RESOLUTION AUTHORIZING THE CHAIRPERSON & THE PRESIDENT AND CEO TO APPROVE THE 2021 AGENCY PLAN FOR SUBMISSION TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND APPROVING REVISIONS TO THE SECTION 8 ADMINISTRATIVE PLAN AND PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY (MPP 201:1) PURSUANT TO 24 CFR PART 903

 Douglas Guthrie  
 President & CEO

 John R. King II  
 Community Engagement Director

 Carlos VanNatter  
 Section 8 Director

 Marisela Ocampo  
 Housing Services Director

Purpose: To comply with HUD regulatory requirements and ensure the uninterrupted receipt of federal funds.

Issues: Important changes in the operations and programs of public housing and tenant-based programs were made through the "Quality Housing Work Responsibility Act of 1998" (QHWRA). One of the most important changes was the introduction of the Public Housing Agency (PHA) Plan. HUD requires Housing Authorities to submit an Agency Plan, including a Five-Year Plan and an Annual Plan. The Five-Year Plan sets forth the Housing Authority's long-range goals and objectives. The Annual Plan provides details about the Housing Authority's operations, needs and strategies in the upcoming fiscal year. The submission deadline for Fiscal Year 2021 is January 15, 2021.

On August 19, 2020, the Housing Authority published Notices announcing the availability of the Plan for public review and made copies available to the Public Housing and Section 8 Resident Advisory Boards. Copies of the draft Agency Plan were available for review at 2600 Wilshire Boulevard and at [http://www.hacla.org/publicdocs](http://www.hacla.org/publicdocs). Public housing residents and Section 8 participants were notified of the availability of the draft Agency Plan and the date, time and location of the Public Hearing.

Two pre-publication in person meetings and seven post publication virtual meetings with residents were held with all large family developments and with the Public Housing Resident Advisory Boards. Two virtual meetings were held with Section 8 participants. The Board of Commissioners held the Public Hearing for the 2021 Draft Agency Plan on October 15, 2020. There were extensive opportunities for public comment at all of these meetings.
HUD certifications to the Agency Plan will require execution by the Chairperson and the President & CEO for submission to HUD. The Final Agency Plan will be transmitted electronically to HUD.

The PHA Plan also includes a description of the proposed disposition to the Los Angeles Unified School District (LAUSD) of several small properties that were associated with Aliso Village, as well as residual rights to land underlying the Via Las Vegas public street. The disposition is in exchange for LAUSD’s conveyance of title to property underlying the Pueblo Del Sol management office that HACLA had ground leased previously.

At the June 25, 2020 Board of Commissioners (“BOC”) Meeting, by Resolution No. 9604, the BOC approved the Ground Lease Amendment with LAUSD, which among other things, authorized the exchange of certain Housing Authority property encumbered under the Ground Lease with LAUSD’s Utah Street Property. On June 9, 2020 LAUSD’s Board of Education approved a Resolution of Intention to exchange real property with the Housing Authority (File # Rep-363-19/20). At the August 20, 2020 BOC meeting, HACLA staff informed the BOC that the Housing Authority parcels are encumbered by HUD Declarations of Trust (DOTs) which preclude immediate transfer to LAUSD. The DOTs involved are generally antiquated, stemming from 1954, 1989, 1990 and 2002, and appear related to the former Aliso Village public housing community and/or Hope VI redevelopment of the site as Pueblo del Sol. Pursuant to discussions with outside counsel and senior HUD staff, HUD has communicated its willingness to assist the Housing Authority in removing the DOTs but indicated this process could take many months depending upon the process followed. HUD has advised that HACLA submit a new HUD disposition application to the SAC for approval which would serve to relieve approximately 7,741 sq. ft. of HACLA properties of the DOTs. The property to be disposed of is of no current use to HACLA and the property received from LAUSD is of comparable value. HACLA staff presented this proposed disposition both to Pueblo Del Sol residents and to the HARAC and residents raised no objections.

HUD also indicated that HACLA may submit a property retention application to HUD in connection with property once associated with the redevelopment of Aliso Village that is under long-term ground lease to Los Angeles Unified School District and contains the Mendez School. If HUD approves, HUD would release the public housing restrictions that remain applicable to that property. The ground lease would remain in place. The final Agency Plan also indicates this proposed retention application submission in FY2021.

Process Requirements:

The regulatory requirements are:

1. The PHA must publish a Notice in a newspaper advising of the availability of the document, the location where it can be inspected, and the date, time, and location of the Public Hearing. A copy of the draft Agency Plan must be available at the Central Office at least 45 days before the Public Hearing.

On August 19, 2020, the Housing Authority published a Notice announcing the availability of the Plan for public review in the Los Angeles Times. Notices also ran in seven local newspapers. Electronic copies of the draft Agency Plan were provided to all Resident Advisory Councils (RACs) and to Section 8 advisory participants who requested it. Copies of the draft Agency Plan were available for review at 2600 Wilshire Boulevard.
As recommended by HUD, a copy of the Draft was posted at our website at www.hacla.org. The Draft was available for public review and comment for 57 days. This exceeds the required 45-day comment period.

Over sixty community advocacy groups were invited via e-mail to attend a scheduled pre-publication meeting on March 18, 2020 to discuss and receive suggestions on the 2021 Draft Agency Plan document. Additionally, after publication the same advocacy groups were also invited to a second virtual meeting held on September 21, 2020 to discuss the published Draft Agency Plan.

2. **The Board of Commissioners shall conduct a Public Hearing relative to the draft Agency Plan.**

   The Board of Commissioners held a virtual Public Hearing on October 15, 2020.

3. **Establish a Resident Advisory Board whose membership must reflect and represent the residents assisted by the PHA, including participants receiving tenant-based or project-based assistance. The PHA must consider the recommendations of the Resident Advisory Board in preparing the final Agency Plan and include a description of how the concerns were addressed.**

   Three meetings were conducted with the Public Housing Resident Advisory Boards (HARAC): pre-publication on April 16, 2020 and on February 20, 2020 with the Resident Leaders (RACs); and post publication a combined virtual meeting was held on September 17, 2020 for RAC and HARAC. Additionally, five virtual Housing Authority meetings were held for all the fourteen large family developments between September 2, 2020 and September 17, 2020. Two virtual regional meetings were held with Section 8 Advisory Board members on September 30, 2020 and October 7, 2020.

   The Housing Authority considered all comments received.

4. The regulations require the Agency Plan be consistent with the City’s Consolidated Plan.

   The City has certified that the Housing Authority’s Agency Plan is consistent with the City’s Consolidated Plan.

**Final Agency Plan**

The Final Draft Agency Plan contains revisions to the Section 8 Administrative Plan and the Public Housing ACOP for your approval. Such policy changes are listed in the Final Draft document as Attachment 1 for Public Housing and Attachment 2 for Section 8.

The Final Agency Plan will be transmitted electronically to HUD. HUD certifications to the Agency Plan will require execution by the Chairperson and the President & CEO for submission to HUD.
CURRENT ACTION REQUIRED

Request the Board of Commissioners to adopt the attached Resolution:

1. Approving the 2021 Agency Plan for submission to the U. S. Department of Housing and Urban Development;
2. Approving revisions to the Section 8 Administrative Plan;
3. Approving revisions to the Public Housing Admissions and Continued Occupancy Policy; and
4. Authorizing the Chairperson and the President & CEO to execute any and all certifications and/or documents required by HUD for the Agency Plan.

Vision Plan: The Vision Plan articulates HACLA’s mission and organizational values in terms of People goals, Place goals, and Pathways goals. People goals focus on improving resident well-being and ensuring residents live in safer, healthier communities with a broad range of programs and services. Place goals relate to affordable housing preservation and expansion, and Pathways goals emphasize internal capacity-building, staff accountability and innovation, and developing new community partnerships. The Agency Plan as a whole is consistent with these values. The sections of the Agency Plan addressing Revision of PHA Plan Elements and New Activities, along with the proposed revisions to the Section 8 Administrative Plan and the Public Housing Admissions and Continued Occupancy Policy, provide concrete examples of the numerous steps HACLA is taking in pursuit of these goals.

Funding: This approval requires no funds.

Environmental Review: Not Applicable.

Section 3: Not Applicable.

Attachments:

1. Resolution
2. Summary of Changes
3. Final Draft Agency Plan and Attachments
WHEREAS, the “Quality Housing Work Responsibility Act of 1998” (QHWRA) and Federal regulations require Public Housing Agencies to submit an Agency Plan to the U.S. Department of Housing and Urban Development (HUD);

WHEREAS, the Housing Authority completed a draft Agency Plan containing all of the required elements, including a Five-Year Plan and Annual Plan;

WHEREAS, the Housing Authority published a notice in seven local newspapers on August 19, 2020 advising of the availability of the draft Agency Plan for public inspection and comment and the date, time, and location of the Public Hearing;

WHEREAS, copies of the draft Agency Plan were delivered to all Resident Advisory Councils (RAC) offices;

WHEREAS, copies of the draft Agency Plan were available for review at 2600 Wilshire Boulevard, all large housing developments, the Asset Management Division office, and Section 8 offices;

WHEREAS, three meetings were conducted with the Public Housing Resident Advisory Boards; pre-publication on February 20, 2020 with the Resident Leaders (RACs), on April 16, 2020 with the Housing Authority Resident Advisory Council (HARAC) and with both post-publication on September 17, 2020. Additionally, five virtual Housing Authority meetings were held for the fourteen large family developments and two regional virtual meetings were held with Section 8 Advisory Board members from September 30, 2020 to October 7, 2020.

WHEREAS, two meetings were held with community advocacy groups on March 18, 2020 and September 21, 2020;

WHEREAS, the Housing Authority Board of Commissioners held a Public Hearing on October 15, 2020;

WHEREAS, the Housing Authority has considered the oral and written comments from all sources in the development of the Final Agency Plan; and

WHEREAS, the Final Agency Plan includes changes to the Public Housing Admissions and Continued Occupancy Policy (ACOP) in the following areas: I. ELIGIBILITY FOR ADMISSION AND PROCESSING OF APPLICATIONS, A. Nondiscrimination, C. Eligibility for Admission, F. Removal of Applicant from the Waiting List, G. Reinstatement to the Waiting List, K. Determination of Eligibility and Notification of Applicants, L. Local Preferences, Q. Offers of Housing; II. VERIFICATION HIERARCHY, C. Modified Verification Hierarchy; III. RENT DETERMINATIONS, C. Flat Rents, E. Other Rental Amounts; VI. LEASING OF UNITS, B. Security Deposits; VII. PERIODIC REEXAMINATIONS, D. Earned Income Disallowance (EID) Review, F. Effective Date of Reviews; VIII. TRANSFERS, A. General, D. Routine Transfers, 5. Compensation For Move, E. Transfer Priority and Placement; IX. ADDITIONS/DELETIONS TO THE HOUSEHOLD COMPOSITIONS, A. General, and D. Live-In Aides;
WHEREAS, the Final Agency Plan includes changes to the Section 8 Administrative Plan in the following areas: Sections 1.1 What the Administrative Plan Covers; 2.1 Objective I: Outreach to Lower Income Families; 2.3 Objective III: Ensuring Equal Opportunity to Applicants for Section 8 and Other Assisted Housing Programs, 2.7.1 Section 3/MBE/WBE/LSA Policy Statement, 2.10.2.2 Exceptions in Excess of the Payment Standard Basic Range; 3.2.1.2.15 Mobility Demonstration Voucher, 3.2.1.2.2 Family Unification Program (FUP); 5.7 Draw-downs from the Waiting List, 5.8 Documentation of Draw-downs - Selection of Applicants, 5.15 Admission of Low Income Families – Special Eligibility Criteria, 5.17.3 City Residency Preference, 5.21.2 Screening Requirements; 6.6 Proof of Identity, 6.6.1 Applicant Identification, 6.7 Provision of Social Security Numbers; 7.2.2 Electronic Verification (EV); 8.10.1.1 Initial Contact; 10.2.1 Regular Extensions, 10.2.2 Extensions for Applicants with Disabilities, 10.2.3 Extensions for Hardship or Good Cause, 10.3 Participant Families – End of the Voucher Term, 10.8.1 Subsidy Standards for New Admissions, 10.11 Public Housing Relocations – Subsidy Standards; 11.18.8 Project and Sponsor-based Units - Responsibility of Owner; 17.2 Method of Selecting PBV Owners, 17.5 Process for Selecting Units by Means of a Request for Proposals, 17.7 Units Selected based on Non-competitive Selection to Attach PBV to PHA-Owned Projects (former Public Housing Units), 17.8 Cap on Total Number of PBVs (PBV Percentage Limitation or Program Cap), (formerly 17.7) 17.9 Cap on PBV Units and Excepted Units, (formerly 17.8) 17.10 Supportive Services, (formerly 17.9) 17.11 Extent of Supportive Services, (formerly 17.10) 17.12 Supportive Services Statement of Family Responsibility, (formerly 17.11) 17.13 Monitoring Supportive Services, (formerly 17.11.1) 17.13.1 Owner Failure to Provide Supportive Services, (formerly 17.11.2) 17.13.2 Change in Supportive Service Requirements, (formerly 17.11.3) 17.13.3 Family’s Failure to Meet Supportive Service Requirements, (formerly 17.12) 17.14 Site Selection Policy and Compliance with PBV Goals, (formerly 17.12.1) 17.14.1 Additional Requirements for all PBV Housing, (formerly 17.12.2) 17.14.2 Additional Requirements for Existing and Rehabilitated Housing, (formerly 17.12.3) 17.14.3 Additional Requirements for New Construction, (formerly 17.13) 17.15 How HACLA Site Selection Policy Promotes PBV Goals, (formerly 17.14) 17.16 HACLA Determinations for Existing and Rehabilitated Housing, (formerly 17.15) 17.17 PHA-owned Units, (formerly 17.16) 17.18 Term of PBV Contracts, (formerly 17.17) 17.19 Agreement to Enter into HAP Contract (AHAP), (formerly 17.18) 17.20 Inspection Before a PBV Contract Is Executed or Amended, (formerly 17.19) 17.21 Stages and Additional Units, (formerly 17.20) 17.22 PBV Contract Amendments to Substitute Contract Units, (formerly 17.21) 17.23 Assistance to Families Upon Contract Termination by Owner, (formerly 17.22) 17.24 Housing Quality Standards, (formerly 17.23) 17.25 Biennial and Other Inspections of PBV units, (formerly 17.24) 17.26 Family Responsibility for HQS in the PBV Program, (formerly 17.25) 17.27 Inspection Requirements, Correction of Deficiencies, HACLA Remedies, (formerly 17.26) 17.28 Abatements and Terminations - PBV Contracts, (formerly 17.26.1) 17.28.1 PBV Relocation and Substitution for Owner Non-compliance, (formerly 17.26.2) 17.28.2 HQS Deficiency Caused by the Family, (formerly 17.27) 17.29 Program Terminations for Family Action or Inaction Other than HQS, (formerly 17.28) 17.30 Determination of Eligibility, (formerly 17.29) 17.31 Selection of Participants for PBV Units, (formerly 17.30) 17.32 Waiting Lists, (formerly 17.30.1) 17.32.1 Cross Listing on the Tenant-based Waiting List, (formerly 17.30.2) 17.32.2 Unit Criteria and Preferences, (formerly 17.30.3) 17.32.3 Use of the Tenant-based Waiting List, (formerly 17.31) 17.33 Referrals to Accessible PBV Units, (formerly 17.32) 17.34 Filling Vacancies, (formerly 17.33) 17.35 Lease Requirements, (formerly 17.34) 17.36 Owner Termination of Tenancy or Refusal to Renew the Lease, (formerly 17.35) 17.37 Security Deposit, (formerly 17.36) 17.38 Overhoused, Underhoused and Accessible Units, (formerly 17.37) 17.39 Family Right to Move, (formerly 17.38) 17.40 Excepted Units and Substitution Policy, (formerly 17.39) 17.41 Determining the Initial Rent to Owner, (formerly 17.40) 17.42 Use of FMRs and Utility Allowances, (formerly 17.41) 17.43 Redetermining Rent to Owner - Rent Reasonableness, (formerly 17.41.1) 17.43.1 General Requirements, (formerly 17.41.2) 17.43.2 Decrease in FMR, (formerly 17.41.3) 17.43.3 Owner’s Request for Rent Increase, (formerly 17.41.3.1) 17.43.3.1 PBV Program, (formerly 17.41.4) 17.43.4 Other Changes Requiring a Comparability Study, (formerly 17.41.5) 17.43.5 HACLA-owned Units, (formerly 17.42) 17.44 Vacancy Payment, (formerly 17.42.1) 17.44.1 Payment for
WHEREAS, the City of Los Angeles has certified that the Agency Plan is consistent with the City’s Consolidated Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners: 1) approves the 2021 Agency Plan for submission to the U.S. Department of Housing and Urban Development; 2) approves revisions to the Section 8 Administrative Plan; 3) approves the revised Public Housing Admissions and Continued Occupancy Policy; and 4) authorizes the Chairperson and the President & CEO to execute any and all certifications and/or documents required by HUD for the Agency Plan.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

HOUSING AUTHORITY OF THE CITY OF LOS ANGELES

By: ____________________________  
Chairperson Ben Besley

APPROVED AS TO FORM:

BY: ____________________________  
General Counsel James Johnson

DATE ADOPTED: ____________________
2021 Final Draft Agency Plan

Summary of Changes in Final Draft

2021 Agency Plan - Document Section

The following sections were updated from the Draft version:

Page 6, updated the number of Public Housing units.

Page 12, updated the number of Public Housing units in the PHA Inventory section.

Page 28, updated Jordan Downs Redevelopment Phase Area H section to remove other retailers’ reference.

Page 36, updated Pueblo Del Sol (Phase I and II)/Aliso Village section to include the disposition of 7,741 square feet of land associated with Aliso Village and Pueblo Del Sol Phase II to LAUSD in connection with a land exchange.

Page 46, added a Property Retention section in connection with property associated with the redevelopment of Aliso Village that is under long-term ground lease to Los Angeles Unified School District.

Page 54, updated the Statement of Capital Improvements section the Housing Authority now projects receiving $20,000,000 in Capital Grant funds for 2021.

Public Housing
(Attachment 1)

The following changes were made from the Draft version of the ACOP's proposed changes:

Page 9, added in the Transfer Priority and Placement section under bullets d. and e., for routine transfers to include buildings slated for demolition and to accommodate a resident from sites undergoing redevelopment who choose the option of remaining in a public housing unit.

Section 8 Administrative Plan
(Attachment 2)

No changes were made from the Draft version of the Section 8 Administrative Plan’s proposed changes.
Attachment 3
Response to Comments

- The Response to Comments are being included in the Final Draft & Final versions of the document.

Attachment 4
Certification Forms

- The Certification Forms are being included in the Final Draft & Final versions of the document.

Attachment 5
Residents Rights Under Rental Assistance Demonstration (RAD)

- This is an attachment that provides information on RAD that includes Residents Rights under RAD.
Housing Authority of the City of Los Angeles
Year 2021 Agency Plan

FINAL DRAFT AGENCY PLAN

- Annual Plan for Fiscal Year 2021
- 5 Year Plan for Fiscal Years 2020 - 2024

December 17, 2020
Board of Commissioners
Ben Besley, Chairperson
Cielo Castro, Vice-Chairperson
Noramay Cadena
Lucelia Hooper
Daniel Tenenbaum
Delfino De La Cruz Jr.
Ana Bryan

President & Chief Executive Officer (CEO)
Douglas Guthrie

Chief Administrative Officer (CAO)
Marlene Garza

Chief Strategic Development Officer (CSDO)
Jenny Scanlin

Chief Programs Officer (CPO)
Margarita Lares

Senior Staff
Carlos Van Natter, Section 8 Director
Marisela Ocampo, Housing Services Director
Julie Mungai, Development Services Deputy Director
Tina Smith-Booth, Asset Management Director
Annie Markarian, Labor and Employee Relations Director
Eric Brown, Intergovernmental Relations and Communications Director
James Johnson, General Counsel
Howard Baum, Deputy General Counsel
John R. King II, Community Engagement Director
Luis Yataco, Information Technology Director
Patricia Kataura, Finance Director

Prepared by:
Juan A. Garcia, Systems & Procedures Supervisor

Housing Authority of the City of Los Angeles (HACLA)
2600 Wilshire Blvd
Los Angeles, CA 90057
www.hacla.org
Contents

EXECUTIVE SUMMARY .............................................................. 4

A. PHA INFORMATION ................................................................. 6

   A.1 GENERAL INFORMATION ................................................. 6

5-YEAR PLAN INFORMATION ......................................................... 7

   MISSION .............................................................................. 7

   GOALS AND OBJECTIVES ................................................... 7

   VIOLENCE AGAINST WOMEN ACT (VAWA) GOALS .......... 10

   RESIDENT ADVISORY BOARD (RAB) COMMENTS ............... 10

   CERTIFICATION BY STATE OR LOCAL OFFICIALS .......... 10

   PHA PLAN ELEMENTS & AGENCY PLAN AVAILABILITY .... 11

   PHA INVENTORY .............................................................. 12

B. ANNUAL PLAN ELEMENTS. ....................................................... 13

   B.1 REVISION OF PHA PLAN ELEMENTS. ......................... 13

      I. STATEMENT OF HOUSING NEEDS ............................... 13

      DECONCENTRATION AND OTHER POLICIES GOVERNING ELIGIBILITY, SELECTION AND ADMISSIONS .......... 14

      FINANCIAL RESOURCES ................................................. 16

      RENT DETERMINATION .................................................... 17

      SAFETY AND CRIME PREVENTION (VAWA) .................. 18

         a) Safety and Crime Prevention: Implemented Changes ... 18

         b) Violence Against Women Act Implemented Changes ... 19

   PET POLICY ..................................................................... 20

   SIGNIFICANT AMENDMENT/SUBSTANTIAL DEVIATION ........ 20

   B.2 NEW ACTIVITIES. ............................................................ 21

      I. HOPE VI OR CHOICE NEIGHBORHOODS (CN) IMPLEMENTATION GRANTS .............................................. 26

      MIXED FINANCE MODERNIZATION OR DEVELOPMENT: ................................................................. 30

      DEMOLITION AND/OR DISPOSITION ................................ 31

      CONVERSION OF PUBLIC HOUSING ................................ 37

         a) Conversion of Public Housing to Project Based Assistance under RAD ........................................ 38

      PROPERTY RETENTION .................................................... 46

      VOLUNTARY COMPLIANCE AGREEMENT (VCA), ORDERS, AND RULINGS CERTIFICATION: ......... 46

      PROJECT-BASED VOUCHERS STATEMENT: ................. 46

      OTHER CAPITAL GRANT PROGRAMS ............................... 50

   B.3 PROGRESS REPORT .......................................................... 50

   B.4 MOST RECENT FISCAL YEAR AUDIT. ............................... 52

C. OTHER DOCUMENT AND/OR CERTIFICATION REQUIREMENTS .... 52

   C.1 CERTIFICATION LISTING POLICIES AND PROGRAMS THAT THE PHA HAS REVISED SINCE SUBMISSION OF ITS LAST ANNUAL PLAN ................................................. 52

   C.2 CIVIL RIGHTS CERTIFICATION ...................................... 52

   C.3 RESIDENT ADVISORY BOARD (RAB) COMMENTS .......... 53

   C.4 CERTIFICATION BY STATE OR LOCAL OFFICIALS ........ 53

D. STATEMENT OF CAPITAL IMPROVEMENTS. ......................... 53

   D.1 CAPITAL IMPROVEMENTS ............................................. 55
Executive Summary

[24 CFR Part 903.7 9 (r)]

The Housing Authority of the City of Los Angeles (HACLA) has prepared the following Agency Plan in compliance with Section 511 of the Quality Housing and Work Responsibility Act of 1998 and the ensuing HUD requirements. This Agency Plan contains an update to the Annual Agency Plan and five-year plan. Listed below are some of the primary goals that HACLA currently plans to pursue in the upcoming year and on the new 5-Year Plan:

- Maintain Effective Housing Authority Housing Programs in Conformance with HUD and Industry Standards;
- Finance the Redevelopment and Rehabilitation of the Public Housing Assets and Apply Asset Management Techniques to Preserve the Public Investment;
- Improve the Public Housing Community Environment through a Public Safety Approach that Focuses on Analysis and Prevention;
- Maintain Comprehensive Economic Development and Self-Sufficiency Opportunities for Extremely-Low, Very-Low and Low-Income Residents and Program Participants;
- Preserve and increase the supply of affordable housing in perpetuity, strengthen communities in which those housing units are located, and increase access to supportive programs and services;
- Establish a multi-layered framework for achieving long-term financial and organizational sustainability and create a value system that guides every decision and action HACLA takes;
- Invest in leadership, community health and wellness, public safety, and trauma-informed service delivery to enhance residents’ well-being and overall quality of life;
- Build sustainable neighborhoods that incorporate green design, high-efficiency standards, and enhanced access to needed goods and services. Central to these activities will be minimizing displacement of current residents and developing a contract/charter for right to return.
- Value human capital as a key to success, capitalize on HACLA’s expertise, and maximize leverage of HACLA’s investments and funding.
- Tap into innovative thinking, internally and externally. Develop organizational infrastructure for a 21st century approach to public housing.
HACLA’s Annual Plan is based on the premise that accomplishing the above 5-year goals and objectives will move HACLA in a direction consistent with its mission. The ability of HACLA to accomplish the above goals will be dependent on appropriate funding from the U.S. Congress and HUD that is commensurate with regulations that HACLA must meet. The plans, statements, budget summary, policies, etc. set forth in this Annual Plan all lead towards the accomplishment of HACLA’s goals and objectives. Taken as a whole, they outline a comprehensive approach towards HACLA’s goals and objectives and are consistent with the City of Los Angeles Consolidated Plan. Below are a few highlights from HACLA’s Annual Plan:

- **Update of HACLA’s Section 8 Administrative Plan and Public Housing Admissions and Continued Occupancy Policy (ACOP);**
- **Emphasis on Public Housing Revitalization and Redevelopment;**
- **Certification of Consistency with the City of Los Angeles Consolidated Plan; and**
- **Profile of Current HACLA Resources.**
A. PHA Information

A. 1 General Information

PHA Name: Housing Authority of the City of Los Angeles
PHA Code: CA004
PHA Type: Square High Performer
PHA Plan for Fiscal Year Beginning: January 2021
PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)
Number of Public Housing (PH) Units: 6,689
Number of Housing Choice Vouchers (HCVs): 50,832
Other Section 8 Housing Assistance Programs: 6,413
Total Combined: 64,124

PHA Plan Submission Type: Square 5-Year Plan Submission

PHA Consortia: N/A

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. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.

PHA Consortia: N/A

<table>
<thead>
<tr>
<th>Participating PHAs</th>
<th>PHA Code</th>
<th>Program(s) in the Consortia</th>
<th>Program(s) not in the Consortia</th>
<th>No. of Units in Each Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead PHA:</td>
<td></td>
<td></td>
<td></td>
<td>PH</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6 of 55
5-Year Plan Information

Mission

HACLA will collaborate with residents and public, non-profit and private entities to create viable, healthy communities and to empower able residents to achieve financial independence. We will achieve the above while maintaining strong internal controls and developing and maintaining a strong culture of mutual respect, fiscal responsibility, and ethical behavior by our employees, residents and other key stakeholders.

Goals and Objectives

In an effort to improve its properties, HACLA will pursue all available federally assisted housing opportunities, and seek private and other public resources – this includes the option for debt-leveraged financing opportunities or Choice Neighborhoods Initiative (CNI) and other HUD programs. HACLA will explore and evaluate other options and programs that may assist in this effort including the Rental Assistance Demonstration (RAD) program.

HACLA will strive to continue to maintain its designation of “High Performer” under the Section Eight Management Assessment Program (SEMAP) and the Public Housing Assessment System (PHAS). It will work to improve the specific factors listed below:

For Public Housing, improve the following:

- Improve resident quality of life and promote self-sufficiency through the implementation of various human capital development initiatives

- Target capital expenditures to those capital needs identified by recent Physical Needs Assessments (PNA)

- Prepare portfolio wide strategy for the long-term viability of HACLA affordable housing stock

- Explore the feasibility of public housing or homeownership programs within the context of revitalization activity. Due to insufficient federal and other funds, HACLA has had to reduce the amount of services that are available to residents.

- Implement a community engagement process with public housing residents and other stakeholders on the public housing budget development process.
For Section 8, improve or work for the following goals:

- Apply for additional vouchers if made available by HUD
- Seek partnerships with entities to further the goal of creating additional housing opportunities
- Explore all available avenues to de-concentrate low income families with the goal of expanding mixed income communities
- Review voucher payment standards and revise as necessary
- Apply for additional Veterans Affairs Supportive Housing (VASH) vouchers if they become available
- Expand the Family Self-Sufficiency (FSS) program and the homeownership program by seeking additional HUD funding
- Provide voucher mobility counseling
- Conduct outreach efforts to potential voucher landlords
- Project-base up to 4,500 Section 8 tenant-based vouchers
- Explore the possibility of increasing the number of employed persons in assisted families
- Explore the possibility to provide or attract supportive services to improve assistance to recipients’ employability
- Provide or attract supportive services to increase independence for the elderly or persons with disabilities

For both programs:

- HACLA completed full implementation of Automated Clearing House (ACH) direct deposit for Housing Assistance Payments (HAP) to landlords and will continue offering the ability for public housing residents to make payments via use of the Walk-in Payments (WIPs) system, ACH (direct bank withdraw), as well as on line using the Rent Café portal. These changes are being implemented to expedite payments, contribute to the environment, decrease fraud, and adhere to current industry best practices.
- Provide ongoing staff training on annual reviews, rent collections, rent calculations, verification, and PHAS and SEMAP performance standards
- Implement regulatory changes on a timely basis
Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, ancestry, sex, sexual orientation, gender, gender expression, gender identity, age, medical condition, disability, genetic information, marital status, familial status, disability, or source of income

Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, ancestry, sex, sexual orientation, gender, gender expression, gender identity, age, medical condition, disability, genetic information, marital status, familial status, disability, or source of income

Undertake affirmative measures to ensure accessible housing to persons with disabilities regardless of unit size required

HACLA will participate in any of the following initiatives or funding opportunities if they help meet HACLA’s goals and mission:

- Choice Neighborhoods Initiative Funding (CNI)
- Rental Assistance Demonstration (RAD)

HACLA will participate in such initiatives if they meet most of the following criterion:

- Provide one-for-one replacement
- Represent no significant negative impact to resident/participant
- Increase and/or preserve affordable housing stock
- Provide additional revenues for HACLA

HACLA will conduct outreach meetings with the community prior to participation or submission of any application for any program that meets the criterion outlined above.

Progress Report

- In 2016, HACLA received HUD approval for its Jordan Downs Multi-phased Demolition and Disposition Application to demolish and dispose of 630 Public Housing units within the Jordan Downs AMP. HACLA also previously received approval for RAD conversion of 70 units in Jordan Downs AMP and in FY2017 and FY2018, achieved closing of the initial two phases of the Jordan Downs redevelopment that included these 70 RAD units. In 2016, HACLA also received a Multi-phase award for 120 additional RAD units to be converted in future phases. Any of the additional units converted under RAD will be relinquishing their
Section 18 Demo/Dispo approval. In 2019, HACLA received a Commitment to Enter into a HAP (CHAP) for 101 units that will be developed in four of the next phases.

- In 2017, HACLA received CHAP award for RAD conversion of 11 units at Rose Hill Courts. HACLA will seek Section 18 Demo/Dispo approval for the remaining 89 units.

- In FY2017, HACLA submitted a $1.3 million Choice Neighborhoods (CN) Planning and Action Grant application for the Rancho San Pedro public housing site. In early 2018, HACLA was awarded the HUD CN grant, which will help finance planning and community engagement activities and limited community and economic development activities.

- In order to improve the Agency’s capacity to preserve and expand its role in producing and supporting deeply affordable housing and healthy communities, HACLA developed and adopted a twenty-five (25) year Vision Plan in FY2018.

- In FY2019, HACLA submitted a $35 million Choice Neighborhoods Initiative (CNI) Implementation Grant application for the Jordan Downs site. In April 2020, HACLA was awarded the HUD CNI grant, which will help redevelop conversion of distressed public housing into mixed income housing and revitalize the surrounding neighborhood of Watts.

**Violence Against Women Act (VAWA) Goals**
- See section Safety and Crime Prevention (VAWA).

**Significant Amendment or Modification**
- See section on Significant Amendment

**Resident Advisory Board (RAB) Comments**
- See Attachment 3 of the Final and Final Draft

**Certification by State or Local Officials**
- See Attachment 4 of the Final and Final Draft
PHA Plan Elements & Agency Plan Availability:

Copies of the 2021 Draft Agency Plan and past Agency Plans are made available for review in English and Spanish at [http://www.hacla.org/About-Us/Public-Documents/Agency-Plans](http://www.hacla.org/About-Us/Public-Documents/Agency-Plans) and at:

- Public Housing Development Management Offices
- Asset Management Department Offices
- RAC Offices
- Section 8 Offices
  - South
  - Valley
- HACLA’s central office located on the first-floor lobby at 2600 Wilshire Blvd., Los Angeles, CA 90057

Please note that at the time of publication, due to COVID-19, HACLA’s offices are currently closed to the public. If you wish to order a hard copy of this document, please contact Juan Garcia at (213) 252-1855 or email your request to Juan.Garcia@hacla.org and a copy will be mailed to you. As stated previously, if you wish to get an electronic version, you can go to [http://www.hacla.org/About-Us/Public-Documents/Agency-Plans](http://www.hacla.org/About-Us/Public-Documents/Agency-Plans).

Eligibility, Selection and Admissions Policies including Deconcentration and Waitlist Procedures are included for the Section 8 program in the Section 8 Administrative Plan and for the Public Housing program in the Admission and Continued Occupancy Policy (ACOP). HACLA’s policies and procedures adhere to the Code of Federal Regulations and all applicable state and local laws. These documents include policies and procedures governing resident or tenant eligibility, selection and admission including applicable preferences for both programs. Additionally, the ACOP describes unit assignment policies for public housing.

Both the Section 8 Administrative Plan & the ACOP include the procedures for maintaining waitlists for admission.
## HUD Programs Under PHA Management

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Units or Families Served at Year Beginning 2020</th>
<th>Expected Annual Turnover</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Housing</td>
<td>6,689</td>
<td>260</td>
</tr>
<tr>
<td>S8 Vouchers &amp; Portability</td>
<td>30,181</td>
<td>1,509</td>
</tr>
<tr>
<td>HUD-VASH¹</td>
<td>2,639</td>
<td>314</td>
</tr>
<tr>
<td>Non-Elderly Disabled</td>
<td>290</td>
<td>15</td>
</tr>
<tr>
<td>Family Unification Program</td>
<td>212</td>
<td>11</td>
</tr>
<tr>
<td>Tenant Protection</td>
<td>1,073</td>
<td>54</td>
</tr>
<tr>
<td>Mainstream Year 5</td>
<td>72</td>
<td>4</td>
</tr>
<tr>
<td>Welfare to Work</td>
<td>213</td>
<td>11</td>
</tr>
<tr>
<td>Project-Based Voucher</td>
<td>4,283</td>
<td>214</td>
</tr>
<tr>
<td>WL Limited Preference Homeless</td>
<td>3,854</td>
<td>193</td>
</tr>
<tr>
<td>WL Limited Preference TBSH²</td>
<td>601</td>
<td>30</td>
</tr>
<tr>
<td>WL Limited Preference HVI³</td>
<td>182</td>
<td>9</td>
</tr>
<tr>
<td>S8 Homeownership</td>
<td>32</td>
<td>2</td>
</tr>
<tr>
<td><strong>Public Housing Drug Elimination Program (PHDEP)</strong></td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>HOPE VI</strong></td>
<td>65</td>
<td>3</td>
</tr>
<tr>
<td><strong>(242 Units included in Public Housing Numbers Above)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Continuum of Care</td>
<td>3,366</td>
<td>220</td>
</tr>
<tr>
<td>New Construction</td>
<td>282</td>
<td>14</td>
</tr>
<tr>
<td>Section 8 Moderate Rehabilitation</td>
<td>1,132</td>
<td>57</td>
</tr>
<tr>
<td><strong>HOPWA⁴</strong></td>
<td>354</td>
<td>18</td>
</tr>
<tr>
<td><strong>Total Expected Turnover</strong></td>
<td></td>
<td><strong>2,938</strong></td>
</tr>
<tr>
<td><strong>Grand Total Section 8 Programs</strong></td>
<td><strong>48,831</strong></td>
<td></td>
</tr>
</tbody>
</table>

¹ VASH – Veterans Affairs Supportive Housing Program  
² TBSH - Tenant Based Supportive Housing Program  
³ HVI – Homeless Veterans Initiative  
⁴ HOPWA - Housing Opportunities for Persons With AIDS Program
B. Annual Plan Elements.

