Family rights:

- Examine the documents in the file which are the basis for the HA's action, and all documents submitted to the Hearing Officer.
- The family must be allowed to copy any such document at the family's expense.

If the HA does not make the document available for examination on request of the family, the HA may not rely on the document at the hearing.

HA rights:

- Examine at HA offices before the HA hearing any family documents that are directly relevant to the hearing.
- The HA must be allowed to copy any such document at the HA's expense.

If the family does not make the document available for examination on request of the HA, the family may not rely on the document at the hearing.

The review/hearing officer will determine whether the action, inaction or decision of the HA is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the review/hearing.

A notice of the review/hearing findings shall be provided in writing to the HA and the family within 10 business days and shall include a clear summary of the decision, reasons for the decision, and the

amount of any money owed, if applicable.

If the decision to terminate assistance is upheld, the HA will mail out the Informal Hearing Upheld letter to both the landlord and participant. The HAP is only paid up until the date of the decision letter or the Contract Termination date, whichever is later.

When the HA is not bound by review/hearing decisions:
- Concerning matters in which the HA is not required to provide an opportunity for a hearing.
- Which conflict with or contradict HUD regulations or requirements.
- Which conflict with or contradict federal, state or local laws.
- Which exceed the authority of the person conducting the review/hearing.

The HA shall send a letter to the applicant/participant if it determines the HA is not bound by the review/hearing officer's determination within 21 calendar days. The letter shall include the HA's reasons for the decision with a copy to the review/hearing officer. All requests for a review/hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

18.7 HEARING AND APPEAL PROVISIONS FOR RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision of the U.S. Immigration and Customs Enforcement (USCIS) appeal. Assistance to a family may not be terminated or denied while the informal hearing is pending but assistance to an applicant may be delayed pending the informal hearing.

18.7.1 USCIS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the USCIS SAVE system and manual search do not verify the claim, the HA notifies the applicant or participant within 10 calendar days of their right to appeal to the USCIS within 30 calendar days or to request an informal hearing with the HA either in lieu of or subsequent to the ICE appeal.

If the family appeals to USCIS, they must give the HA a copy of the appeal and proof of mailing or the HA may proceed to deny or terminate. The time period to request an appeal may be extended by the HA for good cause.

The request for an HA hearing must be made within 10 calendar days of receipt of the notice offering the hearing or, if an appeal was made to the USCIS, within 10 calendar days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in this plan for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members, the HA will deny the applicant family. If there are eligible members in the family, the HA will offer to prorate assistance or give the family the option to remove the ineligible members.

If any family member fails to provide documentation or certification of eligible citizenship/immigration as required by the regulation, that member is treated as an ineligible household member. If all family members fail to provide documentation or certification, the family will be denied assistance or terminated.

Participants whose assistance is prorated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and total tenant payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

[Intentionally Blank]

Chapter 19

FAMILY SELF-SUFFICIENCY (FSS) PROGRAM

19.1 INTRODUCTION

Family self-sufficiency (FSS) is a HUD program that encourages communities to develop local strategies to help voucher families [including Family Unification Program (FUP) Foster Care Youth who join FSS as part of the FUP Unification Program and Family Self Sufficiency Demonstration and who were referred to the HA by the Riverside County Public Child Welfare Agency (PCWA)] obtain employment that will lead to economic independence and self-sufficiency. Public housing agencies (PHAs) work with welfare agencies, schools, businesses, and other local partners to develop a comprehensive program that gives participating FSS family members the skills and experience to enable them to obtain employment that pays a living wage.

The purpose of Family Self-Sufficiency (FSS) Program is to provide housing assistance combined with public and private resources that will help families and FUP Foster Care Youth who join FSS achieve economic independence and self-sufficiency. We believe that when a family's basic needs for affordable and stable housing are met, the family can better focus on other needs, such as skill development and job search.

Under PIH 2021-26 and FR-6400-N-41, HUD may award Foster Youth to Independence (FYI) vouchers. For FYI eligible youth, the HA will require that they join the Family Self Sufficiency (FSS) Program. A FYI voucher may only be used to provide housing assistance for the youth for a maximum of 36 months as required by statute under Section 8(x) of the U.S. Housing Act of 1937 and cannot be waived. See Section 19.8 for further details.

FSS program partners with other service providers, such as: employment and training agencies, community colleges, job search and placement organizations, alcohol and drug services, childcare providers, youth organizations, older adult services, health services, emergency services, credit and homeownership counselors, the local CalWORKs office, and many more.

19.2 HOTMA INTERIM REEXAMINATION REGULATION

The HOTMA interim reexamination regulations impact administration of the FSS program in the following ways:

1. FSS participants are subject to all requirements of the HOTMA interim reexamination regulations; and
2. At enrollment, HA may not perform an interim reexamination of annual income unless the family experienced a change in adjusted annual income that meets the threshold to perform an interim reexamination under the HOTMA rule.
3. Families for whom their first reexamination of income does not occur until their regulary scheduled annual reexamination will not have the opportunity to begin escrowing their increased earnings until that time and may have fewer escrow increases over the life of the 5 year contract.

19. 3 ENROLLMENT AND RECRUITMENT

This section does not apply to FYI Youth (see Section 19.9). All HCV and PBV participants are

eligible for FSS program. FUP Foster Care Youth referred to the HA by the Riverside County Public Child Welfare Agency (PCWA) are eligible to enroll in FSS prior to the expiration of their 36 month time limit of the FUP Youth Voucher. Current Foster Care Youth will be notified of this opportunity in writing at their initial briefing and their annual review prior to expiration of their 36 month time limit and the notification will state the time frame to enroll in the FUP FSS Demonstration (which is prior to expiration date of their FUP Youth Voucher 36 month time limit). An FUP Youth cannot enroll in FSS after the initial 36 month time limit has expired. A participant cannot be excluded from the program for such reasons as poor work history or lack of basic literacy skills. The FSS Program is a voluntary program. The premise of this program is that everyone deserves a chance for self-sufficiency, regardless of his or her current skill level, ability, or past work performance. Eligible Youth: FUP eligibility requires a dual-agency determination. The PCWA certifies at the time of application for FUP that the youth is at least 18 years old and not more than 24 years old (has not reached 25th birthday) who left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C., 675(5)(H)) and is homeless or is at risk of becoming homeless at age 16 or older and who does not have adequate housing. The PHA determines eligibility for voucher assistance. Age eligibility (i.e. determining that a youth is between the ages of 18-24) is only performed at the time of admission (refer to date of application). Youth can continue their assistance on the FUP-youth program until the time limit of the voucher is reached, even if the youth is older than 24 at that time.

In addition, consistent with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA), PHAs may be required to make reasonable accommodations in PHA policies and practices for youth with disabilities.

For FUP Foster Care Youth, lack of adequate housing means youth is:

a) living in substandard or dilapidated housing;
b) homeless;
c) in imminent danger of losing their housing;
d) displaced by domestic violence;
e) living in an overcrowded unit; or
f) living in housing not accessible to the youth or the youth's disabled child or children, due to the nature of the disability.

19.4 CONTRACT OF PARTICIPATION

This section does not apply to FYI Youth (see Section 19.9). The participant (including FUP Foster Care Youth) must sign a five-year Contract of Participation, which states all the agreed upon terms between the participant and the Housing Authority (HA). Participants are expected to complete their goals within five years, though the Contract of Participation may be extended up to two years for good cause. To qualify for an extension, the participant must make the request in writing and include justification for the need for additional time. Contract extensions will be evaluated on a case by case basis. Program participants with a FUP Youth Voucher who sign a FSS Contract of Participation (Form HUD-52650) prior to the expiration (36 month time limit from initial voucher issue date) of their FUP Youth Voucher will be afforded the full length of the FSS Contract of Participation without regard to the amount of time remaining on their original 36 month time limit and will maintain their housing assistance for a period not exceeding the length of the FSS Contract of Participation. The requirements of compliance and consequences for not complying with the terms and conditions of the FSS Contract of Participation are reviewed with the FUP Youth at the time the FSS Contract of Participation is signed.

*Termination: By statute, housing assistance for FUP Foster Care Youth is limited to 36 months except for Foster Care Youth who sign a FSS Contract of Participation (Form HUD-52650) prior to the expiration of the 36 month time limit, in which case they will maintain their housing assistance for the entire length of the FSS Contract of Participation for a period not exceeding the length of the FSS Contract of Participation. In most cases, this limit will be no more than 5 years after the first income update after the effective date of the FSS contract; however, if the FSS Contract of Participation is extended [in accordance with 24 CFR 984.303(d)], the FUP Youth voucher can be extended no more than 2 years beyond the initial 5 year expiration date. If a FUP youth participating in this demonstration fails to comply with the terms and conditions of the FSS Contract of Participation without good cause and is terminated from the FSS program, the FUP youth is no longer considered a participant in this demonstration. With FSS termination, the FUP youth is subject to the statutory time limit of 36 months, beginning from the time the first HAP contract is signed. If the FUP youth has been assisted for more than 36 months, the PHA terminates assistance to the FUP youth household. Prior to termination, the PHA will offer an informal hearing to a FUP youth wishing to appeal a PHA decision to terminate.

*This provision differs from the alternative requirement for FSS established in 79 FR 78100-01, *Waivers and Alternative Requirements for the Family Self-Sufficiency Program,* which does not allow PHAs to terminate voucher assistance for failure to comply with the FSS Contract of Participation. Because the demonstration language that permits HUD to waive sections of Section 8(x) directly connects participation in FSS and FUP, participation in FSS is required after current statutory time limit of 36 months for FUP youth. PHAs may not terminate voucher assistance for FUP youth because of failure to comply with an FSS Contract of Participation prior to the end of the first 36 months of assistance.

PUBLIC LAW 114–201—JULY 29, 2016 130 STAT. 782 HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2016; SEC. 110. FAMILY UNIFICATION PROGRAM FOR CHILDREN AGING OUT OF FOSTER CARE. Section 8(x) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)) is amended— (1) in paragraph (2)(B)— (A) by striking ''18 months'' and inserting ''36 months''; (B) by striking ''21 years of age'' and inserting ''24 years of age''; and (C) by inserting after ''have left foster care'' the following: '', or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless''; (2) by redesignating paragraph (4) as paragraph (5); and (3) by inserting after paragraph (3) the following new paragraph: ''(4) COORDINATION BETWEEN PUBLIC HOUSING AGENCIES AND PUBLIC CHILD WELFARE AGENCIES.—The Secretary shall, not later than the expiration of the 180-day period beginning on the date of the enactment of the Housing Opportunity Through Modernization Act of 2016 and after consultation with other appropriate Federal agencies, issue guidance to improve coordination between public housing agencies and public child welfare agencies in carrying out the program under this subsection, which shall provide guidance on— ''(A) identifying eligible recipients for assistance under this subsection; ''(B) coordinating with other local youth and family providers in the community and participating in the Continuum of Care program established under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.); ''(C) implementing housing strategies to assist eligible families and youth; ''(D) aligning system goals to improve outcomes for families and youth and reducing lapses in housing for families and youth; and ''(E) identifying resources that are available to eligible families and youth to provide supportive services available through parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq.; 670 et seq.) or that the head of household of a family or youth may be entitled to receive under section 477 of the Social Security Act (42 U.S.C. 677).''

19.5 INDIVIDUAL TRAINING AND SERVICE PLAN (ITSP)

This section does not apply to FYI Youth (see Section 19.9). Individual training and services plan means a written plan that is prepared for the head of the FSS family, and each adult member of the FSS family who elects to participate in the FSS program, by the PHA in consultation with the family member, and which sets forth:

(1) The supportive services to be provided to the family member;
(2) The activities to be completed by that family member; and

(3) The agreed upon completion dates for the services and activities. Each individual training and services plan must be signed by the PHA and the participating family member, and is attached to, and incorporated as part of the contract of participation. An individual training and services plan must be prepared for the head of the FSS family.

The ITSP consists of the participant's final goal, interim goals, and specific steps the participant needs to take in order to accomplish those goals. Typically, goals are focused on attaining full-time/suitable employment, job advancement, training and education, financial stability, childcare, and personal growth and development.

19.6 CASE MANAGEMENT AND COMMUNITY SERVICES

This section does not apply to FYI Youth (see Section 19.9). The FSS Coordinator works in partnership with participants to identify and secure resources that yield self-sufficiency. Case management includes supportive counseling, information and referrals, and ongoing goal development and planning, which will ultimately help participants gain skills and lifelong learning that continue beyond their participation in FSS. Participants will be referred to community agencies for additional services to support their self-sufficiency efforts. For FUP Foster Care Youth PCWA requirements remain unchanged under this demonstration and the PCWA must offer FUP youth services for the first 18 months of their participation in FUP.

19.7 ESCROW ACCOUNTS

This section does not apply to FYI Youth (see Section 19.9). In general, as a family's earned income increases, the amount the family must pay for rent increases. When this happens and earned income exceeds the household earned income that was in effect on initial FSS contract start date and family's current adjusted income is greater than the HUD's published Applicable Lower Income Limit the family may not qualify for an Escrow credit. If the family is eligible for a monthly escrow credit, HA takes a portion of the rent subsidy and places it in an interest-bearing escrow account on a monthly basis. The account is held for the family until they have completed all goals set in the Self-Sufficiency Plan. Once the family has met its goals and become independent of government assistance [ex: Aid to Families with Dependent Children (AFDC), Gainful Activity (GA), etc.] they may cash out the escrow account. A participant must put their request to graduate from the program and cash out the escrow account in writing. If a family is unable to complete their goals in the prescribed time period the escrow account will be forfeited and the funds will be returned to HA.

If a family moves into homeownership, they will be declared an FSS graduate. Any accrued escrow funds will be awarded, and the family will end its participation in the FSS program.

If a family graduates from the FSS program and is awarded any accrued escrow funds, that family will be eligible to re-enroll in the FSS program in the future.

If a family has their FSS Contract of Participation (see Section 19.4 above) expire or terminate, and no escrow funds have been paid, that family will be eligible to re-enroll in the FSS program.

A family enrolled in FSS is eligible to graduate from the program and receive the full amount that has accrued in the escrow account when it has completed all of its obligations under the Contract of Participation before the expiration of the Contract. These obligations include the two required goals of suitable employment for the FSS Head of family and being free from welfare cash assistance, as well as any other goals established by participants and the Housing Authority. Although completion

of FSS requires that the family does not receive any welfare cash assistance FSS graduates can continue to receive housing assistance as long as they continue to be eligible. HCV and PBV participants who enrolled in FSS before 7/1/22 may also graduate when household earnings have increased to the point at which 30 percent of the monthly adjusted income equals or exceeds the published fair market rent for the size of the unit for which the FSS family qualifies based on the PHA's occupancy standards. HUD publishes annual FMRs for all areas of the United States. These households must be free of cash welfare assistance, but the 12-month welfare-free requirement does not apply. See 24 CFR §984.303(2).

Upon successful completion of their FSS contract, the FSS family will be asked for a letter requesting graduation from the FSS program and provide self-certification regarding no member of the household has received welfare assistance (cash aid); (For those requesting graduation from FSS due to 30 percent of the family's monthly adjusted income equaling or greater than the Fair Market Rent amount for the unit size for which the family qualifies, the self-certification must indicate that no member of the assisted household was currently receiving welfare cash aid assistance.) If this letter is not provided after two requests from the Housing Authority, or after 90 days, then the family may be terminated from the FSS program and any accrued escrow funds may be forfeited. In order to graduate, family must be in good standing with the program and meet all contract and regulatory obligations.

19.8 SUPPORTIVE SERVICES FOR HCVP FSS PARTICIPANTS

This section does not apply to FYI Youth (see Section 19.9). Supportive services means those appropriate services that a PHA will make available or by referral/agreement with another agency (directly or indirectly), or cause to be made available to an FSS family under a contract of participation, and may include:
(1) Child care—child care of a type that provides sufficient hours of operation and serves an appropriate range of ages;
(2) Transportation—transportation necessary to enable a participating family to receive available services, or to commute to their places of employment;
(3) Education—remedial education; education for completion of secondary or post secondary schooling;
(4) Employment—job training, preparation, and counseling; job development and placement; and follow-up assistance after job placement and completion of the contract of participation;
(5) Personal welfare—substance/alcohol abuse treatment and counseling;
(6) Household skills and management— training in homemaking and parenting skills; household management; and money management;
(7) Counseling—counseling in the areas of: (i) The responsibilities of homeownership; (ii) Opportunities available for affordable rental and homeownership in the private housing market, including information on an individual's rights under the Fair Housing Act; and (iii) Money management; and
(8) Other services—any other services and resources, including case management, reasonable accommodations for individuals with disabilities, that the PHA may determine to be appropriate in assisting FSS families to achieve economic independence and self-sufficiency.

Additional Examples of Supportive Services:

- Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation; and access to health care (e.g. doctors, medication, and mental and behavioral health services);

- Counseling on compliance with rental lease requirements and with HCV and PBV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits;
- Job preparation and attainment counseling (where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc);
- Education and career advancement counseling regarding attainment of general equivalency diploma (GED); attendance/financing of education at technical school, trade school or college; including successful work ethic and attitude models; and
- Participation in the assessment and implementation of actions to address their needs, including the development of an individual case plan for each adult and the adult's commitment to the plan (each adult is required to sign a service plan agreeing to attend FSS counseling/training sessions and to take other actions as deemed appropriate to the adult's successful transition to self-sufficiency).

19.9 FOSTER YOUTH TO INDEPENDENCE (FYI)

19.9.1 ENROLLMENT AND RECRUITMENT FOR FYI YOUTH

All FYI-eligible youth will be required to enroll in the FSS program. FYI-eligible youth are referred to the HA by the Riverside County Public Child Welfare Agency (PCWA) and must enroll in FSS at time of admission to the program and participation is limited to a maximum of 36 months. FYI-eligible youth will be notified of this requirement in writing at their initial briefing. The premise of this program is that everyone deserves a chance for self-sufficiency, regardless of his or her current skill level, ability, or past work performance. Eligible Youth: FYI eligibility requires a dual-agency determination. The PCWA certifies at the time of application for FYI that the youth is at least 18 years old and not more than 24 years old (has not reached 25th birthday) who left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C., 675(5)(H)) and is homeless or is at risk of becoming homeless at age 16 or older. The PHA determines eligibility for voucher assistance.

A youth must be no more than 24 years old at the time of PCWA certification as FUP-eligible and also at the time of HAP contract execution. Timing of the referral is particularly important in this case. A PCWA may be planning to refer a youth that is still 24 years old at the time of referral but is close to turning 25 years old. Although the youth meets the age requirement at the time of referral, there could be a strong likelihood that, at the time of HAP contract execution, the youth may no longer meet the age requirement. The PHA and PCWA will have to ensure that the youth does not reach the age requirement limit before the effective date of the HAP contract or the youth will no longer be eligible for an FYI voucher (per the FYI Q&As).

For FYI Youth, Homeless means the population defined by 24 CFR 578.3.

For FYI Youth, At Risk of Becoming Homeless means the population who: (i) Has an annual income below 30 percent of median family income for the area, as determined by HUD (ii) Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the "Homeless" definition at 24 CFR 576.2; and (iii) Meets one of the following conditions: (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance; (B) Is living in

the home of another because of economic hardship; (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days of the date of application for assistance; (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals; (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons, or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau; (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

19.9.2 CONTRACT OF PARTICIPATION FOR FYI YOUTH

The FYI-eligible youth must sign a Contract of Participation, which states all the agreed upon terms between the participant and the Housing Authority (HA). Participants are expected to complete their goals within the maximum statutory requirement of 36 months.

The requirements of compliance and consequences for not complying with the terms and conditions of the FSS Contract of Participation are reviewed with the FYI youth at the time the FSS Contract of Participation is signed.

*Termination: By statute, housing assistance for FYI-eligible youth is limited to 36 months beginning from the time the first HAP contract is signed. If the young person is otherwise program eligible, they may be re-admitted to the program. This does not mean that the young person is eligible for another 36 months of assistance. The young person is limited to a total 36 months of assistance under the program. For example, if the first time in the program the youth received subsidy (HAP was paid on behalf of the youth) for 24 months, the young person would be eligible to participate in the program up to another 12 months, for a total of 36 months (per FYI Q&As https://www.hud.gov/sites/dfiles/PIH/documents/FYI_FAQs_Version_VMS_Reporting_&_Amended_Notice_Update_9.29.2021_%20(002).pdf).

Note: On 12/27/20, the Fostering Stable Housing Opportunities (FSHO) amendments made changes to the assistance provided to eligible youth pursuant to the Family Unification Program (FUP) authorized under Section 8(x) of the U.S. Housing Act of 1937 (42 U.S.C. 1437f(x)). FSHO provides an extension of the assistance provided to eligible youth for up to 24 months beyond the 36-month time limit of assistance if the youth is participating in a Family Self-Sufficiency (FSS) program under section 23 of the U.S. Housing Act of 1937 and for youth who are unable to enroll in an FSS program who engaged in education, workforce development, or employment activities for at least 9 months of the 12-month period preceding the extension. FSHO also provides an extension of assistance for up to 24 months beyond the 36- month time limit of assistance for eligible youth who meet one of three statutory exceptions. Refer to Federal Register (FR) 6284-N-01 - Implementation of the Fostering Stable Housing Opportunities (FSHO) Amendments for full details.

19.9.3 INDIVIDUAL TRAINING AND SERVICE PLAN (ITSP) FOR FYI YOUTH

Individual training and services plan means a written plan that is prepared for the head of the FSS family, and each adult member of the FSS family who participates in the FSS program, by the PHA in consultation with the family member, and which sets forth:

(1) The supportive services to be provided to the family member;
(2) The activities to be completed by that family member; and
(3) The agreed upon completion dates for the services and activities. Each individual training and services plan must be signed by the PHA and the participating family member, and is attached to, and incorporated as part of the contract of participation. An individual training and services plan must be prepared for the head of the FSS family.