B.1 Revision of PHA Plan Elements.

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

Y N
☐ ☑ Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.
☐ ☑ Financial Resources.
☐ ☑ Rent Determination.
☐ ☑ Homeownership Programs.
☐ ☑ Safety and Crime Prevention.
☐ ☑ Pet Policy.
☐ ☑ Substantial Deviation.
☐ ☑ Significant Amendment/Modification

(b) The PHA must submit its Deconcentration Policy for Field Office Review.

(c) If the PHA answered yes for any element, describe the revisions for each element below:

   i. Statement of Housing Needs

HACLA contributes to the development of the Housing Element which is produced by the Los Angeles Department of City Planning. The Housing Element of the City of Los Angeles addresses the housing needs of the City’s residents based on a comprehensive overview of the City’s population, household types, housing stock characteristics, and special needs. Among other findings, the analysis indicates that the City’s residents experience high rates of housing cost burdens, low home ownership rates, and loss of existing low-rent housing. These issues inform the policies and programs of the City in coordination with HACLA and other agencies to relieve these housing pressures for the City’s residents. Chapter 1 Housing Needs Assessment, of the Housing Element provides a thorough assessment of the housing needs in Los Angeles. You may access this document on the internet by going to:

http://cityplanning.lacity.org/HousingInitiatives/HousingElement/TOCHousingElement.htm
Deconcentration and other Policies Governing Eligibility, Selection and Admissions.

Section 8 - Rental Rate Data

Data indicates that affordable rental rates are a key element in providing expanded housing opportunities and efforts at deconcentration. High rental rates impede mobility out of areas of poverty and minority concentration. HUD Fair Market Rents (FMRs), established using a formula indexed to the 40th percentile rent (the dollar amount below which 40% of standard quality units are rented), do little to improve mobility. To encourage the participation of owners of units located outside areas of poverty and minority concentration in the tenant-based program, the voucher payment standard must be set at a level which will allow tenant-based families to rent in these areas and allow a fair market return to participating owners. This key factor drives HACLA’s actions for expanding housing opportunities and deconcentration.

Public Housing - Admission & Deconcentration Policy

1. Annually, HACLA analyzes the incomes of families residing in each of the developments, the income levels of the census tracts in which the developments are located, and the income levels of families on the waiting list.

2. Based on this analysis, HACLA will determine the level of marketing strategies and which deconcentration incentives to implement.

3. HACLA will affirmatively market its housing to all eligible income groups.

   Applicants will not be steered to a particular site based solely on the family’s income.

4. The deconcentration policy, and any incentives adopted in the future, will be applied in a consistent and non-discriminatory manner.

5. HACLA shall provide in its Annual Plan an analysis of Deconcentration and Income Mixing for each fiscal year. The analysis will identify those sites whose average incomes are below 85% and above 115% HACLA’s average income for covered properties. Incomes that are above 115% of HACLA’s average but still below 30% of the area median income shall not be considered “higher income.” The analysis shall provide explanations as to why sites are outside of the 85% - 115% range and strategies HACLA will implement to address if needed.

In accordance with the Quality Housing and Work Responsibility Act of 1998 (QHWRA), 40% of all new admissions to the public housing program are at or below 30% of the AMI. Additionally, 40% of new admissions are at or below 50% AMI, and the remaining 20% cannot exceed 80% AMI per federal regulations. Given these restrictions, the term “higher-income” within public housing is a slight misnomer.
HACLA operates a community-wide wait list and applicants are offered up to three locations once they are certified for eligibility to the program. Units offered are based on the available vacancies on the day of offer. All offers made are “blind” offers – there is no consideration or factoring of the applicant’s race, ethnicity, or any other protected classification (outside of basic eligibility criteria).

Based on the analysis of December 2019 income levels at the 14 family developments subject to this, most are “income neutral” falling between 85% of the HACLA average and 30% of the AMI. Only two sites are “low” income and three sites are higher income with incomes exceeding 115% of the HACLA average.

HACLA encourages families to move towards and achieve self-sufficiency through a collection of efforts. In addition, HACLA has adopted a robust Section 3 Guide and Compliance plan to ensure that contractors undertaking HACLA projects commit to and provide jobs, trainings and other economic opportunities to the residents. A dedicated Section 3 Compliance Administrator monitors contractors for compliance to ensure that commitments are fulfilled and that residents are provided with jobs and resources to achieve their career and educational goals. HACLA operates Work Source Centers, Computer Learning Centers, and a policy of no interim increases between reviews (unless there was an interim for a decrease). Many HACLA residents have been successful in achieving self-sufficiency and becoming true higher income earners in their communities. The success in encouraging families to move towards higher income and remain in the communities to act as stabilizers and role models may be jeopardized by recent legislative changes, such as the Housing Opportunity Through Modernization Act (HOTMA), that place restrictions on the ability for “over-income” households to remain as residents of public housing. HACLA is now required to begin to notify those higher income households of their “over-income” status. HUD has not provided guidance on how rents for these families are to be set following the two-year window they have once they have been formally notified of their over income status.
## Financial Resources

### Planned Sources and Uses

<table>
<thead>
<tr>
<th>Sources</th>
<th>Planned $</th>
<th>Planned Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Federal Grants (FY 2018 grants)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Public Housing Operating Fund</td>
<td>$19,610,466</td>
<td>Operations</td>
</tr>
<tr>
<td>b) Public Housing Capital Fund</td>
<td>$19,990,041</td>
<td>Capital Improvements</td>
</tr>
<tr>
<td>c) Annual Contributions for Section 8 Tenant-Based Assistance</td>
<td>$605,757,780</td>
<td>Housing Assistance</td>
</tr>
<tr>
<td><strong>2. Other Federal Grants</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) HOPWA, New Construction, Moderate Rehab, Shelter Plus Care, Continuum of Care, Supportive Housing, Family Self-Sufficiency</td>
<td>$55,189,292</td>
<td>Housing Assistance</td>
</tr>
<tr>
<td>b) Healthy Marriage Promotion and Responsible Fatherhood Grant</td>
<td>$0</td>
<td>Resident Services</td>
</tr>
<tr>
<td>b) WIA Cluster (Adult, Youth, Dislocated Worker)</td>
<td>$930,473</td>
<td>Workforce Training</td>
</tr>
<tr>
<td><strong>3. Public Housing Dwelling Rental Income</strong></td>
<td>$40,141,754</td>
<td>Operations</td>
</tr>
<tr>
<td><strong>4. Non-Federal Sources</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Payment in Lieu of Taxes</td>
<td>$3,122,211</td>
<td>Resident Services and Safety</td>
</tr>
<tr>
<td>b) AB 1913 Housing Based Day Supervision</td>
<td>$528,793</td>
<td>Resident Youth</td>
</tr>
<tr>
<td><strong>Total Resources</strong></td>
<td>$745,270,810</td>
<td></td>
</tr>
</tbody>
</table>
Rent Determination

Rent Determination

Rent determination policies and procedures are found in the Section 8 Administrative Plan & the Public Housing ACOP for their respective programs. The HACLA has no rent ceiling rents and there are no plans to adopt any discretionary deductions or exclusions. Both Public Housing and the Section 8 program have a $50 minimum rent that will continue to remain in effect. As required by the regulations financial hardship provisions are made available to residents and participants of both programs who qualify.

In accordance with the 2015 Appropriation Bill and subsequent HUD PIH Notice, HACLA sets its Flat Rent for Public Housing at the 80th percentile of the Small Area Fair Market Rent (SAFMR).

Voucher Payment Standards

At least annually, HACLA assesses its voucher payment standards to ensure they are adequate and reviews current HUD guidances regarding payment standards to determine actions available to establish appropriate payment standards.

Section 8 may request exception payment standards (in excess of the PHA’s allowable “basic range” as defined by HUD) to increase housing opportunities for assisted families by allowing them to move out of more challenged neighborhoods and into neighborhoods that are closer to supportive services, if needed.

Homeownership Capacity Statement

In accordance with 24 CFR 982.625, “Homeownership Option: General”, the HACLA supports programs and activities that support self-sufficiency for its clients. To meet this objective, HACLA exercises the option under the Section 8 regulations (24 CFR 982.625 et seq.) to allow the use of Section 8 vouchers for homeownership. Due to the dictates of the Los Angeles real estate market, Section 8 homeownership is primarily feasible in conjunction with first time homebuyer programs. Therefore, the program may initially be limited by the availability of first time homebuyer programs. HACLA may limit homeownership to a maximum number of searching families at any time, reduce the program size, or suspend the program at its discretion. [Section 8 Administrative Plan, Section 20.1, Program Purpose]
a) Safety and Crime Prevention:

**Public Housing**

Site security and safety were rated as high concerns from the residents that participated in HACLA’s Vision Plan process. To address these concerns HACLA remains committed to the implementation and maintenance of safety and security measures which can be of assistance to law enforcement in reduction of criminal activity. HACLA has replaced a costly and outdated camera systems at those sites that currently have surveillance equipment (Imperial Courts, Nickerson Gardens, Jordan Downs, Avalon Gardens, Estrada Courts, Pico Gardens/Las Casitas and Mar Vista Gardens) HACLA will be utilizing PILOT and LOMOD funds to install a new system at 12 of its 14 large public housing sites with the exclusion of Jordan Downs and Rose Hills Courts due to those sites undergoing redevelopment projects. HACLA will also continue to apply for additional grants and funding sources to expand its security and ensure the safety of its residents.

In 2011, HACLA implemented the Community Safety Partnership (CSP) with the Los Angeles Police Department (LAPD) at four public housing sites: Nickerson Gardens, Jordan Downs, Imperial Courts and Ramona Gardens to improve public safety, foster police-community relationships, enrich resident quality of life and increase community engagement.

Since then it has grown to include four additional sites, expanding first to Avalon Gardens and Gonzaque Village in 2015, then to Pueblo Del Rio in 2016 and, most recently, in October 2019 to San Fernando Gardens. There are now eight developments served by the CSP Program, deploying seventy Police Officers and seven supervising Sergeants citywide.

In December 2014, HACLA’s Board of Commissioners (BOC) approved the present 5-year Memorandum of Agreement (MOA) with LAPD to operate the CSP Program (Resolution 9177). The BOC subsequently approved 4 amendments to the extant MOA: first, in 2016, to expand the CSP Program to the Pueblo Del Rio public housing development. Second, in October 2019, to expand the CSP Program to the San Fernando Gardens public housing development. Third, in November 2019, to extend the existing MOA for six months from January 1 to June 30, 2020. The most recent fourth amendment, approved in June 2020, provides a further six-month extension to the current MOA.

HACLA and LAPD are currently in the process of working toward renewal of the CSP MOA. The new MOA seeks to re-envision CSP program operations and services in the community, drawing on stakeholders’ mutual experience over the past several years. The agreement will also be informed by two recent program assessments conducted by independent researchers at the Urban Institute and UCLA, respectively.
b) Violence Against Women Act Implemented Changes

HACLA in response to the Violence Against Women Act (VAWA) has implemented changes to the Section 8 Administrative Plan and the Public Housing ACOP and lease. Such changes include:

- Bifurcation of the Public Housing lease for victims of domestic violence, dating violence, stalking or sexual assault.
- That an applicant or participant is, or has been, a victim of domestic violence, dating violence, stalking or sexual assault, is not an appropriate basis for denial or termination of program assistance, or for denial of admission to any assisted housing program, if the applicant otherwise qualifies for assistance or admission.
- HACLA may not terminate assistance to a participant in any assisted housing program on the basis of an incident or incidents of actual or threatened domestic violence, dating violence, stalking or sexual assault against that participant.
- Vouchers shall not be cancelled for a member or members of a family who move out in violation of the lease due to a threat or perceived threat of domestic violence dating violence, stalking, or sexual assault. Portability benefits remain unaffected.
- Criminal activity directly relating to domestic violence, dating violence, stalking or sexual assault shall not be considered a serious or repeated violation of the lease by the victim or threatened victim of that criminal activity or justify termination of assistance to the victim or threatened victim.

For more detail, language changes please refer to the Public Housing Lease Agreement and Section 8 Administrative Plan Sections:

- 6.19.4 Actual or Threatened Physical Violence
- 6.19.5 Certification of Domestic Violence
- 8.3 Denial of Portable Voucher for Moves in Violation of the Lease
- 12.2.2 Exceptions to Limitations on Moving
- 13.5.1 Domestic Violence, Dating, Stalking and Sexual Assault
- 13.8.1 Serious or Repeated Violation of the Lease
- 13.8.9 Eviction from Assisted Housing
- Public Housing Lease Agreement
HACLA will work with non-profit organizations to apply for grants to provide additional services for victims of domestic violence.

Residents who find themselves in a domestic violence situation are provided the 1-800 Hot Line Numbers (1-800-799-7233) to best access the appropriate local resources for her/him.

**Pet Policy**

HACLA has not revised its Keeping of Animal Policy since the last Agency Plan. Residents are allowed to own common (non-exotic) household birds and/or fish. The ownership of dogs and cats as a “pet” is restricted to seniors per State Law. Residents are able to have an animal for a disability related need if the need is verified. The HACLA Keeping of Animal Policy was developed with the input of residents and the Resident Advisory Board.

**Significant Amendment/Substantial Deviation**

**Significant Amendment/Substantial Deviation**

As mandated by the U.S. Department of Housing and Urban Development, HACLA must define what is a substantial change to the Agency Plan. For the purpose of this definition, “substantial” shall mean the same as “significant”. If a proposed change to the Agency Plan is considered a substantial change it must undergo a public process that includes: consultation with the Resident Advisory Board, a public comment period, public notification of where and how the proposed change can be reviewed, and approval by the HACLA Board of Commissioners. Therefore, HACLA defines significant changes to the Agency Plan to be:

- Changes to tenant/resident admissions policies;
- Changes to the Section 8 termination policy;
- Changes to the tenant/resident screening policy;
- Changes to public housing rent policies;
- Changes to the organization of the waiting list;
- Changes in the use of replacement reserve funds under the Capital Fund;
- Changes in regard to demolition, disposition, designation, or conversion activities.
An exception to this definition will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements as well as Congressional statues; such changes will not be considered significant amendments by HUD.

Additionally, the following RAD specific items do not constitute a Substantial Deviation or Significant Amendment/Modification to the Agency Plan:

a. Changes to the Capital Fund Budget produced as a result of each approved RAD Conversion, regardless of whether the proposed conversion will include use of additional Capital Funds;

b. Changes to the construction and rehabilitation plan for each approved RAD conversion; and

c. Changes to the financing structure for each approved RAD conversion.

B.2 New Activities.

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

<table>
<thead>
<tr>
<th>Y</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>☒</td>
<td>☒</td>
</tr>
<tr>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.
<table>
<thead>
<tr>
<th>PROJECT</th>
<th>ADDRESS</th>
<th>TOTAL HACLA UNITS</th>
<th>TARGET POPULATION</th>
<th>READY FOR OCCUPANCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westmore Linden</td>
<td>1250 S. Westmoreland Ave.</td>
<td>8</td>
<td>Seniors</td>
<td>2/25/2020</td>
</tr>
<tr>
<td>7th &amp; Witmer Apartments</td>
<td>1301 W. 7th St.</td>
<td>50</td>
<td>Individuals</td>
<td>5/7/2020</td>
</tr>
<tr>
<td>Ybarra Village</td>
<td>3023 S. West View St.</td>
<td>32</td>
<td>Veterans</td>
<td>5/12/2020</td>
</tr>
<tr>
<td>Cielito Lindo Apartments Phase 2</td>
<td>2431 E. 1st St.</td>
<td>14</td>
<td>TAY</td>
<td>5/21/2020</td>
</tr>
<tr>
<td>Casa del Sol</td>
<td>10966 W. Ratner St.</td>
<td>43</td>
<td>Seniors</td>
<td>6/5/2020</td>
</tr>
<tr>
<td>Sun Valley Senior Apartments</td>
<td>9041 N. Laurel Canyon Blvd.</td>
<td>54</td>
<td>Senior Veterans - HUD PIH</td>
<td>6/16/2020</td>
</tr>
<tr>
<td>PATH Metro Villas - Phase 2</td>
<td>320 N. Madison Ave.</td>
<td>75</td>
<td>Veterans</td>
<td>7/1/2020</td>
</tr>
<tr>
<td>Pico Robertson Senior Community</td>
<td>8866 W. Pico Blvd.</td>
<td>12</td>
<td>Senior Veterans - HUD PIH</td>
<td>7/15/2020</td>
</tr>
<tr>
<td>Western Avenue Apartments</td>
<td>5501 S. Western Ave.</td>
<td>32</td>
<td>Veterans</td>
<td>8/1/2020</td>
</tr>
<tr>
<td>649 Lofts</td>
<td>649 S. Wall St.</td>
<td>18</td>
<td>Veterans - HUD PIH</td>
<td>8/7/2020</td>
</tr>
<tr>
<td>MDC - JD Project (Phase 1b)</td>
<td>9901 S. Alameda St.</td>
<td>95</td>
<td>Non-Homeless</td>
<td>8/15/2020</td>
</tr>
<tr>
<td>FLOR 401 Lofts</td>
<td>401 E. 7th St.</td>
<td>44</td>
<td>Veterans</td>
<td>8/24/2020</td>
</tr>
<tr>
<td>McCadden Plaza Youth Housing</td>
<td>1119 N. McCadden Pl.</td>
<td>25</td>
<td>TAY</td>
<td>8/31/2020</td>
</tr>
<tr>
<td>Casa de Rosas Campus</td>
<td>2600 Hoover St.</td>
<td>18</td>
<td>Veterans</td>
<td>8/31/2020</td>
</tr>
<tr>
<td>Florence Mills Apartments</td>
<td>3501 S. Central Ave.</td>
<td>19</td>
<td>Veterans &amp; Families</td>
<td>10/1/2020</td>
</tr>
<tr>
<td>Metamorphosis on Foothill</td>
<td>13574 W. Foothill Blvd.</td>
<td>47</td>
<td>Individuals &amp; Families</td>
<td>10/1/2020</td>
</tr>
<tr>
<td>Pueblo Del Sol Phase 1</td>
<td>1400 E. Gabriel Garcia Marquez St.</td>
<td>Up to 88</td>
<td>Non-Homeless</td>
<td>10/27/2021</td>
</tr>
<tr>
<td>Pueblo Del Sol Phase 2</td>
<td>1400 E. Gabriel Garcia Marquez St.</td>
<td>Up to 63</td>
<td>Non-Homeless</td>
<td>5/15/2022</td>
</tr>
<tr>
<td>Rise Apartments</td>
<td>4050 S. Figueroa St.</td>
<td>56</td>
<td>Veterans</td>
<td>10/15/2020</td>
</tr>
<tr>
<td>Residences on Main</td>
<td>6901 S. Main St.</td>
<td>49</td>
<td>Families &amp; TAY</td>
<td>10/27/2020</td>
</tr>
<tr>
<td>Building Name</td>
<td>Address</td>
<td>Count</td>
<td>Populations</td>
<td>Date</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-----------------------------------------------------</td>
<td>-------</td>
<td>---------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>West Third Apartments</td>
<td>1900 W. Third St.</td>
<td>136</td>
<td>Veterans</td>
<td>12/31/2020</td>
</tr>
<tr>
<td>Broadway Apartments</td>
<td>301 W. 49th St.</td>
<td>34</td>
<td>Veterans</td>
<td>12/31/2020</td>
</tr>
<tr>
<td>McCadden Campus Senior Housing</td>
<td>1118 N. McCadden Pl.</td>
<td>25</td>
<td>Seniors</td>
<td>12/31/2020</td>
</tr>
<tr>
<td>SP7</td>
<td>513 E. 7th St. &amp; 647 S. San Pedro St.</td>
<td>81</td>
<td>Individuals &amp; Veterans</td>
<td>1/11/2021</td>
</tr>
<tr>
<td>Missouri Place Apartments</td>
<td>11950 W. Missouri Ave</td>
<td>44</td>
<td>Families &amp; Individuals</td>
<td>5/1/2021</td>
</tr>
<tr>
<td>RETHINK Housing</td>
<td>405 N. Westlake Ave</td>
<td>17</td>
<td>Individuals</td>
<td>6/1/2021</td>
</tr>
<tr>
<td>RETHINK Housing</td>
<td>1408 W. 62nd St</td>
<td>23</td>
<td>Individuals</td>
<td>6/1/2021</td>
</tr>
<tr>
<td>Rosa de Castilla</td>
<td>4208 E. Huntington Dr. S.</td>
<td>63</td>
<td>Veterans &amp; Seniors</td>
<td>6/21/2021</td>
</tr>
<tr>
<td>Isla De Los Angeles</td>
<td>283 W. Imperial Hwy.</td>
<td>53</td>
<td>Individuals</td>
<td>7/31/2021</td>
</tr>
<tr>
<td>PATH Villas Montclair</td>
<td>4220 W. Mont Clair St.</td>
<td>45</td>
<td>Individuals</td>
<td>8/20/2021</td>
</tr>
<tr>
<td>Hartford Villas</td>
<td>445-449 Hartford Ave.</td>
<td>100</td>
<td>Individuals &amp; Veterans - HUD PIH</td>
<td>8/31/2021</td>
</tr>
<tr>
<td>Emerson Apartments (Melrose Apts)</td>
<td>4766 W. Melrose Ave.</td>
<td>21</td>
<td>Veterans</td>
<td>9/1/2021</td>
</tr>
<tr>
<td>PSH 3</td>
<td>728 N. Lagoon Ave.</td>
<td>34</td>
<td>Families</td>
<td>10/1/2021</td>
</tr>
<tr>
<td>Jordan Downs Area H</td>
<td>9901 S. Alameda St.</td>
<td>49</td>
<td>Non-Homeless</td>
<td>11/30/2021</td>
</tr>
<tr>
<td>PSH 4</td>
<td>7715 S. San Pedro St.</td>
<td>41</td>
<td>Families</td>
<td>12/1/2021</td>
</tr>
<tr>
<td>Rose Apartments</td>
<td>720 E. Rose Ave.</td>
<td>34</td>
<td>Individuals &amp; TAY</td>
<td>12/3/2021</td>
</tr>
<tr>
<td>Cadence (formerly 11408 S. Central Ave.)</td>
<td>11408 S. Central Ave.</td>
<td>63</td>
<td>Individuals &amp; Families</td>
<td>12/15/2021</td>
</tr>
<tr>
<td>Vermont Corridor Apartments</td>
<td>433 S. Vermont Ave.</td>
<td>18</td>
<td>Seniors</td>
<td>12/28/2021</td>
</tr>
<tr>
<td>Adams Terrace</td>
<td>4347 &amp; 4314 W. Adams Blvd.</td>
<td>43</td>
<td>Individuals</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Summit View Apartments</td>
<td>11681 W. Foothill Blvd.</td>
<td>48</td>
<td>Veterans</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>Units</td>
<td>Occupants</td>
<td>Date</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>--------------------------------</td>
<td>-------</td>
<td>-----------------</td>
<td>--------</td>
</tr>
<tr>
<td>Depot at Hyde Park</td>
<td>6527 S. Crenshaw Blvd.</td>
<td>33</td>
<td>Families &amp; Seniors</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Marcella Gardens (68th &amp; Main)</td>
<td>6714 S. Main St.</td>
<td>59</td>
<td>Veterans, Individuals &amp; TAY</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Ruth Teague Homes (67th &amp; Main)</td>
<td>6706 S. Main St.</td>
<td>51</td>
<td>Veterans, Families &amp; TAY</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Weingart Tower</td>
<td>555 S. Crocker St.</td>
<td>275</td>
<td>Veterans &amp; Individuals</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Washington/LA Apartments</td>
<td>206 E. Washington Blvd.</td>
<td>25</td>
<td>TAY</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Arminta Square Apartments</td>
<td>11050 W. Arminta St.</td>
<td>8</td>
<td>Individuals</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>The Pointe on La Brea</td>
<td>843 N. La Brea Ave.</td>
<td>49</td>
<td>Individuals</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Dahlia Apartments</td>
<td>12003 S. Main St.</td>
<td>55</td>
<td>Individuals</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Montecito II Senior Housing</td>
<td>6668 W. Franklin Ave.</td>
<td>32</td>
<td>Seniors</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Washington Arts Collective</td>
<td>4615 W. Washington Blvd.</td>
<td>20</td>
<td>Individuals &amp; Families</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Reseda Theater Senior Housing</td>
<td>7221 N. Canby Ave.</td>
<td>13</td>
<td>Seniors</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>La Veranda</td>
<td>2420 E. Cesar Chavez Ave.</td>
<td>38</td>
<td>Families &amp; Individuals</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Bryson II</td>
<td>2701 W. Wilshire Blvd.</td>
<td>48</td>
<td>Individuals, Dev. Disabled</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Serenity Apartments</td>
<td>923 S. Kenmore Ave.</td>
<td>74</td>
<td>Seniors</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Sun Commons</td>
<td>6345 N. Clybourn Ave.</td>
<td>51</td>
<td>Families &amp; Individuals</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Deepwater</td>
<td>1424 N. Deepwater Ave.</td>
<td>55</td>
<td>Individuals</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Solaris Apartments</td>
<td>1141 S. Crenshaw Blvd.</td>
<td>42</td>
<td>Individuals, Families, DV</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>11010 SMB</td>
<td>11010 W. Santa Monica Blvd.</td>
<td>50</td>
<td>Seniors &amp; VASH</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Sun King Apartments</td>
<td>12128 Sheldon St.</td>
<td>25</td>
<td>Individuals &amp; Families</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Location</td>
<td>Address</td>
<td>Residents</td>
<td>Type</td>
<td>Date</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------</td>
<td>-----------</td>
<td>-----------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Colorado East</td>
<td>2451 W. Colorado Blvd.</td>
<td>15</td>
<td>Individuals, Families, Seniors</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>NoHo 5050</td>
<td>5050 N. Bakman Ave.</td>
<td>32</td>
<td>DV Survivors</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>803 E. 5th Street</td>
<td>803 E. 5th Street</td>
<td>94</td>
<td>Individuals, TAY, &amp; VASH</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>RETHINK Housing</td>
<td>3551 E. 4th St</td>
<td>8</td>
<td>TAY</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Rose Hill Courts Phase 1</td>
<td>4446 Florizel Street</td>
<td>77</td>
<td>Non-Homeless</td>
<td>3/31/2020</td>
</tr>
<tr>
<td>Jordan Downs Phase H</td>
<td>1000 Grape Street</td>
<td>80</td>
<td>Non-Homeless</td>
<td>11/30/2021</td>
</tr>
</tbody>
</table>
The Choice Neighborhoods Initiative (CNI) differs from its predecessor, the HOPE VI program in that it is open to more than public housing agencies and properties. The goal is to begin positive transformation not only to the selected property, but the surrounding neighborhood as well. The three goals of the CNI program are to transform distressed housing, support positive outcomes for families in the targeted neighborhood, and to transform neighborhoods of poverty into viable mixed-income neighborhoods with access to well-functioning services. CNI parameters include the requirement of one-for-one replacement, resident involvement, right-to-return if lease compliant, activities and services to promote self-sufficiency, and the inclusion of energy-efficient design principles.

There are two types of Choice Neighborhoods grants. Smaller "Planning" grants to help selected communities create a plan for transformation and to build community support. "Implementation" grants are for those communities who already have a plan and community support and have proven the capacity to leverage additional financial resources and resources to be able to begin the transformation of the community. HACLA reserves the right to apply for Choice Neighborhoods Planning or Implementation grants for all Public Housing sites and surrounding neighborhoods, including the Central San Pedro neighborhood incorporating the Rancho San Pedro site. HACLA has received Choice Neighborhoods Planning grants for the Jordan Downs and Rose Hill Courts developments, and has received a Choice Neighborhoods Implementation grant for the NEW Century neighborhood incorporating the Jordan Downs site.

**William Mead**

Preliminary conversations have taken place with the William Mead Resident Advisory Council and the Council Office regarding the feasibility of applying for a CNI Planning Grant. Should a final decision be made to pursue CNI funding, or if the agency decides to begin a planning process without HUD CNI funding, HACLA will initiate a robust community engagement and education process to obtain input from residents and community stakeholders. Furthermore, we believe the Transformation Plan process established by HUD is a “best practice” approach and HACLA is committed to following the process, which establishes a plan for People, Housing and Neighborhood. We will connect fully with residents, business and neighborhood stakeholders as we establish the parameters of investment and opportunity for William Mead, its residents and the surrounding neighborhood. We will build off existing planning processes and undertake an approach that is comprehensive and inclusive in nature, keeping in mind the highest outcome is the improvement of the lives of the people we serve.
Jordan Downs Redevelopment

<table>
<thead>
<tr>
<th>Name of Development</th>
<th>Jordan Downs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Number</td>
<td>CA004000416</td>
</tr>
<tr>
<td>Number of Units</td>
<td>700</td>
</tr>
</tbody>
</table>

The vision for the revitalization of Jordan Downs was initiated in 2008 with the full support of Congresswoman Maxine Waters and then-Mayor Antonio Villaraigosa. It also garnered a broad backing from Jordan Downs residents, community members and stakeholders. In that year, HACLA purchased an adjacent 21-acre vacant property which would allow for the redevelopment and expansion of Jordan Downs using a Build-First model intended to minimize the long-term displacement of its current residents. All residents in good standing will be afforded the right to return and move into a newly constructed Project unit. Residents may elect to receive a tenant-based Section 8 voucher and move to a comparable and appropriately sized replacement unit in a community of their choice, or they may choose to move to an available comparable public housing unit within a different public housing development owned by HACLA, if a unit is available at the time of their relocation.

In early 2009, HACLA launched a comprehensive planning process which solicited input from a wide range of community members and stakeholders. This effort produced a Community-Based Master Plan (Plan) which calls for replacement of the existing 60-year old 700-unit housing community with up to 1,800 new affordable and market-rate homes. HACLA will maintain its firm commitment for a one-for-one replacement of existing units and housing of current public housing residents in good standing including extremely low income families and they will have the opportunity to return to a unit in the new redevelopment. The Plan also includes the addition of ample green space, a community center and much needed neighborhood retail and commercial uses.

The Jordan Downs redevelopment Plan is also accompanied by a comprehensive Human Capital Plan to provide family support, job training and community programs to empower families towards self-sufficiency.

In August of 2012, HACLA selected a Master Developer partner comprised of The Michaels Organization and BRIDGE Housing to help implement the redevelopment Plan.

In 2013, HACLA secured land-use entitlements from the City of Los Angeles which includes a Specific Plan outlining the zoning and development guidelines for the redevelopment Plan.

In March 2015, the 21-acre property was annexed from the County of Los Angeles into the City of Los Angeles. Environmental remediation of this property started in May 2015 and by November 2016, the Department of Toxic Substances Control (DTSC) issued a Remedial Action Completion Certificate (RACR) confirming the finalization of all soil-related remediation activities. The Remedial Action Plan was finalized and approved by DTSC in July 2017. A small portion of the commercial site at Alameda and 97th Street is impacted by off-site soil vapor gas and in April 2018, DTSC and HACLA negotiated, finalized and recorded a Land Use Covenant outlining the allowable development uses on the commercial site. In May 2018, DTSC approved a set of Design
Documents and an Operations & Maintenance manual to establish the standard for construction of a vapor intrusion mitigation system within the foundation of selected commercial structures and to guide the future operations and maintenance of that system.

Phase 1A of the redevelopment project, comprising 115 units, achieved financial closing in March 2017 and commenced construction in May 2017. Construction completion and full occupancy was achieved in October 2019.

Phase 1B achieved financial closing in June 2018 and construction began shortly thereafter. This phase will include 133 affordable units and 2 manager units. Construction is projected to be completed by November 2020 while phased occupancy is projected to begin starting in August 2020 with full occupancy by December 2020.

Phase 1C is an 115,000 square-foot neighborhood retail center. HACLA continues to work with an experienced urban commercial retail developer, Primestor Development, Inc., on developing this phase. Phase 1C achieved financial closing in June 2018 and began construction shortly thereafter. Construction of the structures ("shell") were completed in July 2019, while interior tenant improvements for retailers is expected to be completed by Fall 2020. Operations by some retailers began in January 2020, with the grand opening of Smart and Final grocery store and Blink Fitness. Other retailers that have leased up and are in the process of conducting tenant improvements include; Ross Dress for Less, Nike, Bright Now Dental, LA Nails, The Habit, Starbucks, One West Bank, and Southern Girl Deserts. The retail center is approximately 90% leased up.

Phase Area H is an 80 units comprised of 1, 2, 3 & 4 bedroom units. Final grocery store and Blink Fitness. Phase Area H achieved financial closing in January 2020 and construction began shortly thereafter. This phase will include 79 affordable units and 1 manager units. Construction is projected to be completed by November 2021 while occupancy is projected to begin starting in December 2021.

Phase S2 of the redevelopment is an 81 units project consisting of 63 PBV units, 17 RAD units and one managers unit. S2 will be funded with 4% federal and state tax credits in addition to Transformative Climate Communities (TCC) that will be primarily used for gap financing. S2 was recently awarded a $2,000,000 infill infrastructure grant award and has a targeted financial closing for end of first quarter 2021.

Phase S3 achieved financial closing in March 2020 and construction began shortly thereafter. This phase will include 91 affordable units and 1 manager unit. Construction is projected to be completed by January 2022 while occupancy is projected to begin starting in February 2022. Phase S3 of the redevelopment is a 92 unit project consisting of 48 PBV units, 25 RAD units, 18 tax credit units and one managers unit. S3 will be funded with federal and state tax credit and AHSC for primary gap financing in addition to a 9% LIHTC and conventional financing. S3 submitted their Affordable Housing and Sustainable Communities (AHSC) application February 2019 and has received favorable feedback as the project has passed its eligibility threshold. Both projects are under architectural design as well as continued phasing evaluation for the entire project.
In 2020 HACLA entered into an agreement with Primestor Inc to develop the community center and installation of its new central parks. This effort will include the redesign and reprogramming of the existing center as well as providing green space to the new community. Homeownership opportunities are also being vetted within the community as well as its permanent placement.

As part of the redevelopment project and to ensure the success of the overall new community, HACLA worked with various City departments to extend the existing Century Boulevard artery. This approximately ½-mile road will serve as a main spine through the redeveloped Jordan Downs community and will help reconnect the housing community to the larger community of Watts. The City of Los Angeles Bureau of Engineering (BOE) led the roadway design process and retained a qualified contractor to implement the plans. BOE issued a Notice to Proceed on May 1, 2017 and completed the roadway extension project in September 2018.

After several failed attempts at securing a Choice Neighborhood (CN) Implementation grant from HUD in FY 2013, FY2015 and in FY2016. HACLA resubmitted its application in FY 2019 and was successfully award a $35,000,000 grant. This grant will be used for the continued redevelopment efforts at Jordan Downs and for the betterment of the Watts Community.

**Rancho San Pedro**

<table>
<thead>
<tr>
<th>Name of Development</th>
<th>Rancho San Pedro</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Number</td>
<td>CA004000404/ CA004000404417</td>
</tr>
<tr>
<td>Number of Units</td>
<td>478</td>
</tr>
</tbody>
</table>

In 2015, HACLA, with the support of Council District (CD) 15, conducted a Feasibility Study of Rancho San Pedro on the market conditions and possible development scenarios for revitalizing Rancho San Pedro. In 2017, HACLA began working with the residents and community stakeholders in furtherance of a long-term plan for Rancho San Pedro. The residents and community stakeholders have been engaged through a series of visioning exercises to assist in preparing a Transformation Plan, which will include a community benefits plan and principles for the redevelopment of Rancho San Pedro, as well as to provide guidance for the revitalization of the public and/or assisted housing units and surrounding neighborhood.

In FY2017, HACLA released a two stage Request for Proposal seeking compelling proposals from developers to transform the Rancho San Pedro (RSP) public housing site into a vibrant mixed-income/mixed-use community that interconnects with the neighborhood. In late August, 2017, HACLA BOC approved the selection of the Richman Group (Richman) and their One San Pedro Collaborative partners for the Rancho San Pedro Redevelopment and authorized HACLA to enter into a 90-day Exclusive Right to Negotiate a Master Development Agreement with Richman, that could be extended by two 90-day periods, if need be. HACLA and City Council District 15 organized a series of meetings with city partners, community stakeholders and the Rancho San Pedro RAC to kick off these redevelopment planning activities and has set up a Rancho San Pedro Community Advisory Committee and a new Community Coach Program for public housing residents as part of the community engagement process. To further garner resources for the transformation effort, in FY2017, HACLA submitted a $1.3 million Choice Neighborhoods (CN) Planning and Action Grant
application for the Rancho San Pedro public housing site. In early 2018, HACLA was awarded the HUD CN grant, which will help finance planning and community engagement activities and limited community and economic development activities. Through the CN process, HACLA has identified over 30 partners that will serve on taskforce committees and work with HACLA through the planning process.

In early 2019 HACLA began engaging the community around Action Activities, in conjunction with the neighborhood planning process. The implementation of the action activities program will help to create continued momentum throughout the planning process and build upon the neighborhood needs outlined in the transformation and human capital plan that was submitted to HUD fall 2019. In addition, the Development team has continued to actively engage and further its reach into the community with the opening of the One San Pedro Collaborative office located in downtown San Pedro in May 2019. The development team and HACLA continue to work cohesively on the continued planning efforts of Rancho San Pedro with local government agencies to assist with the drafting the specific plan and the CEQA and NEPA process.

**Mixed Finance Modernization or Development:**

**Miscellaneous**

HACLA is continuing to explore opportunities for entering into debt-leveraged financing arrangements with private partners to redevelop, revitalize, or remodel selected properties. Debt-leveraging activity will be in accordance with HUD & State regulations.

**Pueblo Del Sol**

Pueblo Del Sol was developed on a 34.3-acre former public housing site, known as Aliso Village Public Housing Community, which was originally home to 685 public housing units. The redevelopment of the property that received a HOPE VI award consisted of the construction of 377 rental units called Pueblo Del Sol developed in two mixed finance phases: PDS-I comprising a 201 unit community with 120 public housing units built in 2003 and PDS-II comprising 176 units with 122 public housing units built in 2003. Pueblo del Sol (Phases I and II) reached the end of its 15-year tax credit compliance period.

HACLA analyzed its options related to exercising its Option to Purchase and Right of First Refusal with respect to the improvements located on the property. HACLA exercised the Purchase Option in December 2018 for both Phases and completed the purchase of the LP interests in November 2019.

HACLA is currently negotiating a rehabilitation/re-syndication with Related California and entered into a Development and Disposition Agreement with Related California for carrying out a rehabilitation/re-syndication of each phase in November 2019. Both phases will be 4% LIHTC transactions, and HACLA will be the bond issuer. On or before the respective closings, projected to occur in late FY2020 for Phase I and Summer 2021 for Phase II, HACLA intends to carry out a RAD conversion of the public housing units and a PBV conversion of eligible Tax credit units for the two phases.
Demolition and/or Disposition

Jordan Downs Redevelopment

In June 2016, HACLA received HUD approval for its Jordan Downs Multi-phased Demolition and Disposition Application to demolish and dispose of 630 Public Housing units within the Jordan Downs AMP in accordance with the phasing plan of the overall redevelopment; with the balance of 70 units already incorporated in the Rental Assistance Demonstration Program. Prior to the submission, HACLA carried out extensive consultation with the residents of Jordan Downs, the Jordan Downs Agency-wide Resident Council, the Resident Advisory Board, and the Jordan Downs Advisory Committee through a series of meetings in October and November 2015 in compliance with all required federal regulations.

The Demolition/Disposition application excluded the 70 Rental Assistance Demonstration (RAD) units that have a Commitment to Enter into a Housing Assistance Payment (CHAP) award and are undergoing RAD conversion under a separate process. The Demo/Dispo application also excludes 14 single-family scattered site units.

<table>
<thead>
<tr>
<th>Demolition/Disposition Activity Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a. Development name: <strong>Jordan Downs</strong></td>
</tr>
<tr>
<td>1b. Development (project) number: <strong>CA004000416</strong></td>
</tr>
<tr>
<td>2. Activity type: Demolition ✗ Disposition ✗</td>
</tr>
<tr>
<td>3. Application status (select one)</td>
</tr>
<tr>
<td>Approved ✗</td>
</tr>
<tr>
<td>Submitted, pending approval ☐</td>
</tr>
<tr>
<td>Planned application ☐</td>
</tr>
<tr>
<td>4. Date application approved, submitted, or planned for submission:</td>
</tr>
<tr>
<td>Submitted – 3/14/2016</td>
</tr>
<tr>
<td>Approved – 6/3/2016</td>
</tr>
</tbody>
</table>
5. Number of units affected: **630**

<table>
<thead>
<tr>
<th>Bedroom Type</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Bedroom</td>
<td>74</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>233</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>253</td>
</tr>
<tr>
<td>Four Bedroom</td>
<td>50</td>
</tr>
<tr>
<td>Five Bedroom</td>
<td>20</td>
</tr>
</tbody>
</table>

None of these units are UFAS units.

6. Coverage of action (select one)

- [ ] Part of the development -
- [X] Total development(s) – *(phase demo/dispo per phasing plan)*

7. Timeline for activity:

   a. **Actual** or projected start date of activity: **05/01/2017**
   b. Projected end date of activity: **05/05/2024**

---

**Rose Hill Courts**

Rose Hill Courts is a 100-unit public housing development built in the 1940’s.

In 2014, HACLA selected Related Companies of California (Related) through a Request for Qualifications (RFQ) to evaluate the viability of redeveloping or rehabilitating the Rose Hill Courts public housing site and if viable, to undertake the planning, entitlement, community outreach, funding and other related activities associated with the efforts.

In September 2017, HACLA obtained approval from its Board to examine the option of demolition and new construction including adding density to the development. Under this option, HACLA and Related propose to demolish the existing 100 units of public housing and replace them with up to 185 units of newly built rental affordable housing. The new units will be built in two phases; Phase I will consist of up to 89 units and is being designed to accommodate existing residents currently living onsite. Phase II will consist of up to 96 units and will provide new affordable family units.

In 2017, HACLA entered into a Memorandum of Understanding (“MOU”) with the City of Los Angeles (Department of City Planning) (“City”), to designate HACLA as the lead agency under the California Environmental Quality Act (“CEQA”). In 2019, the Board of Commissioners (BOC) certified the Environmental Impact Report (“EIR”) prepared in full compliance with California
Environmental Quality Act (“CEQA”) and the State CEQA Guidelines for the teardown of the existing 100-unit Rose Hill Courts public housing site and its redevelopment into 185 units with supporting amenities. The BOC also adopted CEQA Findings of Fact, a Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program (“MMRP”) and approved the Project. The Authority worked with the Housing & Community Investment Department (HCID/LA), the Responsible Entity, on a Part 58 NEPA review for the Project and prepared a Final Environmental Impact Statement (FEIS). In 2020, after completion of the public review period, HCID/LA published the Record of Decision and Request for Release of Funds (RROF) for a 15 day public comment period following which the RROF was executed and submitted to HUD for approval. HUD provided HACLA with the Authority to Use Grant funds for the federal funds for this redevelopment. HACLA also completed the Section 106 process with the State Historic Preservation Office (“SHPO”) and HCID/LA, and the AB52 consultation with Native American Tribes that culminated in HACLA entering into a Programmatic Agreement (“PA”) with SHPO and HCID/LA.

Pursuant to discussions with the Department of City Planning, HACLA and Related CA submitted the entitlement package in 2019 for achieving these densities through a less onerous and time consuming approach through the City’s Density Bonus Ordinance. In 2019, the Los Angeles City Planning Commission as the Responsible Agency under CEQA, considered the EIR and adopted the CEQA Findings of Fact and Statement of Overriding Considerations, and acknowledged the Mitigation Monitoring and Reporting Program, adopted Conditions of Approval, and approved the entitlement requests including public benefit project with alternate compliance and density bonus project with off-menu incentives.

The Relocation Plan for the new construction option was prepared in accordance with the requirements of the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as Amended and Corresponding Relocation Requirements at 49 CFR Part 24, HUD Handbook 1378, California Government Code 7260, and Title 25 of the California Code of Regulations. The BOC adopted the Relocation Plan in 2019.

Over the past four years, HACLA and Related conducted several meetings with residents of Rose Hill Courts and other community members to understand their needs and concerns and incorporate them into the redevelopment concept. All residents have received RAD Information Notices (RIN). Residents and community stakeholders were also informed about the plans to study the New Construction option. Numerous interactive design charrette and open houses were held with residents and the larger community to show the planning and conceptual design for the new construction project and to solicit feedback which were then incorporated in the revised design. HACLA also maintains ongoing communication with the LA32 Neighborhood Council and provides regular updates to CD14 staff.

In FY2016, HACLA submitted an application for RAD Conversion for 11 of the 100-units of housing at Rose Hill Courts. HACLA applied for the Section 18 Disposition and/or Demolition of the Rose Hill Courts site in May 2020.
The Phase I project applied for and received an award of State Infrastructure Infill Grant funding for the redevelopment of Rose Hill Courts in the amount of $3.5 million. It also received $20,186,958 in Affordable Housing Sustainable Communities grant funding for housing and sustainable transportation activities. Phase I applied for 4% Low Income Housing Tax credits and Tax Exempt Bond financing in September 2020.

### Demolition/Disposition Activity Description

<table>
<thead>
<tr>
<th>1a. Development name:</th>
<th><strong>Rose Hill Courts</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1b. Development (project) number:</td>
<td><strong>CA16004000408</strong></td>
</tr>
<tr>
<td>2. Activity type:</td>
<td>Demolition ☒ Disposition ☒</td>
</tr>
<tr>
<td>3. Application status (select one)</td>
<td></td>
</tr>
<tr>
<td>Approved ☐</td>
<td>Submitted, pending approval ☒</td>
</tr>
<tr>
<td>Planned application ☐</td>
<td></td>
</tr>
<tr>
<td>4. Date application approved, submitted, or planned for submission:</td>
<td>Submission – 06/19/2020</td>
</tr>
<tr>
<td>5. Number of units affected: up to</td>
<td><strong>100</strong></td>
</tr>
<tr>
<td>6. Coverage of action (select one)</td>
<td></td>
</tr>
<tr>
<td>☐ Part of the development -</td>
<td></td>
</tr>
<tr>
<td>☒ Total development(s) –</td>
<td></td>
</tr>
<tr>
<td>7. Timeline for activity:</td>
<td></td>
</tr>
<tr>
<td>a. Actual or <strong>projected</strong> start date of activity:</td>
<td><strong>11/01/2020</strong></td>
</tr>
<tr>
<td>b. Actual end date of activity:</td>
<td>2024</td>
</tr>
</tbody>
</table>
**Rancho San Pedro**

As the Rancho San Pedro initiative progresses, it may become necessary to make an application to HUD for Section 18 Demolition/Disposition. HACLA remains firmly committed to one for one replacement of these housing units and will ensure there is an equivalent low income, subsidized housing unit to replace each and any unit that may be converted, disposed, or demolished in connection with this project.

<table>
<thead>
<tr>
<th>Demolition/Disposition Activity Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a. Development name: <strong>Rancho San Pedro</strong></td>
</tr>
<tr>
<td>1b. Development (project) number: <strong>CA004000404/ CA004000417</strong></td>
</tr>
<tr>
<td>2. Activity type: Demolition ☒ Disposition ☒</td>
</tr>
<tr>
<td>3. Application status (select one)</td>
</tr>
<tr>
<td>Approved ☐</td>
</tr>
<tr>
<td>Submitted, pending approval ☐</td>
</tr>
<tr>
<td>Planned application ☒</td>
</tr>
<tr>
<td>1. Date application approved, submitted, or planned for submission: <strong>Planned for Submission – 7/1/2021</strong></td>
</tr>
<tr>
<td>5. Number of units affected: <strong>478</strong></td>
</tr>
<tr>
<td>6. Coverage of action (select one)</td>
</tr>
<tr>
<td>☐ Part of the development -</td>
</tr>
<tr>
<td>☒ Total development(s) – <em>(phase demo/dispo per phasing plan to be determined)</em></td>
</tr>
<tr>
<td>7. Timeline for activity:</td>
</tr>
<tr>
<td>a. Actual or <strong>projected</strong> start date of activity: <strong>7/01/2023</strong></td>
</tr>
<tr>
<td>b. Actual end date of activity:</td>
</tr>
</tbody>
</table>
Potential Watts Acquisition Section 18 Disposition/Transfer to HACLA Asset Management

Pueblo Del Sol (Phase I and II)/Aliso Village

HACLA had ground-leased land underlying the Pueblo del Sol management office from the Los Angeles Unified School District (LAUSD), and as part of the 2020 completion of the Phase I RAD project closing HACLA needed clear title to that property. LAUSD conveyed that property to HACLA. In exchange, HACLA expects to dispose of several small properties (the Disposition Property) totaling approximately 7,741 square feet that were associated with Aliso Village and remain under public housing restrictions (Declaration of Trust), subject to HUD approval, as well as residual rights to land underlying the Via Las Vegas public street that are not under public housing restrictions. The Disposition Property is of no current use to HACLA and is of less value than the property received from LAUSD.

<table>
<thead>
<tr>
<th>Demolition/Disposition Activity Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a. Development name: <strong>Pueblo Del Sol (Phase I and II)/Aliso Village</strong></td>
</tr>
<tr>
<td>1b. Development (project) number: <strong>CA16P004005</strong> (Aliso Village); <strong>CA004000227</strong> (Pueblo Del Sol II)</td>
</tr>
<tr>
<td>2. Activity type: Demolition <strong>X</strong> Disposition</td>
</tr>
<tr>
<td>3. Application status (select one)</td>
</tr>
<tr>
<td>Approved</td>
</tr>
<tr>
<td>Submitted, pending approval</td>
</tr>
<tr>
<td>Planned application <strong>X</strong></td>
</tr>
<tr>
<td>4. Date application approved, submitted, or planned for submission: <strong>Submission – 2/1/2021</strong></td>
</tr>
<tr>
<td>5. Number of units affected: <strong>0</strong></td>
</tr>
<tr>
<td>6. Coverage of action (select one)</td>
</tr>
<tr>
<td><strong>X</strong> Part of the development - (land only)</td>
</tr>
<tr>
<td>Total development(s) –</td>
</tr>
<tr>
<td>7. Timeline for activity:</td>
</tr>
<tr>
<td>a. Actual or projected start date of activity: <strong>4/1/2021</strong></td>
</tr>
<tr>
<td>b. Actual end date of activity: <strong>4/1/2021</strong></td>
</tr>
</tbody>
</table>
Between late 2010 and 2013, HACLA added to its Public Housing stock by purchasing a total of twenty-nine (29) Townhomes/Duplex properties comprising thirty-four (34) units in the Watts community. Many of these properties were purchased from Restore Neighborhoods Los Angeles (RNLA), which initially acquired the properties using HUD Neighborhood Stabilization Program (NSP) funds allocated by the Los Angeles Housing + Community Investment Department (HCID), while other properties were purchased from private developers using HUD Replacement Housing Factor funds.

HACLA is exploring the long term options of transferring these properties to HACLA Asset Management for administration via third party management and carrying out a Section 18 Disposition under a HACLA non-profit instrumentality ownership and third party property management. Before taking any steps, HACLA would conduct resident meetings to discuss the plans and secure approval from the Board of Commissioners.

### Demolition/Disposition Activity Description

<table>
<thead>
<tr>
<th>1a. Development name: <strong>Jordan - Scattered</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1b. Development (project) number: <strong>CA004000999/ CA004000416</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Activity type:</th>
<th>Demolition □ Disposition ☒</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>3. Application status (select one)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved □ Submitted, pending approval □ Planned application ☒</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Date application approved, submitted, or planned for submission:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planned for Submission – 3/1/2021</strong></td>
</tr>
</tbody>
</table>

| 5. Number of units affected: **34** |
| 6. Coverage of action (select one) |
| Part of the development - Total development(s) |
| ☒ Total development(s) |

| 7. Timeline for activity: |
| a. Actual or **projected** start date of activity: **7/01/2021** |
| b. Actual end date of activity: **TBD** |

Conversion of Public Housing
a) Conversion of Public Housing to Project Based Assistance under RAD

The Department of Housing and Urban Development created the Rental Assistance Demonstration (RAD) program to preserve public housing and enhance housing choice for residents. Under this program, public housing agencies would have the option of converting current public housing Annual Contributions Contracts into long-term project-based voucher or project-based rental assistance contracts. This conversion enables PHAs to secure financing from private and not-for-profit partners to repair and renovate their property, including energy-efficient upgrades. Subject to the availability of RAD, HACLA reserves the right to participate in this program if compatible with HACLA’s needs and objectives.

Jordan Downs

<table>
<thead>
<tr>
<th>Name of Development</th>
<th>Jordan Downs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Number</td>
<td>CA0040000416</td>
</tr>
<tr>
<td>Number of Units to be converted to RAD</td>
<td>60</td>
</tr>
</tbody>
</table>

Although HACLA’s FY2013, FY2015 CNI applications were denied, HUD reserved HACLA’s request for 70 Rental Assistance Demonstration (RAD) units and 120 RAD units within these applications respectively. HACLA successfully applied for these RAD units as a component of the overall mix of the Jordan Downs Redevelopment Plan. Additionally, HACLA plans to submit a Multi-phase award for up to 60 more Rental Assistance Demonstration units for future phases of Jordan Downs and is currently reviewing the financial feasibility of this approach.

HACLA has received a Commitment to enter into a Housing Assistance Payments (CHAP) contract for the 70 units which has been subsequently split and amended into two CHAPs with 32 units developed as part of Sub-phase 1A and 38 units developed as Sub-phase 1B respectively.

The conversions of the 70 RAD units are part of the initial redevelopment phases which include replacement of 157 existing public housing units with 250 new units comprised of RAD units, Section 8 Project Based Vouchers and, Low Income Housing Tax Credits units that are deed restricted to between 30% and 50% of AMI. The 250 new units are planned to be constructed on the adjacent remediated vacant land. Families, depending on their preference, will have the right to move into the replacement units within this development or be provided with a tenant-based Section 8 voucher and move to a comparable and appropriately sized replacement unit in a community of their choice, or they may choose to move to an available comparable public housing unit within a different public housing development owned by HACLA, if a unit is available at the time of their relocation. HACLA has closed on the Phase 1A RAD transaction in March 2017 and on the Phase 1B RAD transaction in June 2018.

In 2015, HACLA received a multi-phased RAD award for another 120 RAD units. These RAD conversions will take place as part of the Phase II and Phase III redevelopment of Jordan Downs.
Within the 120 RAD multi-phase award, in January 2017, HACLA made RAD applications for Phases 2A (also known as S3) and 2B (also known as Area H) and received the Commitment to enter into HAP (CHAP) awards for these two projects. HACLA has requested HUD to transfer 13 units from the Phase 2A (S3) CHAP to Phase 2B’s CHAP and made RAD applications for expanding Phase 2A (S3) RAD authority, Phase Area G and Phase MDC totaling 101 units for all four future projects.

Below, please find specific information related to the Public Housing Development selected for the 101 RAD Units that will be converted as part of Phase 2A (S3), 2B (Area H), Area G and 2 MDC (S2):

<table>
<thead>
<tr>
<th>Name of Public Housing Development: Jordan Downs</th>
<th>PIC Development ID: CA0040000416</th>
<th>Conversion Type: Project Based Vouchers (PBV)</th>
<th>Transfer of Assistance: No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Units: 101</td>
<td>Pre-RAD Unit Type: Family</td>
<td>Post-RAD Unit Type if different: Family</td>
<td>Capital Fund allocation of Development: (Annual Capital Fund Grant for Jordan Downs multiplied by total number of units in project) $3,001.19 * 101 = $303,120</td>
</tr>
<tr>
<td>Bedroom Type</td>
<td>Number of Units Pre-Conversion</td>
<td>Number of Units Post-Conversion</td>
<td>Change in Number of Units per Bedroom Type and Why: (De Minimis Reduction, Transfer of assistance, Unit Reconfigurations, etc.)</td>
</tr>
<tr>
<td>One Bedroom</td>
<td>2</td>
<td>9</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>27</td>
<td>42</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>52</td>
<td>43</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Four Bedroom</td>
<td>19</td>
<td>7</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Five Bedroom</td>
<td>1</td>
<td>0</td>
<td>Unit reconfiguration*</td>
</tr>
</tbody>
</table>

If performing a Transfer of Assistance: NA

Note:

* Unit reconfigurations post-transfer will allow HACLA to more effectively serve current families and anticipated future residents based on market demographics.
HACLA has applied for 60 additional RAD units to be added to its multi-phase RAD award for future Phases 4 and 5 of the Jordan Downs redevelopment and is awaiting HUD approval.

HACLA will provide additional information as it becomes available in future Agency Plans or through an amendment process.

HACLA shall comply with all applicable requirements of PIH Notice 2012-32, REV-2, REV-3, REV-4 as may be amended from time to time (the “RAD Notice”) and PIH 2016-17 (HA), as may be amended from time to time (the “RAD Relocation Notice”). HACLA has included the Resident Rights, Participation, Waiting List and Grievance Procedures provisions of these notices for reference as an attachment, and each notice shall be deemed to be fully incorporated herein, but in the event of a conflict, the applicable provisions of the RAD Notice and RAD Relocation Notice shall control.

HACLA certifies that all phases of the Jordan Downs Redevelopment Project comply with the Site selection requirements set for at 24 CFR § 983.57, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, including implementing regulations at 24 CFR § 1.4(b)(3), Section 504 of the Rehabilitation Act of 1973 including implementing regulations at 24 CFR § 8.4(b)(5), and the Americans with Disabilities Act. HACLA certifies that the sites selected are suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11063, and HUD regulations issued pursuant thereto.

**Rose Hill Courts**

HACLA applied for 11 units to be converted to RAD at Rose Hill Courts in conjunction with the overall revitalization efforts. Since Rose Hill Courts is part of the Ramona AMP, HACLA could not submit a standalone Rose Hill Courts application and was required to submit a RAD application for the Ramona Garden AMP for partial conversion.
<table>
<thead>
<tr>
<th>Name of Public Housing Development: Ramona Gardens</th>
<th>PIC Development ID: CA0040000401</th>
<th>Conversion Type: Project Based Vouchers (PBV)</th>
<th>Transfer of Assistance: No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Units: 11</td>
<td>Pre-RAD Unit Type: Family</td>
<td>Post-RAD Unit Type if different: Family</td>
<td>Capital Fund allocation of Development: (Annual Capital Fund Grant for Rose Hill Courts multiplied by total number of units in project) $3,088.78 * 11 = $33,966</td>
</tr>
<tr>
<td>Bedroom Type</td>
<td>Number of Units Pre-Conversion</td>
<td>Number of Units Post-Conversion</td>
<td>Change in Number of Units per Bedroom Type and Why: (De Minimis Reduction, Transfer of assistance, Unit Reconfigurations, etc.)</td>
</tr>
<tr>
<td>One Bedroom</td>
<td>2</td>
<td>0</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>3</td>
<td>6</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>5</td>
<td>5</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Four Bedroom</td>
<td>1</td>
<td>0</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>If performing a Transfer of Assistance:</td>
<td>NA</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Unit reconfigurations post-transfer will allow HACLA to more effectively serve current families and anticipated future residents.

HACLA will continue to monitor and evaluate HUD's proposed Rental Assistance Demonstration (RAD) program. HACLA will participate in RAD if it is found to be financially feasible and meets the needs of HACLA and our residents.

**Lankershim/87th Street/The Manchester Apartments**

In August 2018, HACLA submitted the RAD application for Lankershim/87th. In November 2018, HACLA was awarded a Commitment to enter into a Housing Assistance Payments Assistance (CHAP) contract with HUD for 55 units. The CHAP was subsequently amended and split into two CHAPs, with 29 units to be converted as part of CA004000851A for Lankershim Apartments and 26 units to be converted as CA004000851B to The Manchester Apartments (also known as 87th).

HACLA shall comply with all applicable requirements of PIH Notice 2012-32, REV-3 as may be amended from time to time (the “RAD Notice”). Both properties underwent substantial
rehabilitations which were completed in 2010, and, therefore, no rehabilitation or tenant relocation is necessary for this conversion, which is intended to be a program conversion only.

HACLA hosted several informational meetings to inform residents of the upcoming conversion, answer any questions and provide update on the status.

The RAD conversion of Lankershim Apartments was completed in November 2019. The RAD conversion of the Manchester is expected to complete in July 2020. HACLA will provide additional information as it becomes available in future Agency Plans or through an amendment process.

Below, please find information for Lankershim Apartments

<table>
<thead>
<tr>
<th>Name of Public Housing Development: Lankershim Apartments</th>
<th>PIC Development ID: CA0040000851A</th>
<th>Conversion Type: Project Based Vouchers (PBV)</th>
<th>Transfer of Assistance: No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Units: 30</td>
<td>Pre-RAD Unit Type: Senior &amp; Disabled</td>
<td>Post-RAD Unit Type if different: Same as Pre-RAD</td>
<td>Capital Fund allocation of Development: (Annual Capital Fund Grant for Lankershim Apartments multiplied by total number of units in project) $1,030.47 * 30 = $30,914</td>
</tr>
<tr>
<td>Bedroom Type</td>
<td>Number of Units Pre-Conversion</td>
<td>Number of Units Post-Conversion</td>
<td>Change in Number of Units per Bedroom Type and Why: (De Minimis Reduction, Transfer of assistance, Unit Reconfigurations, etc.)</td>
</tr>
<tr>
<td>One Bedroom</td>
<td>24</td>
<td>23</td>
<td>1 unit is non-dwelling unit and will not be converted as it’s designated for onsite management staff</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>6</td>
<td>6</td>
<td>NA</td>
</tr>
<tr>
<td>If performing a Transfer of Assistance:</td>
<td></td>
<td></td>
<td>NA</td>
</tr>
</tbody>
</table>

Below, please find information for the Manchester Apartments
**Name of Public Housing Development:** The Manchester Apartments  
**PIC Development ID:** CA0040000851B  
**Conversion Type:** Project Based Vouchers (PBV)  
**Transfer of Assistance:** No

<table>
<thead>
<tr>
<th>Total Units: 27</th>
<th>Pre-RAD Unit Type: Senior &amp; Disabled</th>
<th>Post-RAD Unit Type if different: Same as Pre-RAD</th>
<th>Capital Fund allocation of Development: (Annual Capital Fund Grant for The Manchester Apartments multiplied by total number of units in project) $1,030.47 * 27 = $27,823</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom Type</td>
<td>Number of Units Pre-Conversion</td>
<td>Number of Units Post-Conversion</td>
<td>Change in Number of Units per Bedroom Type and Why: (De Minimis Reduction, Transfer of assistance, Unit Reconfigurations, etc.)</td>
</tr>
<tr>
<td>One Bedroom</td>
<td>27</td>
<td>26</td>
<td>1 unit is non-dwelling unit and will not be converted as it's designated for onsite management staff</td>
</tr>
<tr>
<td>If performing a Transfer of Assistance:</td>
<td></td>
<td></td>
<td>NA</td>
</tr>
</tbody>
</table>

**Potential Watts Acquisition RAD Conversion/Transfer to HACLA Asset Management**

<table>
<thead>
<tr>
<th>Name of Development</th>
<th>Jordan – Scattered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Number</td>
<td>CA004000999</td>
</tr>
<tr>
<td>Number of Units to be converted to RAD</td>
<td>20</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Development</th>
<th>Jordan – Scattered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Number</td>
<td>CA004000416</td>
</tr>
<tr>
<td>Number of Units to be converted to RAD</td>
<td>14</td>
</tr>
</tbody>
</table>

HACLA is exploring the long term options of either transferring these properties to HACLA Asset Management for administration via third party management, a RAD conversion, or Section 18 Demolition/Disposition under a HACLA non-profit instrumentality ownership and third party property management. For either change, HACLA would conduct resident meetings to discuss the plans, prepare written responses to resident comments, and secure approval from the Board of Commissioners.
Other Properties

Pueblo Del Sol (Phase I and II)

In 2019, HACLA submitted two separate RAD applications for the conversion of the 242 public housing units within Phase I and Phase II of the Pueblo Del Sol properties and have received CHAP awards for both phases. The RAD conversion will be conducted concurrently with the resyndication and rehabilitation of these properties.

Under H-2019-09 PIH-2019-23 (HA), Rental Assistance Demonstration REV-4, HACLA is seeking a reduction of eight assisted units in Pueblo Del Sol Phase I and ten assisted unit in Phase II under the De Minimis Allowance calculated across portfolio conversions, based on the RAD conversions closed prior to or simultaneous with the execution of the de minimis reduction. HACLA intends to add regular Section 8 PBV overlay to these units after de minimis reduction. Tenants living in these units will not be displaced and will continue to pay 30% of their adjusted income towards rent.

HACLA intends to transfer the assistance of a de minimis amount of public housing units using the De Minimis Reduction allowed under the RAD program, by no more than the greater of five percent of the number of units within Phase I and II and the HACLA portfolio units converted or in the process of being converted thus far under RAD, to a Section 8 PBV HAP contract.

Below, please find information for the Pueblo Del Sol Phases I and II

<table>
<thead>
<tr>
<th>Name of Public Housing Development: Pueblo Del Sol I</th>
<th>PIC Development ID: CA004000222</th>
<th>Conversion Type: Project Based Vouchers (PBV)</th>
<th>Transfer of Assistance: No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Units: 120</td>
<td>Pre-RAD Unit Type: Family</td>
<td>Post-RAD Unit Type if different: Same</td>
<td>Capital Fund allocation of Development: (Annual Capital Fund Grant for Pueblo Del Sol I multiplied by total number of units in project) $1483.84 * 112 = $166,190</td>
</tr>
<tr>
<td>Bedroom Type</td>
<td>Number of Units Pre-Conversion</td>
<td>Number of Units Post-Conversion</td>
<td>Change in Number of Units per Bedroom Type and Why: (De Minimis Reduction, Transfer of assistance, Unit Reconfigurations, etc.)</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>59</td>
<td>56</td>
<td>3 units will be converted to Section 8 PBV under the De Minimis Reduction</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>47</td>
<td>43</td>
<td>4 units will be converted to Section 8 PBV under the De Minimis Reduction</td>
</tr>
<tr>
<td>Four Bedroom</td>
<td>14</td>
<td>13</td>
<td>1 unit will be converted to Section 8 PBV under the De Minimis Reduction</td>
</tr>
<tr>
<td>If performing a Transfer of Assistance:</td>
<td>NA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of Public Housing Development: Pueblo Del Sol II</td>
<td>PIC Development ID: CA004000227</td>
<td>Conversion Type: Project Based Vouchers (PBV)</td>
<td>Transfer of Assistance: No</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>---------------------------------</td>
<td>-----------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Total Units: 122</td>
<td>Pre-RAD Unit Type: Family</td>
<td>Post-RAD Unit Type if different: Same</td>
<td>Capital Fund allocation of Development: (Annual Capital Fund Grant for Pueblo Del Sol II multiplied by total number of units in project) $1,496.51 * 112 = $167,609</td>
</tr>
<tr>
<td>Bedroom Type</td>
<td>Number of Units Pre-Conversion</td>
<td>Number of Units Post-Conversion</td>
<td>Change in Number of Units per Bedroom Type and Why: (De Minimis Reduction, Transfer of assistance, Unit Reconfigurations, etc.)</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>54</td>
<td>51</td>
<td>3 units will be converted to Section 8 PBV under the De Minimis Reduction</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>48</td>
<td>44</td>
<td>4 unit will be converted to Section 8 PBV under the De Minimis Reduction</td>
</tr>
<tr>
<td>Four Bedroom</td>
<td>20</td>
<td>17</td>
<td>3 units will be converted to Section 8 PBV under the De Minimis Reduction</td>
</tr>
<tr>
<td>If performing a Transfer of Assistance:</td>
<td>NA</td>
<td></td>
<td>NA</td>
</tr>
</tbody>
</table>

HACLA may submit a RAD application for Rancho San Pedro in FY2020.

<table>
<thead>
<tr>
<th>Name of Development</th>
<th>Rancho San Pedro</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Number</td>
<td>CA004000404</td>
</tr>
<tr>
<td>Number of Units to be converted to RAD</td>
<td>478</td>
</tr>
</tbody>
</table>

Prior to making any RAD application, HACLA will conduct any required resident meetings to discuss conversion plans and prepare comprehensive written responses to resident comments.

HACLA certifies that all properties converting under RAD complies with the site selection requirements set for at 24 CFR § 983.57, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, including implementing regulations at 24 CFR § 1.4(b)(3), Section 504 of the Rehabilitation Act of 1973 including implementing regulations at 24 CFR § 8.4(b)(5), and the Americans with Disabilities Act. HACLA certifies that the sites selected are suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11063, and HUD regulations issued pursuant thereto.
Property Retention

In connection with the redevelopment of Aliso Village, HACLA entered into a long-term ground lease of several acres to the Los Angeles Unified School District that is now the site of the Mendez High School. The property, however, is still under public housing use restrictions (Declaration of Trust). HUD and HACLA staffs preliminarily have determined that the best way to resolve title issues and assure compliance with HUD requirements would be for HACLA to submit an application to HUD to retain this property that, if approved, would result in HUD’s release of the Declaration of Trust. The ground lease, which requires use of the property for school purposes, would remain in place.

Voluntary Compliance Agreement (VCA), Orders, and Rulings Certification:

HACLA is currently subject to the following VCAs:

- **Obakhume, Jennifer v. Housing Authority of the City of Los Angeles**, HUD Case Nos. 09-18-3937-8, 09-18-3937-4, 09-18-3937-D
- **Yuryeva v. Housing Authority of the City of Los Angeles**, HUD Case No. 09-19-6401-8
- **Fox v. HACLA**, HUD Case No. 09-17-8899-8, DFEH Case No. 908967-296187
- **Westbrook v Housing Authority of the City of Los Angeles**, HUD Case Nos. 09-19-5786-8 & 09-19-5786-4
- **Muhammad v. Housing Authority of the City of Los Angeles**, HUD Case No. 09-17-7184-8
- **Ariel v. Housing Authority of the City of Los Angeles**, HUD Case No. 09-15-1447-8

In accordance with the requirements of H-2019-09/PIH-2019-23 (HA), Rental Assistance Demonstration REV-4, Attachment 1D, Paragraph 5, HACLA certifies that compliance with the above referenced Voluntary Compliance Agreements will not be negatively impacted by HACLA’s current RAD conversion activities. HACLA also certifies that it is not currently subject to a consent order or consent decree, final judicial ruling, or administrative ruling or decision.