The ITSP consists of the participant's final goal, interim goals, and specific steps the participant needs to take in order to accomplish those goals. Typically, goals are focused on attaining full-time/suitable employment, job advancement, training and education, financial stability, childcare, and personal growth and development.

19.9.4 CASE MANAGEMENT AND COMMUNITY SERVICES FOR FYI YOUTH

The FSS Coordinator works in partnership with participants to identify and secure resources that yield self-sufficiency. Case management includes supportive counseling, information and referrals, and ongoing goal development and planning, which will ultimately help participants gain skills and lifelong learning that continue beyond their participation in FSS. Participants will be referred to community agencies for additional services to support their self-sufficiency efforts.

19.9.5 ESCROW ACCOUNTS FOR FYI YOUTH

In general, as a family's earned income increases, the amount the family must pay for rent increases. When this happens and earned income exceeds the household earned income that was in effect on initial FSS contract start date and family's current adjusted income is greater than the HUD's published Applicable Lower Income Limit the family may not qualify for an Escrow credit. If the family is eligible for a monthly escrow credit, HA takes a portion of the rent subsidy and places it in an interest-bearing escrow account on a monthly basis. The account is held for the family until they have completed all goals set in the Self-Sufficiency Plan. Once the family has met its goals and become independent of government assistance [ex: Aid to Families with Dependent Children (AFDC), Gainful Activity (GA), etc.], they may cash out the escrow account. A participant must put their request to graduate from the program and cash out the escrow account in writing. If a family is unable to complete their goals in the prescribed time period the escrow account will be forfeited and the funds will be returned to HA.

If a family moves into homeownership, they will be declared an FSS graduate. Any accrued escrow funds will be awarded, and the family will end its participation in the FSS program.

If a family graduates from the FSS program and is awarded any accrued escrow funds, that family will be eligible to re-enroll in the FSS program in the future.

If a family has their FSS Contract of Participation expire or terminate, and no escrow funds have been paid, that family will be eligible to re-enroll in the FSS program.

A family enrolled in FSS is eligible to graduate from the program and receive the full amount that has accrued in the escrow account when it has completed all of its obligations under the Contract of Participation before the expiration of the Contract. These obligations include the two required goals of suitable employment for the Head of Household and being free from welfare cash assistance, as well as any other goals established by participants and the Housing Authority. Although completion of FSS requires that the family does not receive any welfare cash assistance FSS graduates can

continue to receive housing assistance as long as they continue to be eligible. HCV participants who enrolled in FSS prior to 7/1/22 may also graduate when household earnings have increased to the point at which 30 percent of the monthly adjusted income equals or exceeds the published fair market rent for the size of the unit for which the FSS family qualifies based on the PHA's occupancy standards. HUD publishes annual FMRs for all areas of the United States. These households must be free of cash welfare assistance.

Upon successful completion of their FSS contract, the FSS family will be asked for a letter requesting graduation from the FSS program and provide self-certification regarding no member of the household has received welfare assistance (cash aid). (For those requesting graduation from FSS due to 30 percent of the family's monthly adjusted income equaling or greater than the Fair Market Rent amount for the unit size for which the family qualifies, the self-certification must indicate that no member of the assisted household was currently receiving welfare cash aid assistance. If this letter is not provided after two requests from the Housing Authority, or after 90 days, then the family may be terminated from the FSS program and any accrued escrow funds may be forfeited. In order to graduate, family must be in good standing with the program and meet all contract and regulatory obligations.

19.9.6SUPPORTIVE SERVICES FOR FYI YOUTH

Supportive services will be provided for a period of at least 36 months to FYI-eligible youth receiving rental assistance through the use of a FYI voucher regardless of age and may be extended up to 24 months if the youth is participating in a Family Self-Sufficiency (FSS) program under section 23 of the U.S. Housing Act of 1937 and for youth who are unable to enroll in an FSS program who engaged in education, workforce development, or employment activities for at least 9 months of the 12-month period preceding the extension. FSHO also provides an extension of assistance for up to 24 months beyond the 36- month time limit of assistance for eligible youth who meet one of three statutory exceptions. Supportive services means those appropriate services that the HA will make available or by referral/agreement with another agency (directly or indirectly), or cause to be made available to an FSS family under a contract of participation, and may include:

1. Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation; and access to health care (e.g., doctors, medication, and mental and behavioral health services).
2. Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits
3. Providing such assurances to owners of rental property as are reasonable and necessary to assist an eligible youth to rent a unit with a FYI voucher.
4. Job preparation and attainment counseling (e.g., where to look/how to apply, dress, grooming, and relationships with supervisory personnel, etc.).
5. Educational and career advancement counseling regarding attainment of general equivalency diploma (GED); attendance/financing of education at a technical school, trade school or college; including successful work ethic and attitude models.

19.9.7 EXTENSION OF ASSISTANCE

At the 36-month and 48-month reexaminations, the PHA must extend the FUPY/FYI voucher

assistance if the youth is participating in and in compliance with the FSS program as long as the youth is still eligible for the HCV program. In any case, the FUPY/ FYI youth cannot receive more than a total of 60 months of FUPY/FYI voucher assistance even if the FSS Contract of Participation time period extends beyond the FUPY/FYI voucher 60-month mark.

(a) Extension of Assistance for Youth Engaging in Education, Workforce Development, or Employment Activities

The FUPY/FYI youth is entitled to receive an extension of FUPY/FYI assistance for up to two successive 12-month periods beyond the 36-month time limit of assistance provided that the youth engaged in at least one of the education, workforce development, or employment activities below for not less 36 period preceding each extension. HUD notes that FSHO does not establish a minimum number of classes or credits that a youth must be enrolled in or a minimum number of hours that a youth must work in order to receive an extension of FUPY/FYI assistance under this provision. **A PHA's policies implementing its education, workforce development, and employment requirements must be included in its Administrative Plan,** in accordance with the procedures set forth in 24 CFR 903.21.

(b) Education Requirements

• The youth was engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized equivalent. Examples of a ''recognized postsecondary credential'' include, but are not limited to, an associate's degree, bachelor's degree, occupational licensure, or occupational certification (see U.S. Department of Labor, Training and Employment Guidance Letter No. 10–16, Change 1).

Examples of a ''secondary school diploma or its recognized equivalent'' include, but are not limited to, obtaining certification of attaining passing scores on a State-recognized high school equivalency test, earning a secondary school diploma or State-recognized equivalent, or obtaining certification of passing a State-recognized competency-based assessment.

• The youth was enrolled in an ''institution of higher education,'' as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or an institution that meets the definition of a ''proprietary institution of higher education'' or a ''postsecondary vocational institution'' under sections 102(b)(1) and (c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)(1) and (c)(1)), respectively.

(c) Workforce Development Requirements

• The youth was participating in a career pathway, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(d) Employment Requirements

• The youth was employed.

(e) Extension of Assistance Exceptions

• The FUPY/FYI youth is a parent or other household member responsible for the care of a dependent child under the age of 6 or for the care of an incapacitated person. FSHO does not require that the child or incapacitated person reside in the household in order for the FUPY/FYI youth to certify that they meet this exception.
•The FUPY/FYI youth is a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program.
• The FUPY/FYI youth is a person who is incapable of complying with the requirement to participate in a Family Self-Sufficiency (FSS) program as described in paragraph (a) above or engage in education, workforce development, or employment activities as described in paragraph (b) above, as applicable, due to a documented medical condition.

[Intentionally Blank]

CHAPTER 20

PROGRAM INTEGRITY MONITORING (PIM)

[24 CFR 792.101 to 792.204, and 24 CFR 982.54]

20.1 INTRODUCTION

The HA is committed to assuring that the proper level of benefits is paid to all participating families, and that housing resources reach only income-eligible families so that program integrity can be maintained. The HA will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This chapter outlines the HA's policies for the prevention, detection and investigation of program abuse and fraud.

20.2 CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

The HA's expectation is that participating families will comply with HUD requirements, provisions of the voucher, and other program rules. The HA staff will make every effort (formally and informally) to orient and educate all families in order to avoid unintentional violations. However, the HA has a responsibility to HUD, the County of Riverside, and to eligible families in need of housing assistance, to monitor participants and owners for compliance and, when indicators of possible abuse come to the HA' s attention, to investigate such claims.

The HA will initiate an investigation of a participating family in the event of one or more of the following circumstances:

20.2.1 Referrals, Complaints, or Tips

The HA will follow up on referrals from other agencies, companies or persons which are received by mail, by telephone or in person, which allege that a family is in non-compliance with, or otherwise violating the family obligations or any other program rules. Such follow-up will be made providing that the referral contains at least one item of information that is independently verifiable. A copy of the allegation will be retained in the family's file in such a way as to protect and observe the confidentiality of the informant.

20.2.2 Internal File Review

A follow-up will be made if HA staff discovers (as a function of a certification or recertification, an interim redetermination, or a quality control review), information or facts which conflict with previous file data, the HA's knowledge of the family, or is discrepant with statements made by the family.

20.2.3 Verification of Documentation

A follow-up will be made if the HA receives independent verification or documentation which conflicts with representations in the family's file (such as public record information or credit bureau reports, reports from other agencies).

20.3 STEPS THE HA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The HA management and staff will utilize various methods and practices (listed below) to prevent program abuse, non-compliance, and willful violations of program rules by applicants and participating families. This policy objective is to establish confidence and trust by emphasizing program education as the primary means to obtain compliance by families.

20.3.1 Things You Should Know

This program integrity bulletin (created by HUD's Inspector General) will be furnished and explained to all applicants to promote understanding of program rules, and to clarify the HA's expectations for cooperation and compliance.

20.3.2 Program Orientation Session

Mandatory orientation sessions will be conducted by the HA staff in-person or online for all prospective program participants, either prior to or upon issuance of a voucher. At the conclusion of all Program Orientation Sessions (Briefing), the family representative will be required to sign, the Voucher, the "Important Points to Remember" form, and the "What is Fraud" form.

20.3.3 Resident Counseling

The HA will as a part of the recertification process invite participants into the HA office in order to clarify any confusion pertaining to program rules and requirements.

20.3.4 Review and Explanation of Forms

At appropriate times and/or at the family's request staff may explain all required forms and review the contents of all (re)certification documents prior to signature.

20.3.5 Use of Instructive Signs and Warnings

Instructive signs such as the "Things you should Know" form will be conspicuously posted in common areas and interview areas to reinforce compliance with program rules and to warn about penalties for fraud and abuse.

20.3.6 Participant Certification

All family representatives will be required to sign the "What is Fraud" form, "Important Points to Remember", any other form deemed necessary by the Participant Integrity Program Manual.

20.4 STEPS THE HA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The HA Staff will maintain a high level of awareness to indicators of possible abuse and fraud by assisted families.

20.4.1 Quality Control File Reviews

Prior to initial certification, and at the completion of all subsequent recertifications, a percentage of files will be reviewed. Such reviews shall include, but are not limited to:

- Assurance that verification of all income and deductions is present.
- Changes in reported Social Security Numbers or dates of birth.
- Authenticity of file documents.
- Ratio between reported income and expenditures.
- Review of signatures for consistency with previously signed file documents.
- All forms are correctly dated and signed.

20.4.2 Observation

The HA Management and Program Staff (to include inspection personnel) will maintain high awareness of circumstances which may indicate program abuse or fraud, such as unauthorized persons residing in the household and unreported income. Observations will be documented in the family's file.

20.4.3 Public Record Bulletins

Public Record Bulletins may be reviewed by Management and Staff.

20.4.4 State Wage Data Record Keepers

Inquiries to State Wage and Employment record keeping agencies as authorized under Public Law 100-628, November 7, 1988, 102 Stat. 3224 may be made annually in order to detect unreported wages or unemployment compensation benefits.

20.4.5 Credit Bureau Inquiries

Credit Bureau inquiries may be made (with proper authorization by the participant) in the following circumstances:

- At the time of final eligibility determination.
- When an allegation is received by the HA wherein unreported income sources are disclosed.
- When a participant's expenditures exceed his/her reported income, and no plausible explanation is given.

20.5 THE HA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The HA staff will encourage all participating families to report suspected abuse to the Program Integrity Monitoring (PIM) division (800-300-0439; reportfraud@rivco.org). All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented, remain anonymous and/or placed in the participant's file. All allegations, complaints and tips will be carefully evaluated in order to determine if they warrant follow-up.

20.5.1 File Review

An internal file review will be conducted to determine if the subject of the allegation is a client of the HA and, if so, to determine whether or not the information reported has been previously disclosed by the family. It will then be determined if the HA is the most appropriate authority to do a follow-up (more so than police or social services). Any file documentation of past behavior as well as corroborating complaints will be evaluated.

20.5.2 Conclusion of Preliminary Review

If at the conclusion of the preliminary file review there is/are fact(s) contained in the allegation which conflict with file data, and the fact(s) are independently verifiable, the HA Staff will initiate an investigation to determine if the allegation is true or false.

20.6 OVERPAYMENTS TO OWNERS

If the landlord has been overpaid as a result of fraud, misrepresentation or violation of the Contract, the HA may terminate the Contract and arrange for restitution to the HA and/or family as appropriate. The HA will make every effort to recover any overpayments made as a result of landlord fraud or abuse (such as those listed below). Payments otherwise due to the owner may be debited in order to repay the HA or the tenant, as applicable.

- Require the owner to pay the amount in full within a maximum of 12 months
- Pursue collections through the court system, the Internal Revenue Service (IRS), or any other available method
- Restrict the owner from future participation

20.7 HOW THE HA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the HA determines that an allegation or referral warrants follow-up, either the staff person who is responsible for the file, or a person designated by the Executive Director to monitor the program compliance will conduct the investigation. In all cases, the HA will secure the written authorization from the program participant for the release of information. The steps taken will depend upon the nature of the allegation and may include, but are not limited to:

20.7.1 Credit Bureau Inquiries (CBI)

In cases involving previously unreported income sources, a CBI inquiry may be made to determine if there is financial activity that conflicts with the reported income of the family.

20.7.2 Verification of Credit

In cases where the financial activity conflicts with file data, a *Verification of Credit* form may be mailed to the creditor in order to determine the unreported income source.

20.7.3 Employers and Ex-Employers

Employers or ex-employers may be contacted to verify wages which may have been previously undisclosed or misreported.

20.7.4 Neighbors/Witnesses

Neighbors and/or other witnesses may be interviewed who are believed to have direct or indirect knowledge of facts pertaining to the HA's review.

20.7.5 Other Agencies

Investigators, case workers or representatives of other benefit agencies may be contacted.

20.7.6 Public Records

If relevant, the HA will review public records kept in any jurisdictional courthouse. Examples of public records which may be checked include, but are not limited to, real estate, marriage, divorce, uniform commercial code financing statements, voter registration, judgments, court or police

records, state wage records, utility records, postal records, social media, etc.

20.7.7 Department of Motor Vehicles (DMV)
In cases involving suspected unauthorized tenants and/or unreported vehicles.

20.7.8 Enterprise Income Verification (EIV) reports
In cases involving unreported income and/or unreported employers.

20.7.9 Interviews with Head of Household or Family Members
The HA will discuss the allegation (or details thereof) with the Head of Household or family member by scheduling an appointment at the appropriate HA office. A high standard of courtesy and professionalism will be maintained by the HA staff person who conducts such interviews. Under no circumstances will inflammatory language, accusation, or any unprofessional conduct or language be tolerated by the management. If possible, an additional staff person will attend such interviews.

20.7.10 Other
The HA may use any other resources or tools available.

20.8 PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS OBTAINED BY THE HA
Documents and other evidence obtained by the HA during the course of an investigation will be considered "work product" and will be kept in a separate "work file" and kept in a secured area. Such cases under review will not be discussed among HA Staff unless they are involved in the process, or have information which may assist in the investigation. In the event that the results of the investigation leads to the termination of rental assistance, the information used to support the termination will then be kept in the participant's file.

20.9 CONCLUSION OF THE HA'S INVESTIGATIVE REVIEW
At the conclusion of the investigative review, the reviewer will report the findings to the Executive Director or designee. It will then be determined whether a violation has occurred, a violation has not occurred, or if the facts are inconclusive.

20.10 EVALUATION OF THE FINDINGS
If it is determined that a program violation has occurred, the HA will review the facts to determine:

- The type of violation (procedural, non-compliance, fraud).
- Whether the violation was intentional or unintentional.
- What amount of money (if any) is owed by the family/owner.
- If the family is eligible for continued rental assistance.

20.11 ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED
Once a program violation has been documented, the HA will propose the most appropriate remedy based upon the type and severity of the violation.

20.11.1 Procedural Non-compliance (Pre-termination of Assistance Appointment)
When the family "fails to" observe a procedure or requirement of the HA, but does not

misrepresent a material fact, and there are no retroactive assistance payments owed by the family. Examples of non-compliance violations are:

- Failure to appear at a pre-scheduled appointment.
- Failure to return verification in time period specified by the HA.

In such cases a notice will be sent to the family which contains the following:

- A description of the non-compliance and the procedure, policy or obligation which was violated.
- The date by which the violation must be corrected, or the procedure complied with.
- The action which will be taken by the HA if the procedure or obligation is not complied with by the date specified by the HA.
- The consequences of repeated (similar) violations.

20.11.2 Procedural Non-compliance - Overpaid Assistance.

When the family owes money to the HA for failure to report changes in income or assets, the HA will issue a Pre-termination of Assistance Appointment. This Notice will contain the following:

- A description of the violation and the date(s).
- Any amounts owed to the HA (if known, otherwise this will be determined at a later time once all evidence is gathered).

(a) Participant Fails to Comply with HA's Notice

If the Participant fails to comply with the HA's notice, and a family obligation has been violated, the HA will initiate termination of assistance (Intent to Terminate Assistance letter).
The family will be given the right to disagree and to request an informal hearing with instructions for the request of such hearing.

(b) Participant Complies with HA's Notice

When a family complies with the HA's notice, the staff person responsible will meet with him/her to discuss and explain the family obligation(s) or program rule(s) which was violated. The staff person will counsel the participant and may require that they sign Certified Statements regarding their family obligations with the understanding that future incidents may result in termination.

20.11.3 Intentional Misrepresentations

When a participant falsifies, misstates, omits or otherwise misrepresents a material fact which results (or would have resulted) in an overpayment of housing assistance by the HA, the HA will evaluate whether or not:

- The participant had knowledge that his/her actions were wrong, and
- The participant willfully violated the family obligations or the law.

(a) Knowledge that the action or inaction was wrong

This will be evaluated by determining if the participant was made aware of program requirements and prohibitions. The participant's signature on various certifications, Eligibility Questionnaire, "What is Fraud", and "Important Points to Remember" are adequate to establish knowledge of wrong-doing.

(b) The participant and/or owner willfully violated the law

Any of the following circumstances will be considered adequate to demonstrate willful intent:

- An admission by the participant and/or owner of the misrepresentation.
- That the act was done repeatedly.
- If a false name or Social Security Number was used.
- If there were admissions to others of the illegal action or omission.
- That the participant and/or owner omitted material facts which were known to him/her (e.g., employment of self or other household member).
- That the participant and/or owner falsified, forged or altered documents.
- That the participant and/or owner verbalized and completed certified statements or other documentation which were later independently verified to be false.

20.11.4 Dispositions of Cases Involving Misrepresentations

In all cases of misrepresentations involving efforts to recover monies owed, the HA may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:

(a) Criminal Prosecution

If the HA has established criminal intent, and the case meets the criteria for prosecution, the HA will:

- Refer the case to the local and/or State municipalities and/or the District Attorney, notify HUD's Office of the Inspector General (OIG), and terminate rental assistance.

(b) Administrative Remedies

The HA will:

- Terminate assistance and demand payment of restitution in full.
- Terminate assistance and execute an administrative repayment agreement in accordance with the HA's Repayment Policy.
- Terminate assistance and pursue restitution through civil and/or criminal litigation.
- Continue assistance at the correct level upon repayment of restitution in full.
- Permit continued assistance at the correct level and execute an administrative repayment agreement in accordance with the HA's repayment policy.
- For owner fraud, prevent them from renting their units to program participants.

(c) All other remedies available to the HA in law and equity.

20.11.5 The Pre-Termination of Assistance Appointment for Serious Violations and Misrepresentations

When the HA has established that material misrepresentation(s) have occurred, a Pre-Termination of Assistance Appointment will be scheduled with the family representative and the HA staff person who is most knowledgeable about the circumstances of the case.

This Pre-Termination of Assistance Appointment will take place prior to any proposed action by the HA. The purpose of such Pre-Termination of Assistance Appointment is to review the information and evidence obtained by the HA with the participant, and to provide the participant an opportunity to explain any document findings which conflict with representations in the family's file. Any documents or mitigating circumstances presented by the family will be taken into consideration by the HA. The family will be given ten (10) calendar days to furnish any mitigating evidence.

A secondary purpose of the Pre-Termination of Assistance Appointment is to assist the HA in determining the course of action most appropriate for the case. Prior to the final determination of the proposed action, the HA will consider:

- The duration of the violation and number of false statements.
- The family's ability to understand the rules.
- The family's willingness to cooperate, and to accept responsibility for his/her actions
- The amount of money involved.
- The family's past history
- Whether or not criminal intent has been established.
- The number of false statements.

20.11.6 Notification to Participant of Proposed Action

The HA will notify the family of the proposed action no later than **30-60** days after the Pre-Termination of Assistance Appointment by mail.

20.12 Handling De Minimis Errors in Income Calculations [24 CFR 5.609(c)(4)]

The HA will not be considered out of compliance with the requirements of this section solely due to *de minimis* errors in calculating family income. A *de minimis* error is defined as a deviation of no more than $30 per month in adjusted family income ($360 annually) per family.

Corrective Actions for De Minimis Errors

(a) Overpayment to Owners or Participants:
If a family has been overcharged for their tenant rent share or if Housing Assistance Payments (HAP) have been underpaid to the owner due to a de minimis error, the HA will take the following corrective actions:

- Adjust future HAP payments to the owner to reconcile discrepancies, which will reduce the family's tenant rent share in subsequent months.