Project-Based Vouchers Statement:

HACLA, subject to approval by its Board of Commissioners, may project-base up to 5,000 tenant-based vouchers over the next five years. The location of project-based assistance will be consistent with the goals of deconcentrating poverty and expanding housing and economic opportunities in accordance with HUD regulations and the Section 8 Administrative Plan.

Project-basing is consistent with HACLA’s Agency Plan, its strategies for addressing community needs, and its stated goals to increase the availability of decent, safe and affordable housing, increase housing choices, improve community quality of life and economic vitality.

Project-basing is being pursued to increase the utilization of vouchers in the current Los Angeles housing market which has been characterized by low vacancy rates, a history of increasing rents,
the reluctance of owners to participate in the tenant-based Housing Choice Voucher Program, and the lack of production of affordable housing units.

HACLA has awarded 5,869\(^5\) vouchers in support of the City of Los Angeles Permanent Supportive Housing Program (PSHP) which consolidates the efforts of various City departments to assist in the provision of supportive housing for the homeless population of the City of Los Angeles. Additional vouchers may be awarded depending on the response to Housing & Community Investment Department (HCIDLA) Notice of Funding Availability for the PSHP and the needs of the community.

HACLA will determine whether to convert these sites to project based vouchers. HACLA reserves the right to request HUD waivers of project basing requirements as may be needed to increase the availability of decent, safe and affordable housing and to expand housing and economic opportunities within its jurisdiction.

**Jordan Downs**

HACLA shall seek Section 8 project-based vouchers (PBV) to be developed as replacement housing and additional affordable housing for Jordan Downs. HACLA applied for 587 relocation and replacement Tenant Protection vouchers from HUD, the maximum allowable under the Demolition/Disposition approval, subject to HUD rules and regulations and annual appropriation. Returning tenants will be provided with replacement vouchers.

HACLA projects the Jordan Downs redevelopment to require approximately 550 to 575 PBV units, comprising replacement and non-replacement units.

**Rose Hill Courts**

HACLA shall require Section 8 project-based vouchers (PBV) to be utilized as replacement housing for Rose Hill Courts. Upon receiving HUD Disposition approval, HACLA shall also seek Tenant Protection vouchers from HUD and returning tenants shall be provided with replacement vouchers. HACLA projects the Rose Hill Courts revitalization project to require up to 172 PBV units.

**Pueblo Del Sol**

HACLA intends to convert up to 224 public housing units in Pueblo Del Sol Phase I and Phase II to the RAD Section 8 PBV platform and 18 units with eligible families to non–RAD PBVs under the allowable de minimis reduction. Of the 18 non–RAD PBV units, 8 units are in Phase I and 10 units are in Phase II. The de minimis reduction will allow HACLA to apply rents in accordance with the Section 8 Voucher Payment Standard (“VPS”) without adversely affecting the resident’s portion of the rent.

\(^5\) Homeless Initiatives as of July 2020
The Authority also intends to add Section 8 PBV overlay to the eighty (80) Tax Credit only units in PDS-I and fifty-three (53) Tax Credit only units in PDS-II. The Authority intends to initially attach PBVs only to those units that will house families who will not experience any increase in rents. Upon tenant turnover or changes to the tenant circumstance that will cause them to benefit from an income-based rent, the Authority will attach PBVs to these units. Therefore, HACLA intends to allocate a total of up to eighty-eight (88) non-RAD Section 8 Project Based Vouchers (“PBV”) for Phase I and up to sixty-three (63) Section 8 PBVs for Phase II.

**Rancho San Pedro**

HACLA shall require Section 8 project-based vouchers (PBV) to be utilized as replacement housing for Rancho San Pedro. Upon receiving HUD Disposition approval, HACLA shall also seek Tenant Protection vouchers from HUD and returning tenants shall be provided with replacement vouchers. HACLA projects the Rancho San Pedro revitalization project to require 400 to 478 PBV units for replacement housing and possibly more if the replacement requirement exceeds one-for-one.

**Units Selected based on Non-competitive Selection to Attach PBV to PHA-Owned Projects (former Public Housing Units)**

HACLA will add the following former public housing units in this manner:

<table>
<thead>
<tr>
<th>Project</th>
<th>HACLA Role</th>
<th>PBVs added</th>
<th>Work Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Jordan Downs Area H (New Construction)</td>
<td>Ground Lessor</td>
<td>49</td>
<td>Area H is the third project of the Jordan Downs Redevelopment. This 9% LIHTC new construction project is a 80-unit affordable residential development with a total of 49 Section 8 PBV units, 30 RAD units and 1 Manager Unit. Hard costs are projected at approximately $360,000 per unit.</td>
</tr>
<tr>
<td>b) Jordan Downs Phase S3 (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>48</td>
<td>S3 is the fourth project of the Jordan Downs Redevelopment. This 9% LIHTC new construction project is a 92-unit affordable residential development with a total of 48 Section 8 PBV units, 25 RAD units, 18 Tax Credit only units and 1 Manager Unit. Hard costs are projected at approximately $430,000 per unit.</td>
</tr>
<tr>
<td>Project</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>Units</td>
<td>Description</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
<td>------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>c) Jordan Downs Phase S2 (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>58</td>
<td>S2 is the fifth project of the Jordan Downs Redevelopment. This 4% LIHTC new construction project is a 81-unit affordable residential development with a total of 58 Section 8 PBV units, 22 RAD units and 1 Manager Unit. Hard costs are projected at approximately $315,000 per unit.</td>
</tr>
<tr>
<td>d) Jordan Downs Phase H2 (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>91</td>
<td>H2 is the sixth project of the Jordan Downs Redevelopment. This 4% LIHTC new construction project is a 195-unit affordable residential development with a total of 91 Section 8 PBV units, 23 RAD units, 41 Tax Credit only units, 39 unrestricted units and 1 Manager Unit. Hard costs are projected at approximately $320,000 per unit.</td>
</tr>
<tr>
<td>e) Rose Hill Courts Phase I (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>77</td>
<td>This project is the first phase of the Rose Hill Courts Redevelopment. This 4% LIHTC new construction project is a 89-unit affordable residential development with a total of 77 Section 8 PBV units, 11 RAD units and 1 Manager Unit. Hard costs are projected at approximately $393,000 per unit.</td>
</tr>
<tr>
<td>f) Rose Hill Courts Phase II (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>95</td>
<td>This project is the second phase of the Rose Hill Courts Redevelopment. This 4% LIHTC new construction project is a 96-unit affordable residential development with a total of 95 Section 8 PBV units and 1 Manager Unit. Hard costs are projected at approximately $377,000 per unit.</td>
</tr>
<tr>
<td>g) Pueblo Del Sol Phase I (Rehabilitation)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>88</td>
<td>The mixed finance Pueblo Del Sol Phase I project is a 201-unit existing affordable residential development comprising 120 PH units and 80 Tax credit only units. It will undergo an acquisition/resyndication/rehabilitation/RAD conversion with 4% LIHTC and Tax Exempt Bonds. 112 PH units will converted under RAD, while 8 PH units will be converted to Section 8 under the de minimis reduction. Section 8 PBVs</td>
</tr>
<tr>
<td>h) Pueblo Del Sol Phase II (Rehabilitation)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>63</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The mixed finance Pueblo Del Sol Phase II project is a 176-unit existing affordable residential development comprising 122 PH units and 53 Tax credit only units. It will undergo an acquisition/resyndication/rehabilitation/RAD conversion with 4% LIHTC and Tax Exempt Bonds. 112 PH units will converted under RAD, while 10 PH units will be converted to Section 8 under the de minimis reduction. Section 8 PBVs will be layered on up to 80 Tax Credit-only units after determining that the units are occupied by income eligible families who will not experience any increase in rents. Hard costs are projected at approximately $75,000 per unit.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PBV projects on former public housing sites are exempt from both the 20% cap on authorized voucher units assisted by PBV and the cap on PBV units per project required by 24 CFR 983.56.

Other Capital Grant Programs

## B.3 Progress Report

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

HACLA, while a critical component of the City’s affordable housing solution, has been vulnerable to external forces, notably erratic and declining federal funding. Despite national recognition as a HUD “High Performer”, current funding is insufficient to prevent deterioration, much less address physical needs within HACLA’s portfolio of public housing assets. In order to improve the Agency’s capacity to preserve and expand its role in producing and supporting deeply affordable housing and healthy communities, HACLA will develop a twenty-five (25) year Vision Plan. HACLA has taken the following steps towards developing this Vision Plan. In early February 2016, the Board of Commissioners held an all-day retreat to discuss its capital needs and propose a responsible path towards improving its housing stock, increasing permanent affordable housing opportunities in the City of Los Angeles, and developing strong pathways to economic resiliency for the residents and surrounding neighborhoods. At the following February Board meeting, HACLA’s Board of Commissioners approved the underlying Goals, Founding Principals and Strategies for the development of an agency wide Vision Plan and recommended the President and CEO to initiate a public process to develop a vision plan for HACLA to address the needs of its public housing portfolio, preserve and expand affordable housing, and improve economic and social outcomes for the households and communities it serves.

The Vision Plan Goals are:

- Preserve existing deeply affordable housing
- Net new affordable units
- Improve outdated housing stock & affordable housing models
- Revitalize communities and enhance livability
- Improve economic & social outcomes for affordable housing residents
- Strengthen and grow strategic partnerships

Through a competitive RFP solicitation process, in September 2016, HACLA procured a consultant team to assist in developing the Vision Plan and related community outreach strategies. HACLA and the consultants are working on a detailed data-driven matrix to compare and evaluate key aspects of its public housing and asset portfolio and current programs to guide the revitalization strategy and prioritize sites for different types and levels of investment. Comparison research on organizational and financial models are also being carried out which will inform the implementation strategy for the Vision Plan and a database of community organizations are being created for future partnerships.

In 2017, HACLA and the consultants led a multi-faceted community engagement process with residents, Resident Advisory Councils (RACs), neighborhood partners and advocates, affordable housing partners, funders, and local agencies to solicit input for the Vision Plan. This was accomplished through a three-pronged approach: (1) Resident Outreach achieved through over 40 community workshops; (2) Partner Outreach achieved through establishment of a Vision Plan Task Force and interviews with government and community organizations; and (3) Community Outreach utilized by residents and non-residents using social media and electronic communication tools.
In 2018, HACLA presented the draft Vision Plan strategies to the Board of Commissioners and the feedback received was being incorporated into the final plan document, completed in Jan 2019 and officially introduced to all HACLA staff at a February 2019 State of the Agency meeting.

Since then, HACLA has initiated staff training and plan implementation of the strategies and actions set forth for year one and beyond.

### B.4 Most Recent Fiscal Year Audit.

(a) Were there any findings in the most recent FY Audit?  Y □ N ☒

(b) If yes, please describe:

**Financial Statements Findings** - None

**Federal Award Findings and Questioned Costs** - None

### C. Other Document and/or Certification Requirements.

#### C.1 Certification Listing Policies and Programs that the PHA has revised since Submission of its Last Annual Plan

**Form 50077-ST-HCV-HP**, *Certification of Compliance with PHA Plans and Related Regulations*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

(See Attachment 4 in Final & Final Draft)

#### C.2 Civil Rights Certification

**Form 50077-ST-HCV-HP**, *Certification of Compliance with PHA Plans and Related Regulations*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

(See Attachment 4 in Final & Final Draft)
C.3 Resident Advisory Board (RAB) Comments

(a) Did the RAB(s) provide comments to the PHA Plan? Y ☒ N ☐

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.

(See Attachment 3 in Final & Final Draft Document)

C.4 Certification by State or Local Officials.

Form HUD 50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan, must be submitted by the PHA as an electronic attachment to the PHA Plan.

(See Attachment 4 in Final & Final Draft)

D. Statement of Capital Improvements.

Statement of Capital Improvements. Required in all years for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).

Capital Fund Update:

Capital Grant priorities are determined by the Housing Services Department (administration, maintenance supervisor, residents and the managers) who are the most knowledgeable about site needs in consultation with the residents. Needs identified by Housing Services are compared to and/or matched to those items identified in the most recent physical needs assessment (PNA). Utmost priority is given to improvements dealing with the health and safety of the residents. Through the Agency Plan process, comments are received and considered which help identify additional needs and their priorities.
The following are planned activities for the upcoming fiscal year:

For the 2021 Capital Grant funding year, the Housing Authority projects receiving $20,000,000 in Capital Grant funds. HACLA will transfer 25% of its award to public housing operations to supplement the ordinary maintenance and operations of the public housing developments. Another 9% of the grant will be used for the administrative costs of managing the Capital Fund program. Costs include capital project management and reporting and to support department costs.

Another $500,000 will be set aside to fund the activities of the Resident Advisory Council (RAC) Support unit, including RAC elections, training and staffing.

The Authority will budget $3,150,000 for improvements at all the public housing sites, including $1,500,000 for ADA accommodations, $1,000,000 for asbestos abatement, $350,000 for the repair of fire damaged units, and $300,000 for equipment purchases, including stoves and refrigerators.

The balance of $9,555,000 will be used for major capital projects including: upgrade of plumbing systems (gas, water and sewer lines), upgrade of electrical systems (wiring, panels and outlets). Also included will be window replacements and lead based paint abatement of the sites and the demolition, disposition and relocation activities associated with Jordan Downs redevelopment. Included in the $9.55 million is the reservation of $355,000 for architectural, environmental, and relocation fees associated with these capital projects.

Unforeseen emergencies may require the reprogramming funds identified above.

For many years, the Housing Authority has been prioritizing outstanding needs with the limited funds provided by HUD based on health and safety, accessibility, reducing vacant units, and modernizing the public housing sites. However, in order to comprehensively address the severe funding gap, HACLA will clearly have to look for other funding beyond the Capital funding provided by HUD.

Towards that goal, HACLA plans on creating a Capital Management Plan to identify priorities and strategies for the long term health and viability of HACLA’s affordable housing portfolio by working with the Mayor’s Office and building a broad coalition of affordable housing stakeholders.

The Plan will analyze the availability and leveraging of both private funds and public funding from other sources including but not limited to non PH HACLA funds, HUD, State of California, and the City of Los Angeles. Throughout this process, HACLA will engage with the residents and other stakeholders to solicit their feedback and address their concerns in arriving at feasible long term strategies.
D.1 Capital Improvements.

Capital Improvements.

The current 5-Year Action Plan from 2020 through 2024 was approved by HUD on August 27, 2018.

Note: Supporting Documents

All supporting documents for FY 2021 Agency Plan can be viewed at HACLA’s Central offices located at:

2600 Wilshire Blvd. 3rd Floor
Community Engagement Department
Los Angeles, CA. 90057
## YEAR 2021 FINAL DRAFT AGENCY PLAN ATTACHMENTS

<table>
<thead>
<tr>
<th>Attachment Number</th>
<th>Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Changes to the Public Housing Admission and Continued Occupancy Policy</td>
</tr>
<tr>
<td>2</td>
<td>Changes to the Section 8 Administrative Plan</td>
</tr>
<tr>
<td>3</td>
<td>Response to Comments (only in Final &amp; Final Draft Versions)</td>
</tr>
<tr>
<td>4</td>
<td>Certification Forms (only in Final &amp; Final Draft Versions)</td>
</tr>
<tr>
<td>5</td>
<td>Residents Rights under Rental Assistance Demonstration (RAD)</td>
</tr>
</tbody>
</table>
ATTACHMENT 1

Changes to the Public Housing Admission & Continued Occupancy Policy (ACOP)
I. ELIGIBILITY FOR ADMISSION AND PROCESSING OF APPLICATIONS

A. Nondiscrimination

* * * * *

1. The Authority will comply with any legislation protecting the individual rights of applicants or staff, which may subsequently be enacted.

The Authority shall not discriminate because of race, color, sex, age, religion, national origin, ancestry, disability, handicap, medical condition, sexual orientation, marital status, source of income, familial status, genetic information, gender, gender expression, or gender identity in the leasing, rental or other disposition of housing or related facilities (including land) included in any development or developments under its jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

2. The Authority shall not on account of race, color, sex, age, religion, national origin, ancestry, disability handicap, medical condition, sexual orientation, marital status, source of income, familial status, genetic information, gender, gender expression, or gender identity:

* * * * *

C. Eligibility for Admission

The Authority will consider for admission to its developments all applicants who, at the time of eligibility determination meet and continue to meet until admission all of the following requirements and conditions:

* * * * *
3. The applicant must satisfy in full any overdue accounts or indebtedness owed to HACLA resulting from previous tenancies in any housing development or housing program administered or managed by the HACLA. There must be documentation in the tenant file and computer records supporting the amount and origin of the debt.

* * * * *

7. In accordance with HUD guidelines and in order to avoid admitting residents whose presence might be damaging to the health, safety and welfare of the residents, the HACLA will evaluate all applicants against the following additional criteria (applicable to all adult members of the applicant’s household):

* * * * *

b. Does the applicant have a poor past performance in meeting financial obligations, especially rent from subsidized housing? At a minimum, the applicant shall:

* * * * *

11. Applicants will be provided the opportunity to provide any facts and documents they deem relevant for the HACLA to consider regarding mitigating circumstances for past conduct/history that my may otherwise deem a member of a household or an Applicant as ineligible for admission. Such facts include, but are not limited to, the time, nature, and extent of the past conduct; evidence of rehabilitation; and evidence of the prospective resident’s participation in, or willingness to participate in, an appropriate social service or counseling program.

* * * * *

F. Removal of Applicant from the Waiting List

* * * * *

2. Under the following conditions an Applicant or Co-Applicant can be removed from the application:

a. If the individual being removed submits in writing to the Conventional Public Housing Application Center that they would like their name removed from the application.

* * * * *
G. Reinstatement to the Waiting List

HACLA will reinstate applicants who have been withdrawn from the waiting list based upon proof of mitigating circumstances, including but not limited to: medical or disability related reasons, lack of transportation to attend scheduled interviews, lack of permanent mailing address due to homelessness, or if interview appointment conflicted with employment, school, or childcare schedules. **Such reinstatement period will be for no more than 36-months from the time of withdraw.**


K. Determination of Eligibility and Notification of Applicants

Each applicant determined to be ineligible will be promptly notified in writing by the Application Center Manager or his/designee that he/she is ineligible. This notice shall advise the applicant:


L. Local Preferences

2. Definition of a Local Preference
   a. Preference shall be given to applicant families whose head or cohead is:

   **(4). otherwise equally income self-sufficient; or**

   **(5). an active member in or veteran of a United States military service (Army, Navy, Air Force, Marine Corp, or Coast Guard); or**

   **...**
N. Method of Applying Local Preferences/Income Targeting

* * * * *

3. * * * * *

Families who qualify for the first local preference and have very low incomes will be offered housing first. Families who qualify for the second local preference and have very low incomes will be offered housing next. Families who do not qualify for a local preference and have very low income will be offered housing at last.

* * * * *

Q. Offers of Housing

* * * * *

4. In carrying out the above plan, any applicant who is able to provide clear and convincing evidence that an offer was refused or deemed refused as a result of an undue hardship or disability such as, but not limited to:

   (a). Inaccessibility to source of employment, education, or job training, children’s day care, or educational program for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities;

   (c) A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (each listed on the final application) or live-in aide necessary to take care of the principal household member.

   (d) The unit is inappropriate for the applicant’s disabilities, or the family does not need the accessibility features in the unit offered and does not want to be subject to a 30 day notice to move;

   (h) The unit lacks features needed for a reasonable accommodation due to a disability related need for a member of the applicant’s household.
5. In addition to considering hardships and good cause refusals, the Authority also considers reasonable accommodation requests from applicants refusing or otherwise not able to accept an offer due to a disability related need. All reasonable accommodation requests are processed in accordance with HACLA’s Nondiscrimination on the Basis of Disability and Reasonable Accommodation Policy.

***

II. VERIFICATION HIERARCHY

***

C. Modified Verification Hierarchy

1. If in the course of a local or nationally declared emergency in which a “stay at home” or other related restrictions are placed upon the population and in which the ability of applicants, residents, or the Housing Authority to secure third-party documentation is limited, the Housing Authority will adopt a modified income verification hierarchy.

2. Such hierarchy shall take a form prescribed or authorized by HUD in effort to expedite the processing of annual and/or interim reexamination reviews.

3. As part of such a modified verification hierarchy, the Housing Authority will accept tenant provided original and authentic documents generated by a third-party dated within 120-days from the date requested by the Housing Authority. If the tenant is unable to provide such documents, the Housing Authority will accept a Self-Certification.

III. RENT DETERMINATIONS

***

C. Flat Rents

3. Changes to the Flat Rent schedule due to changes initiated by in the HUD to the SAFMR will not be considered a “significant change” to the Agency Plan.

***
E. Other Rental Amounts

3. Families who meet all of the requirements for the exclusion of incremental income under the Earned Income Disallowance (EID) for 12 months, and exclusion of 50% of the incremental income for an additional 12 months, will pay a rent which is less than 30% of adjusted income.

See Exhibit 201:1D for the provision details.

VI. LEASING OF UNITS

B. Security Deposits.

3. The security deposit shall be transferred without offset between units when a family is transferred between HACLA owned units within the same development. If a family transfers to a unit in a different HACLA development, the amount of the security deposit remaining after payment of tenant caused damages to the vacating unit shall be accounted for and returned to the tenant in accordance with California state law(s). The tenant will be required to place a new security deposit upon the signing of the lease at the other development.

6. For residents in occupancy the following security deposit provision shall apply:

Following a lease forfeiture, i.e., the HACLA has obtained judgment against the family, a resident may be reinstated at the discretion of the Assistant Housing Services Director or his/her designee, provided all arrearage for rent and charges have been paid. The resident will also be required to pay the difference, if any, to bring the security deposit to the maximum allowable level as provided in B 1, above prior to the execution of a new Rental Agreement.

7. When the family’s Rental Agreement is terminated, voluntarily or involuntarily, the security deposit shall be accounted for and returned to
the resident *in accordance with California state law(s)* if he/she gives at least 30 day- notice in writing saying that he/she plans to move out.

8. The following will be withheld from the security deposit:

* * * * *

d. Charges for *repair or replacement of* stoves, refrigerators, or other HACLA property.

* * * * *

**VII. PERIODIC REEXAMINATIONS**

* * * * *

**D. Earned Income Disallowance (EID) Review**

In households where the increased income of a family member(s) is being disregarded from the rent calculation, in accordance with HUD regulations, due to the EID, recalculation of the rent will depend on the tolling period for that member. Families who have members subject to the EID will be scheduled for 30, 60, or 90 day reviews as appropriate when a member’s EID tolling period has changed.

* * * * *

**F. Effective Date of Reviews**

* * * * *

2. If the Resident is to receive a rent increase, the new rent shall be effective the first day of the second month following from the date of notice of rent increase. *The resident must be given a 30-day notice of the rent increase.*

3. Additional 30-Day Notification of Rent Increases – Special Cases

In accordance to CA Civil Code 827 families *Families* experiencing an increase in rent over 10% for reasons other than a change in family composition or income shall be provided an additional 30-days before such a rent increase will be effective, *or additional time if required by law.*

* * * * *
VIII. TRANSFERS

A. General

1. The Authority does not transfer any family to any particular apartment, community, neighborhood or development because of race, color, sex, religion (creed), disability, medical condition, familial status, national origin, ancestry, sexual orientation, marital status, source of income, age, genetic information, gender, gender expression, or gender identity.

* * * * *

D. Routine Transfers

1. A routine transfer is any transfer other than an emergency transfer, and which the Rental Agreement and this policy authorize. Such transfers are those:

* * * * *

b. Required due to an approved reasonable accommodation request;

* * * * *

5. Compensation For Move

a. The following routine transfers shall be non-compensable:

(1) Those requested by the Resident;

(2) Those made to adjust occupancy;

(3) Those made to resolve social conflicts between residents; or

(4) Those made to recapture an adaptable unit from a nondisabled family for use by a disabled family; or;

(5)-(4) Inter-programmatic transfers.

* * * * *
E. Transfer Priority and Placement

1. In administering unit transfers of existing residents, the Authority uses the following priority:

a. Residents with disabilities approved for an accessible unit if the vacant unit has accessibility features.

b. Emergency transfers due to threats of to the life, health or safety of residents. This includes threats due to the physical condition of a unit or building, criminal threats, and threats covered under the Violence Against Women Act (VAWA).

c. Transfers necessary due to an approved reasonable accommodation for reasons other than the physical accessibility of the unit (e.g. additional bedrooms, different location, etc.)

d. Required routine transfers, including transfers to adjust occupancy, alleviate social conflict, to repair or rehabilitate a unit or building or vacate a building slated for demolition.

e. Require routine transfers to accommodate a resident from another site undergoing redevelopment who choose the option to remain in a public housing unit.

f. Other requested routine transfers, requested by the Resident for reasons not meeting any of the criteria listed above.

1–2 Emergency Transfers

Emergency transfers have priority over all other transfers. Those approved for an emergency transfer shall be concurrently offered three units, if available, of suitable bedroom size at three different developments. The developments containing the units offered, shall be those with the highest vacancies that meet the family’s bedroom requirements, except units within the development that the family currently occupies shall not be offered or counted as being offered. The family will have no more than two business days to inspect the units and accept an offer. Should the family fail to affirmatively accept one of the three offers, the Resident will be deemed to have rejected all offers and the Authority shall have no further obligation to offer additional units.

[subsequent renumbering follows]
IX. ADDITIONS/DELETIONS TO THE HOUSEHOLD COMPOSITIONS

A. General

* * * * *

6. Additions and/or deletions shall be effective in accordance to the interim reexamination rule discussed in section XI-E. 5. of this document.

* * * * *

D. Live-In Aides

4. For occupancy standards regarding live-in aides, see Section III-(3) the Occupancy Standards section of this document.

* * * * *
ATTACHMENT 2

Changes to the Section 8 Administrative Plan
1.1 What the Administrative Plan Covers

The Section 8 Administrative Plan establishes local policies for administration of the Section 8 program and other assisted housing programs as may be approved by Congress in accordance with HUD requirements. The Administrative Plan and any revisions of the Plan must be formally adopted by the HACLA Board of Commissioners. The Administrative Plan states the HACLA policy on 1) matters for which the HACLA has discretion to establish local policies, and 2) matters specifically required by HUD to be treated in the Plan.

When there are declared disasters or emergencies, whether due to natural calamity (e.g., earthquake), civil disturbance, public health emergencies, or other cause recognized by the Local, State or Federal government, the Section 8 Program can adjust program operations where necessary to prioritize mission critical functions when normal operations are restricted and severely constrained, except for requirements related to fair housing, nondiscrimination, and waiting list administration. This temporary administrative relief will provide alternative approaches to various aspects of the Section 8 Program operations to perform critical functions including, but not limited to issuing vouchers, conducting voucher briefings, processing Requests for Tenancy Approvals (RFTAs), processing requests for portability moves, processing minimum rent hardship exemptions, completing reexaminations for participants who have experienced a decrease in income, and inspecting assisted units. These alternative requirements will be available until the Local, State or Federal emergency expires.

* * *

2.1 Objective I: Outreach to Lower Income Families

To inform the greatest number of low-income persons about the availability of its Housing Choice Voucher tenant-based, and project-based programs, the HACLA takes the following actions prior to and during the opening of a an application period:

* * *

2.3 Objective III: Ensuring Equal Opportunity to Applicants for Section 8 and Other Assisted Housing Programs

The HACLA ensures that there is no discrimination against families because of race, color, sex, religion (creed), disability, familial status, national origin, ancestry, sexual orientation, marital status, source of income, age, handicap, medical condition, genetic information, gender, or gender expression or gender identity.
2.7.1 Section 3/MBE/WBE/LSA Policy Statement

It is the policy of the HACLA to utilize Section 3, Minority Business Enterprises (MBEs), and Women-owned Business Enterprises (WBEs) and Labor Surplus Area Businesses (collectively, Section 3/MBE/WBE/LSA) to the extent reasonably possible.

* * *

2.10.2.2 Exceptions in Excess of the Payment Standard Basic Range

In accordance with PIH Notice 2016-05 2013-03, issued April 7, 2016 January 22, 2013, all requests for exception to the payment standard of not more than 120 percent of the FMR must be reviewed and approved by the S8 Director without HUD approval, if required as a reasonable accommodation for a family that includes a person with disabilities.

* * *

3.2.1.2.15 Mobility Demonstration Voucher

For vouchers awarded under the Notice of Funding Availability (NOFA) for Fiscal Year 2020 (FR-6191-N-01), the Waiting List Limited Preference is for families with at least one child aged 13 and under that live in census tracts with a family poverty rate of 30 percent or higher. Families that receive a Mobility Demonstration Voucher (MDV) will be randomly assigned to one of the treatment groups and will received mobility-related services.

As provided by Section 8 Administrative Plan, Section 1.6 Addition of Programs, the Housing Authority will implement any applicable policies and procedures as may be required by participation in the program (and as may be approved by the Board) into the Section 8 Administrative Plan as if they were originally set forth herein. Specifics on the program will be added to the Section 8 Administrative Plan at the next scheduled revision.

3.2.1.2.2 Family Unification Program (FUP)

* * *

For vouchers awarded under any subsequent NOFA, the HACLA follows the eligibility requirements as may be required by participation in the program.

* * *
5.7 Draw-downs from the Waiting List

Authority to draw-down (select) applicants from the HACLA’s waiting list is limited to the Assistant Section 8 Director for Applications, Processing, Issuance and Contracting (APIC) and other designees specifically approved in writing by the Section 8 Director.

Applicants must be selected in order of date and time of application and by claimed preferences (if any). Applicants who are selected from the waiting list are mailed application questionnaires and are assigned an interview date and time.

For the tenant-based Housing Choice Voucher Program, the Assistant Section 8 Director for Applications, Processing, Issuance and Contracting determines the number of applicants that will be drawn down from the waiting list at any given time.

* * *

5.8 Documentation of Draw-downs - Selection of Applicants

The HACLA will insure that it can document electronically, and by means of an electronic a hardcopy draw-down report, all instances in which applicant families are selected from the waiting list. The report characteristics must be sortable and must include:

- The date the draw-down was performed,
- The head of household’s name, social security number and date of birth,
- The date and time of the application,
- The rank of the family on the waiting list on the draw-down date,
- The date scheduled for the family's initial eligibility interview,
- All preferences for which the family claimed eligibility, if the applicable
- The annual income claimed by the family.

* * *

5.15 Admission of Low Income Families – Special Eligibility Criteria

The HACLA provides tenant-based assistance to otherwise eligible low income families in the categories listed below.

1. Families who are displaced or about to be displaced due to the action of government agencies or school districts. Such families must be certified as being displaced or about to be displaced by the government agency or school district or by a local agency operating under agreement with the government agency or school district responsible for the displacement.
2. Participant families in the HOPWA program who are eligible to transition into the Section 8 tenant-based program in accordance with Section 3.2.1.3.1, Housing Opportunities for Persons with AIDS (HOPWA) Program and HOPWA Fast Track Program.
3. Participant families in the Continuum of Care Programs in accordance with the requirements set forth in Chapter 18, Special Procedures for the CoC Program, of this Administrative Plan.
4. Eligible low income families when a HUD subsidy contract ends but HUD does not provide tenant-based replacement vouchers. [See Section 3.2.2.4, *Termination of HUD Subsidies*, of this Administrative Plan.]

5. Families who are bona fide victims of declared disasters or emergencies recognized by the State or Federal government. [See Section 3.2.2.2, *Victims of Declared Disasters*, of this Administrative Plan.]

6. Participant families in the HUD-VASH program.

7. Families that are part of a coordinated effort, directed and approved by the Los Angeles Homeless Services Authority, to convert transitional housing projects to permanent housing (See Section 3.2.1.2.13, *Transitional Housing Conversion*, of this Administrative Plan).

8. *Eligible families occupying units on a PBV proposal selection date as defined in the PBV regulations or who move into such units on or before the commencement date of the PBV HAP Contract, if authorized on a project-by-project basis by the HACLA (see Chapter 17, Project-Based Vouchers, of this Administrative Plan, and 24 CFR 983.3).*

5.17.3 City Residency Preference

Reassignment of Preference

An applicant who has either low or no preference may be reassigned to a higher preference category if, at any time during the application process, the applicant can document, and the HACLA can verify, that a change in circumstance occurred to merit such preference. The applicant’s new rank on the waiting list after a preference is granted will be based on the date and time the original application was received.

*If the applicant fraudulently claimed the preference (i.e., by falsifying documents, making false statements, or any other reason), the application is denied and removed from the waiting list. The notice shall advise the applicant of their right to contest denial of preference.*

5.21.2 Screening Requirements

The HACLA will determine whether the screening requirements of the owner are appropriate in accordance with HUD regulations. The HACLA will also determine whether the owner meets all Federal, State and local requirements related to obtaining, providing, using, safeguarding and destroying criminal history information. With respect to the Jordan Downs Redevelopment site only, neither HACLA nor the Owner may screen any household or family with a Declaration of Right to Retain Tenancy. Households displaced by the Jordan Downs Redevelopment, whether pursuant to the RAD Program or otherwise, have the right to return to the redeveloped site. *To the extent allowable by law, the HACLA will extend this prohibition of rescreening*
and right to return to any household or family in the same situation at other public housing redevelopment sites.

* * *

6.6 Proof of Identity

6.6.1 Applicant Identification

The HACLA requires each adult member of an applicant family to provide proof of identity in the form of a government issued photo identification card. The card must, at a minimum, identify the adult by name and date of birth and must be a valid, unexpired, card.

Failure to provide appropriate identification shall not be sufficient to delay the interview process, but failure to provide appropriate identification or documentation that the family has undertaken actions to obtain proper identification, within 30 days of the HACLA’s request shall be considered grounds for denial of assistance.

* * *

No adult shall be admitted to an assisted housing program unless he or she has provided the HACLA with a valid photo identification card. If a valid photo identification card is not available due to declared disasters or emergencies, whether due to natural calamity (e.g., earthquake), civil disturbance, public health emergencies, or other cause recognized by the Local, State or Federal government, the Housing Authority may use for the initial leasing process a certified statement and/or documentation that the family has undertaken actions to obtain proper documentation. For these instances, the Housing Authority will obtain a valid photo identification card at the time of processing the annual reexamination. A copy of each identification card shall be maintained in the client folder. The HACLA shall attach the identification or certified statement, if applicable, to any request for a criminal history check. When minors in the assisted family reach the age of 18 they shall be required to provide a government issued photo identification card for the client folder at the first reexamination of income following their 18th birthday.

* * *

6.7 Provision of Social Security Numbers

The HACLA requires a complete and accurate social security number (SSN) be provided for each member of a family. The HACLA requires documentation of the SSN. If any member of the family has not been assigned a SSN, that person must complete a certified statement that describes why no social security number has been issued. If the person is under the age of 18, the certified statement must be completed and signed by that person’s parent or guardian.

The documentation necessary to verify the SSN of an individual is a valid social security card issued by the Social Security Administration. If a social security card is not available, one of the following documents may be used to document the correct number if it includes the member’s social security number.
- Identification card issued by a federal, state, or local agency;
- Identification card issued by a medical insurance company or provider (including Medicare and Medicaid);
- Identification card issued by an employer or trade union;
- Military or Veteran’s Administration records;
- Benefit award letters from government agencies;
- Retirement benefit letter;
- Life insurance policies;
- Official Court records (recorded real estate records, tax notices, marriage and divorce, judgment, or bankruptcy records)
- IRS form 1099.