- Issue retroactive payments to reconcile discrepancies when applicable

(b) Underpayment by Families:

- Families will not be required to repay amounts if a *de minimis* error resulted in an undercharge to their rent share or overpayment to the owner on their behalf.

(c) Adjustments to HAP Account:

- The HA will document and reflect all adjustments in the tenant's and owner's accounts. These adjustments will appear in subsequent HAP disbursements.

(d) Monitoring and Reporting
The HA will track all adjustments made due to *de minimis* errors, maintaining proper

documentation for audit purposes. All actions will comply with HUD guidance and financial management practices.

(e) Future Updates to De Minimis Error Thresholds

If HUD revises the allowable *de minimis* error threshold through Federal Register rulemaking, the HA will update this policy accordingly, incorporate changes into the Administrative Plan, and notify stakeholders.

[Intentionally Blank]

CHAPTER 21

PROJECT-BASED VOUCHERS

PART I: GENERAL REQUIREMENTS

21.1 INTRODUCTION (DESCRIPTION OF PBV PROGRAM) (24 CFR 983. 5)

The Project-Based Voucher (PBV) program is administered by Public Housing Agencies who also administer the tenant-based Housing Choice Voucher program, or Section 8 and the Veterans Affairs Supportive Housing (VASH) Voucher Program. PBV is assistance that is tied directly to a unit in an approved project, unlike HCV, where assistance is tied to the participant. The policies regarding the Housing Choice Voucher program apply to the PBV program, except where they are specifically altered in this chapter. The Housing Authority at its discretion can project base Section 8 vouchers and VASH vouchers in accordance with its administrative plan and the Code of Federal Regulations. In administering the Project-Based Voucher program, the goals of this Housing Authority are to:

- Attract more affordable developments to the Housing Authority's jurisdiction;
- Leverage PBV with other financing sources;
- Preserve affordable units that might otherwise become market-rate units;
- Increase affordability of housing for families making at or below 30% of the area median income ;
- Increase affordability of housing for families making at or below 50% of the area median income;
- Further HUD and Housing Authority goals of deconcentration;
- Increase the Permanent Supportive Housing Stock;
- Develop Housing Authority owned sites;
- Develop Housing in Transformative Climate and Sustainable Communities; and
- Expand housing and economic opportunities.

The Housing Authority may enter into contracts for Project-Based Vouchers based on the policies outlined in this chapter.

21.2 LEVEL OF ASSISTANCE (24 CFR 983.6)

The Housing Authority will appropriate no more than 20% of the Housing Authority's Consolidated Annual Contributions Contract (ACC) authorized units allocated to the HA by HUD in the Project-Based Vouchers program.

Additional Project-Based Units [Federal Register (FR) notice (82 FR 5458) published on January 18, 2017, as revised by FR notice 82 FR 32461 published on July 14, 2017]
The Housing Authority may project-base an additional 10 percent of its units above the 20 percent program limit, provided those additional units fall into one of the following categories:

- Are specifically made available to house individuals and families that meet the definition of homeless under section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) and continued in the Continuum of Care Interim Rule at 24 CFR 578.3.
- Are specifically made available to house families that are comprised of or include a veteran.
    - *Veteran* means an individual who has served in the United States Armed Forces.

- Provide Supportive Housing to persons with disabilities or elderly persons as defined in 24 CFR 5.403. (see Appendix A:Glossary for definition of Supportive Housing)
- Are located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year Estimates.
- [While PBV projects located in a census tract with a poverty rate at 20 percent or less are excluded from the 25 percent unit cap, those projects are subject to an alternative income mixing requirement that is the greater of 25 units or 40 percent of the units [Federal Register (FR) notice (82 FR 5458) published on January 18, 2017, as revised by FR notice 82 FR 32461 published on July 14, 2017].

Housing Authority Policy
The Housing Authority will project-base an additional 10 percent of its units above the 20 percent program limit in accordance with the provisions set forth in this section 21.2 under the heading "Additional Project-Based Units."

TENANT-BASED VS. PROJECT-BASED VOUCHER ASSISTANCE [24 CFR 983.2]
Many of the tenant-based voucher program regulations set forth in 24 CFR Part 982 also apply to the PBV program. Consequently, many of the Housing Authority policies related to tenant-based assistance also apply to PBV assistance. The provisions of the tenant-based voucher regulations that do not apply to the PBV program are set forth in 24 CFR 983.2.

Housing Authority Policy
Except as otherwise noted in this chapter, or unless specifically prohibited by PBV program regulations set forth in 24 CFR Part 983, the PHA policies for the tenant-based voucher program contained in this administrative plan also apply to the PBV program and its participants.

RELOCATION REQUIREMENTS [24 CFR 983.7]
Any persons displaced as a result of implementation of the PBV program must be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)[42 U.S.C. 4201-4655] and implementing regulations at 49 CFR part 24.

The cost of required relocation assistance may be paid with funds provided by the owner, or with local public funds, or with funds available from other sources. Relocation costs may not be paid from voucher program funds; however, provided payment of relocation benefits is consistent with state and local law, the Housing Authority may use their administrative fee reserve to pay for relocation assistance after all other program administrative expenses are satisfied. Use of the administrative fee reserve in this manner must be consistent with legal and regulatory requirements, including the requirements of 24 CFR 982.155 and other official HUD issuances. The acquisition of real property for a PBV project is subject to the URA and 49 CFR part 24, subpart B. The Housing Authority must require the owner to comply with the URA and 49 CFR part 24

In computing a replacement housing payment to a residential tenant displaced as a direct result of privately undertaken rehabilitation or demolition of the real property, the term "initiation of negotiations" means the execution of the agreement between the owner and the Housing Authority.

EQUAL OPPORTUNITY REQUIREMENTS [24 CFR 983.8]
The HA must comply with all equal opportunity requirements under federal law and regulations in its implementation of the PBV program including the authority cited at 24 CFR 5.105(a). In addition, the Housing Authority must comply with the Housing Authority Plan on civil rights and affirmatively furthering fair housing certification, submitted by the Housing Authority in accordance with 24 CFR 903.7(o).

PART II: PBV OWNER PROPOSALS

OVERVIEW
With certain exceptions, the Housing Authority must describe the procedures for owner submission of PBV proposals and for Housing Authority selection of PBV proposals [24 CFR 983.51]. Before selecting a PBV proposal, the Housing Authority must determine that the PBV proposal complies with HUD program regulations and requirements, including a determination that the property is eligible housing [24 CFR 983.53 and 983.54], complies with the cap on the number of PBV units per project [24 CFR 983.56], and meets the site selection standards [24 CFR 983.57]. The Housing Authority may not commit PBVs until or unless it has followed the proposal selection requirements defined in 24 CFR 983.51 [Notice PIH].2017-21 (HA)].

21.3 OWNER PROPOSAL SELECTION PROCEDURE (24 CFR 983.51)

The Housing Authority may use one of the following methods to select owner proposals:

1. Request for Proposal (RFP): The Housing Authority may issue a competitive request for PBV proposals. An RFP may not be limited to a single site and may not impose restrictions that practically preclude owner submission of proposals for PBV on different sites. The Housing Authority will publish an RFP in at least one newspaper of general circulation, as well as post the RFP on the Housing Authority website. The submission deadline will be included in the RFP and a detailed application and selection criteria will be provided to all interested parties.
2. At the discretion of the Housing Authority, projects may be selected for PBV assistance using proposals for housing developed using federal, Administrative Plan 21.2, state, or local government housing assistance, community development, or a supportive services program that requires competitive selection of proposals (e.g., HOME, competitively-awarded Low-Income Housing Tax Credit), where the proposal has already been selected in accordance with such program's competitive selection requirements within three years of the Housing Authority's PBV selection date, and the earlier selection proposal did not involve any consideration that the project would receive Housing Authority PBV assistance. Once a project is selected to receive PBV assistance, the Housing Authority will give public notice of its selection on its website at www.harivco.org.

   Units Selected Non-Competitively Where Housing Authority has Ownership Interest **[**Federal Register (FR) notice (82 FR 5458) published on January 18, 2017, as revised by FR notice 82 FR 32461 published on July 14, 2017**].** For certain public housing projects where the Housing Authority has an ownership interest or control, the Housing Authority may select a project without following one of the two processes above in cases which the Housing Authority is engaged in an initiative to improve, develop, or replace a public housing property or site.

Housing Authority Policy

The Housing Authority may attach PBVs to projects owned or controlled by the Housing Authority as described above on a case-by-case basis.

The Housing Authority awarded project based vouchers to the following Housing Authority owned projects listed below non-competitively:

Perris Park Apartments – The Housing Authority's affiliated non-profit Riverside Community Housing Corp. (RCHC) acquired an 80 unit apartment_project in the City of Perris, located at 1450 South Perris Boulevard, Perris, CA 92570 identified as Assessor's Parcel No. 313-290-020. The property consist of 32 two bedroom units, 32 three bedroom units, and 16 four bedroom units. The property is an existing affordable housing project built in 2000 that had been struggling financially and in need of repairs as a result. The RCHC was created as an affiliate to the Housing Authority for the purpose of, among other things, financing, acquiring, owning and managing affordable housing developments in the County of Riverside for persons of low and moderate income. The Housing Authority awarded this project a total of 70 project based vouchers non-competitively under this section. As part of the acquisition of this property the RCHC is proposing to substantially rehabilitate the property and bring the project in compliance with housing and quality standards. Awarding this project PBVs will insure the long term stability of this project for the foreseeable future.

Desert Rose Apartments – In 2008 the Housing Authority acquired the 100 unit Ripley Migrant Farm Worker Center and converted the facility to a year round 76 unit housing complex for rental housing to extremely low-income household and farm workers. The property over the years has experienced an abnormal high vacancy rate and as result of that the project is struggling financially and no longer feasible to continue to operate at a loss. The Housing Authority awarded this property a total of 40 PBVs to insure that the property remains financially feasible and available to very low income residents. The Housing Authority is also exploring bringing in service providers to the property that can offer after school programs for the children and work development programs for the adults living at the property.

Allegheny Apartments – The Housing Authority's affiliated non-profit Riverside Community Housing Corp. (RCHC) in partnership with LINC Housing Corporation, a nonprofit public benefit corporation (LINC), are partnering to develop and construct a new 48 unit affordable housing project in the City of Beaumont, between 6th Street and 8th Street , identified as Assessor's Parcel No. 419-150-050. The development will consist of 24 two-bedroom and 24 three bed-room units. LINC applied for competitive funding to the State of California Multifamily Housing Program and was awarded $11,907,000. The Housing Authority awarded this project a total of 47 project-based vouchers non-competitively under this section. All the units on this project will be restricted for very low-income households and awarding the project the vouchers will insure the deep target affordability and the long-term stability of this project for the foreseeable future.

Solicitation and Selection of PBV Proposals [24 CFR 983.51]
Housing Authority procedures for selecting PBV proposals must be designed and actually operated to provide broad public notice of the opportunity to offer PBV proposals for consideration by the Housing Authority. The public notice procedures may include publication of the public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice. The public notice of the Housing Authority request for PBV proposals must specify the submission deadline. Detailed application and selection information must be provided at the request of interested parties.

Housing Authority Policy - Housing Authority Request for Proposals
The Housing Authority will advertise its request for proposals (RFP) for rehabilitated and newly constructed housing in the following newspapers and trade journals:

Press-Enterprise and Desert Sun

Other local publications serving specific geographic areas within the Housing Authority's jurisdiction, including, where appropriate:

- Palo Verde Times

In addition, the Housing Authority will post the RFP and proposal submission and rating and ranking procedures on its website.

The Housing Authority will publish its advertisement in the newspapers mentioned above for at least one day. The advertisement will specify the number of units the Housing Authority estimates that it will be able to assist under the funding the Housing Authority is making available. Proposals will be due in the Housing Authority office by close of business 30 calendar days from the date of the last publication.

In order for the proposal to be considered, the owner must submit the proposal to the Housing Authority by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete and late proposals will not be reviewed.

Housing Authority-Owned Units [24 CFR 983.51(e), 983.59, Notice PIH 2017-21] (HA)]
A Housing Authority owned unit may be assisted under the PBV program only if the HUD field office or HUD-approved independent entity reviews the selection process and determines that the Housing Authority owned units were appropriately selected based on the selection procedures specified in the Housing Authority Administrative Plan. If the Housing Authority selects a proposal for housing that is owned or controlled by the Housing Authority, the Housing Authority must identify the entity that will review the Housing Authority proposal selection process and perform specific functions with respect to rent determinations and inspections.

In the case of Housing Authority -owned units, the term of the HAP contract and any HAP contract renewal must be agreed upon by the Housing Authority and a HUD-approved independent entity. In addition, an independent entity must determine the rent to owner, the re-determined rent to owner, and reasonable rent. Housing quality standards inspections must also be conducted by an independent entity.

The independent entity that performs these program services may be the unit of general local government for the Housing Authority jurisdiction (unless the Housing Authority is itself the unit of general local government or an agency of such government) or another HUD-approved public or private independent entity.

Housing Authority Policy
The Housing Authority may submit a proposal for project-based housing that is owned or controlled by the Housing Authority. If the proposal for Housing Authority owned housing is selected, the Housing Authority will use Nan McKay & Associates or another qualitied entity to review the Housing Authority selection and establish PBV contract rents (initial rent to owner and re-determined rent to owner), perform all HQS inspections and rent reasonableness activities for Housing Authority owned units and provide a copy of the results to the HUD field office where the project is located. The Housing Authority has obtained HUD approval to utilize Nan McKay & Associates. The Housing Authority will obtain HUD approval of any new entity prior to selecting the proposal for Housing Authority -owned housing.

The Housing Authority may only compensate the independent entity from Housing Authority ongoing administrative fee income (including amounts credited to the administrative fee reserve). The Housing Authority may not use other program receipts to compensate the independent entity for its services. The Housing Authority and independent entity may not charge the family any fee for the appraisal or the services provided by the independent entity.

Housing Authority Notice of Owner Selection [24 CFR 983.51(d)]
The Housing Authority must give prompt written notice to the party that submitted a selected proposal and must also give prompt public notice of such selection. Public notice procedures may include publication of public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice.

Housing Authority Policy
Within 10 business days of the Housing Authority making the selection, the Housing Authority will notify the selected owner in writing of the owner's selection for the PBV program. The Housing Authority will also notify in writing all owners that submitted proposals that were not selected and advise such owners of the name of the selected owner.

In addition, the Housing Authority will post the notice of owner selection on its web site. The announcement will include the name of the owner that was selected for the PBV program.

The Housing Authority will make available to any interested party its rating and ranking sheets and documents that identify the Housing Authority basis for selecting the proposal. These documents will be available for review by the public and other interested parties for one month after publication of the notice of owner selection. The Housing Authority will not make available sensitive owner information that is privileged, such as financial statements and similar information about the owner.

The Housing Authority will make these documents available for review at the Housing Authority during normal business hours. The cost for reproduction of allowable documents will be $.25 per page.

21.4 HOUSING ELIGIBLE FOR ASSISTANCE (24 CFR 983.52 AND 983.53)

The Housing Authority will consider proposals for existing and newly constructed and rehabilitated housing. The following types of housing are ineligible under the Project-Based Voucher Program:

- Shared housing;
- Units on the grounds of a penal, reformatory, medical, mental, or similar public or private institution;
- Facilities providing continuous medical or related care, except an assisted-living facility that provides home health care services;
- Units owned by an educational institution that are designated for occupancy by students of the institution only;
- Manufactured homes;
- Transitional housing;
- Units occupied by owners; and
- Units occupied by ineligible families.

Subsidized Housing [24 CFR 983.54]

The HA may not attach or pay PBV assistance to units in any of the following types of subsidized housing:

- A public housing unit;
- A unit subsidized with any other form of Section 8 assistance; (tenant based or project based);
- A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
- A unit subsidized with Section 236 rental assistance payments (12 U.S.C. 1715z–1). However, the Housing Authority may attach assistance to a unit subsidized with Section 236 interest reduction payments;
- A unit subsidized with rental assistance payments under Section 521 of the Housing Act of 1949, 42 U.S.C. 1490a (a Rural Housing Service Program). However, the Housing Authority may attach assistance for a unit subsidized with Section 515 interest reduction payments (42 U.S.C. 1485);
- A Section 202 project for non-elderly persons with disabilities (assistance under Section 162 of the Housing and Community Development Act of 1987, 12 U.S.C. 1701q note);
- Section 811 project-based supportive housing for persons with disabilities (42 U.S.C. 8013);
- Section 202 supportive housing for the elderly (12 U.S.C. 1701q);
- A Section 101 rent supplement project (12 U.S.C. 1701s);
- A unit subsidized with any form of tenant-based rental assistance (as defined at 24 CFR 982.1(b)(2)) (e.g., a unit subsidized with tenant-based rental assistance under the HOME program, 42 U.S.C. 12701 et seq.);
- A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or by the Housing Authority in accordance with HUD requirements. For this purpose, "housing subsidy" does not include the housing component of a welfare payment; a social security payment; or a federal, state, or local tax concession (such as relief from local real property taxes).

SUBSIDY LAYERING REQUIREMENTS [24 CFR 983.153]
The Housing Authority may provide PBV assistance only in accordance with HUD subsidy layering regulations set forth in 24 CFR 4.13 and other requirements.

The subsidy layering review is intended to prevent excessive public assistance by combining (layering) housing assistance payment subsidy under the PBV program with other governmental housing assistance from federal, state, or local agencies, including assistance such as tax concessions or tax credits.

The Housing Authority may only provide assistance in accordance with HUD subsidy layering regulations and other requirements. A subsidy layering review will not be required to enter into an agreement or to execute a contract between the Housing Authority and the owner when a project has not received any form of government housing assistance, other than the PBV assistance.

A subsidy layering review is required for any new construction or rehabilitation project receiving a form of governmental assistance in addition to project based vouchers. The HA will not enter into an AHAP or HAP with the owner until the project has successfully passed a subsidy layering review by HUD or other HUD-approved agency. The owner must certify in the HAP contract that the project has not received and will not receive (before or during the term of the contract) any other form of public assistance for acquisition, development, or operation of the housing, other than during the life of the HAP contract other than that disclosed in the subsidy layering review in accordance with HUD requirements.

21.5 LIMITS ON ASSISTANCE (24 CFR 983.54)
The Housing Authority may only provide Project-Based Voucher assistance to up to 25% of the units in a selected project. Units excepted from this rule are:

- Units that house elderly or disabled families receiving permanent supportive housing services or other qualified supportive services;
- Units that house individuals that are homeless or at risk of homelessness receiving permanent supportive housing services;
- More than 25% of the units in a single-family building (a building with no more than 4 dwelling units) may be assisted with PBV.

21.5.1 Qualified Supportive Services
Units occupied by families eligible to receive qualified supportive services are excepted from the 25% cap on PBV assistance within a single development. Examples of supportive services that qualify for an exception include, but are not limited to:

- Family Self-Sufficiency (FSS) program
- Welfare-to-Work
- Psychological or medical services
- Drug or alcohol rehabilitative treatment
- Job training or placement services
- Education program where there is a reasonable expectation of leading to self-sufficiency
- Families receiving services in connection with the Veterans Affairs Supportive Housing program.
- Permanent supportive services designed for chronic homelessness/homeless households

or persons at risk of homelessness that maximize housing stability

21.5.2 Qualifications for Supportive Services

It is not necessary that the supportive services be provided at or by the project. At least one member of the family must qualify for the supportive service for the unit to remain excepted from the 25% cap. Participation in medical- or disability-related services is not required as a condition of living in an excepted unit, other than a drug and alcohol treatment program for current abusers, although such services may be offered.

21.5.3 Supportive Services Monitoring

Participant compliance with a supportive service contract will be monitored at least annually. The Housing Authority will request a status update for the participant's supportive service contract at the anniversary of said contract. The Housing Authority may request a status update on the supportive service contract more frequently, at its discretion. Providers of supportive services must provide the Housing Authority any changes to the program within thirty days of when those changes occur.

21.5.4 Failure to Meet Supportive Service Requirements

When a family living in an excepted unit fails to meet the requirements of a supportive service contract, and is living in the excepted unit because of the supportive services received, the Housing Authority will propose termination of the contract. The family will not be issued a voucher to move. The owner and participant will be given a sixty-day notice of the proposed termination of the HAP contract. The owner may at that time terminate the lease and issue an order to vacate by the HAP contract termination date. If a family fails to meet the requirements of the supportive service contract for good cause, as determined by the Housing Authority, and is qualified to become reinstated in the supportive service program within a reasonable time period, the Housing Authority may counsel the family on its obligations and allow reinstatement of the supportive service contract.

21.6 PROJECT SELECTION CRITERIA (24 CFR 983.57)

The following criteria will be considered when evaluating proposals for Project- Based Voucher assistance:

- Housing that serves families consistent with the needs indicated by preferences for the HA waiting list; and,
- Housing that provides an appropriate level of supportive services to residents
- Other appropriate criteria consistent with regulation.

21.6.1 Selection Requirements for All Housing Types

A project may be selected to receive PBV assistance only if it is or will be located in a census tract that meets one of the following criteria:
(i) A HUD-designated Enterprise Zone, Economic Community or Renewal Community;
(ii) The concentration of assisted units will be or has decreased as a result of public housing demolition;
(iii) Is undergoing significant revitalization;
(iv) State, local, or federal dollars have been invested in the area that has assisted in the achievement of the statutory requirement;
(v) New market rate units are being developed that will positively impact the poverty rate in the area;

(vi) Meaningful opportunities for educational and economic advancement exist.

Additionally, the site must be suitable in terms of furthering and facilitating all Fair Housing requirements. The site must also meet the HQS and/or NSPIRE site and neighborhood standards found in Chapter 10.

21.6.2 Requirements for Selecting Existing and Rehabilitated Housing (24 CFR 983.151)

The Housing Authority will select only existing and rehabilitated housing projects that meet the following criteria:

(1) The site is adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities and streets must be available to service the site. (The existence of a private disposal system and private sanitary water supply for the site, approved in accordance with law, may be considered adequate utilities.)