For applicant families only, if a child under the age of six (6) years is added to the applicant household within six (6) months prior to the household’s date of admission (or the date of voucher issuance), the applicant may become a participant, so long as the documentation listed above is provided to the HACLA within 90 calendar days from the date of admission into the program (or the effective date of the Housing Assistance Payment contract). The HACLA must grant an extension of one additional 90-day period if the Housing Authority determines that, in its discretion, the applicant’s failure to comply was due to unforeseen circumstances and were outside the control of the applicant. If the applicant family fails to produce the documentation listed above within the required time period, the HACLA must deny or terminate housing assistance.

*For adult applicants if any of the verification documents listed above is not available due to declared disasters or emergencies, whether due to natural calamity (e.g., earthquake), civil disturbance, public health emergencies, or other cause recognized by the Local, State or Federal government, the Housing Authority may use for the initial leasing process a certified statement and/or documentation that the family has undertaken actions to obtain proper documentation. The Housing Authority can make any corrections or adjustments after the HUD form 50058 has been validated in IMS/PIC and made available to the Housing Authority in the EIV system or at the time of processing the annual reexamination, whichever is first.*

7.2.2 Electronic Verification (EV)

* * *

In accordance with Chapter 127:1 of the HACLA Manual of Policy and Procedure, and PIH Notice 2018-18 2017-12, Administrative Guidance for Effective and Mandated Use of the Enterprise Income Verification (EIV) System dated October 26, 2018 August 4, 2017, EV can be used as the sole source of income verification only when there is no contradictory information, the client does not dispute use of the data and the EV data comes from a source that updates data monthly.

* * *
8.10.1.1 Initial Contact

HACLA staff notifies the receiving PHA to expect the family. Staff contacts the receiving PHA on the phone and submits required documents to the receiving PHA by fax, electronic communication or by mail within 10 (ten) working days.

***

10.2.1 Regular Extensions

If the applicant voucher holder is unable to locate a suitable unit during the initial term, the HACLA may, provided that sufficient funding is available, extend the voucher 60 days to a maximum of 180 days. At the discretion of the Director of Section 8, the HACLA may approve a 180-day maximum term of the voucher. In this case, the voucher will expire at the end of 180 cumulative calendar days if the family has not requested an extension beyond the 180 days as a reasonable accommodation. At the discretion of the Director of Section 8, the HACLA may revise the maximum term of the voucher to address rental market conditions, declared disasters or emergencies, whether due to natural calamity (e.g., earthquake), civil disturbance, public health emergencies, or other cause recognized by the Local, State or Federal government.

***

10.2.2 Extensions for Applicants with Disabilities

To make the program accessible to an applicant family member who is a person with a disability, the voucher is extended in increments of 60 days up to a term reasonably required for that purpose but not to exceed 240 calendar days unless the Section 8 Director approves an additional 30-day extension in writing.

To receive an extension of the voucher term beyond 180 days the family must provide the HACLA with verifiable proof that the disability of the family member prevented the family from locating an acceptable unit during the initial term of the voucher and any extensions thereof.

***

10.2.3 Extensions for Hardship or Good Cause

At the family’s written request, the HACLA may provide a single 30-day extension for hardship due to medical or other reasons which the family can document and which prevented the family from searching for an assisted unit during the initial 180 days of the voucher. Multiple 30-day extensions and extensions of less than 30 days shall not be provided.

***
10.3 Participant Families – End of the Voucher Term

The HACLA issues vouchers to enable a participant family to move and continue assistance under the tenant-based program. See also Section 12.2, Limitations on Moving, and Section 12.6.4, Restrictions on Moving when the Family Owes the HACLA, and Chapter 7, Income and Asset Determinations, of this Administrative Plan for additional information. The voucher is issued for an initial term and can be extended by one increment of 60 days at the family’s request to a maximum of \(180 \text{ or } 120\) days. At the discretion of the Director of Section 8, the HACLA may approve a 180-day maximum term of the voucher. In this case, the voucher will expire at the end of 180 cumulative calendar days if the family has not requested an extension beyond the 180 days as a reasonable accommodation. **At the discretion of the Director of Section 8, the HACLA may revise the maximum term of the voucher to address rental market conditions, declared disasters or emergencies, whether due to natural calamity (e.g., earthquake), civil disturbance, public health emergencies, or other cause recognized by the Local, State or Federal government.** The term is subject to suspension (tolling) in accordance with Section 10.4, Suspension (Tolling) of the Voucher, and Section 10.5, Request for Tenancy Approval and Tolling, below.

10.3.1 Expiration of the Voucher Term After \(180 \text{ or } 120\) Days

If a participant family has had the use of a voucher for \(180 \text{ or } 120\) cumulative calendar days and the family has not requested an extension beyond \(180 \text{ or } 120\) days as a reasonable accommodation, the voucher expires at the end of \(180 \text{ or } 120\) days with the following consequences:

- If the family remains in an assisted unit and still wishes to move, the family must request another voucher. All income, income exclusion, asset and deduction information must be re-verified by the HACLA prior to issuing the next voucher. Verifications must not be more than 60 days old at the time of that voucher issuance.

- If the family is not residing in an assisted unit at the time the voucher expires, the family is terminated from the Section 8 program. The family may, however, apply for a single 30-day hardship extension in accordance with Section 10.2.3, Extensions for Hardship or Good Cause, above. The family is not entitled to an informal hearing due to the expiration of the voucher term or to the HACLA’s refusal to extend the term of the voucher.

10.3.2 Expiration of the Voucher and Reasonable Accommodation

If the family has had use of a voucher to move for \(180 \text{ or } 120\) cumulative days and the family requests a reasonable accommodation to extend the term of the voucher and the family has provided the HACLA with verifiable documentation of the need for a reasonable accommodation, then:

* * *
10.8.1 Subsidy Standards for New Admissions

A voucher is issued to an applicant within the Section 8 or other assisted housing programs in accordance with the following table.

<table>
<thead>
<tr>
<th>Size of Family</th>
<th>Number of Bedrooms to be subsidized (Family Unit Size)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0 - SRO</td>
</tr>
<tr>
<td>1-2</td>
<td>1</td>
</tr>
<tr>
<td>3-4</td>
<td>2</td>
</tr>
<tr>
<td>5-6</td>
<td>3</td>
</tr>
<tr>
<td>7-8</td>
<td>4</td>
</tr>
<tr>
<td>9-10</td>
<td>5</td>
</tr>
<tr>
<td>11-12</td>
<td>6</td>
</tr>
</tbody>
</table>

* * *

10.11 Public Housing Relocations – Subsidy Standards

Notwithstanding any other provisions of this Chapter 10, families assisted under the HACLA Public Housing Programs who are provided vouchers as a means of receiving temporary (or permanent) assisted housing due to the renovation, demolition, reconstruction, repair of public housing or conversion of assistance to long-term, project-based Section 8 rental assistance contracts, including a project in which the Housing Authority has an ownership interest or over which the PHA has control: **and including the** Rental Assistance Demonstration (RAD), may be issued a voucher in accordance with the bedroom subsidy/occupancy standards for Admissions and Continued Occupancy of the HACLA’s Public Housing Program (MPP Chapter 201:1). **Non-public housing families living at sites containing some public housing units whose units receive non-RAD PBV at the HACLA’s discretion, subject to applicable program requirements, also are subject to the terms of this provision.**

<table>
<thead>
<tr>
<th>Number of Bedrooms</th>
<th>Number of Persons Minimum</th>
<th>Number of Persons Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>4</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>5</td>
<td>8</td>
<td>12</td>
</tr>
</tbody>
</table>
Once households have utilized their tenant-based or project-based vouchers to remain in their current units, moved into Replacement Units or have utilized their initial Section 8 voucher to find a unit in the private market, as applicable, they will become subject to Section 10.8.1 Subsidy Standards for New Admissions for any future moves or unit-sizing requests.

* * *

11.18.8 Project and Sponsor-based Units - Responsibility of Owner

Notwithstanding any other provisions of Section 11.18, Annual and Special Inspections, in project-based assisted housing programs other than the project based voucher program but including the project-based and sponsor-based components of the Continuum of Care (CoC) Shelter Plus Care (S+C) program, the owner (or Contractor in the Continuum of Care S+C program) is solely responsible for correcting all deficiencies in the unit. Failure of the owner (or Contractor in the CoC S+C program) to correct HQS deficiencies in the manner and time prescribed by the HACLA results in abatement of the subsidy for the assisted unit.

* * *

17.2 Method of Selecting PBV Owners

The HACLA may select owner proposals to provide project-based assistance in one of three ways:

1. Use of a Request For Proposals (RFP) procedure in accordance with Section 17.6, Process for Selecting Units by Means of a Request for Proposals, below and other requirements of this Chapter, or

2. Selection of a proposal for housing assisted under a federal, state or local government housing assistance, community development, or supportive services program that requires competitive selection of proposals, where the proposal has been selected within three years of the PBV selection date, and the earlier competitive selection proposal did not involve any consideration that the project would receive PBV assistance. Selection must be in accordance with the provisions of this Chapter.

3. Non-competitive selection to attach PBV to HACLA-Owned Projects. Such projects Projects must be identified in the Housing Authority’s Agency Plan in Conversion of Public Housing and Project-Based Voucher Statement sections. These sections outline the work the Housing Authority plans to do on the public housing property or site and state how many units it plans to project-base at the property or site and in this Chapter.

* * *
17.5 Process for Selecting Units by Means of a Request for Proposals

17.5.1 Method of Selecting Owners

The HACLA uses a Request for Proposals (RFP) procedure to solicit owner applications in accordance with its procurement policies as determined by the HACLA General Services Department, for non-competitive selections, please refer to Section 17.2. Method of Selecting PBV Owners, of this Administrative Plan. The RFP procedure is the same as that contained in Section 16.1, Method for Selecting Owners - Request for Proposals Process, of this Administrative Plan except as modified by Section 17.6.2 below. Since PBV selection is not governed by any NOFA, provisions on NOFA requirements in Section 16.1 do not apply.

* * *

17.7 Units Selected based on Non-competitive Selection to Attach PBV to PHA-Owned Projects (former Public Housing Units)

The HACLA will add the following former public housing units in this manner:

<table>
<thead>
<tr>
<th>Project</th>
<th>HACLA Role</th>
<th>PBVs added</th>
<th>Work Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Jordan Downs Area H (New Construction)</td>
<td>Ground Lessor</td>
<td>49</td>
<td>Area H is the third project of the Jordan Downs Redevelopment. This 9% LIHTC new construction project is a 80-unit affordable residential development with a total of 49 Section 8 PBV units, 30 RAD units and 1 Manager Unit. Hard costs are projected at approximately $360,000 per unit.</td>
</tr>
<tr>
<td>b) Jordan Downs Phase S3 (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>48</td>
<td>S3 is the fourth project of the Jordan Downs Redevelopment. This 9% LIHTC new construction project is a 92-unit affordable residential development with a total of 48 Section 8 PBV units, 25 RAD units, 18 Tax Credit only units and 1 Manager Unit. Hard costs are projected at approximately $430,000 per unit.</td>
</tr>
<tr>
<td>c) Jordan Downs Phase S2 (New Construction)</td>
<td>Ground Lessor/Managing General Partner</td>
<td>58</td>
<td>S2 is the fifth project of the Jordan Downs Redevelopment. This 4% LIHTC new</td>
</tr>
</tbody>
</table>

Page 11 of 37
<table>
<thead>
<tr>
<th>Project Name</th>
<th>Ground Lessor/Managing General Partner of the Limited Partner Ownership</th>
<th>Unit Count</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>d) Jordan Downs Phase H2 (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>91</td>
<td>H2 is the sixth project of the Jordan Downs Redevelopment. This 4% LIHTC new construction project is a 195-unit affordable residential development with a total of 91 Section 8 PBV units, 23 RAD units, 41 Tax Credit only units, 39 unrestricted units, and 1 Manager Unit. Hard costs are projected at approximately $320,000 per unit.</td>
</tr>
<tr>
<td>e) Rose Hill Courts Phase I (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>77</td>
<td>This project is the first phase of the Rose Hill Courts Redevelopment. This 4% LIHTC new construction project is an 89-unit affordable residential development with a total of 77 Section 8 PBV units, 11 RAD units, and 1 Manager Unit. Hard costs are projected at approximately $393,000 per unit.</td>
</tr>
<tr>
<td>f) Rose Hill Courts Phase II (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>95</td>
<td>This project is the second phase of the Rose Hill Courts Redevelopment. This 4% LIHTC new construction project is a 96-unit affordable residential development with a total of 95 Section 8 PBV units and 1 Manager Unit. Hard costs are projected at approximately $377,000 per unit.</td>
</tr>
<tr>
<td>g) Pueblo Del Sol Phase I (Rehabilitation)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>88</td>
<td>The mixed finance Pueblo Del Sol Phase I project is a 201-unit existing affordable residential development comprising 120 PH units and 80 Tax credit only units. It will undergo an acquisition/</td>
</tr>
<tr>
<td>h) Pueblo Del Sol Phase II (Rehabilitation)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>63</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>----</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The mixed finance Pueblo Del Sol Phase II project is a 176-unit existing affordable residential development comprising 122 PH units and 53 Tax credit only units. It will undergo an acquisition/resyndication/rehabilitation/RAD conversion with 4% LIHTC and Tax Exempt Bonds. 112 PH units will converted under RAD, while 10 PH units will be converted to Section 8 under the de minimis reduction. Section 8 PBVs will be layered on up to 80 Tax Credit-only units after determining that the units are occupied by income eligible families who will not experience any increase in rents. Hard costs are projected at approximately $75,000 per unit.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PBV projects on former public housing sites are exempt from both the 20% cap on authorized voucher units assisted by PBV and the cap on PBV units per project required by 24 CFR 983.56.

***
17.8 Cap on Total Number of PBVs (PBV Percentage Limitation or Program Cap)

In addition to the generally-available Program Cap of 20% of the authorized voucher units for an agency, the HACLA will designate units available for the additional 10% of voucher units made available under the PBV statute for homeless individuals and families, families with veterans, units that provide supportive housing to persons with disabilities or elderly persons, or units that are located in a census tract with a poverty rate of 20 percent or less. The HACLA will designate such units in a manner that results in maximum use of the additional 10% of voucher units for PBV and thus the maximum flexibility for the HACLA to utilize PBV. With respect to units that provide supportive housing to persons with disabilities or elderly persons, the HACLA will determine the types of services for a project’s units to qualify for the exception and the extent to which such services will be provided in the same manner as this Administrative Plan states below with respect to excepted units, or as provided in Section 3.2.1.1.3.

* * *

17.7 17.9 Cap on PBV Units and Excepted Units-in a Project (Income-Mixing Limitation or "Project Cap")

The HACLA does not impose any additional cap on PBV assistance other than the 25 percent per building project cap required by 24 CFR 983.56.

The HACLA may provide assistance to all units in single-family dwellings (a building with no more than four dwelling units).

The HACLA may provide PBV assistance to excepted units (units in excess of 25 percent of the total units in a multifamily building project) occupied by qualified families.

Excepted units are units above the 25 percent limit that have been physically described and designated in the PBV Contract to be occupied by the following qualified families:

1. Elderly families; or
2. Disabled families; or
3. Families enrolled in the HACLA, or a HACLA-approved, FSS program; or
4. Families who are receiving other supportive services defined below; and
5. Families who have completed their FSS requirements or supportive services requirements but who remain in the assisted unit.

For purposes of the determining the cap on PBV units in a project, the term "project" means a single building, multiple contiguous buildings or multiple buildings on contiguous parcels of land, as the HACLA determines appropriate with respect to individual Housing Assistance Payments Contracts.

* * *
Supportive Services

In addition to HACLA or HACLA-approved FSS programs, the following types of supportive services can meet the supportive services requirement for an excepted unit:

- Case management
- Alcohol or drug abuse services
- Mental health services
- HIV / AIDS related services
- Employment training and counseling
- Economic self-sufficiency
- Post-secondary educational programs
- Childcare
- Classes on parenting
- General education classes (including computer classes)
- English as a Second Language (ESL) classes
- Classes on life skills
- Obtaining & retaining government, financial & medical benefits
- Behavior assessments
- Transportation assistance and services
- Financial literacy
- Nutrition
- Family counseling
- Government & community resources
- General health care and services
- Legal services
- Leadership development

Extent of Supportive Services

The supportive services may be provided directly by the owner or by independent agencies. The type of supportive services to be provided shall be indicated in the PBV Contract. In an enforceable attachment to the PBV Contract, the owner must specify the type of supportive services to be provided, the frequency with which they will be provided and, if appropriate, a time frame by which the family must complete the supportive service requirements.

The owner must provide, and a family must agree to participate in, at least 3 supportive services to meet the supportive services requirement for an excepted unit. The HACLA must approve the level of effort and frequency of service to be provided.

The owner must provide documentation of a family’s continued participation in supportive services until such time as the family meets its supportive services requirement.
**17.12 Supportive Services Statement of Family Responsibility**

If families will be provided FSS services, the family must complete an FSS Contract of Participation.

If families will be provided other than HACLA FSS services, the head of household and the owner or owner’s representative must sign a supportive services statement of family responsibility that is approved and counter-signed by the HACLA.

The statement of family responsibility will indicate what supportive services will be provided to the family, which family members must participate in the supportive services and the degree and length of participation required. The family and owner will, by signing the statement of responsibility, acknowledge that failure to meet the supportive service requirements will result in termination of the family’s participation in the Section 8 program.

***

**17.13 Monitoring Supportive Services**

The HACLA shall monitor supportive services being provided to families under the PBV Contract and in accordance with supportive services statements of family responsibility. The HACLA shall conduct an annual audit of each family’s participation in supportive services at the time of the family’s annual reexamination.

The owner shall provide the HACLA with proof that the family has participated in all supportive services required by the statement of responsibility.

If supportive services are provided by agencies independent of the owner, the owner shall provide the HACLA annually, at the anniversary of the contract, documentation showing that the agency has provided the services required.

For services to be provided on the site, the HACLA shall conduct an on-site onsite review of the services and facilities annually at the anniversary of the PBV Contract.

**17.13.1 Owner Failure to Provide Supportive Services**

If the owner fails to meet the supportive service requirements of the PBV Contract, the HACLA shall allow the owner 60 days to reinstate the required services. If the services are not reinstated within 60 days, the HACLA shall terminate the PBV Contract for the excepted units upon 60 days’ notice to the owner.

**17.13.2 Change in Supportive Service Requirements**

The owner may negotiate with the HACLA to change the supportive service requirements of an ongoing contract through a contract amendment, but the owner must continue to meet the requirements of Section 17.10, *Extent of Supportive Services*, above.

**17.13.3 Family’s Failure to Meet Supportive Service Requirements**

If a family residing in an excepted unit fails without good cause to fulfill its supportive services requirement, the family shall be terminated from the PBV program. The family
shall receive the normal 30-day opportunity to request an informal hearing prior to any such termination.

The HACLA shall notify the owner of its intention to terminate the family at the same time it notifies the family.

If the family is terminated due to its failure to meet supportive service requirements, the family shall not be provided tenant-based assistance. Any existing application for tenant-based assistance will remain on file and will be processed in normal sequence.

* * *

17.12 17.14 Site Selection Policy and Compliance with PBV Goals

Sites selected for PBV assistance must be consistent with the statutory goals of deconcentrating poverty and expanding housing and economic opportunities and must be consistent with the HACLA’s Agency Plan.

The owner of a proposed PBV site must, therefore, establish conclusively that the site meets at least one of the following criteria:

1. The census tract in which the proposed PBV development will be located is in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community.
2. The proposed PBV development is located in a census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition.
3. The census tract in which the proposed PBV development will be located is undergoing significant revitalization. A site will meet this criteria if the census tract is located wholly or partially or is immediately adjacent to one of the following areas:
   - A Federal Empowerment Zone
   - A State of California Enterprise Zone
   - A Community Redevelopment Project, Earthquake Assistance Project or Revitalization Project designated by the Community Redevelopment Agency of the City of Los Angeles;
   - Any designated Brownfield Initiative site or Showcase Community site or successors to these designated sites;
   - Any other federal, state or locally designated areas whose purpose is to revitalize the community.
4. State, local or federal dollars have been invested in the area that has assisted in the achievement of the statutory requirement.
5. New market rate units are being developed in the same census tract in which the proposed PBV site will be located and the owner can establish the likelihood that such market rate units will positively impact the poverty rate in the area.
6. The poverty rate in the census tract in which the proposed PBV development will be located or the City Planning Area in which the PBV development will be located
is less than 20 percent according to the latest Decennial Census or is less than the City-wide poverty rate as set forth in Section 2.12.2, *Areas of Poverty Concentration*, of this Administrative Plan, whichever is greater.

7. If the poverty rate in both the census tract in which the PBV development will be located and the City Planning Area in which the PBV development will be located is greater than 20 percent according to the latest Decennial Census, whether a more recent federal, state or local determination of the poverty rate shows that the poverty rate has declined over the past five years.

The owner must additionally indicate whether there are meaningful opportunities for educational and economic advancement in the census tract or any contiguous census tracts.

17.12.1 17.14.1 Additional Requirements for all PBV Housing
The owner must certify and the HACLA must determine that the site is suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964 (see 24 CFR part 1), Title VIII of the Civil Rights Act of 1968 (see 24 CFR parts 100 through 199), Executive Order 11063 (see 24 CFR part 107), and the section 504 site selection requirements described in 24 CFR 8.4(b)(5). Prior to signing a PBV contract, the HACLA must determine that units to be covered by the contract or contract stage have passed an HQS inspection.

17.12.2 17.14.2 Additional Requirements for Existing and Rehabilitated Housing
For existing and rehabilitated housing the owner must establish that the proposed PBV site meets all the site and neighborhood standards of 24 CFR 983.57(d) in addition to meeting the other criteria of Section 17.13, *Site Selection Policy and Compliance* with PBV Goals.

17.12.3 17.14.3 Additional Requirements for New Construction
For new construction the owner must establish that the proposed site meets the standards of 24 CFR 983.57(e) *New construction site and neighborhood standards* in addition to meeting the other criteria of Section 17.13, *Site Selection Policy and Compliance with PBV Goals*.

* * *

17.13 17.15 How HACLA Site Selection Policy Promotes PBV Goals

The HACLA believes that providing PBV-assisted units under a HAP contract will almost always of itself expand housing opportunities for low income people. PBV units located in areas of higher poverty will provide families already residing in that area with decent, safe and affordable housing which may not be available in the area. Units located in areas of low poverty provide low income families affordable housing in areas more likely to promote their self-sufficiency and provide a supportive living environment.

In addition, the HACLA relies on HUD’s published determinations that meeting any of the seven criteria of Section 17.13 above promotes the PBV goals of deconcentrating poverty and expanding housing and economic opportunities.
1. HUD-designated Enterprise Zones, Economic Community and Renewal Zone are eligible to share billions of dollars in tax incentives to stimulate job growth, promote economic development and create affordable housing. HUD has indicated that these goals are consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities for thousands of Americans.

2. A reduction in the number of low-income housing units in a census lowers the poverty rate of the project area thus deconcentrating poverty. Placement of PBV units in such areas retains housing opportunities for low-income families in improving areas. HUD has indicated in its Notices of Regulatory Waivers that locating PBV assistance in an area in which there was a reduction in the number of assisted low-income housing units in the census tract was consistent with the goals of deconcentrating poverty and expanding housing and economic opportunity. See the following HUD waivers: Federal Register 3/11/2004, page 11733, column 1; Federal Register 1/12/2005, page 2239, column 2; Federal Register 11/7/2005, page 67565, column 1; Federal Register 2/17/2006, page 872, column 2.

3. HUD has indicated in its Notices of Regulatory Waiver Requests granted between 2002 and 2005 that locally designated renewal, enterprise and redevelopment and revitalization areas have goals that are consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities for thousands of Americans. Federal Empowerment Zones, California Enterprise Zones, Community Redevelopment Projects, Brownfield, Showcase Community and other revitalization projects are created to bring new business ventures to an area, revitalize decaying or stagnant economies, and encourage the construction and/or rehabilitation of housing or the provision of affordable housing. Placement of a PBV site in such areas is consistent with the goals of deconcentrating poverty and expanding housing and economic opportunities.

4. HUD has similarly noted in its Notices of Regulatory Waiver Requests granted between 2002 and 2005 that siting PBV assistance in an area in which public or private investment that contributes to the statutory goals has been or will be made meets the goals of deconcentrating poverty and expanding housing and economic opportunities. State and local government expenditures and activities that provide incentives to businesses to locate or expand in the project area provide additional economic opportunities for families at the project site. These local incentives frequently include loans, grants, financing assistance and other local assistance for families to improve existing housing. They also provide for upgrades in infrastructure that lead to economic improvement in the area. Locating PBV-assisted housing in such areas allows the residents to take advantage of emerging business and economic opportunities. See the following HUD waivers: Federal Register 10/10/2002, page 63218, columns 2 and 3; Federal Register 3/19/2003, page 54943, columns 2 and 3; Federal Register 4/27/2003, page 16917, column 2 and page 16918, column 1; Federal Register 3/11/2004, page 11733, column 3; Federal Register 11/4/2004, page 64457, column 2; Federal Register 11/7/2005, page 67565, column 3;

5. New market rent units being developed in an area and increases in the sales prices of current market rent units are indicators that an area is moving toward the statutory goal of deconcentrating poverty. Both of these indicate that the area is shifting toward a lower
poverty area. Locating PBV assisted units in such upwardly mobile areas is consistent with deconcentrating poverty and expanding housing and economic opportunity by creating and retaining affordable housing in the area. See the following HUD waivers: Federal Register 8/23/2002, page 54725, column 1; Federal Register 3/11/2004, page 11732, column 3; Federal Register 2/17/2006, page 8773, column 1 and page 8775, column 2.

6. The goal of deconcentrating poverty and expanding housing and economic opportunities is similarly met in the City of Los Angeles if selected sites will be located in areas in which the poverty rate is lower than the overall poverty rate of the City of Los Angeles, or the site is located in an area in which poverty has been shown to have decreased within the last 5 years. Locating a PBV-assisted building in such areas deconcentrates poverty directly.

Meeting one of the six seven specific criteria of Section 17.15 above, and the requirements of Section 17.14.1 or Section 17.14.2 will insure that project-based assistance at the proposed site is consistent with the PBV goal of deconcentrating poverty and expanding housing and economic opportunities.

* * *

17.14 17.16 HACLA Determinations for Existing and Rehabilitated Housing

The HACLA must determine by physical inspection of the site that it is adequate in size, exposure and contour to accommodate the number and type of units proposed and that adequate utilities and streets are available to service the site.

The HACLA must determine by examining the owner’s proposal, and based on its knowledge of the proposed site and area, that selection of the site will promote greater choice of housing opportunities.

The HACLA will ensure that the site will avoid an undue concentration of assisted persons in areas that contain a high proportion of low-income persons. The HACLA must, however, take into consideration that areas designated as revitalization, redevelopment, enterprise and empowerment zones as well as HUD designated Enterprise Zones, Economic Communities, or Renewal Communities will more than likely already contain a large number of low-income persons and that providing affordable housing that is decent, safe and sanitary in these areas can leverage such families out of poverty and expand housing and economic opportunities especially if the PBV site will provide supportive services.

The HACLA will ensure that the site is accessible to social, recreational, educational, commercial, and health facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents. The HACLA will evaluate whether travel time and cost via public transportation or private automobile to places of employment providing a range of jobs for low income workers is excessive. The HACLA considers one-way travel time of one hour for public transportation and of 45 minutes for private automobile not to be excessive in the City of Los Angeles.
17.15 17.17 PHA-owned Units

The HACLA must follow all program regulations for HACLA-owned housing including requirements for selection, inspection, and determination of initial and ongoing rents. See especially 24 CFR 983.59 and 983.103 in this regard.

17.16 17.18 Term of PBV Contracts

The initial term of the Housing Assistance Payments (HAP) PBV master contract with the owner may be up to 20 years per PIH Notice 2017-21. The term of the contract must be subject to the future availability of sufficient appropriated funding under the HACLA’s ACC.

At the HACLA’s sole option and upon the request from the PBV owner within six months before the expiration of the contract, the PBV Contract may be extended, but always contingent upon the future availability of appropriated funds and the contractor’s satisfactory PBV program performance, for such periods as the HACLA deems appropriate and in accordance with HUD regulations and instructions, **the HACLA may agree to contract extensions of up to twenty years. HACLA may grant such a contract extension in the initial HAP contract or at any time during the contract term, provided that a maximum of one such extension may be included in the initial HAP contract (resulting in a maximum term of forty years). To grant such extensions, HACLA must determine that the extension of the contract is appropriate to achieve long-term affordability of the housing or to expand housing opportunities. In addition, extensions beyond 20 years from the end of the initial term must be made no earlier than 24 months prior to the expiration of the HAP contract and their terms may not exceed 20 years in each instance.**

17.17 17.19 Agreement to Enter into HAP Contract (AHAP)

For new construction or rehabilitated housing, the owner must provide HACLA with the minimum required evidence of housing completion described in 24 CFR § 983.155(b)(1). HACLA also requires that the owner submit a City of Los Angeles Certificate of Occupancy for all units covered by the AHAP as evidence of housing completion, pursuant to 24 CFR § 983.155(b)(2). At HACLA’s discretion, a Temporary Certificate of Occupancy or other evidence that the units comply with local requirements including, but not limited to, code, fire, habitability, and zoning requirements may be submitted as evidence of housing completion. HACLA shall not enter into any PBV Contract for any rehabilitated or newly constructed units until evidence of housing completion has been received.
17.18 17.20 Inspection Before a PBV Contract Is Executed or Amended

The following applies for inspection before a PBV Contract is executed or amended:

1. All units in an existing PBV building to be covered by the PBV Contract (or contract stage) must meet Housing Quality Standards.
2. All new construction or rehabilitated units must have received a Certificate of Occupancy from the City of Los Angeles and must have passed an HQS inspection.
3. All units to be added to a PBV Contract or to be substituted for units already contracted must pass an HQS inspection prior to amending the PBV Contract.

For units selected based on non-competitive selection to attach PBV to PHA-Owned Projects (See Section 17.7 of this Administrative Plan), it is considered that the unit substantially complies with HQS if the unit passed an HQS inspection before the HAP contract is executed.

* * *

17.19 17.21 Stages and Additional Units

The initial PBV Contract for a project may specify that units be placed under contract in stages provided that the total number of units to be placed in stages has been documented in the initial contract.

The HACLA and the owner may agree to add additional eligible units to the original units specified in the a PBV Contract only during the three year period following the execution date of the initial PBV Contract and only if the total number of units in the building will not exceed 25 percent of the number of dwelling units (assisted or unassisted) in the building or the 20 percent of budget authority as provided in the PBV regulations. (The addition of excepted units may require HUD approval.) without competition at any time, provided that (1) the HACLA staff will provide a rationale to the Board of Commissioners for adding PBVs to a specific contract, and (2) caps on the percentage of vouchers that may be PBV units and on per-project percentage of PBV units are not violated. The annual anniversary and expiration dates for added units is are the anniversary date and expiration dates for units initially placed under the PBV Contract. HAP contracts.

The HACLA will not add additional units, whether excepted or not, to the number specified in the original contract except by prior written authorization of the HACLA Board of Commissioners.

* * *

Page 22 of 37
PBV Contract Amendments to Substitute Contract Units

At the HACLA’s sole discretion the PBV Contract may be amended to substitute a different unit with the same number of bedrooms in the same building for a previously covered contract unit. Prior to such substitution the proposed unit must pass a HACLA HQS inspection and a reasonable rent must be determined. The rent for the substituted unit shall be no higher than the rent for the unit removed from the PBV Contract.

Such substitution may be the result of the HACLA’s termination of participation for a family that has not met program requirements but which the owner will allow to remain in the unit without PBV assistance.

Assistance to Families Upon Contract Termination by Owner

If the owner terminates the PBV Contract because the amount of rent to the owner for any contract unit, as adjusted in accordance with 24 CFR 983.302, is reduced to an amount lower than the amount of the initial rent to the owner at the beginning of the PBV Contract, the HACLA must provide all assisted families residing in the contract units with tenant-based voucher assistance.

Housing Quality Standards

The HACLA applies the same housing quality standards to PBV housing as to tenant-based housing. See especially Section 11.11, Inspection Standards, of this Administrative Plan for special HACLA HQS criteria variations.

In conducting PHA supervisory quality control HQS inspections, the HACLA must include a representative sample of PBC and PBV units. 24CFR 983.103 (e)(3)

Biennial and Other Inspections of PBV units

The HACLA shall schedule biennial inspections in accordance with 24 CFR 983.103 for at least 20 percent of the PBV contract units in each building. The HACLA will draw its random sample of 20 percent from all units covered under the PBV Contract regardless of whether or not the unit has been recently inspected. Wherever possible, the HACLA will stagger its inspections so that the 20 percent of units will be inspected over a 3-month period to allow the owner adequate time to make repairs on the units.
If more than 20 percent of the randomly selected units fail the initial inspection, the HACLA will schedule inspections for all of the remaining 80% of units within the next three months unless a unit has already been inspected as a turnover unit and passed inspection within the last three months.

The HACLA shall inspect each PBV unit at turnover prior to authorizing approval for another family to lease the unit. The unit must pass inspection in order for the owner to receive any HAP in connection with a new lease. No payment shall be made retroactive to a passed pre-lease inspection.

The HACLA shall conduct inspections at the request of the family or the owner to insure compliance with HQS.

The HACLA may conduct additional inspections as it deems necessary to insure compliance with HQS.

* * *

17.24 17.26 Family Responsibility for HQS in the PBV Program

Whereas in the PBC program the owner is responsible for correcting all HQS deficiencies (PBC rule 24 CR 983.204), in the PBV program, the family is required to correct any HQS deficiency caused by the family in accordance with 24 CFR 983.103(e)(2) and 982.404(b).

* * *

17.25 17.27 Inspection Requirements, Correction of Deficiencies, HACLA Remedies

All provisions and timeframes concerning inspection and HQS requirements, correction of deficiencies and HACLA remedies provided in Chapter 11, Owners, Contracts, Inspections, Claims, of this Administrative Plan apply to the PBC and PBV programs unless otherwise indicated in this Chapter. If there is a discrepancy between this Chapter and Chapter 11 of the Administrative Plan, the provisions of this Chapter shall prevail.

* * *

17.26 17.28 Abatements and Terminations - PBV Contracts

If a PBV unit has been abated more than 30 days due to a deficiency that is not the fault of the tenant, the HACLA may grant an additional extension of not more than 60 days for the owner to bring the unit into compliance. If the owner has not brought the unit into compliance within 90 days of the initial abatement, the HACLA shall terminate the failing unit from the PBV Contract upon at least 30 days’ notice to the owner.
17.26.1 17.28.1 PBV Relocation and Substitution for Owner Non-compliance

The owner must relocate the tenant family of any unit about to be terminated due to the owner's non-compliance with HQS to another unit of appropriate size covered by the PBV Contract if such a unit is available. If such a replacement unit is not available, the HACLA may authorize substitution of a unit on the premises not originally covered by the PBV Contract for the abated unit being removed from the Contract provided that unit being substituted has first passed an HQS inspection.

If a unit cannot be substituted or the family relocated within 90 days of the initial abatement, the family must be provided a tenant-based voucher and the unit is forever forfeited under the PBV Contract. The Contract shall be amended to indicate that the unit cannot be substituted into (or added to) the PBV Contract in the future.

17.26.2 17.28.2 HQS Deficiency Caused by the Family

If a HQS deficiency is the responsibility of the family, the HACLA may grant a 30-day extension for the family to correct the deficiency. A copy of the notice shall be provided to the owner. If the deficiency is not corrected within 30 days, the HACLA may grant an additional extension of not more than 30 days for the family or the owner to bring the unit into compliance. The HACLA shall also notify the family and the owner that the HAP will be abated effective the first of the month following the expiration of the extension.