(2) Promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.

(3) Be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents.

(4) Be so located that travel time and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower-income workers is not excessive. This requirement does not apply to senior projects.

21.6.3 Requirements for New Construction Housing

The Housing Authority will select only new construction housing projects that meet the following criteria:

(1) The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities (water, sewer, gas, and electricity) and streets must be available to service the site.

(2) The site must not be located in an area of minority concentration, except as permitted under number (3) of this section.

(3) A project may be located in an area of minority concentration only if:

(i) Sufficient, comparable opportunities exist for housing for minority families in the income range to be served by the proposed project outside areas of minority concentration;

a. Application of this sufficient, comparable opportunities standard involves assessing the following factors:

(i) Significant number of assisted housing units is available outside areas of minority concentration.

(ii) There is significant integration of assisted housing projects constructed or rehabilitated in the past 10 years, relative to the racial mix of the eligible population.

(iii) There are racially integrated neighborhoods in the surrounding area.

(iv) Minority families have benefited from local activities (*e.g.*, acquisition and write-down of sites, tax relief programs for homeowners, acquisitions of units for use as assisted housing units) undertaken to expand choice for minority families outside of areas of minority concentration.

(v) Comparable housing opportunities have been made available outside areas of minority concentration through other programs.

(vi) The project is necessary to meet overriding housing needs that cannot be

met in that housing market area.

1. Application of the ''overriding housing needs'' criterion may permit approval of sites that are an integral part of an overall local strategy for the preservation or restoration of the immediate neighborhood and of sites in a neighborhood experiencing significant private investment that is demonstrably improving the economic character of the area (a ''revitalizing area'').

2. An ''overriding housing need,'' may not serve as the basis for determining that a site is acceptable, if the basis for the decision is that discrimination related to race, color, religion, sex, national origin, age, familial status, or disability renders sites outside areas of minority concentration unavailable or if the use of this standard in recent years has had the effect of circumventing the obligation to provide housing choice.

(4) The site must promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas poverty concentration.

(5) The neighborhood must not be seriously detrimental to family life or one in which substandard dwellings or other undesirable conditions predominate, unless there is actively in progress a concerted program to remedy the undesirable conditions.

(6) The housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents.

(7) Except for new construction housing designed for elderly persons, travel time, and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower income workers, must not be excessive.

21.7 AGREEMENT TO ENTER INTO THE HAP CONTRACT (24 CFR 983.152)

If a rehabilitated or newly constructed project, as defined in 24 CFR 983.3, is selected by the Housing Authority to receive Project-Based Vouchers, the Housing Authority will enter into an Agreement to enter into a Housing Assistance Payment contract(AHAP) with the owner in the form required by HUD. In the AHAP the owner agrees to develop the contract units to comply with HQS and/or NSPIRE, and the Housing Authority agrees that, upon timely completion of the development in accordance with the terms of the AHAP, the Housing Authority will enter into a HAP contract with the owner for the contract units.

21.7.1 DISCRETION NOT TO USE AN AHAP (24 CFR 983.154(f))

The Housing Authority may decide not to use an AHAP or may choose to execute an AHAP after construction or rehabilitation that complied with applicable requirements of 24 CFR 983.153 has commenced.

The Housing Authority may exercise its discretion to not use an AHAP or to execute an AHAP after construction or rehabilitation in limited circumstances, when it is beneficial for the project construction to begin before an AHAP or other agreement can be feasibly executed.

21.7.2 Environmental Review (24 CFR 983.58)

The Housing Authority activities under the PBV program are subject to HUD environmental regulations in 24 CFR parts 50 and 58. The *responsible entity* is responsible for performing the federal environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). The Housing Authority may not enter into an AHAP nor enter into a HAP contract

until it has complied with the environmental review requirements set forth in 24 CFR 983.58.

In the case of existing housing, the responsible entity that is responsible for the environmental review under 24 CFR part 58 must determine whether or not PBV assistance is categorically excluded from review under the National Environmental Policy Act and whether or not the assistance is subject to review under the laws and authorities listed in 24 CFR 58.5.

The PHA may not enter into an agreement to enter into a HAP contract or a HAP contract with an owner, and the PHA, the owner, and its contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct real property or commit or expend program or local funds for PBV activities under this part, until the environmental review is completed.
The PHA must supply all available, relevant information necessary for the responsible entity to perform any required environmental review for any site. The PHA must require the owner to carry out mitigating measures required by the responsible entity (or HUD, if applicable) as a result of the environmental review.

21.8 SELECTION OF PARTICIPANTS (24 CFR 983.251)

The Housing Authority may select families who are participants in the HA's tenant based voucher program and families who have applied for admission to the project based voucher program. Except for voucher participants (determined eligible at original admission to the voucher program), the HA may only select families determined eligible for admission at commencement of PBV assistance.

21.8.1 Waiting List

The PHA may establish a separate waiting list for PBV units or it may use the same waiting list for both tenant-based and PBV assistance. The PHA may also merge the PBV waiting list with a waiting list for other assisted housing programs offered by the PHA. If the PHA chooses to offer a separate waiting list for PBV assistance, the PHA must offer to place applicants who are listed on the tenant-based waiting list on the waiting list for PBV assistance.

If a PHA decides to establish a separate PBV waiting list, the PHA may use a single waiting list for the PHA's whole PBV program, or it may establish separate waiting lists for PBV units in particular projects or buildings or for sets of such units.

Housing Authority Policy

The HA will establish and manage separate waiting lists for individual projects or buildings that are receiving PBV assistance. For all project based sites that utilize VASH Vouchers, a waiting list will be maintained by the Veteran Affairs Loma Linda Medical Center. In accordance with California State Law [Health and Safety Code Section 34322.2 (b)], families meeting the definition of a veteran according to either the United States Code, Title 38 (38 U.S.C.), Section 101 or the California Military and Veterans Code, Section 980, will have priority.

Applicants currently on the tenant-based assistance waiting list will be given an opportunity to place their name on a PBV waiting list, with their original date and time intact. If a new applicant applies to the tenant-based waiting list, the applicant will be given the opportunity to also place their name on any open PBV waiting list.

SELECTION FROM THE WAITING LIST [24 CFR §983.251(c)]

The PHA may adopt a preference for admission of single persons who are age 62 or older, displaced, homeless, or persons with disabilities over other single persons.

Housing Authority Policy
HACR will accept referrals from the Coordinated Entry System (CES) for individuals who are homeless, including those experiencing chronic homelessness, or at risk of homelessness, consistent with HUD definitions. Referrals will be based on CES-established assessment thresholds in effect at the time of referral.

Income Targeting [24 CFR 983.251(c)(8)]

Not less than 75 percent of the families admitted to a PHA's tenant based and project-based voucher programs during the PHA fiscal year from the PHA waiting lists shall be extremely low-income families. The income- targeting requirements at 24 CFR 982.201(b)(2) apply to the total of admissions to the PHA's project-based voucher program and tenant-based voucher program during the PHA fiscal year from the PHA waiting list for such programs.

Units with Accessibility Features [24 CFR 983.251(c)(9)]
When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, the PHA must first refer families who require such features to the owner.

Preferences [24 CFR 983.251(d), FR Notice 11/24/08]
The PHA may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. The PHA must provide an absolute selection preference for eligible in-place families as described in this plan.

The PHA may establish a selection preference for families who qualify for voluntary services, including disability-specific services, offered in conjunction with assisted units, provided that preference is consistent with the PHA plan. The PHA may not, however, grant a preference to a person with a specific disability [FR Notice 1/18/17].

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy. If the PHA has projects with "excepted units" for elderly families or supportive services, the PHA must give preference to such families when referring families to these units [24 CFR 983.261(b); FR Notice 1/18/17]

Housing Authority Policy:
Applicants on any PBV waiting list are subject to the system of local preferences as it pertains to that particular waiting list. PBV site-based waiting lists will have admission preferences that reflect the target population of each project. When PBV buildings are selected, the Housing Authority will publicly notice the selection, as well as the target population of each project. As new waiting lists are opened to the public, they will be advertised on the Housing Authority's

website, along with its admissions preferences.

Disabled families who need an available *accessible* unit at a particular project may be awarded first preference from the waiting list. Disabled families may not be required to accept the supportive services offered nor can a preference be granted for those with a particular disability.

Once they are admitted to any PBV development, we would remove them from the other waiting lists.

Current Site Based Waiting Lists and Preferences:

El Dorado Apartments (Riverside) – 67 RAD PBV Units, + 1 Mgr Unit- Site based waiting list.

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 24 1 BR-A at 50% AMI
  - 43 2 BR-B at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Rubidoux Village Townhomes (Jurupa Valley) – 29 PBV Units -Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 29 2 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Fort Dr./Highland (Jurupa Valley) – 13 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 1 1 BR-C at 50% AMI
  - 6 2 BR-A at 50% AMI
  - 1 3 BR-B at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Midway Capri (Perris) – 40 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 15 1 BR-A at 50% AMI
  - 20 2 BR-A at 50% AMI
  - 4 3 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Broadway Manor Townhomes/Fairview Lake Townhomes (Lake Elsinore) – 44 PBV Units

– Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 28 2 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Gloria Crossings Apartments (Moreno Valley) – 33 PBV Units, + 1 Mgr Unit – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 3 1 BR-B at 50% AMI
  - 23 2 BR-A at 50% AMI
  - 2 2 BR-C at 50% AMI
  - 4 3 BR-A at 50% AMI
  - 1 4 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Dracaea Townhomes (Moreno Valley) – 28 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 28 2 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Sherman Homes (Moreno Valley) – 4 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 2 3 BR-B at 50% AMI
  - 2 4 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Banning Townhomes (Banning) – 14 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 14 2 BR-B at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Beaumont Grove (Beaumont) – 12 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 11 3 BR-A at 50% AMI
  - 1 4 BR-A at 50% AMI

- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Idyllwild Place (San Jacinto) – 14 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 14 2 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Corregidor Manor (Cathedral City) – 14 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 14 2 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Quinto Del Sol Apartments (Desert Hot Springs) – 42 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 35 2 BR-A at 50% AMI
  - 6 3 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Aladdin Villas (Indio)– Aladdin Villas (City of Indio) – 20 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 10 2 BR-A at 50% AMI
  - 6 3 BR-A at 50% AMI
  - 4 4 BR-B at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Dr. Clair S. Johnson Apartments (unincorporated community of Mecca) – 40 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
  - 19 3 BR-A at 50% AMI
  - 18 4 BR-A at 50% AMI
  - 2 5 BR-A at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Thermal I Apartments (unincorporated community of Thermal) – 28 PBV Units – Site

based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 28 2 BR-B at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Thermal II Apartments (unincorporated community of Thermal) – 25 PBV Units

- Qualified veterans
- Maximum Income Limit: 50 of the Area Median Income (AMI)
- 16 3 BR-B at 50% AMI
- 7 4 BR-A at 50% AMI
- 2 5 BR-A at 50% AMI
- Live/Work in Riverside County of Riverside

Elderly or disabled or families with minor children

Casas San Miguel (Cathedral City) – 38 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 36 0 BR at 50% AMI
- 2 1 BR at 50% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

El Solano (Blythe) – 10 PBV Units

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- 10 0 BR at 50% AMI
- Live/Work in Riverside County
- Disabled or Elderly

Madera Vista (Temecula) – 7 PBV Units – Site based waiting list

- Qualified veterans
  - Maximum Income Limit: See below for breakdown
  - o 1 1BR/1BA at 30% AMI
  - o 2 2BR/1BA at 30% AMI
  - o 3 3BR/2BA at 30% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Vista Rio (Jurupa Valley) – 8 PBV Units – Site based waiting list

- Qualified veterans
  - Maximum Income Limit: See below for breakdown
  - o 4 1BR/1BA at 30% AMI
  - o 4 2BR/2BA at 30% AMI
- Live/Work in Riverside County

- Elderly or disabled or families with minor children

Desert Rose Apartments (unincorporated community of Ripley) – 41 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income
- 17 2BR/1BA at 50%
- 20 3BR/2BA at 50%
- 4 4BR/2BA at 50%
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Perris Park Apartments (Perris) – 70 PBV Units -Site based waiting list

- Qualified veterans
- Maximum Income Limit: 50% of the Area Median Income (AMI)
- Erlan to enter
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Cedar Glen (Riverside) – Phase I – 20 PBV Units – Site based waiting list/CES referral-based

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 3 1BR/1BA at 50% AMI – (CES)
  - 6 2BR/2BA at 50% AMI
  - 8 3BR/2BA at 50% AMI
  - 3 4BR/2.5BA at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Cedar Glen (Riverside) – Phase II – 49 PBV Units – Site based waiting list/CES referral-based

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 5 1BR/1BA at 20% AMI – (CES)
  - 14 1BR/1BA at 25% AMI – (CES)
  - 5 1BR/1BA at30% AMI – (CES)
  - 3 3BR/2BA at 30% AMI
  - 22 3BR/2BA at 500% AMI
  -
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Hemet Vistas (Hemet) – 22 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown

- 8 3BR/2BA at 50% AMI
- 14 4BR/2BA at 50% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Mission Village II, Temecula (Temecula) – 8 PBV Units -Site based waiting list

- Qualified veterans (age 55 and older)
- Maximum Income Limit: See below for breakdown
- 4 2BR/1BA at 40% AMI
- 4 3BR/2BA at 40% AMI
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Cathedral Palms Apartments (Cathedral City) – 94 PBV Units– Site based waiting list/CES referral-based

- Qualified veterans (age 55 and older)
- Maximum Income Limit:
- 68 Studio/1BA at 30% AMI (CES)
- 26 Studio/1BA at 50% AMI
- Live/Work in Riverside County
- Senior community (age 55 and older)

Courtyards at Cottonwoods (Moreno Valley) – 35 PBV Units -Site based waiting list

- Qualified veterans
  - Maximum Income Limit: See below for breakdown
    - 14 1BR/1BA at 30% AMI – (55+)
    - 6 2BR/1BA at 30% AMI – (55+)
    - 4 1BR/1BA at 40% AMI
    - 2 2BR/1BA at 40% AMI
    - 2 2BR/1BA at 50% AMI
    - 4 3BR/2BA at 30% AMI
    - 2 3BR/2BA at 40% AMI
    - 1 3BR/2BA at 50% AMI
  - Live/Work in Riverside County
  - Elderly or disabled or families with minor children

Mission Heritage (Riverside) – 30 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown
- 2 1BR/1BA at 50% AMI
- 6 2BR/1BA at 45% AMI
- 7 2BR/1BA at 50% AMI
- 6 3BR/2BA at 45% AMI

- 3 3BR/2BA at 50% AMI
- 1 2BR/1BA at 45% AMI – (Veteran)

- 3 2BR/1BA at 30% AMI – (Veteran)
-
- 2 3BR/2BA at 30% AMI – (Veteran)
- Live/Work in Riverside County
- Elderly or disabled or families with minor children

Veterans Village (Cathedral City) – 6 PBV Units – CES referral-based

- Qualified veterans
- Maximum Income Limit: See below for breakdown
- 6 1BR/1BA at 50% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Pueblo Viejo Villas (Coachella) – 8 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown
- 2 2BR/1BA at 30% AMI
- 6 3BR/1BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

St. Michaels (Riverside) – 24 PBV Units – CES referral based

- Qualified veterans
- Maximum Income Limit: See below for breakdown
- 19 1BR/1BA at 30% AMI – (CES)
- 5 2BR/2BA at 30% AMI – (CES)
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Oasis Senior Apts (Riverside) – 49 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown
- 45 1BR/1BA at 50% AMI
- 4 2BR/2BA at 50% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

The Blossom Apts (Beaumont) – 47 PBV Units -Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown
- 24 2BR/2BA at 30% AMI
- 23 3BR/2BA at 30% AMI
- Live/Work in Riverside County

- Disabled or Elderly or receive supportive services
-

The **Monarch Apts (Palm Springs) – 39 PBV Units – Site based waiting list**

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 16 1BR/1BA at50% AMI
  - 12 2BR/2BA at50% AMI
  - 11 3BR/2BA at50% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Las Haciendas (Temecula) – 8 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 5 1BR/1BA at 30% AMI
  - 3 2BR/1BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Vista Sunrise Apats (Palm Springs) – 35 PBV Units - Site based waiting list/CES referral-based

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 2 Studio/1BA at 30% AMI
  - 3 Studio/1BA at 40% AMI
  - 1 1BR/1BA at 40% AMI
  - 19 Studio/1BA at 30% AMI – (CES)
  - 10 1BR/1BA at 30% AMI – (CES)
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Vista de La Sierra (Riverside) – 47 PBV Units - Site based waiting list/CES referral-based

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 3 1BR/1BA at 30% AMI –
  - 3 2BR/1BA at 30% AMI –
  - 3 3BR/2BA at 30% AMI –
  - 30 1BR/1BA at 30% AMI – (CES)
  - 5 2BR/1BA at 30% AMI – (CES)
  - 4 3BR/1BA at 30% AMI – (CES)
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Rancho las Bolsas (Temecula) – 26 PBV Units – Site based waiting list

- Qualified veterans

- Maximum Income Limit: See below for breakdown
  - 13 1BR/1BA at 30% AMI
  - 6 2BR/1BA at 30% AMI
  - 7 3BR/1BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

La Entrada (Riverside) – 16 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 5 1BR/1BA at 30% AMI
  - 3 1BR/1BA at 50% AMI
  - 5 2BR/2BA at 30% AMI
  - 3 3BR/3BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Vista Dorada (Corona) – 52 PBV Units – CES referral based

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 17 Studio/1BA at 30% AMI
  - 35 1BR/1BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

The Aspire (Riverside) – 32 PBV Units – CES referral based

- Qualified veterans
- Maximum Income Limit: See below for breakdown
  - 32 1BR/1BA at 20% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Corona del Rey (Corona) – 8 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown
- 8 2BR/2BA at 50% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Monamos Terrace Apartments (Murrieta) – 8 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See below for breakdown
- 8 4BR/2BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Tres Lagos Apartments Phase I (Wildomar) – 88 PBV Units - Site based waiting list/CES referral-based

- Qualified veterans
- Maximum Income Limit: See blow for breakdown
- 39 1BR/1BA at 50% AMI – (CES)
- 4 2BR/2BA at 50% AMI – (CES)
- 1 1BR/1BA at 50% AMI
- 22 2 BR/2BA at 50% AMI
- 22 3BR/3BA at 50% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Tres Lagos Apartments Phase II (Wildomar) – 42 PBV Units – CES referral based

- Qualified veterans
- Maximum Income Limit: See blow for breakdown
- 39 1BR/1BA at 30% AMI
- 3 2BR/2BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Aloe Palm Canyon Apartments (Palm Springs) – 32 PBV Units- Site based waiting list/CES referral-based

- Qualified veterans
- Maximum Income Limit: See blow for breakdown
- 25 1BR/1BA at 20% AMI – c(CES)
- 7 1BR/1BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Covalda Apartments (Coachella) – 8 PBV Units – Site based waiting list

- Qualified veterans
- Maximum Income Limit: See blow for breakdown
- 2 1BR/1BA at 30% AMI
- 4 2BR/2BA at 30% AMI
- 2 3BR/2BA at 30% AMI
- Live/Work in Riverside County
- Disabled or Elderly or receive supportive services

Current Waiting Lists maintained by the Veterans Affairs Loma Linda Medical Center:

March Veterans Village (March Air Reserve Base) – 75 PBV Units

- Qualified veterans
  - Maximum Income Limit: See below for breakdown
    - 75 Studio/1BA at 50% AMI – VA referrals
- Must be eligible for the Veterans Affairs and Supportive Housing Program

Liberty Village Apts aka Illinois Avenue Apts. (Beaumont) – 21 PBV Units

- Qualified veterans
  - Maximum Income Limit: See below for breakdown
    - 17 1BR/1BA at 50% AMI – VA referrals
    - 4 2BR/1BA at 50% AMI – VA referrals
- Must be eligible for the Veterans Affairs and Supportive Housing Program

Mission Heritage (Riverside) – 25 PBV Units

- Qualified veterans
  - Maximum Income Limit: See below for breakdown
    - 14 1BR/1BA at 30% AMI – VA referrals
    - 2 1BR/1BA at 45% AMI – VA referrals
    - 9 1BR/1BA at 50% AMI – VA referrals
- Must be eligible for the Veterans Affairs and Supportive Housing Program

Veterans Village (Cathedral City) – 53 PBV Units

- Qualified veterans
  - Maximum Income Limit: See below for breakdown
    - 30 1BR/1BA at 30% AMI – VA referrals
    - 11 1BR/1BA at 40% AMI – VA referrals
    - 4 2BR/2BA at 30% AMI – VA referrals
    - 8 2BR/2BA at 40% AMI – VA referrals
- Must be eligible for the Veterans Affairs and Supportive Housing Program

Oasis Senior Apts (Riverside) – 19 PBV Units

- Qualified veterans (55+)
  - Maximum Income Limit: See below for breakdown
    - 19 1BR/1BA at 30% AMI – VA referrals
- Must be eligible for the Veterans Affairs and Supportive Housing Program

21.8.2 Occupancy Standards and Referral Process for PBV Units (24 CFR 982.402(b), 983.251(c), and 983.254)

The Housing Authority shall apply its established Housing Choice Voucher (HCV) and Project-Based Voucher (PBV) occupancy standards when selecting and referring families for PBV-assisted units. Families must meet the minimum and maximum household size requirements for the applicable bedroom size, as set forth in this Administrative Plan.

When a PBV-assisted unit becomes vacant, the Housing Authority will make reasonable efforts to refer eligible families from the applicable PBV site-based waiting list whose household size is appropriate for the unit under the Housing Authority's occupancy standards. The Housing Authority's role is limited to the referral of eligible households; the owner is responsible for screening, tenant selection, and leasing decisions in accordance with the HAP contract and applicable federal, state, and local law.

If, after reasonable referral efforts, including two selection attempts from the applicable PBV waiting list, the unit remains vacant despite referral of eligible households to the owner, the Housing Authority may broaden selection to refer the next eligible family whose household size falls within the established minimum and maximum occupancy standards for the unit, provided all PBV eligibility, inspection, and program requirements are met.

This policy is intended to promote timely leasing, minimize extended vacancies, and ensure efficient utilization of PBV-assisted units, consistent with HUD occupancy standards, participant selection requirements, and PBV vacancy management regulations. Vacancy notification, referral coordination, and payment provisions are addressed in Section 21.11 (Vacancies) of this Administrative Plan.

Once a family is admitted to a PBV-assisted unit, movement with continued assistance is governed by the Choice Mobility provisions below.

21.8.3 Choice Mobility for PBV Families(24 CFR 983.261)

In accordance with 24 CFR 983.261, families residing in Project-Based Voucher (PBV) assisted units have the right to request tenant-based voucher assistance after satisfying the required initial occupancy period under the PBV program (generally 12 months, unless otherwise permitted by HUD).

The Housing Authority will make tenant-based voucher assistance available to eligible PBV families subject to the availability of tenant-based voucher funding and in accordance with this Administrative Plan.

If tenant-based voucher assistance is not immediately available at the time of the family's request, the Housing Authority will place the family on a Choice Mobility / Continued Assistance list and will provide priority for the next available opportunity for tenant-based voucher assistance, in accordance with 24 CFR §983.261(c) and available funding.

The Housing Authority may manage the timing and volume of tenant-based voucher issuances for PBV families based on funding availability, voucher turnover, and program capacity. Issuance of tenant-based assistance to PBV families is not guaranteed and remains subject to Housing Authority policies and resource availability.

21.8.4 Protection of In-Place Families

Families who reside in units selected to receive PBV assistance on the proposal selection date and who are also eligible in accordance with Chapter 2 of this Plan, will be given the opportunity to place their name on the appropriate PBV site-based waiting list. An absolute preference will be given to that family to be selected from the waiting list. If the family is then determined fully eligible for the PBV program under all Housing Authority eligibility criteria, the family will then be referred to the owner for an appropriately-sized unit in the project.

21.8.5 Refusal of Assistance

If a family refuses an offer of PBV assistance or the owner rejects a family for admission to the owner's PBV units, the Housing Authority may remove the family from the site-based waiting

list from which they were selected. Such refusal will not affect the family's position on the tenant-based waiting list or any other PBV site-based waiting list, nor affect any admissions preference for which the family qualifies.

21.9 INFORMATION FOR ACCEPTED FAMILIES (24 CFR 983.252)

When a family accepts an offer of PBV assistance, the Housing Authority will provide the family an oral briefing. Attendance at this briefing is mandatory. The briefing will include:

- A description of how the program works;
- Family and owner responsibilities.

A briefing packet will be provided with information regarding:

- How the Housing Authority determines total tenant payment;
- Family obligations; and
- Applicable fair housing information.

21.10 LEASING OF CONTRACT UNITS (24 CFR 983.253)

Owners must lease contract units only to eligible families, selected and referred by the Housing Authority from the waiting list, during the term of the HAP contract. Owners must develop written tenant selection procedures consistent with the purpose of improving housing opportunities for extremely low and very low-income families, related to program eligibility and an applicant's ability to perform lease obligations. An owner must promptly notify, in writing, any rejected applicant of the grounds for rejection. Owners must follow the Housing Authority's subsidy standards when leasing units to referred families.

21.11 VACANCIES (24 CFR 983.254)

The owner must promptly notify the Housing Authority of any current or expected vacancy in a contract unit. After owner notice, the Housing Authority will promptly refer a sufficient number of families to the owner to fill the vacancy. If any contract unit has been vacant for at least 120 days since the owner notice of vacancy, the Housing Authority may give notice to the owner amending the HAP contract to reduce the number of contract units by the number of units that have been vacant for that period.

21.12 TENANT SCREENING (24 CFR 983.255)

The Housing Authority may take into consideration any admission criteria outlined in Chapter 2 of this Plan in order to screen applicants for eligibility; however, it is the responsibility of the owner to screen applicants for behavior and suitability for tenancy. The Housing Authority will provide the owner with the tenant's current and former address, as well as the name and address of the current and/or former landlord, if known. This policy is consistent with information provided to owners under the Housing Choice Voucher program.

21.13 HOUSING ASSISTANCE PAYMENTS CONTRACT

The Housing Authority must enter into a Housing Assistance Payments (HAP) contract with the owner in order to provide housing assistance payments for eligible families. The Housing Authority will make housing assistance payments to the owner in accordance with the HAP contract, for contract units leased and occupied by eligible families during the term of the HAP contract. The Housing Authority will use the most recent HUD-approved form of the HAP contract.

21.13.1 Execution of the HAP Contract (24 CFR 983.204, 24 CFR 983.209)

Before the HAP contract may be executed, the Housing Authority will inspect each contract unit in accordance with 24 CFR 983.103 (b), section 21.14 of this chapter and Chapter 10 of this Plan (Housing Quality Standards and Inspections). For existing housing, the HAP contract must be executed promptly after selection of the owner proposal and inspection. For new construction or rehabilitated housing, the HAP contract is executed after the Housing Authority has inspected the completed units and is satisfied that said units are completed in accordance with the AHAP and the owner has furnished the required evidence of completion. By execution of the HAP contract, the owner certifies:

- The owner will maintain all contract units in accordance with HQS and/or NSPIRE;
- The owner is providing all services, maintenance, equipment and utilities as agreed to under the HAP contract and in the leases with assisted families;
- Each contract unit is leased to an eligible family and the lease complies with the HAP contract and HUD requirements;
- Members of the assisted family reside in the contract unit and it is their only residence;
- The owner, property management personnel and maintenance personnel, are not a relative of any member of the assisted family by blood or operation of law;
- The amount of the housing assistance payment is the correct amount due under the HAP contract;
- The rent to owner for each contract unit does not exceed the rent due to owner for any comparable, unassisted unit;
- The owner will not receive any other payments beyond the tenant rent and housing assistance payments for the contract unit; and
- The family does not own or have any interest in the contract unit.

21.13.2 Term of the HAP Contract (24 CFR 983.205)

The Housing Authority may enter into a HAP contract with an owner for an initial term of not less than one year and not more than twenty years for each contract unit. The Housing Authority and owner may agree at any time, including during the initial contract term, to extend the term of the HAP contract for up to twenty years at each contract expiration date.

The HAP contract may be terminated by the Housing Authority for insufficient funds. If it is determined there are insufficient funds available to continue to assist all contract units for the full term, the Housing Authority may give notice to the owner for all or any of the contract units, in accordance with HUD instructions.

21.13.3 Amendments to the HAP Contract (24 CFR 983.207)

Amendment to Substitute Contract Units – The Housing Authority may amend the HAP contract to substitute a different unit with the same number of bedrooms in the same building for the previously assisted unit. Prior to the substitution, the Housing Authority will inspect the proposed substitution unit and determine reasonable rent.

Amendment to Add Contract Units – At the discretion of the Housing Authority and provided the number of PBV-assisted units in a project will not exceed the 25% cap or the 20% Budget Authority, a HAP contract may be amended during the three-year period immediately following

the execution date of the HAP contract to add additional PBV units to a building. The anniversary and expiration date for the added units will be the same as for the existing units under the HAP contract.

21.13.4 PBV Unit Status Upon Termination of Assistance

(24 CFR §§983.211(b), 983.207(a))

If a family's PBV assistance terminates and the family remains in the unit as an unassisted tenant, the unit shall immediately cease to be a PBV-assisted unit under the HAP contract. In accordance with 24 CFR §983.211(b), housing assistance payments may not be made on behalf of a family that no longer receives PBV assistance.

Upon termination of assistance, the PBV unit count under the HAP contract shall automatically be reduced by that unit, and no HAP will be paid on behalf of the remaining unassisted household.

Restoration or Substitution of PBV Units

At the discretion of the Housing Authority, and with the owner's agreement, the total number of PBV units under the HAP contract may be restored through amendment in accordance with 24 CFR §983.207(a).

Restoration may occur by either:

Reinstating the same unit once it becomes vacant and is made available to an eligible PBV family, provided the unit meets all applicable HUD requirements, including inspection and rent reasonableness; or

Substituting a different comparable unit within the same project that meets PBV program requirements.

Until such amendment is executed, the PBV unit count under the HAP contract shall remain reduced by the number of unassisted units.

21.14 INSPECTIONS (24 CFR 983.103)

HQS and/or NSPIRE inspections will be conducted in accordance with Chapter 10 of this Plan (Housing Quality Standards and Inspections). The Housing Authority may not perform inspections on units where there is a direct or indirect interest by any of its employees or officers. The Housing Authority will inspect PBV units at the following times:

1. Pre-selection – the Housing Authority will inspect the proposed site before the proposal selection date. For existing units, units must substantially comply with HQS and/or NSPIRE before the proposal selection date. Units must fully comply before the HAP contract may be executed;
2. Pre-HAP contract;
3. Turnover – the Housing Authority must inspect a unit before a new family moves in. The unit must fully comply with HQS and/or NSPIRE before a family may receive assistance in that unit;
4. Annual – The Housing Authority will conduct inspections on a random sample of at least

20% of contract units in a building annually. Turnover inspections are not counted toward annual inspections. If more than 20% of the annual sample fails the HQS and/or NSPIRE inspections, 100% of the contract units in the building must be inspected.

5. Other times – the Housing Authority will inspect PBV units at other times as necessary to insure the contract units are in compliance with HQS and/or NSPIRE and that the owner is providing utilities, maintenance and other services in accordance with the HAP contract.
6. Alternative Inspection Provision: This applies to new construction and acquisition rehabilitation projects that have received a Temporary Certificate of Occupancy from the local building department. If units pass HQS and/or NSPIRE inspections tenants will be allowed to occupy the unit at the project. Under this provision, HAP is not paid to the owner until the project has received Final Certificate of Occupancy (CofO) from the local building department. The Housing Authority then makes assistance payments retroactively, dating back to the effective date of the HAP contract and assisted lease term, once the project has received CofO and has been inspected and found to meet HQS and/or NSPIRE standards.

Inspecting Housing Authority-Owned Units [24 CFR 983.103(g)]
In the case of Housing Authority-owned units, the inspections required under 24 CFR 983.103 must be performed by an independent agency designated in accordance with 24 CFR 983.57, rather than by the Housing Authority and approved by HUD. The independent entity must furnish a copy of each inspection report to the Housing Authority and to the HUD field office where the project is located. The Housing Authority must take all necessary actions in response to inspection reports from the independent agency, including exercise of contractual remedies for violation of the HAP contract by the Housing Authority-owner.

21.14.1 HQS and/or NSPIRE Violation (24 CFR 983.208)

The Housing Authority may make no HAP payments to the owner during any period in which the contract unit does not comply with HQS and/or NSPIRE or any other HAP contract requirement. Remedies for HQS and/or NSPIRE violation include abatement or reduction in HAP payments, reduction of contract units, and termination of the HAP contract.

21.15 LEASE (24 CFR 983.256)

Owners must use the same lease for contract units as for unassisted units, with the lease being in accordance with state law. The lease must include the HUD tenancy addendum. All provisions in the tenancy addendum must be included in the lease. Provisions in the addendum shall prevail over provisions in the lease. The initial term of the lease must be for at least one year. The lease must specify:

- Names of the owner and tenant;
- Identifying information of the unit rented;
- Term of the lease and any provision for renewal;
- The amount of tenant rent to owner;
- Specification of services, maintenance, equipment, and utilities to be provided by the owner;
- The amount of any charges for food, furniture, or supportive services.

21.15.1 Changes in the Lease

If the tenant and owner agree to any changes in the lease, the change must be in writing and must be submitted to the Housing Authority immediately. Owners are responsible for promptly notifying the Housing Authority in writing of any change in utility type or utility responsibility, including but not limited to changes from gas to electric service, changes in owner-paid or tenant-paid utilities, or the addition or removal of utilities. Such changes may only be made with written approval of the Housing Authority and in accordance with the terms of the lease relating to the amendment. If the Housing Authority approves a change in responsibilities for utilities, rent reasonableness must then be re-determined in accordance with 24 CFR 983.303 (c). The rent to owner will be recalculated from the effective date of the change [24 CFR 983.256 (e).

Owners must provide all required written notices to assisted families in accordance with HUD requirements, the HAP contract, and applicable state and local law prior to implementation of any approved rent increase.

21.15.2 Absence from the Unit

The Housing Authority's absence policies found in Chapter 6 of this Plan (Eligibility Factors) will apply to the PBV program. The lease may specify a maximum period of family absence from the unit that is shorter than that specified by the Housing Authority.

21.15.3 Owner Termination of Tenancy and Eviction

Grounds for owner termination and eviction reflect the policies outlined in Chapter 14 of this Plan (Contract Terminations), except that an owner may not terminate tenancy after the initial term of the lease for business or economic reasons, or to repossess the unit for personal, family, or nonresidential use. If an owner refuses to renew the lease without good cause, the family will be issued a tenant-based voucher and the unit will be removed from the HAP contract.

AB 1482 exempts certain types of affordable housing from its protections regarding evictions for "just cause". The law describes the exempted housing in California Civil Code 1946.2(e)(9) as:

Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.

The second part of the provision refers to housing "*subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.*" This language, particularly the words "*housing subsidies for affordable housing,*" more closely mirrors the structure of the Project-Based Voucher ("PBV") programs. These programs involve agreements which provide funds to housing providers to rent specific apartments and other housing units at affordable rates, but do not require deed restrictions or other recorded documents.

21.15.4 Security Deposits (24 CFR 983.259)

The owner may collect a security deposit from the tenant. The amount may not exceed that allowed by state and local law or that charged to unassisted units in the same building.
When the tenant moves out, the owner may use the amount of the deposit, in accordance with the

lease and state and local law, as reimbursement for any unpaid tenant rent, damage to the unit, or any other amount the tenant owes under the lease. The owner must give the tenant a written list of all items charged against the security deposit and the amount of each item within 21 days from the date the tenant moved out of the unit. After deducting the amount used to reimburse the owner, the owner must promptly refund the full amount of the balance to the tenant. If the balance is not sufficient to cover amounts the tenant may owe under the lease, the owner may seek to collect the balance from the tenant. The Housing Authority has no liability or responsibility for payment of any amount owed by the family to the owner.

21.16 FAMILY OCCUPANCY OF WRONG-SIZE OR ACCESSIBLE UNIT (24 CFR 983.260)

If the Housing Authority determines that a family is occupying:

1) the wrong-size unit, or
2) a unit with accessibility features the family does not require, and is needed by a family that requires the accessibility features,

The Housing Authority will offer the family continued assistance in another unit when an appropriate sized unit becomes available and will notify the family and owner immediately of its offer of continued assistance and determination. The Housing Authority may offer continued assistance either in another PBV unit or a tenant-based voucher if a tenant based voucher is available). If the family is given a tenant-based voucher, policies under the Housing Choice Voucher program regarding voucher issuance and expiration will apply. If a family fails to lease a unit with the tenant-based voucher, assistance will be terminated upon expiration of the voucher (and any subsequent extensions granted by the Housing Authority).

Upon determination that the family is occupying a wrong-size unit or a unit with accessibility features not required by the family and continued assistance is offered in the form of a project-based voucher, the family will have thirty (30) days in which to move to another unit. If the family fails to move or refuses the offer of continued assistance in another unit, assistance to the family will be terminated.

21.17 DETERMINING RENT TO OWNER (24 CFR 983.301-983.305)

Rent to owner for a Project-Based Voucher (PBV) assisted unit may not exceed the lowest of:

The rent requested by the owner;

The rent determined reasonable by the Housing Authority; or

The applicable payment standard minus the utility allowance.

The amount of estimated rent to owner must be included in the Agreement to Enter into HAP Contract (AHAP) for rehabilitated or newly constructed housing. The actual rent to owner must be determined at the beginning of the HAP contract term for all PBV-assisted housing.

21.17.1 Timing and Conditions for Rent Increases (24 CFR §983.302)

Housing Authority Policy:

For PBV-assisted units, any increase in rent to owner may be implemented only at the annual anniversary date of the HAP contract, in accordance with 24 CFR §983.302.

In addition, the assisted family must be entering a lease term that is consistent with the HAP contract anniversary date. A lease renewal, amendment, expiration, or execution does not authorize a rent increase outside the HAP contract anniversary.

Rent increases may not be applied mid-lease, partially implemented, deferred to a later date, or applied after the HAP contract anniversary has passed. Units that are not eligible for a rent increase at the anniversary date must wait until the next HAP contract anniversary, provided all regulatory requirements are met at that time.

21.17.2 Redetermination of Rent to Owner (24 CFR 983.302)

The Housing Authority will re-determine rent to owner at the owner's written request for a rent increase, effective at the annual anniversary of the HAP contract, or when HUD publishes a decrease in the applicable Fair Market Rent that requires a rent redetermination under 24 CFR 983.302.

If HUD requires a rent decrease based on a reduction in the applicable Fair Market Rent, the rent to owner must be decreased whether or not the owner requested a rent adjustment. Any such decrease shall be implemented at the HAP contract annual anniversary date, in accordance with 24 CFR 983.302.

Notice of any rent adjustment issued by the Housing Authority constitutes an amendment to the rent to owner specified in the HAP contract.

Rent reasonableness for units owned by the Housing Authority will be determined by a HUD-approved independent entity, which will provide a copy of the determination to the Housing Authority and the appropriate HUD field office.

Housing Authority Policy – Rent Increase Request Timeline

For Project-Based Voucher (PBV) units, owners must submit a complete written request for a rent increase no fewer than 120 calendar days prior to the HAP contract annual anniversary date.

While HUD regulations require a minimum of 60 days' notice for rent adjustments under 24 CFR 983.302(b), the Housing Authority adopts a 120-day submission requirement to allow sufficient time for rent reasonableness analysis, utility allowance review, owner notification, and tenant notice compliance.

Rent increase requests that are incomplete or submitted fewer than 120 days prior to the anniversary date will be deemed untimely and will not be processed for the current contract year.

Such requests must be resubmitted for consideration at the next HAP contract anniversary, subject to all applicable requirements.

Owners are responsible for monitoring their HAP contract anniversary date and submitting timely rent increase requests in accordance with this Administrative Plan.

Rent increases may take effect only on the HAP contract annual anniversary date. Retroactive rent increases are not permitted.

21.17.3 Housing Authority Officer or Employee Owned Units

For any PBV units in which an officer or employee of the Housing Authority has a direct or indirect interest, the initial determination and any subsequent redetermination of rent to owner will be made by an independent entity, approved by HUD.

21.17.4 Rent Determination for Projects with Other Subsidies (24 CFR 983.304)

For PBV units receiving other forms of federal, state, or local subsidies, rent to owner may not exceed rent limits established by the applicable subsidy program, including but not limited to:

Section 236 projects;

Section 221(d)(3) BMIR projects;

Section 515 Rural Housing Service projects; or

Other federally subsidized projects specified by HUD.

For projects receiving Low-Income Housing Tax Credits (LIHTC), the Housing Authority may establish reasonable rents up to 110 percent of the HUD Market Rent, even if such rents exceed LIHTC program rent limits, subject to HUD requirements.

The Housing Authority may, at its discretion, include provisions in the HAP contract to reduce the initial rent to owner due to the presence of other governmental subsidies.

Utility Allowance Methodologies for PBV Projects

Utility allowances applicable to PBV-assisted units will be established in accordance with HUD requirements and applicable Housing Authority utility allowance policies.

Utility allowance determinations are based on the utility types and utility responsibilities specified in the lease; changes in utility type or responsibility must be reported to the Housing Authority in accordance with Section 21.15.1 of this Administrative Plan.

Depending on project characteristics and applicable subsidy program rules, the Housing Authority may approve the use of one or more HUD-accepted utility allowance methodologies, including but not limited to:

- the Housing Authority's standard utility allowance schedule;
- an energy-efficient or site-specific utility allowance, where permitted by HUD; or
- the California Utility Allowance Calculator (CUAC), for projects subject to Low-Income Housing Tax Credits (LIHTC) or other applicable subsidy programs, provided the owner has obtained authorization from the California Tax Credit Allocation Committee (CTCAC) and approval from HUD, as required.

Utility allowance schedules may be reviewed and updated periodically, including on an annual basis, in accordance with HUD requirements. Use of an energy-efficient or alternative utility allowance methodology is subject to Housing Authority review and written approval by authorized management staff.

21.17.4 Rent Control and Other Rent Limitations (24 CFR 983.305)

Rent control and other rent limitations imposed by federal, state, or local law shall apply, as applicable. Certain types of deed-restricted or subsidized affordable housing are exempt from California's Tenant Protection Act (AB 1482), including housing subject to regulatory agreements or housing subsidy agreements that restrict rents to affordable levels for very low-, low-, or moderate-income households, as defined under state or comparable federal law. To the extent PBV-assisted units are subject to recorded affordability restrictions or subsidy agreements that restrict rents, such units may be exempt from certain state rent limitation provisions, consistent with applicable law. PBV-assisted units are subject to applicable HUD rent limitations and HAP contract requirements.

21.18 PAYMENT TO OWNER (24 CFR 983.351)

The Housing Authority will make HAP payments to the owner in accordance with the HAP contract for the months in which the contracted unit is leased to and occupied by an eligible family. Except for discretionary vacancy payments described in section 21.18.1 of this chapter, the Housing Authority will not make any payments for any month after the month in which the family moves out of the unit. In order to continue receiving HAP payments, the owner must comply with all provisions of the HAP contract, including HQS and/or NSPIRE.

21.18.1 Vacancy Payments (24 CFR 983.352)

If a family moves out of a contract unit, the owner may keep the payment for the full calendar month in which the family moves out. The owner may not keep the payment if the Housing Authority determines that the vacancy is the owner's fault.