If the unit is not in compliance within 60 days of the first failed inspection, the HACLA must notify the family and the owner that the family's participation will be terminated within 30 days (but allowing sufficient time to provide the family with a 30-day window in which to request a hearing).

If the unit is not in compliance within 60 days of the first failed inspection, the unit must be abated on the first of the following month. The HACLA shall make no payment of HAP on such a unit unless and until the unit passes an HQS inspection. No retroactive HAP shall be allowed for any period of abatement. The owner may, however, apply for vacancy loss to the extent that it is allowed if he evicts the family.

If the family remains in the unit after termination of its participation, the HACLA shall terminate the unit from the PBV Contract upon 30 days’ notice to the owner.

17.27 17.29 Program Terminations for Family Action or Inaction Other than HQS

If the family fails to meet program requirements, the HACLA may terminate the family's participation in the PBV program. Termination from the program results in a termination of HAP for the contracted unit.
The owner may terminate the tenancy of the family and keep the unit covered under the PBV Contract, or the owner may request to substitute another unit with the same number of bedrooms in the same building for the affected unit and not terminate the family’s tenancy in the unit. The request to substitute a unit must be made within 60 days of the termination of family participation.

The HACLA may terminate the unit from the PBV Contract if no suitable unit is available for substitution or if a unit is available but is unable to pass an HQS inspection within 60 days of the termination of the family’s participation. Any substitution of units requires a contract amendment.

**17.28 17.30 Determination of Eligibility**
All determinations of program and income eligibility shall be made by the HACLA. No person shall receive PBV assistance unless determined eligible by the HACLA.

**17.29 17.31 Selection of Participants for PBV Units**
Except for families already participating in an assisted housing program operated by the HACLA, a family must be income eligible at the time it will be admitted to the PBV program. A refusal of PBV assistance does not affect the family’s position on the tenant-based waiting list. An owner’s rejection of a family for admission to the owner’s PBV units does not affect the family’s position on the tenant-based waiting list.

All families must be screened for criminal histories in accordance with Section 5.20, PBA, MRP, MRP-SRO, HOPWA and Tenant-based Section 8 Screening and in accordance with the policies stated in Chapter 13, Terminations and Denials, of this Administrative Plan. With respect to the Jordan Downs Redevelopment site, neither HACLA nor the Owner may screen any household or family with a Declaration of Right to Retain Tenancy. Households displaced by the Jordan Downs Redevelopment only, whether pursuant to the RAD Program or otherwise, have the right to return to the redeveloped site. To the extent allowable by law, the HACLA will extend this prohibition of rescreening and right to return to any household or family in the same situation at other public housing redevelopment sites.

The HACLA does not screen applicants for family behavior or suitability for tenancy. If the HACLA refers a family to an owner from its tenant-based waiting list, it shall provide only that information to the owner that is normally provided in the tenant-based program. The owner is responsible for screening all families for family behavior and suitability.

If a unit to be placed under PBV contract is occupied by a family participating in the tenant-based program and that family is otherwise eligible for the PBV unit, the family can be admitted into the PBV program provided that it is willing to enter into a new one-year PBV lease for the unit. If the family is not willing to enter into a new lease, the family must use its voucher to locate other housing.
17.30 17.32 Waiting Lists
For the non PSHP-PBV program, the HACLA shall maintain a separate waiting list for each PBV site. The PBV owner shall refer families to the HACLA for placement on the site-based list. The HACLA monitors compliance with this requirement.

For PSHP-PBV projects, in accordance with HUD’s guidance and technical assistance, HACLA shall utilize the Coordinated Entry System to fill vacancies for those units designated for homeless or chronically homeless applicants per the requirements of the NOFA under which the project applied and was awarded PSHP-PBV. Alternate, equivalent comprehensive assessment systems, including but not limited to the Department of Health Services internal assessment or the 10th decile triage tool, may also be used with approval of the HACLA.

17.30.1 17.32.1 Cross Listing on the Tenant-based Waiting List
If the HACLA’s tenant-based waiting list is open when a family is placed on the non PSHP-PBV waiting list, the family must also be offered placement on the HACLA’s tenant-based waiting list in accordance with 24 CFR 982.205(a). If the tenant-based waiting list is closed at the time a family is placed on the non PSHP-PBV and the family wishes to be on the tenant-based waiting list, the family must make a separate application for tenant-based assistance at such time as applications are being taken.

Placement on the non PSHP-PBV waiting list does not otherwise affect the family’s placement on any other waiting list. A family may have a position on more than one waiting list.

17.30.2 17.32.2 Unit Criteria and Preferences
The PBV owner must provide to HACLA any criteria or preferences for occupancy of particular units and must publicly display such criteria or preferences (including the criteria for any excepted units) at the building site and at any location where applications are taken or processed. The HACLA must approve any criteria and preferences for occupancy of particular units in writing. Preferences must be provided in accordance with 24 CFR 983.251.

17.30.3 17.32.3 Use of the Tenant-based Waiting List
The HACLA must offer to place applicants who are listed on its tenant-based waiting list and who meet PBV requirements on the non PSHP-PBV waiting list. The HACLA may, at any time, solicit interested families from its tenant-based waiting list for placement (cross-listing) on the HACLA non PSHP-PBV waiting list. Upon request of the owner, the HACLA may review its tenant-based waiting list and refer to the owner applicants who are disabled or who appear eligible for any special services provided at a particular project. If the owner agrees that a certain applicant family meets the unit criteria, and the family agrees to be placed on the non PSHP-PBV waiting list, the HACLA shall place that family on the non PSHP-PBV waiting list.


17.33 Referrals to Accessible PBV Units
If an applicant or participant family in the tenant-based voucher program has need for an accessible unit because it contains a member with a mobility impairment, the HACLA may refer the family to any PBV owner with a vacant accessible unit or an accessible unit that is not occupied by a person with disabilities that requires such a unit. See also Section 17.38, Overcrowded, Under-occupied and Accessible Units.

17.34 Filling Vacancies
For non-PSHP building vacancies, the owner will notify the HACLA of any vacancy and the HACLA will refer to the owner families from HACLA’s non PSHP-PBV waiting list. If there are no families on the non PSHP-PBV waiting list, the owner shall either refer a client to the HACLA for placement on the non PSHP-PBV waiting list and determination of eligibility, or ask the HACLA to solicit families from its tenant-based waiting list for placement on the non PSHP-PBV waiting list.

For PSHP-PBV building vacancies, in accordance with HUD’s guidance and technical assistance, HACLA will transition to the following applicant referral process using a phased approach that takes into account existing partner waitlists and contracts. The Coordinated Entry System must be used to fill at least four out of five vacancies for those units designated for homeless or chronically homeless applicants per the requirements of the NOFA under which the project applied and was awarded PSHP-PBV. Alternate, equivalent comprehensive assessment systems, including but not limited to the Department of Health Services internal assessment or the 10th decile triage tool, may also be used with approval of the HACLA. Remaining vacancies are filled with referrals received from partnering agencies who have an MOU or contract with the HACLA to submit referrals. HACLA will evaluate the referral process and make changes to the process in order to meet program and utilization objectives.

After the first year of the PBV Contract, if, despite the best efforts of the HACLA and the owner, a unit under PBV Contract has remained vacant for more than 120 days after the owner notified the HACLA of the vacancy, the HACLA shall give notice to the owner of its intent to amend the PBV Contract to reduce the number of contracted units.

If the unit remains vacant for 60 additional (180 consecutive) days, the HACLA shall reduce the number of contracted units by subtracting the number of units that have been vacant for such period from the PBV Contract by means of a contract amendment. The HACLA shall provide the owner at least 30 days written notice of such reduction.

17.35 Lease Requirements
The HACLA requires the owner to use the same (standard) lease as is used for unassisted tenants on the premises. The HACLA does not approve or review the owner’s lease. However, if an accessible unit under the PBV Contract is offered to an applicant not having disabilities requiring the accessibility features of the unit, the owner must require the applicant to agree (and shall incorporate this agreement in the lease) to move to a non-accessible unit when one is available or when the accessible unit is needed for another applicant who requires the accessibility features of the unit.
Regardless of the type of lease used, the lease must include the PBV tenancy addendum required by HUD containing word-for-word all previsions required by HUD. The lease must likewise meet all the requirements of 24 CFR 983.256.

17.34 17.36 Owner Termination of Tenancy or Refusal to Renew the Lease
If the owner terminates the tenancy for good cause, which shall include failing to move from an accessible unit when required, the family is terminated from the Section 8 program in accordance with Chapter 13, Terminations and Denials, of this Administrative Plan.

A family terminated from the PBV program for good cause does not receive a tenant-based voucher. The family must apply or re-apply for Section 8 assistance through normal waiting list procedures. A termination of the lease for good cause does not of itself affect the family’s standing or location on the HACLA’s tenant-based waiting list. However, in accordance with the provisions of Chapter 13, Terminations and Denials, it may bar the family from receiving assistance for a certain period of time.

If the owner terminates the tenancy unlawfully or for other than good cause, the family will be provided a tenant-based voucher. In such cases the HACLA will immediately remove the unit from the PBV Contract by means of a contract amendment.

17.35 17.37 Security Deposit
The HACLA does not place any requirements on collection of security deposits. Owners shall comply with state and local laws governing the collection and return of security deposits and payment of any interest on security deposits. The owner shall not collect a security deposit in excess of the local private market practice, or in excess of amounts charged by the owner to unassisted tenants.

The HACLA has no liability or responsibility for payment of any amount owed by the family to the owner.

17.36 17.38 Overhoused, Underhoused and Accessible Units
If a family occupies a wrong-size unit or a unit with accessibility features that the family does not require, the HACLA will notify the family and the owner of this determination and of its intent to terminate assistance for the unit.

In such cases, the HACLA will provide the family with a tenant-based voucher unless:

- the owner has available a unit of appropriate size, and
- the family meets any special criteria for the unit, and
- the family wishes to rent the available unit, or
- there is no funding available to issue a tenant-based voucher

For underhoused families, see Section 10.10.3 of this Administrative Plan.
For overhoused families, see Section 10.10.5 of this Administrative Plan.
After issuing a family a tenant-based voucher to locate another unit, the HACLA will continue assistance in the PBV unit for the family for as long as the family holds a valid tenant-based voucher. The HACLA must terminate PBV assistance for the family at the expiration of the term of the voucher (including any extension granted by the HACLA).

If the family refuses the offer of a unit of appropriate size by the owner and/or refuses the offer of voucher assistance, the HACLA shall terminate PBV assistance of the wrong-sized or accessible unit within 90 days of the family’s refusal and with 60-days’ notice to the family and owner. Ninety days shall be considered a reasonable period for the family to continue to receive PBV assistance if it has refused offers of other assistance.

**17.37 17.39 Family Right to Move**

In the PBV program, the family has a right to terminate its PBV tenancy after the first year of occupancy under the current lease by providing an appropriate notice to the owner and the HACLA. Before providing notice, the family must contact the HACLA if it wishes to move with continued assistance. Under such circumstances:

1. The HACLA shall conduct a full criminal background check to determine whether the family should be admitted to the regular HCVP in accordance with the requirements of Chapter 13, Terminations and Denials, of this Administrative Plan.
2. The family must meet citizenship and all other requirements to be admitted to the regular HCV program.
3. For families receiving drug and alcohol treatment in the case of current abusers as a condition of living in an excepted unit, the family must agree to be referred to supportive services, if needed.
4. The family is currently in compliance with PBV regulations, including, but not limited to, being in compliance with their supportive service plan.
5. The family is in compliance with their current lease, including, but not limited to, paying their rent on time each month.

The family can vacate the PBV unit once HACLA provides the family with a voucher of appropriate size for the same duration and under the same conditions as it provides vouchers for families in the tenant-based program.

If the family terminates its tenancy before the end of its initial one year term, the family forfeits its right to tenant-based assistance.

A family or member of the family is not required to give advanced written notice, with a copy to the HACLA, of intent to vacate the PBV unit if the family has been living in a unit for less than one year and the family moved to protect the health or safety of a victim of domestic violence, dating violence, sexual assault, or stalking. If tenant-based assistance is not available at this time, the HACLA must give the family priority to receive the next available opportunity for tenant-based assistance, even if they have left the unit to protect the family’s safety.
If the family wishes to terminate its tenancy but the HACLA cannot immediately issue a voucher, the PBV family shall be given priority for the next available voucher notwithstanding any other provision of this Administrative Plan. For exceptions to the policy regarding family right to terminate its PBV tenancy after the first year of occupancy under the current lease see Section 12.2.2, Exceptions to Limitations on Moving, of this Administrative Plan.

17.38 17.40 Excepted Units and Substitution Policy
If a family while a resident of an excepted unit received FSS or other supportive services in accordance with the owner’s and HACLA’s policy and the PBV Contract and the family completes the FSS or other supportive services requirements, the family may remain in the excepted unit and, for as long as the family remains in the unit, the unit shall be counted as an excepted unit under the terms of the PBV Contract.

If the family no longer meets the criteria for a “qualifying family,” that is, if the family does not complete the FSS contract of participation (CoP) or the family fails to meet its supportive services requirement as set forth in the supportive services statement of family obligations, or if the remaining members of a family no longer qualify for elderly or disabled family status, the HACLA shall require the family to vacate the unit within 60 days and shall provide a copy of this notice to the owner. The family is not eligible for a tenant-based voucher.

If the family has not vacated the unit within 60 days, the HACLA will provide 60 days’ notice to the family and the owner of its intention to terminate PBV assistance for the family and the unit. If the family still remains in the unit after the HAP has been terminated, the HACLA shall notify the owner of its intent to remove the unit from the PBV Contract by contract amendment. The termination shall take effect within 60 days after termination of the HAP.

The owner may offer a substitute unit if he does not wish to evict the tenant, but the substitute unit must be available and pass inspection by the proposed date of the termination of the unit from the PBV Contract. The HACLA shall execute a contract amendment to delete the unit from the PBV Contract unless the family has moved from the unit by that date. If a substitute unit has been designated by the owner and found acceptable by the HACLA, the substitute unit may replace the terminated unit by contract amendment.

17.39 17.41 Determining the Initial Rent to Owner
The initial rent to owner shall be determined in accordance with 24 CFR Part 983 Subpart G.

17.40 17.42 Use of FMRs and Utility Allowances
The HACLA will normally use the FMR and utility allowance in effect at the execution of the PBV Contract or in effect at the time of a rent re-determination. However, the HACLA may, at its sole discretion, use a payment standard not to exceed 110% of the current
FMR or the FMR amounts in effect at any time during the 30-day period immediately before the contract execution or rent re-determination date.

17.41 17.43 Re-determining Rent to Owner - Rent Reasonableness

17.41.1 17.43.1 General Requirements
For the PBV program, comparability studies are not required annually, and use of the Form HUD-92273 is not required. When determining comparability at least three comparable units must be used from the private unassisted market and these may include unassisted units in the PBV premises.

17.41.2 17.43.2 Decrease in FMR
Rent to the PBV owner (but not the PBC owner) must be re-determined when there is a five percent or greater decrease in the published FMR. Re-determination requires a comparability analysis for contracted units in addition to a reassessment of whether the contracted units meet the rent caps required by the regulation. If the rent to owner must be decreased, it shall be decreased within 90 days of the publication of final FMRs and with not less than 30 days’ notice to the owner.

17.41.3 17.43.3 Owner’s Request for Rent Increase
17.41.3.1 17.43.3.1 PBV Program
The Owner may request an increase in rent for units covered by the PBV Contract once annually. The request must be in writing and must be received by the HACLA at least 60 days prior to the contract anniversary date. Any increase in rent shall be made effective on the anniversary date of the PBV Contract.

Because PBV units are not governed by an annual adjustment factor, they are subject to all applicable provisions of the City of Los Angeles Rent Stabilization Ordinance (RSO) if they fall under the governance of that Ordinance.

Rent to the owner can never exceed the reasonable rent for the unit. In addition, the owner’s rent is capped at 110 percent of the applicable Fair Market Rent (FMR) or exception payment standard approved by HUD unless the units are certain tax credit units as determined by the PBV rule.

If the building is covered by rent control, the amount of the rent increase is capped by the RSO. Under these circumstances, a family that is paying the full rent to the owner may, due to the nature of the program, receive more than one increase in the tenant rent in a one-year period, but only one will have been due to an increase in the owner’s rent. Rent increases are not provided retroactively for abated PBV units even if the abatement is due to the actions of the family. A unit is considered to be out of HQS compliance on the date the unit is placed on
abatement. An abated unit cannot benefit from an increase in the rent to owner until the date the unit passes an HQS inspection.

17.41.4 17.43.4 Other Changes Requiring a Comparability Study
Whenever the PBV contract is amended to substitute or add a unit, the HACLA must determine that the rent for the unit is reasonable.

A comparability study is also required whenever the HACLA will approve a change in the allocation of responsibility for utilities between the owner and the tenant and whenever there is any other change that might substantially affect the reasonable rent.

17.41.5 17.43.5 HACLA-owned Units
In both PBC and PBV programs the amount of rent for any PHA-owned units must be determined by an independent agency approved by HUD which must furnish a copy of the independent entity’s determination of rent reasonableness to the HACLA and to the local HUD field office.

17.42 17.44 Vacancy Payment
17.42.1 17.44.1 Payment for Move-out Month.
In PBV programs, the HACLA pays the owner the HAP through the end of the move-out (vacate) month.

To address financial shortfalls and reduce costs in the Section 8 program, the HACLA may pay the owner through the date in which the family vacates the unit taking into account a reasonable timeframe, not to exceed seven days, to allow the family to vacate the unit.

17.42.2 17.44.2 Payment for Vacancy Loss
For the PBV program the HACLA makes vacancy loss payments in accordance with the following:

If an assisted family moves out of a contracted unit to a unit not under the same PBV Contract, the HACLA will pay an amount equal to 80 percent of the monthly rent to the owner for a vacancy period not exceeding 30 days beyond the end of the month in which the unit was vacated. However, if the owner collects any of the family's portion of the rent for the 30 days after the move-out month, such amount shall be deducted from the vacancy payment. Likewise the vacancy payment shall be reduced by any remainder available from the tenant's security deposit after deducting amounts required to satisfy unpaid rent or court-awarded damages as established by a judgment or stipulation made in an eviction action undertaken in accordance with state and local law.

The owner is not entitled to any payment for vacancy loss unless:
• The owner has complied with all provisions of the PBV Contract including the requirement to provide the HACLA with a copy of any eviction notice at the same time that the owner gives notice to the tenant;
• the owner gives prompt written notice certifying that the family has vacated the unit;
• the owner certifies that the vacancy is not the fault of the owner and that the unit was vacant during the period for which payment is claimed;
• the owner provides any additional information or substantiation required by the HACLA to verify that the owner is entitled to the vacancy payment;
• the owner certifies he/she has taken every reasonable action to minimize the likelihood and length of the vacancy including referring families from the site-based list to the HACLA for determination of eligibility.

The HACLA will process vacancy loss claims received within 90 calendar days after the move-out date.

To address financial shortfalls and reduce costs in the Section 8 program, the HACLA may pay the owner through the date in which the family vacates the unit taking into account a reasonable timeframe, not to exceed seven days, to allow the family to vacate the unit.

17.43 17.45 Utility Reimbursement
In both the PBC and PBV programs, if the family is entitled to a reimbursement for utility expenses, the HACLA shall pay the utility reimbursement directly to the family by means of a check.

17.44 17.46 Rental Assistance Demonstration and Project Based Vouchers
Where the Housing Authority chooses to convert public housing projects to Rental Assistance Demonstration (RAD) Section 8 Project Based Voucher (PBV) the provisions of this section and its subsections will apply. **In the event of a conflict between applicable RAD notices and guidance and the following provisions, applicable RAD notices and guidance apply.**

17.44.1 17.46.1 Term of the RAD PBV Contract
The initial contract will be for a period of at least fifteen (15) years (up to 20 years upon request of the Project Owner and with approval by the HACLA). Upon expiration of the initial contract, the HACLA must offer, and the Owner must accept, renewal of the contract subject to the terms and conditions applicable at the time of renewal and the availability of appropriated funds and the owner’s satisfactory RAD PBV program performance, for such periods as the HACLA deems appropriate and in accordance with HUD regulations and instructions.

17.44.2 17.46.2 Contract Rents
The initial rent to owner shall be provided by HUD based on the level of public housing capital and operating subsidies and tenant rents, and
shall be further constrained by the reasonable rent and as otherwise provided in RAD requirements.
The initial rent to owner shall be determined in accordance with 24 CFR Part 983 Subpart G. Initial contract rents cannot exceed the lower of:
(a) the reasonable rent,
(b) an amount determined by the HACLA, not to exceed 110 percent of the applicable FMR minus any utility allowance, or
(c) the rent requested by the owner.

17.44.3 17.46.3 Re-determining Rent to Owner - Rent Reasonableness
Contract rents will be adjusted only by HUD’s OCAF at each anniversary of the HAP contract, subject to the availability of appropriations for each year of the contract term. The rent to owner may at no time exceed the reasonable rent charged for comparable unassisted units in private market, as determined by the Contract Administrator in accordance with 24 CFR § 983.303. However, the rent to owner shall not be reduced below the initial rent to owner for dwelling units under the initial HAP contract.

17.44.4 17.46.4 Conversion from Public Housing to RAD PBV or PBRA
At conversion, current public housing households are not subject to rescreening, income eligibility, or income targeting. Consequently, current such households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. Once that remaining any such household moves out, the unit must be leased to an eligible family. Further, so as to facilitate the right to return to the assisted property, this provision shall apply to current public housing residents of the Converting Project that will reside in non-RAD PBV units placed in on a project site that contain contains RAD PBV units or RAD PBRA units. Such families and such contract units will otherwise otherwise will be subject to all requirements of the applicable program, specifically 24 CFR § 983 for PBV program, except as may be modified by any RAD requirements. Households at project sites converting to RAD who were not public housing residents that will reside in non-RAD PBV units and the PBRA requirements governing the also will be subject to any applicable contract for non-RAD PBRA units. RAD requirements, to the extent such requirements modify otherwise applicable PBV requirements.

17.44.5 17.46.5 Phase-in of Tenant Rent Increases
If a tenant’s monthly rent increases by more than the greater of 10 percent or $25 purely as a result of conversion, the rent increase will be phased in over 3 or 5 years. For each RAD transaction, the HACLA shall specify prior to conversion whether the length of the conversion will be 3 or 5 years.
17.44.6 17.46.6 Termination Notification Requirements for RAD conversions to PBV
The termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:

a. A reasonable period of time, but not to exceed 30 days:
   i. If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
   ii. In the event of any drug-related or violent criminal activity or any felony conviction;

b. 14 days in the case of nonpayment of rent; and

c. 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.

17.44.7 17.46.7 Grievance Process

a. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi), an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual’s lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident’s rights, obligations, welfare, or status.

   i. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).

   ii. For any additional hearings required under RAD, the Project Owner will perform the hearing.

b. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.

c. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).

d. The Project Owner provides opportunity for an informal hearing before an eviction.

17.44.8 17.46.8 Establishment of Waiting List
For public housing projects converting to Section 8 assistance through HUD’s Rental Assistance Demonstration (“RAD”) program, there shall be a preference established on the RAD Waiting List for applicants currently on the Public Housing Waiting List wishing to be added to the RAD or PBV Waiting List for the replacement units. To inform residents on the Public Housing Waiting List about
this opportunity, the HACLA will mail formal notices to at least the first 5,000 households on the Public Housing Waiting List. Individuals on the Public Housing Waiting List who wish to be added to the RAD Waiting List shall maintain their original public housing application date. If a lottery is utilized, the Public Housing Waiting List applications will be sorted from all other applications and drawn first for available units. Once their numbers have been assigned, the remaining slots will be filled by drawing from the non-Public Housing Waiting List pool.

The HACLA considers the best means to transition applicants from the current public housing waiting list as provided by PIH Notice PIH-2019-23 2012-32 revision 3 as amended or superseded from time to time.

17.44.9 17.46.9 Resident Participation and Funding
For public housing conversions to long-term, project-based Section 8 voucher rental assistance contracts, including the Rental Assistance Demonstration, residents will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding. Project Owners must provide $25 per occupied replacement PBV unit annually for resident participation, of which at least $15 per occupied unit shall be provided to the legitimate resident organization at the property.

17.45 17.47 Requests for Reasonable Accommodation
If the HACLA approves a reasonable accommodation that would require the family to move to another unit, the family may be transferred between PBV units within the same building or under the management of the same PBV owner serving the same target population without losing the family’s Section 8 subsidy. If an accommodation is required but the owner does not have a suitable unit available, the family may then be transferred to a PBV unit managed by another owner participating in the PBV program and serving the same target population without losing their Section 8 subsidy. If no adequate PBV unit is available, the HACLA may issue the family a tenant-based Housing Choice Voucher as a reasonable accommodation if funding is available.
ATTACHMENT 3

Response to Comments
(only in Final & Final Draft Versions)
RESPONSE TO COMMENTS
DECEMBER 17, 2020
Dear Residents and Program Participants:

The Housing Authority of the City of Los Angeles (HACLA) is pleased to respond to comments received on HACLA’s Fiscal Year 2021 Draft Agency Plan. The Agency Plan Resident Advisory Boards, residents and Section 8 program participants, and interested parties have submitted comments to the Draft Agency Plan. The Housing Authority is committed to responding and addressing all the issues raised by these comments. Copies of these responses will be distributed to 14 different Housing Authority sites and offices throughout Los Angeles and will also be made available to interested parties and members of the public who request them. The Agency Plan of which this document is part of is available at www.hacla.org.

BACKGROUND

The “Quality Housing Work Responsibility Act of 1998” (QHWRA) contains a provision whereby PHAs must submit an Agency Plan. The Department of Housing and Urban Development (HUD) published the Agency Plan final rule on October 21, 1998. The rule was effective on November 22, 1999.

The Agency Plan has two elements, a Five-Year Plan and an Annual Plan. The Agency Plan submission process is a continuing planning process, tailored after the Consolidated Plan process. The Housing Authority must submit an Annual Plan every year. Residents, program participants, and the public must have an opportunity for input before each submission to HUD.

REQUIREMENTS OF THE CODE OF FEDERAL REGULATIONS FOR RESIDENT PARTICIPATION IN THE AGENCY PLAN PROCESS

The Code of Federal Regulations (CFR) provisions are as follows:

- Section 903.13, (a) states: “The role of the Resident Advisory Board...is to participate in the PHA planning process and to assist and make recommendations regarding the PHA plans.”

- Section 903.13, (c) states: “The PHA must consider the recommendations of the Resident Advisory Board or Boards in preparing the final Agency Plan. In submitting the final plan to HUD for approval, the PHA must include a copy of the recommendations made by the
Board or Boards and a description of the manner in which the PHA addressed these recommendations.”

- Section 903.17 sets forth the public notification requirements: "The Board of Commissioners ‘must conduct a public hearing to discuss the PHA plan…and invite public comment on the plan(s). The hearing must be conducted at a location that is convenient to the residents served by the PHA’.”

- The regulations also states: Not later than 45 days before the public hearing is to take place, the PHA must:

  1) Make the proposed plan(s) and all information relevant to the public hearing to be conducted available for inspection by the public at the principal office of the PHA during normal business hours; and
  2) Publish a notice informing the public that the information is available for review and inspection, and that a public hearing will take place on the plan, and the date, time, and location of the hearing.”

THE HOUSING AUTHORITY AGENCY PLAN PUBLIC PROCESS

The Housing Authority has made the Agency Plan submission/approval process a public process. HACLA has a history of going beyond the letter of the law for resident participation requirements. The public process for the Agency Plan began on February 20, 2020 and continued into October 15, 2020. The events, communications and activities relevant to the Housing Authority’s Agency Plan public process include:

- Held Agency Plan pre-Draft and post publication meetings with:
  - With Resident Leaders (RAB) on February 20, 2020, and September 17, 2020
  - With the Housing Authority Resident Advisory Council (HARAC) on April 16, 2020 and September 17, 2020

- Conducted two advocate meetings, one on March 18, 2020 during the development of the Draft Agency Plan, and another on September 21, 2020 after the draft was published.

- Translated the Draft Agency Plan into Spanish.

- Made the Draft Agency Plan available at www.hacla.org, made electronic copies available at 14 sites, including the conventional public housing development offices, Section 8 and Property Management offices, and the Authority’s Central office.

• Conducted five virtual meetings for all 14 public housing developments and two virtual Section 8 meetings with residents and participants to present the Agency Plan. Comments and feedback were obtained at each of these meetings.

• The Housing Authority Board of Commissioners conducted a virtual Public Hearing regarding the Draft Agency Plan on October 15, 2020. The Public Hearing was held virtually this year due to COVID-19. Everyone was able to provide comments for the Public Hearing.

• At the virtual public hearing there were language interpretation services available for Spanish, Korean, Vietnamese, Russian, Cambodian, and Armenian for Public Hearing attendees.

The Housing Authority has more than met the minimum requirements. There was an extensive flow of information, and extensive presentation of the information. The Housing Authority considered public comment, not only from the Resident Advisory Board, but also from other residents, program participants, and interested parties.
COMMENTS ON HACLA’s DRAFT AGENCY PLAN

During the 57-day Agency Plan comment period, oral and written comments on the Draft Agency Plan were received and taken down at the virtual site meetings, through internet comment cards and through direct mail to HACLA’s CEO and Board of Commissioners.

Written Comments

Written comments on the Draft Agency Plan were received at many of the public housing site meetings, regional Section 8 meetings and from attendees of the Public Hearing.

Letters were received from advocacy groups at the Public Hearing and throughout the Draft Agency Plan process. HACLA will continue to conduct regular meetings with advocate groups to discuss policies, programs and recommendations. Moreover, HACLA staff continues to attend Resident Advisory Council meetings on a regular, if not monthly basis. Additionally, Site Managers conduct Quarterly meeting with residents to address site and resident concerns.

In an effort to provide additional information and to continue the dialogue on some suggestions, HACLA will continue to engage the advocacy agencies and the community to decide on future policy changes that fall under the purview of Significant Amendments.

Oral Comments

Oral comments on the Draft Agency Plan were received during the following Agency Plan-related activities/meetings; all comments are responded to in the Response to Comment Section:

- February 20, 2020 Pre Agency Plan Resident Leaders Meeting
- March 18, 2020 Pre Agency Plan Advocates Meeting
- April 16, 2020 Pre Agency Plan HARAC Meeting
- September 17, 2020 Post Publication Resident Leaders Meeting
- September 17, 2020 Post Publication HARAC Meeting
- September 02, 2020 - October 7, 2020 Five virtual meetings for all public housing sites & two virtual Section 8 Meetings
- September 21, 2020 Post Publication Advocate Meeting
- October 15, 2020 Board of Commissioners Public Hearing

Oral comments on the 2021 Draft Agency Plan were recorded via digital recordings, handwritten notes, and captured through the internet. The responses to these comments are grouped by issue. They also include the Housing Authority’s response and the CEO’s and Board of Commissioners recommendations, where appropriate, on making changes in the Final Agency Plan.
DISCUSSION OF COMMENTS

During virtual meetings held for all developments, when possible, present at the meetings were the site manager or the assistant manager and the Maintenance Supervisor for the site. Issues related to the Capital Fund program are included in this discussion of comments. Comments relating to everyday maintenance issues were forwarded to the Manager and Maintenance Supervisor of the site either to be addressed during the meeting or to follow up with the resident’s concerns. Ordinary maintenance issues are not included in this discussion.

If residents feel that their site is not being maintained properly, if litter is not picked up, or common areas are not kept up, they need to make sure that their manager is aware of this. If they do not see any improvements in a reasonable time, (one week from reporting) they should contact the Assistant Director of Housing Services for the site. If s/he is unavailable they need to contact the Director of Housing Services both the Assistant Director and Director may be reached at: (213) 252-1820.

Maintaining the properties in decent, safe, and sanitary condition is a priority for HACLA. It is also a challenge given the age of the properties and the continual reduction in funding to support the program. Emergency Work Order calls are to be addressed within 24 hours. Non-emergency calls are to be addressed within a reasonable time. If residents place a call for maintenance and it has not been addressed in a reasonable time, call back the Work Order Center and let the manager know as well. Ninety-Nine percent of all emergency work orders are addressed within 24 hours. On average, it takes 15 days for non-emergency work orders to be completed.

THE FOLLOWING COMMENTS WERE RECEIVED:

The Housing Authority would like to thank all the Resident Advisory Boards (HARAC & Resident Leaders), advocates, housing partners, and community members who actively participated in the comment period through the Section 8 and advocate meetings, the public hearing, and through letters and direct phone calls. With your participation we were able to evaluate proposed changes with your concerns in mind.

Agency Plan Comments

The following comments and recommendations were received at all the outreach meetings prior to, during and post publication of the 2021 Draft Agency Plan including those made at the Public Hearing. Comments and their responses are arranged by topic unless they pertain only to a specific development. As previously stated, the comments below include those made by the RABs (Resident Advisory Councils & HARAC), residents and advocacy groups at all outreach meetings. RAB comments or questions have been identified by an “*”. Copies of letters received from various organizations appear at the end of this document. The following organization provided comments on the Agency Plan Draft:
The following comments were made through the 2021 Agency Plan meetings:

**Agency Plan Process**

**Comment:** There are so many doubts about how the annual plan is presented to the community. As the RACs only receive information, there is no interaction, there is no debate, no prioritization of the community’s needs. A project cannot be imposed in that way. We want you to clarify to us as a community about each project and how it is going to affect us. We are thinking beings, we do not deserve so many lies, and it is not fair. Have respect for the community. HACLA needs to do a community process for each project that they have to implement and keep in mind that housing is a priority resource for humanity.

**Response:** HACLA as part of the Agency Process holds meeting with Resident Advisory Councils (RACs), Housing Authority Resident Advisory Councils (HARAC') and Advocates to obtain input prior to the development of the Draft Agency Plan. All comments and suggestions are forwarded to Department Directors to consider in implementing or developing policy changes for the upcoming year. The Agency Plan process provides all interested persons the opportunity to ask questions and provide comments on the proposed policy changes and activities. The Public Hearing gives an opportunity for the public to speak directly to our Board of Commissioners in support or in opposition to the proposed published policy changes. Capital Fund information is included in the Agency Plan Draft document and in all outreach meetings presentations for Public Housing residents. Included in these outreach Meeting is the proposed Capital Funds improvements for the following year for each of the Public Housing sites.

**Comment:** Given the Coronavirus, HACLA should hold outreach meeting through Zoom and make call in available. And HACLA needs to provide instructions on how to participate in these meetings.

**Response:** Due to COVID-19, five virtual meetings were held for all of the Public Housing sites and two virtual meetings for Section 8 participants. Meeting notices were published in various newspapers, distributed to all Public Housing sites and Section 8 participants. Call in information, including for the Public Hearing, was included in the notices and made available at www.hacla.org.

**Agency Plan Public Hearing**

**Comment:** With the Public Hearing date being earlier residents will not have enough time to comment.

**Response:** Federal Regulations require a minimum of 45 days for the public to review the Draft. This year HACLA made the plan available for 57 days, as in previous years over the required 45-Day period. Due to the Coronavirus the Public Hearing date was moved to October 15, 2020. This comment is in reference to the original August 6, 2020 date.
Annual Review Streamline

Comment: Streamline the Annual Review process, make it easier for residents.

Response: HACLA has taken advantage of the waivers provided by HUD during the COVID crisis. Such waivers allowed for relying on tenant/participant provided verification and/or self-certification of income if third party verification is not accessible as well as extending the window of time that documents are usable. However, HUD has not eliminated the need for annual reviews nor what information is to be updated on an annual basis. HACLA will be implementing additional measures to assist residents in submitting their annual review packets including the use of online processing via client portals and kiosks with scanners in business offices. These initiatives will begin to roll out in 2021.

Applicant Accessible Units

Comment: HACLA should not require an applicant to provide “clear and convincing evidence” that an offer of housing was refused as a result of a disability, such as that the unit “lacks features needed for a reasonable accommodation due to disability related need for a member of the applicant’s household.”

Response: The language in the ACOP has been revised to eliminate the wording “clear and convincing”.

Certified Interpreters for the Deaf

Comment: HACLA must provide certified deaf interpreters in a timely fashion to program participants who need them. HACLA’s policies for deaf program participants are inadequate and noncompliant with state and federal mandates. For a participant to get a deaf interpreter HACLA requires them to go through the Reasonable Accommodation process. HACLA’s staff needs to determine if our participant is deaf and provide the necessary service and not require the participant to repeatedly request the interpreter for each meeting.

Response: It is not HACLA’s intention to require a client with hearing impairments to have to request a reasonable accommodation for each meeting. Once it is established that the client requires interpretation and the preferred method of interpretation (ASL or CDI) that is to be noted in the client’s file and accommodations made prior to any scheduled meeting with that client. We thank the commenter to bring to our attention the nuisances in the differences in the two types of sign language. We have begun to amend the language in communications to clients to not limit the availability of sign language to just ASL.

Commissioners Appointments

Comment: How is a HACLA commissioner appointed?

Response: A commissioner is appointed by the mayor and subject to the approval of the City Council. For additional information about the process, go to the city’s website at: https://www.lacity.org/government/popular-information/form-government.
**Comment:** How long is a commissioner appointed for?

**Response:** The Housing Authority is governed by a seven-member Board of Commissioners (the "Board") that is responsible for policy, fiscal management and the appointment of the President and Chief Executive Officer. Five Commissioners serve four-year terms. Two Commissioners, who serve two-year terms must be residents of the Authority's housing projects. There is no limit on the number of terms a Commissioner may serve. Currently the HACLA board has 7 commissioners.

**Comment:** There needs to be a more transparent appointment of commissioners.

**Response:** You may provide your comments to the city.

**Continuum of Care Program - Moving On Policy**

**Comment:** HACLA needs to clarify the Moving On Policy by adding the following language: "...eligible families with no or very low supportive service needs who are choosing to move on from permanent supportive housing may be referred to the HACLA..." (Chapter 18.6.14). Adding such language will ensure that the Moving On policy is explicitly voluntary for participants, and thereby consistent with HUD requirements and best practices.

**Response:** Individuals and families transitioning, or "moving on" from Permanent Supportive Housing (PSH) units, including Continuum of Care, are referred to the Housing Choice Voucher program by partnering homeless organizations who certify that participant family no longer needs supportive services (PIH 2013-15).

**Continuum of Care Program Supportive Services Match Requirement**

**Comment:** The Administrative Plan erroneously states that the Continuum of Care Program’s supportive services match must equal at least the portion of rental assistance paid by HACLA (Chapter 18.6.4). HUD requires services match to be 25% of the grant amount. They would like us to correct the error in the Administrative Plan.

**Response:** This is an administrative oversight. HACLA follows regulatory provisions under § 578.73 Matching requirements.

(a) In general. The recipient or subrecipient must match all grant funds, except for leasing funds, with no less than 25 percent of funds or in-kind contributions from other sources. For Continuum of Care geographic areas in which there is more than one grant agreement, the 25 percent match must be provided on a grant-by-grant basis.

The S8 Administrative Plan includes the following provision:

Section 1.3 Relationship of the Section 8 Administrative Plan to Regulations
The Section 8 Administrative Plan may be superseded by applicable published Rules, Notices or Directives, and/or changes in applicable laws or regulations.
For up-to-date provisions to Continuum of Care, as stated by S8 Administrative Plan, please refer to The Continuum of Care Manual of Policy and Procedure, the document that outlines overall procedures for administering the Continuum of Care Program. There is no HUD requirement to include Continuum of Care program administration as part to S8 Administrative Plan.

Disaster Protocols

Comment:
Comments were received primarily by two advocate agencies early on in the Agency Plan process soon after the COVID 19 pandemic “Safer-at-Home” order was issued. Comments included the general themes of:

- Virtual or telephonic recertification should be employed to the extent possible where the emergency or disaster impedes participant access to HACLA offices and clients should not be penalized if unable to provide documents in time or manner request by HACLA. Additionally, HACLA needs to be able to accommodate any in-person requests for those clients who are not able to utilize electronic means of communication.
- Ensure that staff are adequately trained on new emergency protocols.
- Interim review requests to process rent reduction due to COVID related economic hardship should be processed immediately.
- Ensure signage in offices and other communication is in compliance with LEP requirements.

Response: As there are different types of disasters there will be a need for different types of protocols. During the current COVID pandemic, we were able to quickly adjust practices relating to client interactions. While there may have been some rough patches at the beginning, we continued to look for alternative methods to improve ones already set to improve client interaction and to minimize delays in processing client requests. HACLA is continuing to explore options and alternatives to better enable staff and clients to interact via alternative means that will continue past the current crisis. HACLA will always be cognizant that there will not be a “one size fits all” solution to client interaction during such emergencies. Even though our main offices have been closed, in-person appointments have been accommodated (following physically distancing protocol) when necessary to ensure successful addressing of HACLA and/or client needs.

During the current pandemic, HACLA has taken numerous measures to enable the processing of annual and interim recertifications across the programs. This has included the adoption of HUD waivers to enable residents to self-certify income changes as well as to temporarily discontinue the requirement for in-person appointments by use of email, scanning, texting, and other communication means. For those clients who (for whatever reason) required an in-person visit, accommodations were made to handle such interactions while adhering to the pandemic guidelines for social distancing.

The Housing Authority was able to implement temporary policies and procedures for the administration of housing assistance programs since HUD provided numerous statutory and regulatory requirements for the Public Housing program and Housing Choice Voucher program. These waivers provide administrative flexibilities that will expire as provided by PIH Notice 2020-13 dated July 2, 2020.
All temporary policies and procedures adopted by the Section 8 Department based on statutory and regulatory waivers approved by HUD were distributed to all Section 8 staff members via emailed transmittal bulletins and reviewed with their immediate supervisor.

As required by HUD, the Housing Authority publicly posted a list of adopted waivers and alternative requirements by whatever means it considers most effective (e.g., posting to its Web site, posting in central and any satellite offices and properties) as soon as practicable.

HUD requires Housing Authorities to notify affected residents and owners of any impacts that the waiver and alternative requirement (where applicable) may have on them by whatever means it considers most effective as soon as practicable. HUD recognizes that the COVID-19 pandemic presents unique challenges from a staffing and communication perspective and encourages PHAs to adapt their communications in consideration of local conditions and resources. Based on HUD guidance, the Housing Authority posted online notices (HACLA website) in accordance with LEP requirements (Section 8: English, Armenian, and Spanish). Notices were mailed to participant families and a second mailing will take place to inform about waiver extensions, where applicable.

Public Housing Evictions

Comment: We urge HACLA to adopt a policy exercising its discretion not to file public housing evictions whenever a state of emergency or major disaster declaration is issued and for at least 30 days after conclusion of the emergency or disaster. Such events may result in danger, economic uncertainty, and myriad challenges in accessing the rental market making increasing the risk of homelessness.

Response: We will continue to adhere to federal, state, and local ordinances and guidelines regarding unlawful detainer actions during a declared emergency. Ultimately, HACLA is responsible for ensuring that all residents are able to enjoy their units and to maintain the health and safety of the properties. While during the current COVID pandemic there has been a moratorium on evictions due to nonpayment of rent, there has never been a moratorium for evictions due to health and safety issues.

Voucher Issuance and Extensions

Comment: Housing Choice Voucher participants who have been issued a voucher which is set to expire during a declared state of emergency or major disaster should be granted automatic extensions for the duration of the emergency or disaster. We are pleased to see HACLA has extended voucher expiration dates to 270 days. We understand that for those clients nearing the end of that time period, HACLA is only extending the voucher expiration dates by 90 days. We encourage HACLA to extend expiration dates for all vouchers by 270 days. It is not safe for participants to be actively searching for housing during this time.

Moving vouchers should continue to be issued without undue delay during a declared state of emergency or major disaster, and virtual or telephonic meetings should be employed as needed where the emergency or disaster impedes participant access to HACLA offices. A participant that does not have the means necessary to complete a virtual voucher session must not be penalized; such a participant must be granted necessary accommodations.
Response: The Housing Authority was able to implement temporary policies and procedures for voucher issuance and extension since HUD provided numerous statutory and regulatory requirements for the Housing Choice Voucher program. The Housing Authority is conducting critical operations during the COVID-19 pandemic that can be done remotely and safely. Some critical functions include, but are not limited to issuing vouchers so families can find housing. The temporary policy for voucher extension will expire December 31, 2020, unless HUD extends the waiver. Accommodations are granted for virtual vouchers issuance session, if requested by family.

❖ Re-certifications

Comment: Virtual or telephonic recertification should be employed to the extent possible where the emergency or disaster impedes participant access to HACLA offices. A participant that does not have the means necessary to complete a virtual recertification must not be penalized; such a participant must be granted an extension on recertification of at least 30 days following the conclusion of the emergency or disaster.

Emergency Interim Reviews. Subsidized housing participants without paid sick leave may see sudden and significant decreases in their incomes or may need to stay home to provide childcare due to school closures in the event of an emergency or disaster. Emergency Interim Reviews should be conducted without undue delay, must be made effective on the first of the month following the month in which the change occurred, must be retroactive to include the www.nlsla.org month in which the change occurred, and not to the date the family provided documentation requested by the HACLA.

Response: The Housing Authority was able to implement temporary policies and procedures for completing reexaminations for participants who have experienced a decrease in income since HUD provided numerous statutory and regulatory requirements for the Housing Choice Voucher and Public Housing programs. The Housing Authority is conducting critical operations during the COVID-19 pandemic that can be done remotely and safely. Some critical functions include, but are not limited to completing reexaminations for participants who have experienced a decrease in income. The temporary policy for income verification will expire December 31, 2020, unless HUD extends the waiver. For reexaminations completed using this waiver/alternative requirement where a participant family self-certified income source, the Housing Authority will be responsible for addressing any material discrepancies that may arise later. Reexaminations are not be delayed because HACLA is not able to obtain third party written/oral verification. Tenant self-certification may occur over the telephone or through an email with a self-certification by the family.

❖ Inspections

Comment: HAP contracts should not be terminated on the basis of failed HQS inspections for the duration of a state of emergency or local major disaster. The compliance and re-inspection period should be extended for at least 30 days following the conclusion of the emergency or disaster.

Response: The Housing Authority was able to implement temporary policies and procedures for conducting HQS inspections since HUD provided numerous statutory and regulatory requirements for the Housing Choice Voucher program. The Housing Authority is conducting critical operations during the COVID-19 pandemic that can be done remotely and safely, including HQS inspections.
As approved by HUD, the Housing Authority is not required to conduct an on-site inspection to verify that repairs have been made but can rely on alternative verification methods (e.g., photos submitted by the owner, tenant certification). Based on this waiver the Housing Authority is accepting a Landlord’s self-certification that HQS deficiencies were corrected and/or conduct a remote video inspection.

**Earned Income Disregard (EID)**

**Comment:** Explain that it can only be done once in a lifetime.

**Response:** In accordance with HUD regulations regarding the Earned income Disallowance (EID) it is a once in a lifetime benefit, once the family member has received it they will be ineligible to receive in future years. See 24 CFR 960.255.

*Comment:* How is the EID program going to affect us with the Coronavirus? Are we still going to receive the credit? Since people lost their job not voluntary.

**Response:** HUD has not provided a waiver regarding how the EID is to be administered.

**Gender Inclusive Language**

**Comment:** HACLA needs to update policy and procedures to reflect gender inclusive language. Specifically update the ACOP and Section 8 Admin Plan to use gender neutral language of “they” in place of any pronoun identifying “he,” “her,” or “he/her.” HACLA must adjust language in all documents requiring a participant to identify their gender to provide the option of identifying as one of the three recognized genders. This must be done to comply with the Unruh Act and the Gender Recognition Act of 2017.

**Response:** Unfortunately as a federal program we must adhere to HUD regulations and reporting. The Family Report (HUD-50058 form) which we are required to use to transmit resident/participant information still uses gender specific language.

**Increase public housing**

*Comment:* Increase the amount of Public Housing.

**Response:** As much as we as an agency believe in the value of public housing, there are no federal funds available to build new public housing.

**Lease – Public Housing**

*Comment:* The lease doesn’t match what is on the book, HACLA needs to update the lease.

**Response:** Unfortunately, based on the limited information in this comment, we are unable to properly respond. The lease was last revised in 2017. If you have a specific question regarding the Rental Agreement and the signed lease, please contact your management office.

- **Lease Process**

*Comment:* HACLA needs to simplify the lease process. HACLA should obtain verification documentation so the residents do not have to provide it. Especially since it is available through other government agencies.
Response: Per HUD regulations and guidance, HACLA first tries to acquire “Upfront Income verifications” (UIV) directly through a third source rather than from the client. Unfortunately not all clients have income sources that provide for such UIV and not all such UIV data is current.

Privatization
*Comment: No privatization or private management.

Response: Due to the ways in which redevelopment deals are structured, it most likely does lead to third party management of what were formerly public housing developments.

Preference

Waiting List Preference Public Housing for Homeless Seniors

Comment: In its 2020 Admissions and Continued Occupancy Policy for the Conventional Public Housing Program, the LA County Development Authority (LACDA) established a waiting list preference for 25% of turnover units for homeless seniors (62+ years of age) within two of its senior properties (p. 30). This policy will add critical units to serve one of the fastest growing populations of persons experiencing homelessness. According to LAHSA, homelessness among adults 55 years and older has increased 20% since 2017 and is expected to exceed 14,000 older individuals by 2026, unless we make significant increases in the supply of accessible and affordable senior housing. A comment by Shelter Partnership urged HACLA to create a similar preference or set-aside in its public housing waiting list for all of its senior public housing properties to help meet the growing housing needs of homeless older adults as was done by the LACDA. Further, given the small number of dedicated units for seniors or persons with disabilities, HACLA should also consider creating a similar waiting list and admission preference for older adults for its inventory of public housing units that are not specifically designated for older adults.

Response: HACLA already provides a preference for admission to the public housing program for senior/disabled applicants. Additionally, HACLA currently only has one 27 unit building dedicated for “senior/disabled” residents and that is slated for removal from the public housing program due to RAD activity. Of the over 66,000 applicants currently on the public housing wait list, over 56% are for one-bedroom units and only 14% of our 6,454 units are one-bedrooms, the most common size for senior/disabled households. In 2019, only 14 of the 58 vacated one-bedroom units in 2019 were filled by new admissions off the wait list. This is due to the need to utilize the one-bedrooms that become available to transfer over-housed residents to a more appropriate unit size and to offer them for reasonable accommodation transfers (as most of our “flat” units are one-bedrooms).

Reasonable Accommodations in the Section 8 Program

Comment: HACLA needs to implement uniform policies that include detailed written reasoning when denying a reasonable accommodation; communicate in denials the family’s right to request a review; include in the Administrative Plan the method of giving notice, and what constitutes sufficient notice of “the reasons for a decision” and specifically state how HACLA staff will interact with participants with psychiatric disabilities; HACLA’s policies must emphasize the obligation of HACLA’s staff to engage in an interactive process; the annual staff trainings should be made permanent.
Response: The Housing Authority has the policies and procedures in place to address reasonable accommodation requests as provided by HACLA's Nondiscrimination on the Basis of Disability and Reasonable Accommodation – Policy (MPP 125:1) and Nondiscrimination on the Basis of Disability and Reasonable Accommodation – Procedures (MPP 125:1A). These documents outline uniform policies for requesting verification of reasonable accommodation request and reasons for denial, including providing a notification of decision:

Section (VI), Denying a Reasonable Accommodation Request (MPP 125:1A)
If it is determined that the request will be denied then staff must notify the Client of the denial by sending them a letter within 5-business days of the determination of the denial. The letter shall state the reason(s) for the denial along with their right to appeal to the Director of the respective program.

Rent
Comment: What is the annual percentage that HACLA applies?

Response: Rents for the Section 8 and public housing program are calculated based on federal regulations. For most households, the rent is based on 30 percent of families adjusted income.

Rental Assistance Demonstration (RAD)
Comment: Rental Assistance Demonstration (RAD) this is another program that is privatizing public housing, as they are doing in Jordan Downs, Pueblo del Sol and other projects that are in their 25 year vision. This program is beneficial for HACLA, but not for the public housing community. HACLA is taking advantage of this program to evict families by not giving them all the correct information.

Response: RAD is a powerful tool to preserve and improve public housing properties and address the billions of dollars in nationwide backlog of deferred maintenance while protecting the rights of residents.

- RAD allows public housing agencies to leverage public and private debt and equity in order to reinvest in the public housing stock.
- In RAD, units move to a Section 8 platform with a long-term contract that, by law, must be renewed in perpetuity. A Use Agreement is also recorded under RAD further enforcing HUD’s long-term interest. This ensures that the units remain permanently affordable to low-income households.
- Residents benefit from a right of return, a prohibition against re-screening, and robust notification and relocation rights. Residents continue to pay 30% of their adjusted income towards the rent, maintain the same basic rights as they possess in the public housing program, and gain a new option to request tenant-based assistance if they wish to subsequently move from the property.
- RAD maintains the ongoing public stewardship of the converted property through clear rules requiring ongoing ownership or control by a public or non-profit entity.
- RAD is highly cost-effective, relying on shifting existing levels of public housing funds to the Section 8 accounts as properties convert.
Rent Credits/Deductions/Allowances

*Comment: HACLA needs to inform residents of eligible Credits, Deductions or Allowances the family qualifies for.

Response: At the time of initial leasing, residents are provided a copy of the HUD’s Fact Sheet “How Your Rent is Determined” which explains what is included in the rent calculation. On the application for continued occupancy used for annual and interim reexaminations, it clearly asks for the resident to provide not just income but deductible items. If a resident has questions regarding how their rent was calculated, they can contact their management office to have a more thorough explanation.

VAWA

*Comment: HACLA needs to be more explicit about the process, make it more visible for residents to have more confidence with the investigators. The investigation has to be an independent investigation. Federal funds must be invested in real processes and with experienced investigators and credible to ensure justice.

Comment were also received from the Legal Aid Foundation of Los Angeles (LAFLA) regarding HACLA’s procedures for processing emergency transfers for Victims of Domestic Violence (VAWA). LAFLA would like HACLA to adopt clear procedures and timelines for handling emergency transfers for recent victims of domestic violence. LAFLA believes that HACLA does not do enough to ensure the safety of its participants and must provide in a timelier manner a new voucher or temporary place to stay, such as a motel room paid for by the HACLA where a transfer unit in Section 8 or public housing is not immediately available.

LAFLA has repeatedly advocated for strengthened protections of victims of domestic violence in Section 8 housing for the past several years and in past Agency Plan comment periods. HACLA should review HUD’s Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (form HUD-5381), and Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking form (form HUD-5383), when drafting new policies and procedures.

Response: The HACLA VAWA procedures and Emergency Transfer Plans were developed in accordance with the latest HUD guidance. HACLA is committed to working with victims protected under VAWA in a timely manner to assist them in identifying a viable housing alternative. Due to the need to address every situation of a VAWA claim on a case-by-case basis, to set a one-size fit all timeline for action is not realistic nor fair to the victims. We have had many VAWA instances and while in each one the long-term needs and desires of the victim may be similar, each took different paths as set by the victim to resolve. HACLA is committed to adhere to the needs of VAWA victims and will continue to educate staff on the process and protocols to follow to ensure that any one case does not fall through the cracks or experience unnecessary delays.

Waiting List Reinstatement

Comment: Regarding the 3-year reinstatement, if someone has been on the waiting list and they owe money to the previous owners, would it apply to them?

Response: Regardless of the program, if an applicant owes money to a housing authority (not just HACLA) they will not be admitted to the program.
Site Specific Comments

Avalon Gardens

Parking
Comment: I want to know what is happening with the parking situation. I would love to see it resolved. Those with permits find it difficult to find parking. Many units own at least three cars.

Response: During the current COVID pandemic, parking at all the properties became a bigger challenge than usual with more people staying home due to loss of employment. Additionally, site management was restricted to enforce parking violations due to the City’s moratorium on towing abandoned or illegally parked vehicles.

Watering
Comment: Can I water the grass outside my unit? I suffer from allergies and the ashes and heat are affecting my health.

Response: Yes! Please water the lawn outside your unit. As you do that, please make sure to not waste water by hosing down sidewalks or letting the hose run longer than necessary.

Gonzaque Village

Abandoned Vehicles
Comment: There is a crashed car located near 105th Street. We have parking permits and find it difficult to find a space to park.

Response: During the current COVID pandemic, parking at all the properties became a bigger challenge than usual with more people staying home due to loss of employment. Additionally, site management was restricted to enforce parking violations due to the City’s moratorium on towing abandoned or illegally parked vehicles. Once the moratorium was lifted in October, site management was able to start coordinating with the City’s Department of Transportation to enforce the parking restrictions.

Cameras
Comment: Are there cameras located between units 103-115?

Response: There are cameras in that area. Please contact your management office if you have any specific questions.

Capital Funds – Playground
Comment: HACLA need to fix the playground and replace the swings so our children can play safely.

Response: HACLA has plans to update the existing playgrounds for the public housing sites.
**Homeless**

**Comment:** There is a lack of light between 104th and 105th street. People take advantage and party, drink and gather. Can HACLA do something about it? There is an increase of homeless persons. I also see many homeless people near the units. I went to tell the management office, but they are still around.

*Response:* Please make sure to notify your site management as well as the LAPD Senior Lead Office.

**Mar Vista Gardens**

**Camera Surveillance**

**Comment:** Witnessed plenty of times when residents run into issues (especially on the weekend) with property damage usually by guests (like broken car windows), is there a way to use the cameras to deal with that problem?

*Response:* While Mar vista does have cameras, management staff does not have direct access to the footage. Resident should file a police report with LAPD who has ability to view the footage.

**Capital Funds**

- **Electrical**

  **Comment:** When are you going to start the electrical upgrade for Mar Vista Gardens and is this for the inside or the outside of the apartments?

  *Response:* The goal is to upgrade all of the electrical systems for the public housing sites over the next couple of years however due to Covid-19 HACLA has had to delay the work until it is safe for both employees and residents.

  **Comment:** Are you talking about the next 20 years of changes at Mar Vista Gardens? My worry is what is actually happening right now.

  *Response:* At this point, Mar Vista Gardens is not slated for any "changes" such as redevelopment. HACLA has committed capital funds in recent years to do upgrade the existing gas/water/sewer plumbing lines as well as the electrical system at Mar Vista Gardens.

- **Insulation**

  **Comment:** What will you install between apartments to keep noise down, because many families complain about noise? Will you be adding insulation to prevent it from happening? You mentioned capital fund repairs down the line does it also include insulation of walls?

  *Response:* There are no plans to install insulation in the units. For now we are only upgrading the utility infrastructure.

- **Plumbing**

  *Comment:* Fix the plumbing it is really bad in the development. Upgrade plumbing try to make the water up to code? Is the water not up to code or safe for consumption?
Response: The water at Mar Vista is provided by the City of Los Angeles Department of Water and Power (LADWP). Among the infrastructure work occurring includes fixing busted pipes to prevent water pipe brakeage which will help ensure the continued transmission of safe drinking water to the units.

Solar Panels
*Comment: Install Solar Panels at Mar Vista Gardens.

Response: Due to local regulations, HACLA cannot install solar power on multi-unit dwelling buildings where the tenants are individually metered by the LADWP. To reduce cost for electrical services, residents have been previously provided information regarding the different discount rates for low income and senior/disabled residents. To get more information on discount electrical rate programs, go to the LADWP website (www.ladwp.com) and from there to the “Financial Assistance” page for more information about the different savings opportunities.

Restroom Faucet
*Comment: Fix the faucets in the restroom they are releasing black water with rocks.

Response: As part of the infrastructure work occurring includes fixing broken pipes to prevent breakage which will help ensure the continued transmission of safe clean water to the units.

Gas Charges
Comment: Gas charges are too high. I am worry that every time you do changes you impose new charges. Are you going to be creating magical charges?

Response: The gas meters are read quarterly and residents will be charged for consumption that exceeds the threshold set for the property and bedroom size. If you feel that your gas charge is too high or incorrect you can request your management office to do a re-reading of the meter and to make sure that the meter is working properly.

Guest Door
Comment: The guest door is open, how can you prevent people from sharing the code.

Response: The passkey lock system on the pedestrian gates has been deactivated for many years now.

Post Office
Comment: I am concerned about the Post Office changes at Mar Vista Gardens.

Response: HACLA has been working with the USPS and Congressional representative’s (Karen Bass) office to resolve the situation. As of the publication of this document the issue seems to be resolved and the USPS will continue to door-to-door mail delivery service. We need the assistance of residents to ensure that the mail continues to be delivered by reporting any known unauthorized dogs, dogs without a leash and/or unsupervised dogs in common areas to the management office. Residents that are authorized to have a dog on the premises must adhere to the Keeping of Animals agreement.
Safety
Comment: Is there any way that residents feel safe. Are we doing anything to make it safer and for at risk residents.

Response: The HACLA is committed to ensure that the communities are safe to the best of its ability. To ensure this, residents help and involvement is necessary to report incidents to the management office as well as to the LAPD.

Nickerson Gardens

Cameras
Comment: I want to know if the cameras are working or just used as decorations.

Response: The cameras are in operation and monitored by LAPD.

Parking
Comment: There continues to be a concern with the lack of parking.

Response: During the current COVID pandemic, parking at all the properties became a bigger challenge than usual with more people staying home due to loss of employment. Additionally, site management was restricted to enforce parking violations due to the City’s moratorium on towing abandoned or illegally parked vehicles.

Safety
Comment: I hear gunshots more frequently during this time than before.

Response: There has been an increase in such incidences throughout the city related to the COVID shut down with more people staying in place and entertainment venues closed. Please report such incidents to the LAPD as they are occurring.

Site Maintenance
Comment: A tree next to a unit has grown so much it is now over the roof. Can HACLA come and cut the tree?

Response: Please report such issues directly to your management office.

Site Trash
Comment: Every day I go out to sweep my area. There is so much trash. I need to hear what HACLA can do about this situation. Thank you so much for your attention.

Response: While Mar Vista has dedicated ground crews, site staff can only do so much. Residents need to help by keeping the area outside their unit clear and to make sure that any trash that they dispose of is placed in the trash bins versus left outside of it.
Pico Gardens

Agency Plan Presentation

Comment: In the Spanish call in line, we couldn't hear at the beginning of the meeting and then the line cut off.

Response: We apologized for the inconvenience, the Interpreter had some technical problems in the Spanish call in line. However, participants were able to ask questions during the meeting and were also encouraged to attend the General Public Housing Meeting taking place on September 23, 2020 if they wished to hear the whole presentation. Additionally, copies of the presentation were made available throughout the Agency Plan Process both in English and in Spanish at our website at www.hacal.org.

❖ Internet

*Comment: The internet is very slow at Pico Gardens.

Response: HACLA is currently working with the internet provider Starry to provide Wifi connection at various public housing sites. Pico Gardens is scheduled to be connected through Starry by early 2021.

Community Safety Partnership (CSP) Program HACLA/LAPD

Comment: Many housing complexes know how the Community Safety Partnership program has worked. We believe that it is not enough for many. A lot of money is being invested in this program, but it is not having favorable results for the youth or for the community. This program is an accomplice of HACLA to more easily evict families that have children in gangs instead of bringing them educational programs to have a well-paid jobs and integrate into society. These funds that are invested in this program should be used to make more public housing for people with very low resources. At this time there are many families without homes since as human beings we have priorities and the first thing is housing and it is also a human right. Pico is opposed to this program. We want our funds for priority needs.

Response: Most available evidence suggests residents at CSP sites support the CSP program as it helps lower crime rates and improve community relations with police officers as well as providing a number of services beneficial to resident quality of life. HACLA will continue to work with LAPD to strengthen and develop CSP program operations to better serve public housing residents. The new CSP Bureau, recently established by LAPD, will be an integral part of this ongoing effort.

HACLA has no current plans to place a CSP team at Pico Gardens.

Internet

Comment: AT&T is a company that is not working well for the Pico Gardens/Las Casitas community. This company is not working well for the Pico Gardens community as it is very slow and for this reason communication is also quite slow. The community cannot be left behind because of this service as technology advances day by day and our residents do not want to be left behind. Our children need the internet at this time. The need for the internet is great because
they are taking their classes from their homes due to the Covid-19 pandemic. Also many of the parents are working from home and are using the internet for various purposes since they cannot leave their home. We are making this urgent request and people are under a lot of stress and do not know where to go for help since they cannot hire another company other than AT&T. It is urgent for you to put another company because AT&T does not work and has a long contract with Housing and it is not fair to the community and the contract is very expensive. We want an immediate response.

**Response:** HACLA is currently working with the internet provider Starry to provide Wifi connection at various public housing sites. Pico Gardens is scheduled to be connected through Starry by early 2021.

### Pueblo Del Rio

**Capital Funds**

**Comment:** When will HACLA upgrade inside the units? We are living in units built on 1942. It is 2020! Everyone else is getting a change in their site because there is someone who stands up for them. This does not happen at Pueblo. No one is here for us.

Residents of CAL 403 thank you for painting the outside of their units and placing bar doors, but they want to know why have CAL-403 Pueblo Del Rio development has not been repaired inside their units. The residents say every year in the past at the Housing Authority of the City of Los Angeles Draft Agency Plan public housing presentation, they asked the residents what they would like to have done in their development inside and outside of the development. These are some of the items they said they wanted to have done in CAL-403 inside their units.

- Bathrooms being fixed, showers updated (never got done)
- Bedroom, larger closet space (never got done)
- Living room and kitchen painted (never got done)
- Better lighting in the outside of their units. Why did housing take away the light off the outside building of the development?

**Response:** HACLA has performed a Physical Needs Assessment and the interior of the dwelling units have been identified for future improvements.

### Community Safety Partnership (CSP)

**Comment:** Residents want to know that Pueblo Del Rio has CSP Officers from Newton Street Police department that are assigned to Pueblo Del Rio. They say the officers are here during the day time. The residents say they would like for the CSP Officers to be inside the development after Housing Authority working hours like starting at 6pm due to in the evening is when the problems start mostly on 54th street between Holmes Avenue and Long Beach Avenue. The residents say they never see a CSP officer come down that street.

**Response:** CSP command staff monitor officer deployment closely to ensure it conforms with the program’s duties, responsibilities and mission. They have a strong relationship with the Newton Area command and are in constant communication about events at Pueblo Del Rio even when CSP has gone home for the evening. CSP command staff will also share this comment with
the CSP team to make sure no resident in PDR feels excluded. CSP is acutely aware of the public safety issues in the location mentioned in the comment and continues monitoring the area in coordination with Newton's gang unit.

**Maintenance**

**Comment:** Will the Housing Authority be able to have outside maintenance to have the residents remove all canopies, swimming pools, fences that are made out of bed rails around their gardens to see the community look nice?

**Response:** HACLA has requested that residents clean their outdoor areas, including their front yard so that HACLA can install new planters as part of the beautification of Pueblo del Río. In addition, site Management staff will continue to work with individual households who may have excessive outside items as these cases arise.

**Maintenance Staff**

**Comment:** Residents want more maintenance ground staff to help clean up Pueblo Del Rio as cleaning the parking lots and the streets around the trash containers station. I only see one ground maintenance person to clean up the outside of Pueblo Del Rio development that is to clean up around all the trash containers station, which is to pick up bulky items/loose trash debris and that’s not enough help. I remember there were more ground maintenance person to help clean up the development and the summer youth that lives here in Pueblo Del Rio will help clean up the development so it won't look as bad. I know the residents are responsible to clean their own yard. What happened to the other ground maintenance staff that was assigned to Pueblo Del Rio to help clean up the development?

**Response:** HACLA is currently re-designing the trash enclosure space and replacing the bins. Moreover, HACLA is currently fully staffed with limited HUD funding. HACLA grounds crew staff continue to clean the development. However, due to COVID-19 there are many more people staying in place and disposing of trash at all public housing sites. Pueblo Del Río residents can also organize a block captain program by contacting the Manager. Block Captains assist in encouraging residents to take care of the site, and report information to the Manager. Finally, in the near future, there will be adults from 18-24 from a resident services program that will assist in the clean-up at Pueblo Del Río. HACLA staff continues to work with tenants to keep the common areas around their unit organized and clean.

**Management Office & Community Center**

**Comment:** The Management Office and Community Center are always closed. No one comes in and out. How are we going to get support?

**Response:** Due to the COVID pandemic the office and community center have been closed to walk-in traffic and most programs have been cancelled. If you need to speak with someone in the management office, please call during normal business hours and if necessary, an in-person meeting can be scheduled following physically-distancing protocols.
Parties

Comment: Letters need to be sent to residents no parties after 10pm.

Response: There have been numerous notices to residents reminding them of their rental obligations. We will continue to target future message to further specify specific lease violations.

Pets

Comment: Housing needs to send letters to residents if they have any pets (dogs/cats) they must have a permit from Housing Authority Management Office. If their dog is outside they must be on a leash. The owner of the dog must pick up behind their dog.

Response: There have been numerous notices to residents reminding them of their rental obligations, including the keeping of animals. Please report to the management office any unauthorized dogs or dogs that off lease or left unsupervised outside.

RAC Office

Comment: Residents want to know why the RAC office is never open for the residents to come in to speak with a Board member before the COVID-19 and now which the residents understand.

Response: RACs have office hours. There’s been no change in rules since the advent of the pandemic. But, as a matter of public health and safety, HACLA is not requiring RAC Board member volunteers to put themselves and their families at risk by holding in-person office hours. Some RACs may choose to continue holding office hours on a voluntary basis.

The assertion characterizing Pueblo’s RAC office, pre pandemic, as “always closed” is inaccurate. The Pueblo RAC continues to hold office hours on Mondays and Wednesdays. During the pandemic, the Pueblo RAC, in partnership with CSP and other stakeholders, has been extremely active in organizing regular COVID-safe food distributions as well as a back-pack giveaway.

If residents wish to contact the RAC, they can reach the President, Maria Espinoza, via email at: mariaespinoza0922@yahoo.com.

RAC Elections

Comment: When will the Housing Authority hold elections for the Pueblo Del Rio RAC.


Repairs - Redevelopment

Comment: I feel Pueblo Del Rio is always last to be renovated. Why are we not as important as William Mead and Jordan Downs?

Cal 403 Pueblo Del Rio Housing Authority Development are having their units painted on the outside of each unit. Also bar doors being placed at front and back doors which the residents are very happy for it. Will the workers complete all Cal 403 units this year 2020? Did any of the funds used to remodel the inside of the Management Office come out of the funds for painting Cal 403 units? If not, where did the money come from?
Response: The plan is to complete the PDR beautification project in 2021. All units will be included. The beautification project thus far is funded by both PILOT and some reserve funds. HACLA will also leverage this project with 2021 Capital Fund Program funds.

No one site is considered more important than the other. HACLA is committed to continuously evaluating our public housing sites for redevelopment opportunities. In 2017 a comprehensive review was conducted based on specific criteria in terms of capital needs improvements and quality of life enhancements. As a result, sites were prioritized according to their physical condition, operational functionality, redevelopment potential, and need for community enhancement. Details regarding this evaluation was published in the Vision Plan, which was adopted by the board in 2018. We continue to evaluate the sites annually regarding prioritizing sites for future redevelopment.

Smoking
Comment: Letters need to go back out to remind the residents no smoking inside their units or on the outside of their units.

Response: There have been numerous notices to residents reminding them of their rental obligations. We will include this topic in future reminders.