21.18.2 Other Charges and Fees (24 CFR 983.354)

The owner may not require the family to pay charges for any meals or supportive services unless the project is an assisted living development, in which case owners may charge tenants, family members, or both for meals and supportive services. These charges may not be included in the rent to owner and may not be used to calculate rent reasonableness. Nonpayment of such charges is grounds for termination under the lease only in an assisted living development. The owner may

not charge tenants or family members extra amounts for items customarily included in the rent in Riverside County, or provided at no additional cost for unsubsidized tenants on the premises.

21.9 Program Administration

In the event of conflict between this Administrative Plan and HUD statutes, regulations, notices, or guidance, HUD requirements shall govern PBV administration.

[Intentionally Blank]

CHAPTER 22

EMERGENCY HOUSING VOUCHERS (EHVs)

22.1 INTRODUCTION

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

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

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

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

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

Part I: Funding
Part II: Partnering Agencies
Part III: Waiting List Management
Part IV: Family Eligibility
Part V: Housing Search and Leasing
Part VI: Use of Funds, Reporting, and Financial Records

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

22.2 PART I: FUNDING

22.2 A. FUNDING OVERVIEW

The American Rescue Plan Act of 2021 (ARP) provides administrative fees and funding for the

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

22.2 B. Housing Assistance Payments (HAP) Funding

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

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

22.2 C. Administrative Fee and Funding

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

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

- **Placement fees/expedited issuance reporting fees** will support initial lease-up costs and the added cost and effort required to expedite leasing of EHVs:
  - $100 for each EHV initially leased, if the PHA reports the voucher issuance date in Public Housing Information Center–Next Generation (PIC–NG) system within 14 days of voucher issuance or the date the system becomes available for reporting.
  - Placement fees:
    - $500 for each EHV family placed under a HAP contract effective within four months of the effective date of the ACC funding increment; or
    - $250 for each EHV family placed under a HAP contract effective after four months but less than six months after the effective date of the ACC funding increment.
    - HUD will determine placement fees in the event of multiple EHV allocations and funding increment effective dates.
    - Placement/expedited issuance fees only apply to the initial leasing of the voucher; they are not paid for family moves or to turnover vouchers.

- **Ongoing administrative fees,** which are calculated in the same way as the standard HCV program:
  - PHAs are allocated administrative fees using the full column A administrative fee amount for each EHV under contract as of the first day of each month.
  - Ongoing EHV administrative fees may be subject to proration in future years, based on available EHV funding.

- **Services fees,** which are a one-time fee to support PHAs' efforts to implement and operate an effective EHV services program in its jurisdiction:
  - The fee is allocated once the HA's ACC is amended to reflect EHV funding.
  - The amount allocated is $3,500 for each EHV allocated.

22.2 D. SERVICE FEES

Services fee funding must be initially used for defined eligible uses and not for other administrative expenses of operating the EHV program. PHA will utilize service fees to assist with the following:

- Housing search assistance;
- Security deposits, utility deposits & arrears, holding fees, application fees;
  - EHV Voucher service fees are also used by PHA to cover participants application fees, security deposits, utility deposits, and utility arrears up to $500.
  - The fees are paid directly to the landlord or utility company by PHA
- Landlord recruitment, incentives and retention payments; A landlord who executes a contract with Riverside PHA on behalf of an EHV household will receive a $2,500 lease signing bonus.
  - In addition: $500 for up to 5 units if a landlord is new to the Section 8 program, or a landlord who has not participated in the last 12 months
- Moving expenses;
- Tenant readiness services;
- Essential household items; up to $3,000 per household.

The eligible uses for service fees may include the following (Said services will be provided by Riverside County's Continuum of Care and its partnering agencies.)

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

Application fees/non-refundable administrative or processing fees/refundable application deposit assistance. The HA may choose to assist the family with some or all these expenses.

Security deposit assistance. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. The HA will pay the security deposit assistance directly to the owner.

Utility deposit assistance/utility arrears. The HA may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The HA will pay the utility deposit assistance directly to the utility company. The HA will require the utility supplier or family to return the utility deposit assistance to the HA at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. The HA may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to the HA will be used for either services fee eligible uses or other EHV administrative costs, as required by HUD.

22.2 E. Owner recruitment and outreach for EHVs. The HA may use the service fee funding to conduct owner recruitment and outreach specifically for EHVs. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments.

22.2 F. Owner incentive and/or retention payments. The HA may make incentive or retention payments to owners that agree to initially lease their unit to an EHV family and/or renew the lease of an EHV family. Payments will be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment). Owner incentive and retentions payments are not housing assistance payments, are not part of the rent to owner, and are not taken into consideration when determining whether the rent for the unit is reasonable.

22.2 G. Moving expenses (including move-in fees and deposits). The HA may provide assistance for some or all of the family's reasonable moving expenses when they initially lease a unit with the EHV. The HA will not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do (e.g., the HA is terminating the HAP contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the family the opportunity to enter a new lease after the initial lease

term, as opposed to the family choosing to terminate the tenancy in order to move to another unit), or a family has to move due to domestic violence, dating violence, sexual assault, or stalking.

22.2 H. Tenant-readiness services. The HA may use services fee funding to help create a customized plan to address or mitigate barriers that individual families may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

22.2 I. Essential household items. The HA may use services fee funding to assist the family with some or all of the costs of acquiring essential household items such as tableware, cooking equipment, beds or bedding, and essential sanitary products, such as soap and toiletries.

22.2 J. Renter's insurance if required by the lease. The HA may choose to assist the family with some or all of this cost, but only in cases where the purchase of renter's insurance is a condition of the lease. Any services fee assistance that is returned to the HA after its initial or subsequent use may only be applied to the eligible services fee uses defined in Notice PIH 2021-15 (or subsequent notice) or other EHV administrative costs. Any amounts not expended for these eligible uses when the HA's EHV program ends must be remitted to HUD.

22.3 PART II: PARTNERING AGENCIES

22.3. A. CONTINUUM OF CARE (CoC)

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

The HA has entered into an MOU with Riverside County's Continuum of Care effective July 29, 2021.

22.3 B. OTHER PARTNERING ORGANIZATIONS

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

The HA may partner with the member agencies of Riverside County's Continuum of Care; a consortium of organizations dedicated to service provision to those experiencing homelessness in Riverside County. Such organizations include Victim Service Providers, City/County government, mental health agencies, hospitals, public housing authorities and persons formerly experiencing homelessness.

22.3 C. REFERRALS

Riverside County CoC Agency Referrals

The primary responsibility of the Riverside County CoC under the MOU with the HA is to make direct referrals of qualifying individuals and families to the HA. The HA must generally refer a family that is seeking EHV assistance directly from the HA to Riverside County's CoC

for initial intake, assessment, and possible referral for EHV assistance. Riverside County's CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHVs. Riverside County's CoC must provide supporting documentation to the HA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance.

Riverside County's CoC must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the HA. Riverside County's CoC agency must certify that the EHV applicants they refer to the HA meet at least one of the four EHV eligibility criteria. The HA will maintain a copy of the referral or certification from Riverside County's CoC agency in the participant's file along with other eligibility paperwork. As part of the MOU, the HA and Riverside County's CoC agency will identify staff positions to serve as lead EHV liaisons. These positions will be responsible for transmission and acceptance of referrals. Riverside County's CoC or partnering agency must commit sufficient staff and resources to ensure eligible individuals and families are identified and determined eligible in a timely manner. Riverside County's CoC though the Coordinated Entry System (CES), Home Connect will be responsible for transmitting referrals. For HA, the Special Programs team will be responsible for receiving referral from the CES, Home Connect.

22.4 PART III: WAITING LIST MANAGEMENT

22.4 A. HCV WAITING LIST

The regulation that requires the HA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 3 does not apply to HA's operation of the EHV program. Direct referrals are added to the HA's HCV waiting list. The HA must inform families on the HCV waiting list of the availability of EHVs, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2021-15. The HA will post information about the EHV program for families on the HA's HCV waiting list on their website. The notice will:

- Describe the eligible populations to which EHVs are limited
- Clearly state that the availability of these EHVs is managed through a direct referral process
- Advise the family to contact Riverside County's CoC, CES HomeConnect if the family believes they may be eligible for EHV assistance.

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

22.4 B. EHV WAITING LIST

The HCV regulations requiring the HA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the EHV program. However, when the number of applicants referred by Riverside County's CoC or partnering agency exceeds the EHVs available, the HA must maintain a separate waiting list for EHV referrals, both at initial leasing and for any turnover vouchers that may be issued prior to September 30, 2023. Further, the EHV waiting list is not subject to PHA policies in Chapter 3 regarding opening and closing the

HCV waiting list. The HA will work directly with Riverside County's CoC to manage the number of referrals and the size of the EHV waiting list.

22.4 C. PREFERENCES

No local preferences have been established for the EHV waiting list.

22.5 PART IV: FAMILY ELIGIBLTY

22.5 A. OVERVIEW

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

22.5 B. REFERRING AGENCY DETERMINATION OF ELIGIBLITY

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

- Homeless as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2021-15), or human trafficking (as defined in 22 U.S.C. Section 7102); or
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability as determined by the CoC or its designee in accordance with the definition in Notice PIH 2021-15. As applicable, Riverside County's CoC agency must provide documentation to the HA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance. The HA must retain this documentation as part of the family's file.

22.5 C. PHA SCREENING

Overview

HUD waived 24 CFR 982.552 and 982.553 in part for the EHV applicants and established alternative requirements for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 15 of this policy do not apply to screening individuals and families for eligibility for an EHV. Instead, the EHV alternative requirement listed in this section will apply to all EHV applicants.

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

Mandatory Denials

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

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

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

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

Permissive Denial
Notice PIH 2021-15 lists permissive prohibitions for which the PHA may, but is not required to, deny admission to EHV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for EHV families must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.
.

HA Policy In compliance with PIH 2021-15, the HA **will not** deny an EHV applicant admission regardless of whether:

- Any member of the family has been evicted from federally assisted housing in the last five years;
- A PHA has ever terminated assistance under the program for any member of the family;
- The family currently owes rent or other amounts to the HA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;
- The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;The family breached an agreement with a PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA;
- The family would otherwise be prohibited admission under alcohol abuse standards established by the HA in accordance with 24 CFR 982.553(a)(3);
- The HA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

22.5 D. INCOME VERIFICATION AT ADMISSION

Self-Certification at Admission
The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the EHV program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such,

HA's policies related to the verification of income in Chapter 7.3.1 does not apply to EHV families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination. Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the HA's request.

HA Policy
Any documents used for verification must be the original or authentic and dated within the 60-day period prior to admission. The documents must not be damaged, altered, or in any way illegible. Printouts from webpages are considered original documents. Any family self-certifications must be made in a format acceptable to the HA and must be signed by the family member whose information or status is being verified. The HA will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 15. The HA will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later. The HA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 17. If the family fails to repay the excess subsidy, the HA will terminate the family's assistance in accordance with the policies in Chapter 15.

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

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

HA Policy
The HA will accept income calculations and verifications from third-party providers provided they meet the criteria outlined above. The family certification must be made in a format acceptable to the HA and must be signed by all adult family members whose information or status is being verified. At the time of the family's annual reexamination the HA must conduct the annual reexamination of income as outlined at 24 CFR 982.516 and PHA policies in Chapter 12.

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

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

Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search.
If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 15.

22.5 5. E. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION

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

HA Policy
The HA will admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. These individuals must provide the required documentation in accordance with policies in Chapter 7 within 180 days of admission. The HA may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC agency that the family has If the HA determines that an ineligible family received assistance, the HA will take steps to terminate that family from the program in accordance with policies in made a good-faith effort to obtain the documentation.

22.5 5.F. AGE AND DISABILITY VERIFICATION

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.
If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

HA Policy
The HA will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to the HA and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, the HA will verify the information in EIV or through other third-party verification if the information is not available in EIV. The HA will note the family's file that self-certification was used as initial verification and include an EIV printout or other third-party verification confirming the applicant's date of birth and/or disability status. If the HA determines that an ineligible family received assistance, the HA will take steps to terminate that family from the program in accordance with policies in Chapter 15.

22.5 5.G. INCOME TARGETING

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

HA Policy

The HA will not include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted. However, the HA will include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

22.6 PART V: HOUSING SEARCH AND LEASING

22.6 6.A. INITIAL VOUCHER TERM

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial search term of at least 120 days.

HA Policy

As outlined in Section 8.8, all EHVs will have an initial term of 180 calendar days. The family must submit a Request for Tenancy Approval and proposed lease within the 180-day period unless the HA grants an extension.

22.6 6.B. HOUSING SEARCH ASSISTANCE

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

At a minimum, housing search assistance must:

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

HA Policy

The HA will:

- Conduct owner outreach;

On a case by case basis, provide directions to potential units as part of the EHV briefing packet;Expedite the EHV leasing process for the family to the extent practicable and in accordance with policies in this chapter

The CoC will:

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

22.6 6.C. HQS PRE-INSPECTIONS

To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be

HA Policy

The HA will not be pre-inspecting units. Instead HA will have dedicated EHV Housing Specialist to facilitate and expedite the leasing process, the PHA may pre-inspect available units that EHV families may be interested in leasing to maintain a pool of eligible units. If an EHV family selects a unit that passed an HQS pre-inspection and lease up process.

22.6 6.D. INITIAL LEASE TERM

Unlike in the standard HCV program, EHV voucher holders may enter into an initial lease term that is for less than 12 months.

22.6 6.E. PORTABILITY

The normal HCV portability procedures and requirements outlined in Chapter 13 generally apply to EHVs. Exceptions are addressed below.

Nonresident Applicants

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied.

Billing and Absorption

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHVs under its own ACC.
If the EHV family moves under portability to another PHA that administers EHVs under its own ACC:
The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do so).
If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.
Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.

- If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

Family Briefing

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

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

HA Policy
In addition to following HA policy on briefings in Chapter 8, as part of the briefing packet for EHV families, the HA will include a written notice that the HA will assist the family with moves under portability. For limited English proficient (LEP) applicants, the HA will provide interpretation services in accordance with Appendix D of this document. Service Policy/Accommodations and Translation of Documents outlined, item 1.3 & 1.4

Coordination of Services
If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family.

HA Policy
For EHV families who are exercising portability, the HA contacts the receiving PHA in accordance with Chapter 13. The PHA will consult and coordinate with the receiving PHA to ensure there is no duplication of EHV services and assistance, and ensure the receiving PHA is aware of the maximum amount of services fee funding that the initial PHA may provide to the receiving PHA on behalf of the family.

Services Fee
Standard portability billing arrangements apply for HAP and ongoing administrative fees for EHV families.
For service fees funding, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the receiving PHA or $1,750, unless the initial PHA and receiving PHA mutually agree to change the $1,750 cap. Service fees are paid as follows:

- If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA, regardless of whether the receiving PHA bills or absorbs.

If the receiving PHA administers EHVs, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance.

If the receiving PHA does not administer EHVs, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

Placement Fee/Issuance Reporting Fee
If the portability lease-up qualifies for the placement fee/issuance reporting fee, the receiving PHA receives the full amount of the placement component of the placement fee/issuing

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

22.6 6.F. PAYMENT STANDARDS

Payment Standard Schedule

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

- Defining the "basic range" for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).

Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs.

The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area. The PHA must notify HUD if it establishes an EHV exception payment standard based
on the SAFMR.

HA Policy

The HA will utilize the same payment standard schedule established for the regular HCV Program as outlined in Chapter 11.

Rent Reasonableness

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

Increases in Payment Standards

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

HA Policy

The HA may apply increased payment standards as stated above based on available budget authority.

22.6 6.G. TERMINATION OF VOUCHERS

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

If an applicant family that was issued the EHV is unsuccessful in finding a unit and the EHV expires after September 30, 2023, the EHV may not be reissued to another family.
All EHVs under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since this prohibition only applies to EHVs that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHVs to cease leasing any unleased EHVs if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families.

22.7 PART VI: USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS

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

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

The Emergency Housing Voucher (EHV) Program was established by the U.S. Department of Housing and Urban Development (HUD) as a temporary emergency housing resource under the American Rescue Plan Act to address urgent housing needs during and after the COVID-19 public health emergency. As outlined in HUD PIH Notice 2025-19, funding for EHV assistance is limited, and HUD has directed housing authorities to transition households into the Housing Choice Voucher Program, as EHV funds will be fully expended by December 31, 2026.

The Emergency Housing Voucher (EHV) Program was established by the U.S. Department of Housing and Urban Development (HUD) under the American Rescue Plan Act as a temporary emergency housing resource to address urgent housing needs resulting from the COVID-19 public health emergency. As provided in HUD PIH Notice 2025-19, funding for EHV assistance is limited, and HUD has directed public housing agencies to transition EHV-assisted

households to the Housing Choice Voucher (HCV) Program, as EHV funding will be fully expended by December 31, 2026. In accordance with HUD guidance, the Housing Authority of the County of Riverside (HACR) may apply any applicable local preferences when placing EHV families on the HCV waiting list. As a result, HACR has proceeded with applying EHV as a local preference in order to successfully transition EHV families prior to the expiration of available funding.

The PHA must comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15.
The PHA must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent to the administration of the EHVs in accordance with the HCV program requirements at 24 CFR 982.158.

[Intentionally Blank]

CHAPTER 23

FAMILY UNITIFCATION PROGRAM (FUP) and FOSTER YOUTH TO INDEPENDENCE (FYI)

23.1 INTRODUCTION

FUP

The Family Unification Program (FUP) is designed to promote family stability and permanency by providing targeted housing assistance and supportive services to eligible families and youth. FUP is a program under which Housing Choice Vouchers are provided to 1) families for whom the lack of adequate housing is a primary barrier to family reunification or a contributing factor to the risk of out-of-home placement and 2) ages 18 through 24 who have exited foster care or will exit foster care within 90 days and who are homeless or at risk of homelessness.
Through collaboration between public housing authorities and public child welfare agencies (PCWA) , FUP offers housing vouchers combined with case management and supportive services. These services aim to improve housing stability, strengthen family functioning, and support long-term self-sufficiency.
There is no time limit on FUP vouchers issued to families. As required by statute, FUP vouchers issued to youth are limited to 36 months unless the youth meets the requirements to receive an extension of assistance under the Fostering Stable Housing Opportunities (FSHO) amendments. FSHO provides FUP youth an extension of the 36-month time limit for up to an additional 24 months if they meet certain requirements.

The Housing Authority of the County of Riverside was awarded a total of 180 FUP vouchers for eligible families and youth.

FYI

The Foster Youth to Independence (FYI) Initiative was established in 2019 to provide Housing Choice Voucher (HCV) assistance to youth with a history of foster care involvement and who are experiencing or at risk of experiencing homelessness.
Similar to the Family Unification Program (FUP) vouchers for youth, the FYI Initiative also carries a 36-month limit on assistance and additional 24 months extension if the meet the requirement under the FSHO.
A distinguishing feature of the FYI Initiative compared to FUP vouchers is that HUD provides the FYI vouchers on demand and in response to PHA requests. Once youth are identified by PCWAs and referred to their partnering PHAs, the PHAs screen for HCV eligibility and then request vouchers directly from HUD's Office of Public and Indian Housing (PIH).

The Housing Authority of the County of Riverside was awarded a total 100 FYI for eligible youth.

23.2 PROGRAM PARTNERSHIP AND ROLES

The Housing Authority administers FUP (families/youth) and FYI vouchers in partnership with the County Department of Public Social Services (DPSS), acting as the Public Child Welfare Agency (PCWA).
The Housing Authority is responsible for Administering Housing Choice Vouchers in

compliance with HUD regulations and FYI/FUP requirements and is responsible for:

- Determining HCV eligibility and conducting income and household composition reviews,
- Issuing vouchers and executing Housing Assistance Payment (HAP) contracts
- Providing housing search assistance, landlord outreach, and lease-up support
- Offering post-move housing stabilization services and informal hearings as required by regulation
- Ensuring required amendments to the Administrative Plan reflect FYI/FUP provisions

The Department of Social Services is responsible for:

- Identifying and certifying eligibility for FUP (families /youth) and FYI vouchers
- Providing written certification that families or youth meets statutory and HUD eligibility requirements
- Referring FUP families/youth and FYI to the Housing Authority in a timely manner
- Coordinating or providing supportive services following lease-up
- Participating in joint case coordination meetings and program evaluation efforts

23.3 ELIGIBLITY REQUIREMENTS

To qualify for FUP families must meet the DPSS requirement for referral to the Housing Authority. Once, a referral is received by the Housing Authority and meets HCV eligibility requirements.

To qualify for FUP youth and FYI assistance, an applicant must:

- Be at least 18 years old and no more than 24 years of age at the time of referral and has not reached their 25th birthday
- Have exited foster care or be scheduled to exit foster care within 90 days
- Be homeless or at risk of homelessness as defined by HUD
- Be certified as eligible by the PCWA
- Meet all HCV program eligibility requirements, including citizenship/immigration status and background screening

FYI/FUP Youth vouchers are limited to maximum assistance of 36 months. Additional 24 months extension is provided to the youth if they meet the requirement under the FSHO.

23.4 WAITING LIST AND REFERRALS

FUP families/youth and FYI are admitted through direct referral from DPSS rather than the general HCV waiting list. When required:

- FUP/FYI not currently on the HCV waiting list will be placed on the list upon referral

- If the HCV waiting list is closed, it will be opened for FYI/FUP Youth referrals as required by HUD
- Youth already on the HCV waiting list will be assisted according to their position on the list

The Housing Authority coordinates closely with DPSS to ensure timely intake when vouchers are available.

23.5 VOUCHER ISSUANCE AND HOUSING SEARCH ASSISTANCE

The Housing Authority provides:

- Briefings tailored to FYI/FUP Youth participants
- Housing navigation assistance, including unit referrals, landlord engagement, and neighborhood orientation
- Financial assistance for application fees, security deposits, moving costs, and utility start-up, subject to funding availability
- Support for leasing in high-opportunity and low-poverty areas

23.6 SUPPORTIVE SERVICES

Participation in supportive services is a core component of the FUP (families/youth) and FYI Program. The Housing Authority encourage FUP and FYI participant to enroll in the Family Self-Sufficiency (FSS) Program or another HUD-approved service model. Especially, the FUP youth and FYI in order to extend an additional 24 months of their rental assistance.
Supportive services may include:

- Life skills training and financial literacy
- Employment, education, and vocational counseling
- Health, mental health, and behavioral health referrals
- Lease compliance education and landlord mediation
- Ongoing case management for housing stability

Services are provided directly or through partnerships with community-based organizations and county agencies.

23.7 PROGRAM COMPLIANCE AND TERMINATION

FUP and FYI participants must comply with all HCV program requirements, lease obligations, and service participation agreements. Failure to comply may result in termination of assistance in accordance with HUD regulations and due process requirements, including the right to an informal hearing.

APPENDIX A: GLOSSARY

ABSORPTION: The point at which a receiving HA stops billing the initial HA for assistance on behalf of a portability family. The receiving HA uses funds available under the receiving HA consolidated Annual Contributions Contract (ACC).

ACTUAL COVERED COSTS: are the actual costs of tuition, books and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, or other fees required and charged to a student by the education institution, and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

ADJUSTED INCOME: Annual income, less allowable HUD deductions.

ADMINISTRATIVE FEE: Fee paid by HUD to the HA for administration of the program.

ADMINISTRATIVE FEE RESERVE (formerly Operating Reserve): Account established by HA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMISSION: The effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

AHAP: Agreement to enter into a Housing Assistance Payments Contract.

ALCOHOL ABUSE: HA has determined that a pattern of alcohol abuse exists when, there are two or more criminal charges involving alcohol during a two year period (excluding alcohol-related DUI/DWI criminal charges). Alcohol-related DUI/DWI criminal charges do not require more than one offense to be considered abuse of alcohol; and one alcohol-related DUI/DWI offense is a violation of the HA Policy on Prohibited Criminal Activity. All persons receiving rental assistance, regardless of age, will be held to the same standard. Exceptions to this policy may be granted to VASH Program applicants and participants and special needs programs which includes programs that serve homeless individuals/families, the Family Unification Program (FUP) which serves families with an active case with Child Protective Services that are working through the reunification process and HIV/AIDS serving programs.

ANNUAL CONTRIBUTIONS CONTRACT (ACC): A written contract between HUD and an HA. Under the contract HUD agrees to provide funding for operation of the program, and the HA agrees to comply with HUD requirements for the program.

ANNUAL CONTRIBUTIONS CONTRACT RESERVE ACCOUNT (formerly Project Reserve): Account established by HUD from amounts by which the maximum payment to the HA under the consolidated ACC (during an HA fiscal year) exceeds the amount actually approved

and paid. This account is used as the source of additional payments for the program.

ANNUAL INCOME:
Annual income includes, with respect to the family: All amounts, not specifically excluded in paragraph CFR 5.609 (b) of this section, received from all sources by each member of the family who is 18 years of age or older or is the head of household or spouse of the head of household, plus unearned income by or on behalf of each dependent who is under 18 years of age, and when the value of net family assets exceeds $50,000 (which amount HUD will adjust annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers) and the actual returns from a given asset cannot be calculated, imputed returns on the asset based on the current passbook savings rate, as determined by HUD.

APPLICANT (or applicant family): A family that has applied for admission to a program, but is not yet a participant in the program.

ASSETS: Net family assets is the net cash value of all assets owned by the family, after deducting reasonable costs that would be incurred in disposing real property, savings, stocks, bonds, and other forms capital investment.

ASSISTED TENANT: A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Housing Choice Voucher assistance and all other 236 and 221 (d)(3) Below Market Interest Rate (BMIR) tenants, except those paying the 236 market rent or 120 percent of the BMIR rent, respectively.

BUDGET AUTHORITY: An amount authorized and appropriated by the Congress for payment to the HA under the program. For each funding increment in an HA program, budget authority is the maximum amount that may be paid by HUD to the HA over the ACC term of the funding increment.

CHILD CARE EXPENSES: Reasonable amounts (based on average county wide costs determined by a yearly survey of child care providers and not exceeding the earned income) paid by the family for the care of minors 12 years of age and younger where such care is necessary to enable a family member to be employed or for a household member to further his/her education.

CITIZEN: A citizen or national of the United States.

CO-HEAD: A co-head is the boyfriend, girlfriend, or significant other of the head of the household. This person has equal responsibility for the lease. A family may have a spouse or co-head, but not both. A co-head never qualifies as a dependent (50058 Instruction Booklet-3h). A Co-head may qualify the family as a disabled or elderly household and consequently receive a $400 annual allowance. (24 CFR 5.403 for disabled/elderly definition of a "family"—"two or more persons living together").

CONTINUOUSLY ASSISTED: If the family is already receiving assistance under any 1937 Housing Act program when admitted to the Voucher program the applicant is considered continuously assisted under the 1937 Housing Act.

CONTRACT: (See Housing Assistance Payments Contract.)

CONTRACT AUTHORITY: The maximum annual payment by HUD to an HA for a funding increment.

CONTRACT RENT: Contract Rent is the total rent paid to the owner, including the tenant payment and the HAP payment from the HA.

COVERED PERSON: A tenant, any member of the tenant's household, a guest or another person under the tenant's control.

CREDIBLE EVIDENCE: May be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

DATING VIOLENCE: Violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) the type of the relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

DAY LABORER: An individual hired and paid one day at a time without an agreement that the individual will be hired or work again in the future.

DEPENDENT: A member of the family household (excluding foster children and foster adults) other than the family head or spouse/co-head, who is under 18 years of age or is a disabled person or handicapped person, or is a full-time student 18 years of age or over.

DE MINIMIS ERROR: An error that results in a difference in the determination of a family's adjusted income of $30 or less per month.

DISABLED PERSON: A person who is any of the following:

1. A person who has a disability as defined in Section 223 of the Social Security Act. (42 U.S.C. 423).
2. A person who has a physical, mental, or emotional impairment that:
   a. Is expected to be of long-continued and indefinite duration;
   b. Substantially impedes his or her ability to live independently; and
   c. Is of such a nature that ability to live independently could be improved by more suitable housing conditions.
3. A person who has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)).

DISABLED FAMILY: A family whose head (including co-head), spouse, or sole member is a person with a disability. It may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.

DISPLACED PERSON: A person displaced by governmental action, or a person whose

dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMICILE: The legal residence of the household head or spouse/co-head as determined in accordance with state and local law.

DOMESTIC VIOLENCE: Felony or misdemeanor crimes of violence committed by a current or former spouse/co-head of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse/co-head, by a person similarly situated to a spouse/co-head of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

DRUG: A controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

DRUG-RELATED CRIMINAL ACTIVITY: The illegal manufacture, sale, distribution, possession or use of a drug; or the possession of a drug with intent to manufacture, sell, transport, distribute or use the drug. One drug-related DUI/DWI offense within the last three (3) years is a violation of the HA Policy on Prohibited Criminal Activity.

EARNED INCOME: Income or earnings from wages, tips, salaries, other employee compensation, and net income from self-employment. Earned income does not include any pension or annuity, transfer payment (meaning payments made or income received in which no goods or services are being paid for, such as welfare, social security, and governmental subsidies for certain benefits), or any cash or in-ind benefits.

ELDERLY FAMILY: A family whose head (including co-head), spouse or sole member is a person who is at least 62 years of age.

EMERGENCY HOUSING VOUCHERS (EHV): The vouchers are designed to assist individuals and families experiencing homelessness, at risk of experiencing homelessness, or fleeing/attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. They also support those who were recently homeless and for whom providing rental assistance will prevent the family's homeless or having high risk of housing instability.

EVIDENCE OF CITIZENSHIP: Evidence of citizenship or eligible immigration status means the documents that must be submitted to verify citizenship or eligible immigration 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 or Certificate of Naturalization. Copies do not demonstrate Evidence of Citizenship.

EXCEPTION AREA: A payment standard amount that is higher than the basic range for a designated part of the fair market rent area. At this time, no exception areas are available.

EXCESS MEDICAL EXPENSES: Any medical expenses incurred by elderly or disabled families only, in excess of 10 percent of annual income that are not reimbursable from any other

source.

EXTREME ELDERLY FAMILY: A family where the Head of Household, spouse or co-head who is 70 years of age or older.

EXTREMELY LOW INCOME: A family whose annual incomes do not exceed the higher of either the federal poverty level or 30 percent of the area median income (AMI).

FAIR MARKET RENT (FMR): The rent including the cost of utilities (water, sewer,gas,trash, electric) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. Fair market rents for existing housing are established by HUD for housing units of varying sizes (number of bedrooms) and are published annually in the *Federal Register* in accordance with HUD regulations.

FAMILY: includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

(1) A single person, who may be:

(i) An elderly person, displaced person, disabled person, near-elderly person, or any other single person;

(ii) An otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age 16 or older; or

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

(i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);

(ii) An elderly family;

(iii) A near-elderly family;

(iv) A disabled family;

(v) A displaced family; and

(vi) The remaining member of a tenant family.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM): The program established by an HA to promote self-sufficiency of assisted families, including the provision of supportive services.

FAMILY UNIFICATION PROGRAM (FUP): A HUD-specified funded program (CFR

982.204 (e)) for families for whom lack of adequate housing is a primary factor in the separation, or threat of imminent separation, of children from their families or in the prevention of reunifying the children with their families. All families must be referred by the local Public Child Welfare Agency and be selected from the waiting list in order of registration date.

FIXED INCOME includes income from:

- Social Security (SS), Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI); or
- Federal, State, local, and private pensions plans; or
- 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.

FOSTER CARE YOUTH (for purposes of the HUD-funded FUP allocation): A youth at least 18 years old and not more than 24 years old (have not reached their 25th birthday) who left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless who left foster care at age 16 or older and who lacks adequate housing. By statute, housing assistance is limited to 36 months except for Foster Care Youth who sign a FSS Contract of Participation (Form HUD-52650), as part of the FUP FSS Demonstration, prior to the expiration of the 36 month time limit in which case will maintain their housing assistance for a period not exceeding the length of the FSS Contract of Participation. In most cases, this limit will be no more than 5 years; however, if the FSS Contract of Participation is extended (in accordance with 24 CFR 984.303(d) the FUP Youth voucher can be extended (no more than 2 years beyond the initial 5 year expiration date) for the entire length of the FSS Contract of Participation.

FOSTER ADULT: member of the household who is 18 years of age or older and meets the definition of a foster adult under State law. In general, a foster adult is a person who is 18 years of age or older, is unable to live independently due to a debilitating physical or mental condition and is placed with the family by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.

FOSTER CHILD: A member of the household who meets the definition of a foster child under State law. In general, a foster child is placed with the family by an authorized placement agency (*e.g.,* public child welfare agency) or by judgment, decree, or other order of any court of competent jurisdiction.

FOSTER CHILD CARE PAYMENT: Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FOSTER YOUTH TO INDEPENDENCE (FYI) for purposes of the HUD-funded FYI targeted allocation in accordance with PIH Notice 2020-28/FR-6400-N-41: A youth at least 18 years old and not more than 24 years old (have not reached their 25th birthday) who left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older. By statute, housing assistance is limited to 36 months.

FULL-TIME STUDENT: A person who is carrying a subject load that is considered full time

for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

FUNDING INCREMENT: Each commitment of budget authority by HUD to an HA under the consolidated annual contributions contract for the HA program.

GANG-RELATED CRIMINAL ACTIVITY: The illegal participation in a gang, including but not limited to, criminal charges outlined under Penal Code 186.22 PC "California Street Terrorism Enforcement and Prevention Act" or more commonly referred to as the California's street gang enhancement law, consisting of the following:

1. **Penal Code 186.22(a) PC, the crime of participation in a gang**
This part of the law makes it a crime to participate in a street gang and assist in any felony criminal conduct by the gang's members.

2. **Penal Code 186.22(b) PC, the gang sentencing enhancement.**
This part of the law provides that anyone who commits a felony for the benefit of a gang will receive a mandatory prison sentence . . . *in addition and consecutive to* the penalty s/he receives for the underlying felony.

Depending on the circumstances of the offense, Penal Code 186.22(b) PC could mean an additional two (2) to fifteen (15) years, or even twenty-five (25)-years-to-life, in prison...even if you're not a gang member, and even if you aren't the individual who was most directly responsible for committing the underlying felony.

GROSS RENT: The sum of the Contract Rent plus the current utility allowance. If there is no utility allowance, Contract Rent equals Gross Rent. The Gross Rent will be used as the payment standard when it is less than the authorized payment standard.

GUEST/VISITOR: A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to do so consent on behalf of the tenant. Any person not included on the Form HUD 50058 (except minors as noted below) who has been in the unit more than 14 consecutive days, or a total of 30 cumulative 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 (See Section 6.2.7).

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.

HA: A Housing Authority - either a Public Housing Agency or an Indian Housing Authority or both. The Housing Authority of the County of Riverside is referred to as "HA" or "Housing Authority" throughout this document.

HANDICAP ASSISTANCE: Anticipated costs for care aides and auxiliary apparatus for

handicapped or disabled family members that enable a family member (including the handicapped family member) to work.

HANDICAPPED PERSON: [Referred to as a Person with a Disability]. A person having a physical or mental impairment which:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and
3. Is of such nature that such ability could be improved by more suitable housing conditions.

HAP CONTRACT: (See Housing Assistance Payments Contract.)

HARD TO HOUSE: Families with three or more minor children are considered a hard to house family. Families that have a disabled person are considered as a hard to house family. Special assistance will be given to these families in finding a rental unit other than their pre-program unit.

HEAD OF HOUSEHOLD: The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HEALTH AND MEDICAL CARE EXPENSES: Health and medical care expenses are any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed.

HOMELESS: Any person or family that: 1) lacks a fixed, regular and adequate nighttime residence; and 2) has a primary nighttime residence that is: (a) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing); (b) an institution that provides a temporary residence for persons intended to be institutionalized; or (c) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

HOUSEHOLD: All persons living in the assisted home who have been authorized by the HA. Any person living in the household without permission of the HA is considered an unauthorized occupant.

HOUSING AGENCY: A state, county, municipality or other governmental entity or public body authorized to administer the program. The term "HA" includes an Indian housing authority (IHA). (HA and PHA mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974: Act in which the U.S. Housing Act of 1937 (sometimes referred to as the Act) was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PAYMENT: The monthly assistance payment by an HA. The total assistance payment consists of:

1. A payment to the owner for rent to owner under the family's lease
2. An additional payment to the family if the total assistance payment exceeds the rent to owner. The additional payment is called a utility reimbursement payment.

HOUSING ASSISTANCE PAYMENTS (HAP) CONTRACT: A written contract between the HA and an owner in the form prescribed by HUD, in which the HA agrees to make housing assistance payments to the owner on behalf of an eligible family.

HOUSING ASSISTANCE PLAN: (1) A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. (2) A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS): The HUD minimum quality standards for housing assisted under the tenant-based programs.

HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2016 (HOTMA): HOTMA makes numerous amendments to Sections 3, 8, and 16 of the United States Housing Act of 1937 (1937 Act), including significant changes to income calculation, net family assets, and income reviews.

HUD: The U.S. Department of Housing and Urban Development.

HUD REQUIREMENTS: HUD requirements for the Housing Choice Voucher programs. HUD requirements are issued by HUD headquarters as regulations, Federal Register notices or other binding program directives.

IMPUTED ASSET: Asset disposed of for less than Fair Market Value during the two years preceding examination or reexamination and valued at more than $50,000.

IMPUTED ASSET INCOME: HUD passbook rate times total cash value of assets. Imputed asset income is used when assets exceed $50,000. [pursuant to PIH 2012-29 NOTE: HA is using the current national rates established by the Federal Deposit Insurance Corporation (FDIC)]

IMPUTED WELFARE INCOME: The difference between the actual welfare grant received by the family and the amount that would be received by the family if a family member was not sanctioned for fraud, or failure to participate in an economic self sufficiency program, or comply with a work activities requirement.

INCOME: Income from all sources of each member of the household as determined in accordance with HUD regulations for included and excluded income.

INCOME FOR ELIGIBILITY: Annual Gross Income.

INDIAN: Any person recognized as an Indian or Alaska Native by an Indian Tribe, the Federal Government, or any State.

INDEPENDENT CONTRACTOR: An individual who qualifies as an independent contractor

instead of an employee in accordance with the Internal Revenue Code Federal income tax requirements and whose earnings are consequently subject to the Self-Employment Tax. In general, an individual is an independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done.

INDIAN HOUSING AUTHORITY (IHA): A housing agency established either:
1. By exercise of the power of self-government of an Indian Tribe, independent of state law, or
2. By operation of state law providing specifically for housing authorities for Indians

INTEREST REDUCTION SUBSIDIES: The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

LANDLORD: This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner. "Landlord" and "Owner" are used interchangeably. See definition of Owner.

LEASE: A written agreement between an owner and an eligible family for the leasing of a housing unit. The Housing Choice Voucher Program has an Addendum to the Lease that has mandatory language that must be incorporated into any lease the HA uses.

LEGAL GUARDIAN: A guardian appointed by the court to represent the interests of infants, the unborn, or incompetent persons in legal actions. Guardians are adults who are legally responsible for protecting the well-being and interests of their ward, who is usually a minor.

LIVE-IN AIDE: A person 18 years or older who resides with a disabled person and who:
1. Is determined to be essential to the care and well being of the person
2. Is not obligated for the support of the person
3. Would not be living in the unit except to provide necessary supportive services
4. Is recommended 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 2008-20 (HA), 2009-22, and 2010-51 (HA for live-in Aide provisions.

LOCAL PREFERENCE: A preference used by the HA to select among applicant families.

LOW-INCOME FAMILY: A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family incomes.

MARKET RENT: The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in a FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for Housing Choice Voucher

Program. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSE: Those total medical expenses, including medical insurance premiums that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance.

MINOR: A member of the family household (excluding foster children) other than the family head or spouse/co-head who is under 18 years of age.

MIXED FAMILY: A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

MONTHLY ADJUSTED INCOME: 1/12 of the annual income less allowable HUD deductions in accordance with Part 5.

MONTHLY INCOME: 1/12 of the annual gross income.

NATIONAL: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NEAR-ELDERLY: A person whose head (including co-head), spouse, or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62.

NET FAMILY ASSETS: the net cash value of all assets owned by the family, after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment. This definition includes the cash value of all family assets with the exception of the expanded and enumerated exclusions.

NON-CITIZEN: A person who is neither a citizen nor national of the United States.

NUCLEUS FAMILY: All family members at the time of initial voucher issuance (Intake) plus any members added by marriage, birth, adoption, or court awarded custody.

OCCUPANCY STANDARDS: [Also referred to as Subsidy Standards] Standards established by an HA to determine the appropriate number of bedrooms for households. The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.

OTHER PERSON UNDER THE TENANT'S CONTROL: A person, although not staying as a guest in the unit, who is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the tenant's control.

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 be issued a new Voucher 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 move, the Voucher will be issued with the correct subsidy standard. The amount the family pays for rent must be affordable and the tenant 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.

OWNER: Any persons or entity having the legal right to lease or sublease housing.

PARTICIPANT: A family that has been admitted to the HA's Housing Choice Voucher Program. The family becomes a participant on the effective date of the first HAP contract executed by the HA for the family (First day of initial lease term).

PAYMENT STANDARD: The amount used to calculate the housing assistance a family will receive in the HA's Housing Voucher Program.

PCWA: Public Child Welfare Agency

PREFERENCE: See Local Preference.

PREMISES: The building or complex or development in which the public or assisted housing dwelling unit is located, including common areas and grounds.

PROGRAM INTEGRITY MONITORING (PIM): The prevention, detection and investigation of program abuse and fraud. It is driven by the mission of the organization and conducted in a manner respectful of the public, program participants, employees and owners.

PUBLIC ASSISTANCE: Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, State or Local Governments.

PUBLIC HOUSING AGENCY (PHA): A state, county, municipality, or other governmental entity or public body authorized to administer the programs. The term PHA includes an Indian Housing Authority (IHA). (HA and PHA mean the same thing.) In this Administrative Plan for the Housing Choice Voucher Program, the Housing Authority of the County of Riverside is a PHA.

RANKING PREFERENCE: A preference used by the HA to select among applicant families that qualify for a preference.

REASONABLE ACCOMMODATION: In order to grant equal access and/or an equal opportunity to participate in the HCVP, the PHA will consider requests for reasonable accommodation (reasonable adjustments to the rules, policies, practices, procedures which do not reduce or waive the essential requirements of the program) by persons with disabilities.

Accommodations are not reasonable if they require fundamental alterations in the nature of the program, or impose undue financial burdens on the PHA. Requests for reasonable accommodation will be considered on a case-by-case basis.

REMAINING MEMBER OF TENANT FAMILY: The remaining family member is a member of the family who remains in the assisted unit after the death of the Head of Household, or removal of the Head of Household to an assisted living environment, or government facility. To be considered the remaining member of the tenant family, the person(s) must have been previously approved as part of the family by the HA and be currently living in the unit, and at least one remaining member must be a United States Citizen or an eligible immigrant.

RENT TO OWNER: The total amount of rent payable to the owner by the family and the HA per month for an assisted unit. Side payments are prohibited.

RESIDENCY PREFERENCE: Given to those applicants who, at the time of release from the waiting list, either: a) reside in the County of Riverside or b) work (head/ spouse/co-head or sole member of the household is employed) or have been notified that they are hired to work in the County of Riverside. Acceptable evidence to establish residency includes one or more of the documents listed below:

- Lease agreement
- Current utility bill/s (within the last 60 days)
- Current income verifications (within the last 60 days) including employment or benefits from a government/state agency such as Social Security Administration, Employment Development Department (EDD), and the Department of Public Social Services (DPSS)
- Current bank statements (within the last 60 days) which demonstrate the majority of activity in Riverside County
- ID/Drivers License with a Riverside County address and/or current registration from the Department of Motor Vehicles (DMV)
- Current school registration (within the last 60 days)

RESPONSIBLE ENTITY: The person or entity responsible for administering the restrictions on providing assistance to non-citizens with ineligible immigration status (the HA).

SEASONAL WORKER: An individual who is hired into a short-term (6-months or fewer) position and the employment begins about the same time each year (such as summer or winter). Typically, the individual is hired to address seasonal demands that arise for the particular employer or industry.

SECRETARY: The Secretary of Housing and Urban Development

SECURITY DEPOSIT: A dollar amount that can be applied to unpaid rent, damages or other amounts to the owner under the lease.

SHARED HOUSING: Anassisted family shares a unit with the other resident or residents of the unit (See 982.615). The owner of the assisted unit may not live in the unit if they are a relative.

SINGLE PERSON: A person living alone or intending to live alone.

SINGLE ROOM OCCUPANCY (SRO): housing type that provides living and sleeping space for the exclusive use of the occupant, but requires the occupant to share sanitary and/or food preparation facilities.

SPECIAL RENTAL ASSISTANCE PROGRAM (for purposes of Level 1 preference): Active participants that have utilized one of the below rental assistance programs for a minimum of six (6) months and no longer require supportive services. Households are eligible to transition to a regular Housing Choice Voucher provided they meet all other eligibility requirements. Verification from the supportive services provider stating that supportive services are no longer needed is required. Eligible programs are:

- Housing Options Program (HOP),
- Veterans Affairs Supportive Housing (VASH)
- Tenant Based Rental Assistance (TBRA)
- Rental Assistance established under a Memorandum of Understanding between the HA and other entities.
- Foster Youth to Independence (FYI)

SPORADIC INCOME: Income that is not regularly received by the household but is received no more than six times in a year.

SPOUSE: The husband or wife of the head of the household. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It does not cover boyfriends, girlfriends, significant others, or "co-heads".

STALKING: Stalking means (A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; or (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and (B) in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of the person; or (iii) the spouse/co-head or intimate partner of that person. As used above, immediately family is defined to mean "with respect to a person (A) a spouse/co-head, parent, brother or sister, or child of that person, or an individual to whom that person stands in loco parentis; or (B) any other person living in the household of that person and related to that person by blood or marriage."

SUBSIDIZED PROJECT: A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) that receives the benefit of subsidy in the form of:

1. Below-market interest is pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or
2. Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or
3. Direct loans pursuant to Section 202 of the Housing Act of 1959; or
4. Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;
5. Payments under the Housing Assistance Payments Program pursuant to Section 8 of the

United States Housing Act after amendment by the Housing and Community Development act unless the project is owned by a Public Housing Agency;
6. A Public Housing Project.

SUBSIDY STANDARDS: Standards established by an HA to determine the appropriate number of bedrooms for households. The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.

SUPPORTIVE HOUSING: Supportive housing means that the project makes supportive services available for all of the assisted families in the project and provides a range of services tailored to the needs of the residents occupying such housing. Such services may include (but are not limited to): (A) meal service adequate to meet nutritional need, (B) housekeeping aid, (C) personal assistance, (D) transportation services; (E) health-related services; (F) educational and employment services; or (G) other services designed to help the recipient live in the community as independently as possible.

TENANT: Tenant is used to refer to participants in terms of their relation to landlords as lessee.

TENANT RENT (Also called Net Family Contribution): The amount payable monthly by the family as rent to the owner (including a HA in other programs). Where all utilities (except telephone and cable) and other essential housing services are supplied by the owner, tenant rent equals total tenant payment. Where some of all utilities (except telephone and cable) and other essential housing services are not supplied by the owner and the cost thereof is not included in the amount paid as rent to the owner, tenant rent equals total tenant payment less the utility allowance in the Certificate program. In the Voucher program, tenant rent is rent to owner less HAP.

TOTAL TENANT PAYMENT (TTP): The amount the HUD rent formula requires the tenant to pay toward rent and utilities.

TRANSITIONAL HOUSING: A housing unit located in a building that contains sleeping accommodations, kitchen, and bathroom facilities. Used exclusively to facilitate the transition of homeless individuals to independent living within twenty-four (24) months and where a governmental body or qualified nonprofit organization provides those individuals with temporary housing and supportive services to assist them in finding and keeping permanent housing. Transitional Housing does not meet the shelter preference.

UNDER-HOUSED (UNIT TOO SMALL FOR SIZE OF FAMILY):
If a unit does not meet HQS and/or NSPIRE space standards due to an increase in family size by birth, adoption, court awarded custody or marriage, the HA will issue a new Voucher.

UNEARNED INCOME: Any annual income, as calculated under § 5.609, that is not earned income.

UNIFORM PHYSICAL CONDITION STANDARDS FOR VOUCHERS (PCS-V): The Uniform Physical Condition Standards for Vouchers (NSPIRE) vouchers is a Demonstration Program, implementing an improved inspection standard for HUD's Housing Choice Voucher (HCV) units. NSPIRE aims to enhance the accuracy, consistency, and objectivity of the inspection

process, and provide more information about the condition of individual housing units. Through this initiative, HUD aims to clarify and streamline inspection processes for PHAs and inspectors, while increasing owners and tenants access to detailed information about their homes. NSPIRE is a Demonstration Program developed to align with the Uniform Physical Condition Standards (UPCS) units.

UNIT: Residential space for the private use of a family.

USCIS: United States Citizenship and Immigration Services

UNREIMBURSED HEALTH AND MEDICAL CARE EXPENSES AND REASONABLE ATTENDANT CARE AND AUXILARY APPARATUS EXPENSES: Health and medical care expenses, as defined in **24 CFR § 5.603,** include costs incurred for the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed. Medical insurance premiums continue to be eligible health and medical care expenses. However, health and medical care expenses may be deducted from annual income only if they are eligible and not otherwise reimbursed and may only be deducted for elderly or disabled families. Although HUD revised the definition of health and medical care expenses to reflect the Internal Revenue Service (IRS) general definition of medical expenses, HUD is not permitting PHAs/MFH Owners to specifically align their policies with IRS Publication 502C2 for determining which expenses are included in HUD's mandatory deduction for health and medical care expenses. IRS Publication 502, in some instances, may instruct that certain expenses are not to be considered medical expenses that would otherwise be allowed under HUD's definition of health and medical care expenses. PHAs/MFH Owners must review each expense to determine whether it is eligible in accordance with HUD's definition of health and medical care expenses.

UTILITIES: Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage service. Telephone and cable service are not included as utilities.

UTILITY ALLOWANCE: If the cost of utilities (water, sewer, gas, trash, electric) including range and refrigerator, and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a HA or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthy living environment.

UTILITY REIMBURSEMENT PAYMENT (URP): The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VAWA: Violence Against Women's Act, as reauthorized and amended in the 2022 VAWA Reauthorization.

VERY LOW INCOME FAMILY: A lower-income family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments

for smaller and larger families. HUD may establish income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit used for admission to the Housing Choice Voucher program.

VETERAN (Qualified): A person who has a DD-214 or equivalent showing the branch of service, length of service and characterization of service in accordance to either the United States Code, Title 38 (38 U.S.C.) or the California Military and Veterans Code Section 980 https://law.justia.com/codes/california/2005/mvc/980-980.5.html
For a widow/widower of a Veteran to be qualified for the Veterans preference, the registrant must supply the birth certificates, marriage certificate and death certificate and must not have been divorced.

VETERAN FAMILY: Veteran family means a veteran who is a single person or a family in which the head of household, or the spouse of the head of household, is a veteran.

VIOLENT CRIMINAL ACTIVITY: Any criminal activity that has as one of its elements the use, or attempted use, or threatened use of physical force against another person or property regardless of where the incident occurred.

VOUCHER: A document issued by the HA to a family selected for admission to the voucher program. This document describes the program and the procedures for HA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

VOUCHER HOLDER: A family holding a Voucher with unexpired search time.

WAITING LIST: A list of families organized according to HUD regulations and HA policy that are waiting for subsidy to become available.

WELFARE ASSISTANCE: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State, or local Governments.

WORKING FAMILY: A family in which the Head and/or Spouse/Co-head is either:

- Employed and working on a part-time or full-time basis (verification via consecutive pay stubs for the last 30 days is required); or
- Receiving Unemployment, Retirement/Pension or State Disability or Worker's Compensation benefits.

[Intentionally Blank]

APPENDIX B: CODE OF CONDUCT

The Housing Authority of the County of Riverside strives to conduct business in accordance with core values and ethical standards. Professional conduct, ethical practices and adherence to all laws, regulations, and government codes are expected by all employees at all times. To ensure compliance with these standards, the following policies have been established:

PROHIBITED ACTIVITIES:

1. Employees shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties, functions, or responsibilities in a position with the Housing Authority. Employees shall not perform any work, service or counsel for compensation outside of the agency where any part of his/her efforts will be subject to approval by any other officer, employee, board, or commission of this Housing Authority.

2. Prohibited activities shall include but not be limited to:

a. Acceptance of money or other consideration from anyone other than the Housing Authority for the performance of duties required or expected of him/her in the regular course of Housing Authority employment.

b. Performance of an act in other than his/her capacity as an officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee of the Housing Authority.

c. Any act wherein time demands would render performance of his or her duties as an officer or employee less efficient and productive.

d. Embezzlement and falsification of accounts as defined in the California Penal Code.

CONFLICT OF INTEREST POLICY

1. To avoid potential conflicts of interest, or the appearance of such, it is the policy of this Housing Authority that:

A. No employee shall enter into any agreement, written or unwritten, without prior approval from the Executive Director or his designee, that involves any direct payment or other form of compensation as a result of any program administered by this Housing Authority, either directly or indirectly, through agreements with other parties.

B. No employee, officer, or agent of the Housing Authority shall participate directly or indirectly in the selection, award or administration of any contract if a conflict, real or perceived, would be involved. Such conflict would arise when a financial or other interest in the execution of a contract or in Housing Authority program participation is held by:

(1) An employee, officer, or agent involved in making the award;
(2) The relative of such a person (including, but not limited to, spouse or domestic partner or significant other, father, mother, son, daughter, brother,

sister, uncle, aunt, first cousin, father-in-law, mother in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister);

(3) The business partner of such a person; or someone with an interest in,

(4) An organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

THE CONSEQUENCES OF RULE VIOLATIONS:

Any violation of prohibited activities shall be handled as for the acts set out under Section 2.I. (3) of the Agency's personnel policies on Discipline, Dismissal, and Review.

[Intentionally Blank]

APPENDIX C: POLICY ON PROHIBITED CRIMINAL ACTIVITY

HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE'S POLICY ON PROHIBITED CRIMINAL ACTIVITY

July 1, 2025

BACKGROUND

The mission of the Housing Authority is to transform and promote healthy, thriving communities, re-ignite hope and restore human dignity through the creation and preservation of high quality and innovative housing and community development programs which enhance the quality of life and revitalize neighborhoods to foster self-sufficiency.

PURPOSE

To establish a Housing Authority (HA) policy to prohibit housing fraud and/or welfare fraud, violent-related, gang-related, alcohol-related and drug-related criminal activity (including medical/recreational marijuana) or any other criminal activity.

POLICY

It is the policy of the Housing Authority of the County of Riverside that prohibited criminal activity will not be tolerated. The Housing Authority has implemented aggressive strategies to deny and/or terminate assistance for households that violate conditions set forth in this policy.

Criminal activity as listed in this policy, misdemeanor and/or felony, will hereinafter be called 'prohibited criminal activity'. Prohibited criminal activity includes, but is not limited to, the following: housing fraud and/or welfare fraud, violent-related, gang-related, alcohol-related, and drug-related criminal activity (including medical/recreational marijuana). Marijuana possession, distribution, and use, regardless of purpose, remains illegal under Federal Law [Controlled Substances Act (United States Code Title 21)].

"Minor traffic offenses" may include offenses such as parking violations, registration violations or failure to provide proof of insurance. Traffic offenses that include illegal use of controlled substances or alcohol related violations of traffic laws are not considered minor. Two or more alcohol related criminal actions within the last two (2) year period constitute an abuse of alcohol (excluding alcohol-related DUI/DWI, or equivalent, criminal charges). Alcohol-related Driving Under the Influence (DUI) and Driving While Intoxicated (DWI), or equivalent, criminal charges do not require more than one offense to be considered abuse of alcohol; one alcohol-related DUI/DWI, or equivalent, offense is a violation of the HA Policy on Prohibited Criminal Activity.

All persons applying for rental assistance, regardless of age, will be held to the same standard. Exceptions to this policy may be granted to VASH Program applicants and participants, Mainstream 811, the Family Unification Program (FUP), Project Room Key, Emergency Housing Voucher (EHV), and other referrals through the Coordinated Entry System (CES) or an established Memorandum of Understanding (MOU) with the Housing Authority targeting people experiencing homelessness, transitional age youth, and other special populations. On a case-by-case basis, exceptions may be granted to minors who have committed acts in violation of this policy but has or is enrolled in a court or probation mandated program and is in satisfactory compliance with this program. Once admitted to the program, all participants will be subject to

the Policy on Prohibited Criminal Activity.

Participant households must report, in writing, all criminal activity for any household member within 30 calendar days of its occurrence.

The PHA may deny or terminate assistance for criminal activity by a household member as authorized in this Policy on Prohibited Criminal Activity if the PHA determines, based on a preponderance of the evidence, that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted for such activity [24 CFR 982.553 (c)]. Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probably than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence. Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

Persons convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing will be permanently denied admission [24 CFR 982.553(a)(1)(ii)(C)] to or terminated from any federally assisted housing program [24 CFR 982.553(b)(1)(ii)]. Persons convicted of sex offenses that require a lifetime registration as a sex offender are prohibited from participation in any housing assistance programs administered by the Housing Authority in accordance with Federal Regulations [24 CFR 982.553(a)(2)(i)].

Exceptions in this policy do not apply to registered sex offenders or any person who was convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing, or housing fraud.

1. The Housing Authority will deny or terminate assistance to any household containing a member that has one or more occurrences of criminal activity unless that member can demonstrate the following:

    a. No occurrence of prohibited criminal activity (other than minor traffic offenses) within the last three (3) years, **and**

    b. Applicant/participant would not threaten the health, safety, or right to peaceful enjoyment of others such as crimes of physical violence to persons or property and other criminal acts which would not be a detriment to the health, safety, or welfare of others including HA staff.); **and**

    c. Satisfactory adherence to all court and probation/parole mandated conditions for any action related to any prohibited criminal activity; **and**

d. For violent-related, drug-related and alcohol-related criminal activity, the HA may consider enrollment in a court ordered or non-court ordered courses such as supervised anger management/parenting course, drug diversion/substance abuse or alcohol rehabilitation program or court ordered community services. At PHA discretion, first offenders may be

only granted a once in a lifetime exception to the Policy on Prohibited Criminal Activity due to participation in court ordered or non-court ordered courses such as supervised anger management/parenting course, drug diversion/substance abuse or alcohol rehabilitation program or court ordered community services. Approval is not automatic. Repeat or habitual offenders will not be granted an exception to the Policy on Prohibited-Criminal Activity and rental assistance will be denied and/or terminated.

For consideration of one (1) lifetime exception to the Policy on Prohibited Criminal Activity, the following conditions must exist:

i. The applicant/participant must be a first-time participant in a supervised anger management/parenting course, drug diversion/substance abuse or alcohol rehabilitation program or court ordered community services, **and**
ii. Completion of the treatment program must be achieved within the allowed time by the court/treatment program, **and**
iii. Evidence of completion must be provided to the HA within 30 calendar days from the date of completion of the program.

If an exception to the Policy on Prohibited Criminal Activity is granted by the PHA, the PHA will monitor compliance for determination of continued rental assistance eligibility. If applicant/tenant fails to comply, the HA will proceed with termination.

2. If the household member participates in and is in compliance with a court ordered or non-court ordered supervised anger management/parenting courses, drug diversion/substance abuse or alcohol rehabilitation program, or court ordered community services then it is the family responsibility to adhere to all the requirements and furnish to the PHA proof that the required program was completed. The applicant/participant must have enrolled in the treatment program prior to the date of the HA's discovery of the criminal activity. Failure to comply with a court ordered or non-court ordered courses such as anger management/parenting courses, drug diversion/substance abuse and/or supervised alcohol rehabilitation program, or court ordered community services will result in denial or termination. Supervised anger management/parenting courses, drug diversion/substance abuse or an alcohol rehabilitation program will be granted once in a lifetime.

3. The Violence Against Women Act of 1994 (VAWA), as amended (42 U.S.C 13925 and 42 U.S.C 14043e et seq.) prohibits the eviction of, and removal of assistance from, <u>victims</u> living in Federally assisted housing if the asserted grounds for such action is an instance of domestic violence, dating violence, sexual assault, or stalking.

Criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the <u>victim</u> or threatened <u>victim</u> of that domestic violence, dating violence, sexual assault, or stalking, provided that the <u>victim</u> member demonstrates the following:

a. The perpetrator of the domestic violence no longer resides in the assisted unit.

b. Applicant/tenant requesting exception based on 3 above shall complete HUD form 50066 within 14 business days after the HA has requested such certification in writing.

c. If the applicant/tenant does not provide the certification within 14 business days after the HA has requested such certification in writing, assistance may be denied/terminated.

Please note, pursuant to 24 CFR 5.2005 VAWA Protections nothing in 24 CFR 5.2005 may be construed to limit the authority of a PHA, owner, or management agent to evict or terminate assistance to any tenant or lawful occupant if the PHA, owner, or management agent can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the public housing or Section 8 assisted property if that tenant or lawful occupant is not terminated from assistance. In this context, words, gestures, actions, or other indicators will be considered an ''actual imminent threat'' if they meet the standards provided in paragraph (e) of 24 CFR 5.2005.

4. Alerting all rental assistance program participants and tenants residing in Housing Authority (HA) owned housing or housing owned by an HA affiliate (i.e. RCHC) about their obligation to keep rental units free from prohibited criminal activity.

5. Incorporating the HUD required Tenancy Addendum which includes grounds for termination of tenancy due to criminal activity into all rental leases used by the Housing Authority and requiring the use of said Tenancy Addendum for all private rental property owners in the county.

6. Conducting workshops for rental property owners and managers to stress the importance of screening potential tenants, inspecting the premises of rental property, and taking action against tenants engaged in criminal activity, fraud, or side payments.

7. Seeking a collaborative relationship with all law enforcement agencies within the County of Riverside and the Office of Inspector General to assist in the enforcement of Policy on Prohibited Criminal Activity.

8. Screening all housing program applicants and participants including but not limited to the Riverside Superior Court online system, Consolidated Courts of the County of San Bernardino online system, Consolidated Courts of the County of Los Angeles online system, Online Information Service (or similar service), any and all available Sex Offender registries, and any other available sources (i.e. police reports, court records, information that is independently verifiable, law enforcement investigations and arrest warrants) to disclose any criminal background information.

Exemption to the Housing Authority's Prohibited Criminal Activity policy:
The Housing Authority is adopting the "Housing First-Supportive Housing" model as a best practice approach to address chronic homelessness and special needs populations. Special rental assistance programs administered by the Housing Authority which include but are not limited to, FUP, EHV and any other special housing choice programs can apply for an exception to the Housing Authority's Prohibited Criminal Activity during admission. Additionally, affordable housing developments awarded Project Based Vouchers and targeting chronically homeless individuals or individuals referred by County Behavioral Health can apply for an exemption to the Housing Authority's Prohibited Criminal Activity policy. Developments seeking an

exemption to the Housing Authority's Prohibited Criminal Activity policy described in this section will have to follow and be aligned with federal guidelines on the use of Housing First as referenced in the HUD Housing First Assessment Tool. All supportive Housing First programs will follow and be aligned with state guidelines on Housing First, including core components outlined in the No Place Like Home program guidelines. A comprehensive plan of the wrap around supportive services proposed at the specific development will have to be approved by the Housing Authority and the owner must agree to provide dedicated case workers at a ratio of 20/1 to qualify.

[Intentionally Blank]

APPENDIX D: REASONABLE STEPS TO AFFIRMATIVELY FURTHER FAIR HOUSING

The Housing Authority of the County of Riverside (HACR) in the administration of all programs strives to affirmatively further fair housing opportunities for classes protected under the Fair Housing Act by taking steps to:

- Overcome the effects of impediments to fair housing choice;
- Remedy discrimination in housing; and
- Promote fair housing rights and fair housing choice.

Specific steps include:

1. Marketing HACR programs to all eligible persons, including persons with disabilities and, persons with limited English proficiency and FUP Youth (during the agency's participation in the FUP FSS Demonstration) who are at least 18 years old and not more than 24 years old (has not reached 25th birthday) who left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older who does not have adequate housing.

All HACR programs will be marketed to all eligible persons, including persons with disabilities persons with limited English proficiency and FUP Youth (during the agency's participation in the FUP FSS Demonstration) who are at least 18 years old and not more than 24 years old (has not reached 25th birthday) who left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older who does not have adequate housing. This marketing and outreach will include newspaper notices including publications in minority newspapers, outreach to community groups that serve persons with disabilities, persons with limited English proficiency and FUP Youth, postings on the HACR website (www.harivco.org), and lobby signs posted in our office locations.

Persons with disabilities will be assisted with 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.

For the FUP FSS Demonstration, we will engage in outreach and engagement efforts in order to market the availability of the program by sharing the information throughout Riverside County. Efforts will include (but are not limited to) inclusion on our website, applicant briefings, employee presentations, program informational brochure/flyer, distribution of information to foster care agencies and community partners as well as conducting emergency assessment of any foster care youth that we may be made aware of in any other manner.

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:

- Advertising widely in the community for the FSS Coordinator Position if a vacancy should occur.

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.

- Marketing the FSS program to all eligible persons, including persons with disabilities,

persons with limited English proficiency and FUP Youth.

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.

- Promoting fair housing in homeownership.

The FSS program has a goal of encouraging homeownership and housing mobility. To support this goal, HACR employs full-time FSS Coordinators that will provide referrals and/or resources to assist FSS participants with achieving home ownership.

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.

Appendix D will be updated at a later date once HUD finalizes Affirmatively Further Fair Housing.

[Intentionally Blank]