Social Hall
Comment: I know two years ago, if I am not mistaken, the Social Hall was remodeled. Why would they take out the kitchen and place three restrooms inside the Social Hall when there are meetings going on inside the Social Hall? Sometimes there is food being served. The people that prepare the food have to go inside the restroom to wash their hands and that does not look good. I know there would not be any meetings or any events because it’s not safe since COVID-19.

Response: The Social Hall at Pueblo Del Rio is currently being renovated. As part of the renovation, a new kitchen will be included that will be accessible from the Social Hall side and accessible to serve residents.

Speeding
Comment: Cars are speeding while children are playing outside. What can CSP do to prevent an accident from happening? I have seen police go by and no consequences occurs to those who speed.

Response: CSP officers are aware of the speeding issue and currently working with CD9 on posting a stop sign with flashing lights at 52nd and Holmes. In general, CSP officers are present in the development and taking enforcement action against speeding violations as necessary.

Trash Containers
Comment: Residents want to know if housing has any funds to replace trash containers because they are all damaged and have very bad smells.

Response: Yes, HACLA is in the process of replacing deteriorating trash containers at all public housing sites.
Rancho San Pedro

Redevelopment

- **Relocation**

  **Comment:** Where will we be moved to and how will the process work? Where will families be moved to when the redevelopment begins?

  **Response:** HACLA's goal is to redevelop the project with the least amount of relocation necessary to complete the redevelopment. As part of the process, HACLA will contract with a Relocation Consultant that will interview residents to determine the relocation needs of any households that will be impacted and to develop a Relocation Plan to address the needs. Once the plan is finalized, the Relocation Consultant will work with any household that require relocation to find a temporary relocation site. The Relocation Consultant will provide advisory services and assist with the move. HACLA and the developer partners will meet regularly with residents to inform the community of the plans and solicit input from residents.

  **Comment:** If I am displaced who will pay the moving expenses?

  **Response:** HACLA will pay the moving expenses and if there is a difference in rent, HACLA will subsidize. Residents will continue to pay the same amount of rent.

  **Comment:** How will I locate a place to live?

  **Response:** The relocation counselor's job is to find a unit for the family to relocate. The relocation consultant will work with each resident to assist in identifying available places acceptable to the resident.

  **Comment:** Is there a plan where realtors already know?

  **Response:** At Rancho we are looking at buying houses and the relocation counselors must provide three housing options to families. These options include, move to redeveloped units, take a sec 8 voucher and move off-site and transfer to another preferred public housing site.

- **Rent**

  **Comment:** Will I still be responsible for the rent? Will the rent be subsidized when we relocate?

  **Response:** Yes, residents will continue to be responsible for rent payments.

Rose Hill Courts

Redevelopment

**Comment:** Rose Hills wasn’t mentioned in regard to redevelopment, when will the work begin? What is happening with Rose Hills?

**Response:** The redevelopment of Rose Hill Courts has been include in the Agency Plan for the past 6 years. Since 2014, HACLA has been working with Related Companies of California (Related) to evaluate the viability of redeveloping or rehabilitating the Rose Hill Courts public
housing site and have undertaken the planning, entitlement, community outreach, funding and other related activities associated with the efforts. Numerous meetings have been held with residents to inform them of the plans for the site, solicit their feedback in finalizing the redevelopment plans. The final redevelopment plan include the demolition of the existing 100 units of public housing and replace them with up to 185 units of newly built rental affordable housing. The new units will be built in two phases; Phase I will consist of up to 89 units and is being designed to accommodate existing residents' currently living onsite. Phase II will consist of up to 96 units and will provide new affordable family units. HACLA has received HUD Section 18 demolition and disposition approval earlier this year for 89 units and is also awaiting final HUD approval for the RAD conversion of the remaining 11 units.

Phase I has received most of the funding and is projected to begin construction in spring 2021. Prior to the redevelopment of this phase, the 12 families living in the footprint of Phase I will be temporarily relocated in accordance with the BOC adopted Relocation Plan and the vacant buildings will be demolished.

Comment: When will virtual meeting begin, what month?


Comment: Are we really moving in October?

Response: The goal is to have residents that reside in the Phase 1 footprint to relocate to their temporary relocation site by the end of 2020. The Relocation Consultant is assisting every resident that is required to temporarily relocate find a new site and coordinating their move.

Rent
Comment: What is the rent increase percentage or cap for HACLA?

Response: For additional information see the section on Rent and or Rent Credits/Deductions/Allowances of this Response to Comments.

William Mead

ilight Plumbing

*Comment: Fix the plumbing it is really bad in the development.

Response: HACLA has committed capital funds in recent years to do upgrades to the existing gas/water/sewer plumbing lines at the public housing sites. William Mead is included in that plan.

Comment: When will the renovations at Rancho San Pedro begin?

Response: We are currently doing an Environmental Review that takes about two years. We are probably two years away from starting.
April 15, 2020

Sent via U.S. Mail and Email to Juan.Garcia@hacla.org

Housing Authority of the City of Los Angeles
2600 Wilshire Blvd., 3rd Floor
Los Angeles, CA 90057
Attn.: Juan Garcia, Systems & Procedures Supervisor

RE: 2021 Agency Plan Comments

Dear Mr. Garcia:

Thank you for the opportunity to provide comments on HACLA’s 2020 Draft Agency Plan. Disability Rights California (DRC) is a non-profit agency established under federal law to protect, advocate for and advance the human, legal and service rights of Californians with disabilities.¹ It works in partnership with people with disabilities, striving towards a society that values all people and supports their rights to dignity, freedom, choice and quality of life. Since 1978, Disability Rights California has provided essential legal services to people with disabilities. It provides legal assistance annually on more than 24,000 matters to individuals with disabilities, many of whom are tenants in HACLA properties, HACLA voucher holders, or applicants for housing with HACLA. We are writing to

share our concerns about HACLA’s proposed changes to the 2021 Public Housing Admission and Continued Occupancy Policy (ACOP).

Specifically, we object to HACLA’s requirement for an applicant to provide “clear and convincing evidence” that an offer of housing was refused as a result of a disability, such as that the unit “lacks features needed for a reasonable accommodation due to disability related need for a member of the applicant’s household.” This requirement is found in Section I(Q)(4)(h) of HACLA’s Proposed Changes to 2020 Admissions and Occupancy Policy and Section I(Q)(4)(d) of HACLA’s Admission and Continued Occupancy Policy for Public Housing. This requirement creates an impermissible barrier to housing for people with disabilities.

HACLA is required under applicable disability rights laws, including Section 504 of the Rehabilitation Act and Title II of the ADA, to provide equal access to housing for people with disabilities. Unfortunately, many housing units within HACLA’s portfolio are inaccessible to people with mobility or sensory impairments. When HACLA offers an inaccessible unit to a family that includes someone with a disability, HACLA must provide that family with the opportunity to decline the unit. HACLA must allow the family to wait for a unit that has the accessibility features that they need, and may not penalize the family for doing so.

However, the requirement that the family provide “clear and convincing” evidence in order to avoid suffering adverse consequences for their refusal of the inaccessible unit places an unacceptable barrier to access on those families. A family that rejects an inaccessible unit and asks to wait for an accessible one must not be punished, regardless of whether they provide clear and convincing evidence of their disability-related needs.

Federal regulations recognize the importance of matching people with disabilities with accessible housing units, and of doing everything feasible to reduce the barriers that prevent people with physical disabilities from getting the accessible housing they need. See, e.g., 24 C.F.R. § 8.27 (requiring public housing authorities to “maximize the utilization” of accessible housing units by individuals “whose disabilities requires the accessibility features of the particular unit”). As a result, families who report
to HACLA that a particular unit is not accessible due to a disability need to be permitted to wait for an accessible one, and HACLA may not establish barriers to their doing so.

In this case, however, HACLA has taken the opposite approach, placing a heavy burden on families with disabilities who are offered an inaccessible unit. The “clear and convincing evidence” burden of proof is a standard that typically applies only in extreme cases, such as involuntary hospitalizations or removing a person from life support. Invoking such a high standard is unnecessary here, as it will only be another hurdle for low-income people with disabilities to obtain affordable, accessible housing. Accordingly, we strongly urge HACLA to accept an applicant’s statement that a unit is unsuitable for their disabilities as sufficient proof, without requiring additional evidence, in cases where HACLA has offered a family an inaccessible unit.

In addition to the aforementioned comments, Disability Rights California incorporates by reference, written comments submitted by Neighborhood Legal Services of Los Angeles County.

Thank you for your consideration of this important matter. We remain available for further consultation. Please do not hesitate to contact me at (213) 213-8092 or Aisha.Novasky@disabilityrightsca.org.

Sincerely,

Aisha C. Novasky
Attorney

Autumn Elliott
Senior Counsel
April 15, 2020

Mr. Douglas Guthrie
c/o Intergovernmental & Community Relations Department
Housing Authority of the City of Los Angeles
2600 Wilshire Blvd.,
Los Angeles, CA 90057
Via electronic mail to juan.garcia@hacla.org

RE: Comments to HACLA’s 2021 Draft Agency Plan

On behalf of Neighborhood Legal Services of Los Angeles County, (“NLSLA”), we respectfully submit these comments and recommendations on policy changes for the forthcoming 2021 Draft Agency Plan for the Housing Authority of the City of Los Angeles (“HACLA”). This letter sets forth specific recommendations for HACLA to consider while developing the 2021 Public Housing ACOP (“ACOP”) and the Section 8 Program Administrative Plan (“Section 8 Admin Plan”), as well as broader policy changes to consider in the context of this public comment process.

RECOMMENDATIONS

A. HACLA Must Improve its Handling and Processing of Reasonable Accommodation Requests by Section 8 Participants.

The HACLA, as a federally funded public housing authority is obligated by law to comply fully with the Fair Housing Act, Section 504, of the Rehabilitation Act of 1973, the Americans with Disabilities Act. Moreover, as the HACLA acknowledges in its current amendments to its agency plan, it is also obligated to comply with the Unruh Civil Rights Act and the California Fair Employment and Housing Act, with regard to handling reasonable accommodation requests submitted by individuals with disabilities and requesting verification for those disabilities. Accordingly, HACLA’s Non-Discrimination of the Basis of Disability and Reasonable Accommodation Policy states that HACLA will “identify and eliminate conditions that create barriers to equal opportunity and, wherever possible, will make physical and procedural changes in order to reasonably accommodate people with disabilities.” Additionally, the Reasonable Accommodation Policy states that the HACLA will be “thorough and prompt in reviewing accommodation requests and will explain the basis of any denial.” Nevertheless, too frequently HACLA is not assisting our clients with identifying or eliminating barriers to equal opportunity, and are failing to adequately explain the basis of denials of our client’s reasonable accommodation requests.

Kristina Rosales Esq.
Staff Attorney
Kristinarosales@nlsla.org
(818) 834-734
1. HACLA must implement uniform policies for requesting verification in reasonable accommodation requests.

Any person who has a “physical or mental impairment that substantially limits one or more major life activities” is eligible for a reasonable accommodation under the HACLA’s Administrative Plan. As a general policy, HACLA shifts the responsibility to the participant to “identify the type of accommodation best suited to their disability needs.” In most cases, this requires the participant to provide documentation of the disability in order to be granted an accommodation. The exception is for “obvious and/or visible” disabilities, where the accommodation is “clearly related” to the disability.

In our experience, this vague language fails to provide accessibility for persons with mental impairments and therefore HACLA staff do not follow consistent protocols in addressing these types of disabilities. In one example, a participant’s voucher was almost terminated because her adult son was unable to recertify his income during his yearly recertification. Her son suffered from paranoid schizophrenia, and his paranoia prevented him from completing the recertification and also from attending his doctor’s appointments. His impairment should have been obvious to the case worker, particularly since HACLA had documentation of his disability and disability income from the previous five years that his family was receiving the voucher. However, the HACLA staff insisted that he provide medical verification of his disability in order to permit him an accommodation, the very thing his symptoms were preventing him from doing. Thus, in order to save her voucher, the participant was forced to request a reasonable accommodation on his behalf, which was denied. The participant was told that her only option was to request legal decision-making authority over her son. This is one example of the consequences of a lack of appropriate policies regarding accessibility for persons with psychiatric disabilities. It is also an example of the failure of HACLA staff to engage in an interactive process to permit a disabled tenant to access the accommodation that is required to maintain their home.

Accordingly, we recommend that the HACLA develop policies for how to interact with participants with psychiatric disabilities. Such policies should acknowledge the often “invisible” nature of symptoms associated with psychiatric disabilities, and the implacable impediment such symptoms may create in completing simple administrative tasks. Additionally, we recommend that the policies more clearly reflect the obligation of the HACLA staff to engage in an interactive process in identifying an appropriate reasonable accommodation. Currently, the Nondiscrimination on the Basis of Disability and Reasonable Accommodation Policy states that the only responses that may be made to reasonable accommodation requests by HACLA staff are either a decision or request for additional information. (Section XI, p. 12). This policy does not provide guidance for staff on how to assist a participant whose disability prevents them from describing the needed accommodation, or how to assist such a participant in obtaining verification of disability. Instead it merely funnels clients into the grievance process by encouraging summary denials.

Finally, we recognize and applaud the HACLA’s commitment to require, for the next three years, annual fair housing trainings for all public housing on-site managers, Section 8 case advisors, and other staff who spend significant time directly serving participants. However, in order to ensure that fair housing rules are implemented correctly and consistently, we believe that these trainings should be made permanent.
2. HACLA must provide detailed reasoning when denying a reasonable accommodation request.

The Administrative Plan states that “[i]f the HACLA disapproves a request for a reasonable accommodation, the family must be notified of the reason(s) for disapproval and of its right to request a review.” Additionally, the Non-Discrimination on the Basis of Disability and Reasonable Accommodation Policy states that “[t]he HACLA will promptly respond in writing to a request for a reasonable accommodation or consideration of mitigating circumstances with a decision or a request for additional information.” Further, the Reasonable Accommodation Policy states that “[t]he HACLA will be thorough and prompt in reviewing accommodation requests and will explain the basis of any denial.

In making a decision on a reasonable accommodation request, the above requirements only obligate the HACLA to issue a decision in writing and to, at some point, notify the family of the reasons for the decision. There is no obligation to notify the family in writing for the reasons for a decision, nor is there any guidance as to what counts as adequate notice, or explanation, of “the reasons for a decision.” Accordingly, we have seen numerous cases where staff have merely stated in a written notice that the reasonable accommodation is denied, and recited one of the listed reasons with no further explanation. This too often fails to provide the tenant notice of what specifically led to the denial, or what the tenant could do to correct any inadvertent deficiencies in their request. One example we have seen is a case where the participant requested an accommodation for an extension of time to complete her recertification paperwork due to a psychiatric disability. The same day that she filed her request for accommodation, she received a denial notice that stated simply that her request would result in a fundamental alteration of the program, with no efforts to identify an alternate accommodation or allow her to remedy the alleged deficiency in her request. The participant ended up with her voucher terminated, and was forced to go through the longer grievance process while facing the threat of eviction from her home.

Therefore, we request that further guidance be placed in the Administrative Plan for the method of giving notice, and for what constitutes sufficient notice of “the reasons for a decision”. Specifically, we believe that the Administrative Plan should read: “If the HACLA disapproves a request for a reasonable accommodation, the family must be notified of the reason(s) for disapproval in writing and of its right to request a review.” (bold italics added). Finally, we request that HACLA add further requirements explaining what must be included in a written notice stating “the reasons for a decision.” We believe such a notice should include: a statement of relevant facts, a short statement of the reason with any explanation necessary to help the tenant understand why their reasonable accommodation has been denied, and a statement of any applicable actions the tenant may take to remedy the deficiency. It is only through incorporating all of these changes that we believe the HACLA will be able to effectively “identify and eliminate” barriers to equal opportunity for its tenants.

B. HACLA MUST UPDATE ITS POLICY AND PROCEDURES TO REFLECT GENDER INCLUSIVE LANGUAGE.

HACLA’s own 2020 Admin Policy includes adding “gender, gender expression, or gender identity” to the list of protected categories. As the HACLA acknowledges in its current amendments to its agency plan, it is also obligated to comply with the Unruh Act with regard to including gender, gender expression, or gender identity as a protected category for purposes of discrimination. The Gender Recognition Act passed in October 2017 establishes that three gender options must be recognized on state issued identification documents – female, male, and non-binary.
In keeping in line with HACLA’s own proposed changes, it must change the language in the ACOP and Admin plan to use gender neutral language of “they” in place of any pronoun identifying “he,” “her,” or “he/her.” HACLA must adjust its language in the ACOP, Admin Plan, and on all documents requiring a participant to identify their gender to provide the option of identifying as one of the three recognized genders to comply with its own proposed changes and to be compliant with the Unruh Act and the Gender Recognition Act of 2017.

C. HACLA MUST PROVIDE CERTIFIED DEAF INTERPRETERS TO PROGRAM PARTICIPANTS WHO NEED THEM IN A TIMELY FASHION.

HACLA’s policies surrounding the provision of interpreters for deaf program participants are inadequate and noncompliant with state and federal mandates. One of NLSLA’s clients is deaf and cannot communicate via American Sign Language. Instead, he only communicates through a certified deaf interpreter. HACLA does not provide a certified deaf interpreter for the client during meetings. For example, during one meeting with NLSLA, the client, and HACLA, HACLA provided an American Sign Language interpreter despite NLSLA’s request for a Certified Deaf Interpreter. After several attempts by NLSLA to notify HACLA of our client’s inability to communicate through ASL, HACLA informed NLSLA that client must utilize its reasonable accommodation process each time he needs a Certified Deaf Interpreter.

HACLA’s reasonable accommodation request process is a wholly inadequate method for clients to seek deaf interpreters for a number of reasons. First, how will a client who has no means to communicate with HACLA representatives understand the directive to utilize the agency’s reasonable accommodation process? Program participants who are deaf, as was the case with our client, will be unable to access the reasonable accommodation request process without the use of a certified deaf interpreter, putting the client in a catch 22, absurd situation where client cannot access critical services. Second, HACLA’s reasonable accommodation request is byzantine and often inaccessible. In our experience at NLSLA, HACLA consistently takes 30 to 45 days for to approve the first round reasonable accommodation. This is an entirely unacceptable timeframe, and is additionally, a fair housing violation under state laws. See 2 Cal. Code Regs. 12177(d)-(e).

These practices are also a violation of federal laws. Section 504 of the Rehabilitation Act, 29 U.S.C. § 794(a), provides that “no otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Similarly, Title II of the ADA requires that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” 42 U.S.C. § 12132. Title II of the ADA, in particular, requires that qualified persons with disabilities

---

1 “Requests for reasonable accommodation must be promptly considered as determined on a case-by-case basis. The time necessary to respond to a request depends on many factors, including: (1) the nature of the accommodation under consideration; (2) whether it is necessary to obtain supporting information because the disability or the need for the accommodation is not obvious or known to the person considering the request; (3) whether the accommodation is needed on an urgent basis; (4) whether it is necessary to engage in the interactive process to resolve the request...an undue delay by the person considering the request, for example, when there is a failure to act promptly on the need to acquire additional information pursuant to section 12178 or when there is no response to the request in a reasonable time, may constitute a denial of a reasonable accommodation. Whether a request has been promptly considered is a case-by-case factual determination.”
receive “meaningful access” to a public entity's services, not merely “limited participation.”.  

The onus should not be on the program participant to repeatedly request a certified deaf interpreter for each meeting with HACLA representatives. Consider the policy of the New York City Housing Authority, which places the burden on the Housing Authority representative to request an interpreter upon identifying the interpretation needs of the program participant.

“When American Sign Language is Understood Prior to requesting sign language interpretation services, NYCHA staff shall determine if the resident or applicant understands American Sign Language (ASL). ASL is a complex visual-spatial language used by people who are deaf, hard of hearing, or not hearing impaired but living or working within the deaf community. Sign language interpretation services shall be provided by contract vendors. The cost for these services is charged to the budget of the department requesting the services. Requesting departments must submit NYCHA Form 036.020, Request for Sign Language Interpreter Services to LSU at least ten (10) days in advance of a scheduled interview. The requesting department will indicate the date, time, and location of the interview on the form. LSU will procure a sign language interpreter and confirm procurement with the requesting department. The sign language interpreter will appear at the indicated location at the date and time scheduled. The requesting department will notify the hearing-impaired individual of the date and time of the interview. 2. When American Sign Language is Not Understood If the resident or applicant does not understand ASL, then LSU can request the services of a Certified Deaf Interpreter (CDI). The CDI, who is deaf or hard of hearing, is certified as an interpreter by the Registry of Interpreters for the deaf. In some instances, a resident or applicant is able to read lips; i.e., lip reading or speech reading is a technique of understanding speech by visually interpreting the movements of the lips, face and tongue when normal sound is not available. NOTE: Lip reading should not be utilized to communicate with a hearing-impaired person. Written notes may be utilized for minor issues or short-term interactions. Follow the procedures outlined above to arrange for a sign language interpreter for hearings or other lengthy or complex communications.” (Exhibit A, p. 13)

To ensure that deaf program participants are able to fully participate in HACLA’s programs, we urge HACLA revise its procedures in the following manner:

- HACLA should not require deaf program participants to submit reasonable accommodation requests to receive adequate interpretation. HACLA should affirmatively identify the interpretation needs of program participants, and similar to the policies of the NYCHA, HACLA representatives should take steps to arrange for proper interpretation.
- Once HACLA has identified that the program participant can only communicate via CDI that should be notated in the participant’s file and a CDI interpreter should be provided in all future meetings. The applicant should not have to repeatedly request a CDI interpreter for every interaction with HACLA.
- HACLA should not assume that ASL is a catch-all mode of communication for all deaf individuals. As with the NYCHA plan, HACLA representatives should affirmatively assess whether deaf program participants need oral, CDI interpreters.
D. HACLA MUST DEVELOP AND IMPLEMENT DISASTER PROTOCOLS.

I. General

The global coronavirus pandemic and the widespread disruption it has wreaked on all aspects of life, resulting in the Stay-At-Home Order implemented by Governor Newsom on March 19, 2020. This has highlighted the need for disaster and emergency protocols to be implemented when a statewide or local emergency declaration or local major disaster declaration is issued by the Governor or local official. In order to best assist and protect subsidized housing participants, we urge HACLA to implement the following protocols relating to re-certifications, inspections, public housing evictions, and voucher issuance and extensions, any time an emergency or major disaster hampers a participant’s mobility, ability to search for housing, or otherwise limits their access to the housing market. Such emergencies or disasters include, but are not limited to, pandemics and epidemics, floods, earthquakes, wildfires, and economic depressions.

Public Housing Evictions

We urge HACLA to adopt a policy exercising its discretion not to file public housing evictions whenever a state of emergency or major disaster declaration is issued and for at least 30 days after conclusion of the emergency or disaster. Such events may result in danger, economic uncertainty, and myriad challenges in accessing the rental market making increasing the risk of homelessness.

Voucher Issuance and Extensions

- Housing Choice Voucher participants who have been issued a voucher which is set to expire during a declared state of emergency or major disaster should be granted automatic extensions for the duration of the emergency or disaster. We are pleased to see HACLA has extended voucher expiration dates to 270 days. We understand that for those clients nearing the end of that time period, HACLA is only extending the voucher expiration dates by 90 days. We encourage HACLA to extend expiration dates for all vouchers by 270 days. It is not safe for participants to be actively searching for housing during this time.
- Moving vouchers should continue to be issued without undue delay during a declared state of emergency or major disaster, and virtual or telephonic meetings should be employed as needed where the emergency or disaster impedes participant access to HACLA offices. A participant that does not have the means necessary to complete a virtual voucher session must not be penalized; such a participant must be granted necessary accommodations.

Re-certifications

- Virtual or telephonic recertification should be employed to the extent possible where the emergency or disaster impedes participant access to HACLA offices. A participant that does not have the means necessary to complete a virtual recertification must not be penalized; such a participant must be granted an extension on recertification of at least 30 days following the conclusion of the emergency or disaster.
- Emergency Interim Reviews. Subsidized housing participants without paid sick leave may see sudden and significant decreases in their incomes or may need to stay home to provide childcare due to school closures in the event of an emergency or disaster. Emergency Interim Reviews should be conducted without undue delay, must be made effective on the first of the month following the month in which the change occurred, must be retroactive to include the...
month in which the change occurred, and not to the date the family provided documentation requested by the HACLA.

Inspections

- HAP contracts should not be terminated on the basis of failed HQS inspections for the duration of a state of emergency or local major disaster. The compliance and re-inspection period should be extended for at least 30 days following the conclusion of the emergency or disaster.

2. COVID-19 Protocols

Due to the global coronavirus pandemic and the resulting Stay-At-Home Order issued by the Governor, it is imperative that the General Disaster and Emergency Protocols in the preceding section be implemented, as well as COVID-19 specific measures to protect the health and well-being of federally subsidized housing participants. In addition to the General Disaster and Emergency Protocols, NLSLA recommends that HACLA immediately implement the following:

Training and Language Access

- HACLA staff, particularly case workers, should be provided training on the recertification, inspection, and voucher issuance and extension protocols in place during the pandemic to ensure staff are properly advising participants about procedures. We have already had one instance where a client with a 90-day notice from his landlord was told that he would not be issued a voucher because there are no moving voucher sessions due to COVID-19 office closures. This was corrected after NLSLA reached out to senior HACLA staff, and the client was able to complete a virtual voucher session. Such an example illustrates the critical need for training of all front-line HACLA staff on COVID-19 procedures.
- The signage to be posted at public housing and project-based housing, as well as information on HACLA’s disaster and emergency policies, should be produced in all threshold languages to ensure accessibility to the LEP population.

CONCLUSION

We respectfully request that HACLA consider the above-discussed comments and recommendations in the process of preparing the 2021 Draft Agency Plan. Should you have any questions, please feel free to contact me at kristina@nlsa.org

Sincerely,

/s/ Kristina Rosales
Kristina Rosales, Staff Attorney
Michael Novasky, Staff Attorney
Andres Rapoport, Staff Attorney
Sahar Durali, Associate Director of Litigation and Policy
Neighborhood Legal Services of Los Angeles County
# NYCHA STANDARD PROCEDURE MANUAL

## SP 007:09:1, LANGUAGE ASSISTANCE SERVICES

### TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. PURPOSE</td>
<td>1</td>
</tr>
<tr>
<td>II. POLICY</td>
<td>1</td>
</tr>
<tr>
<td>III. APPLICABILITY</td>
<td>1</td>
</tr>
<tr>
<td>IV. DEFINITIONS</td>
<td>1</td>
</tr>
<tr>
<td>V. REVIEW CYCLE</td>
<td>4</td>
</tr>
<tr>
<td>VI. RESPONSIBILITIES</td>
<td>4</td>
</tr>
<tr>
<td>A. Department of Communications</td>
<td>4</td>
</tr>
<tr>
<td>B. NYCHA Departments Offering Language Assistance Services to LEP Persons</td>
<td>5</td>
</tr>
<tr>
<td>VII. PROCEDURE</td>
<td>5</td>
</tr>
<tr>
<td>A. Assessment of Language Service Needs</td>
<td>5</td>
</tr>
<tr>
<td>B. Providing Language Assistance Services</td>
<td>7</td>
</tr>
<tr>
<td>C. Sign Language Interpreters for Hearing-Impaired Persons</td>
<td>11</td>
</tr>
<tr>
<td>D. Outreach</td>
<td>12</td>
</tr>
<tr>
<td>E. Complaints</td>
<td>13</td>
</tr>
<tr>
<td>VIII. OUTPUTS, REPORTS, AND RECORDKEEPING</td>
<td>13</td>
</tr>
<tr>
<td>A. Outputs</td>
<td>13</td>
</tr>
<tr>
<td>B. Reports</td>
<td>13</td>
</tr>
<tr>
<td>C. Recordkeeping</td>
<td>14</td>
</tr>
<tr>
<td>IX. TRAINING REQUIREMENTS</td>
<td>14</td>
</tr>
<tr>
<td>X. PERFORMANCE METRICS</td>
<td>15</td>
</tr>
<tr>
<td>XI. NON-COMPLIANCE</td>
<td>16</td>
</tr>
<tr>
<td>XII. FORMS</td>
<td>16</td>
</tr>
<tr>
<td>XIII. WORKFLOW</td>
<td>17</td>
</tr>
<tr>
<td>XIV. REVIEW/REVISION HISTORY PAGE</td>
<td>18</td>
</tr>
<tr>
<td>XV. APPENDICES</td>
<td>19</td>
</tr>
<tr>
<td>APPENDIX A</td>
<td>19</td>
</tr>
</tbody>
</table>
I. PURPOSE

This Standard Procedure explains how the New York City Housing Authority (NYCHA) provides language assistance services to Limited English Proficient (LEP) persons. These services are designed to promote the meaningful access of LEP persons to NYCHA programs and activities.


II. POLICY

It is the policy of NYCHA to take reasonable steps to ensure LEP persons may effectively participate in and benefit from NYCHA programs and activities.

III. APPLICABILITY

This Standard Procedure applies to all NYCHA departments serving LEP persons seeking meaningful access to and information about NYCHA's programs, services, or activities, including public housing, Section 8 assistance, housing-related social services, or training.

IV. DEFINITIONS

A. Bilingual/Bilingualism

The ability to speak and/or write two languages fluently and communicate directly and accurately in two languages. As a prerequisite for conducting business, NYCHA requires English to be one of the languages of a bilingual employee.
B. Civil Service Bilingual Employee

This NYCHA staff person performs one of the following functions:

1. Serves in a specialized civil service title with the principal duties and responsibilities reserved for interpretation and/or translation in language(s) other than English; e.g., an interpreter of Spanish.

2. Works with English-speaking and LEP applicants and residents as part of the basic duties and responsibilities of the position. Speaks with applicants and residents in the appropriate language to conduct business; e.g., a bilingual housing assistant.

3. Performs in an appointed position (for a language other than English) in a general title from a selectively certified civil service list pursuant to Rule 4.7.10 of the Personnel Rules and Regulations of the City of New York. Such position requires additional or special qualifications to perform the required general duties.

C. Covered Languages

These are the most frequently-encountered languages at NYCHA other than English. Currently, covered languages are Spanish, Chinese, and Russian for both translation and interpretation. NYCHA will revisit the covered languages, as needed, based on other emerging languages.

D. Language Bank Volunteers

NYCHA employees assessed by the Language Services Unit (LSU) in the Department of Communications (DOC) and determined to have the language skills necessary to provide the following services: oral interpretation and/or written translation in particular languages and for certain types of occasions (i.e., meetings, hearings, and over the telephone).

E. Language Identification Card

NYCHA Form 036.034, Language Identification Card, lists 28 languages and helps persons requesting language assistance services to identify their own language needs.

F. Limited English Proficient (LEP) Person

A person who does not speak English as his/her primary language and has a limited ability to read, write, speak, or understand English.

G. Sign Language Interpreter for Hearing-Impaired Persons

A sign language interpreter interprets spoken language into manual communication, or sign language.
H. Source Language

The written or spoken language of the original document or communication requiring translation or interpretation.

I. Target Language

The language into which a written document is translated or an oral communication is interpreted.

J. Translation Services (Written Language Services)

The written communications of a text from the source language into an equivalent written text of the target language.

K. Types of Oral Language Interpretation Service

The process of orally communicating information from the source language into the target language; i.e., translating orally for parties speaking in different languages. This service is a three-way conversation provided either in person or over the phone using the telephone speaker or teleconference feature depending on the mode of interpretation required.

There are three basic modes of conversation in oral language interpretation:

1. Simultaneous

   The interpreter, as quickly as possible, converts speech into the target language and conveys the oral message in the target language. This occurs while the source-language speaker continuously talks. The interpreter speaks in the target language (at almost the same time as the speaker in the source language) when acting as the interpreter of the original message.

2. Consecutive

   The source-language speaker finishes talking before the interpreter converts speech into the target language.

3. Sight

   The conversion of material written in the source language into an oral communication in the target language.

L. Vital Documents

Documents that are critical for ensuring meaningful access to NYCHA’s major programs and activities by beneficiaries generally and LEP persons specifically.
VITAL DOCUMENTS INCLUDE WRITTEN MATERIALS SOLICITING OR CONTAINING INFORMATION FOR ESTABLISHING OR MAINTAINING ELIGIBILITY TO PARTICIPATE IN NYCHA PROGRAMS OR ACTIVITIES (FOR EXAMPLE, ANNUAL RECertiFICATIONS), AND DOCUMENTS CREATING OR DEFINING LEGALLY ENFORCEABLE RIGHTS OR RESPONSIBILITIES (FOR EXAMPLE, LEASES).

V. REVIEW CYCLE

DOC shall review this Standard Procedure once every three (3) years and revise as needed including for compliance with changes in the law.

VI. RESPONSIBILITIES

A. Department of Communications

1. The chief communications officer shall:

   a. Select a staff person to serve as the language access coordinator (LAC).

2. The LAC shall:

   a. Produce the two monthly reports and year-end cumulative reports on interpretation and translation services.

   b. Meet with the language liaisons to ensure compliance with language assistance service requirements.

   c. Assess annually the language assistance needs of NYCHA by reviewing data on the provision of language services and the prior year’s provision of language assistance services.

   d. Recommend modifications to NYCHA’s Executive Department, as needed, regarding the provision of language assistance services.

   e. Monitor the translation of vital documents.

   f. Oversee quality control assessment of language services.

3. The language liaisons shall:

   a. Work with the LAC to address issues related to language services.

   b. Provide information to the LAC to help identify emerging languages and changes in the proportion of existing language groups.
NYCHA STANDARD PROCEDURE MANUAL

c. Provide the LAC with reports on language assistance services provided.
d. Identify staff requiring training on the delivery of language services.
e. Provide the LAC with updated language assistance service needs of the department.
f. Participate in recruitment efforts targeting and encouraging bilingual staff to participate and become part of the Language Bank.

B. NYCHA Departments Offering Language Assistance Services to LEP Persons

The department director shall:

1. Designate a language liaison to work with the LAC to regularly monitor and assess the language assistance services provided by the department.

2. Conduct periodic evaluations of the quality of language assistance services provided by the department.

3. Assess the need of the department for language assistance services.

4. Provide language assistance services to LEP persons, as needed, in oral interpretation and written language translation. Such services shall be provided in the following order of service delivery: civil service bilingual employees, Language Bank volunteers, and contract vendor services.

5. Request sign language interpretation services as needed.

6. Post notices of free language assistance services in NYCHA offices used by LEP persons.

7. Encourage department employees to contact the Department of Equal Opportunity (DEO) if they learn that an LEP person believes she/he has not been provided with language assistance services in accordance with this Standard Procedure.

8. Identify staff members needing instruction to be familiar with this Standard Procedure.

VII. PROCEDURE

A. Assessment of Language Service Needs

All departments encountering LEP persons who seek access to NYCHA’s programs or activities, including the public housing and Section 8 programs, shall conduct periodic evaluations of the language services provided to LEP persons. These evaluations determine the need for revisions to achieve the goal of meaningful participation of LEP persons, including potential applicants or individuals seeking information about NYCHA.
NYCHA staff shall use the following assessment tools to determine each department’s language assistance service needs:

1. Use one or more of the following tools to determine the number or percentage of LEP persons eligible to be served or likely to be served by the program or activity:
   
a. Provide questions on an initial application, or enrollment form, to determine if the applicant needs language services. Refer to Appendix A for appropriate questions when developing language surveys.
   
b. Determine LEP person’s language utilizing the language identification card and record language at points of contact and service.

2. Track and record the following information: requests for language assistance; service received (interview, hearing, briefing, etc.); and language service provider, e.g., civil service bilingual employee, LSU, Language Bank volunteer, or contract vendor.

3. Determine the nature and importance of the program, activity, or service provided by assessing whether denial or delay of access has a direct impact on the LEP person, e.g., assisting LEP persons with interpretation services during eligibility interviews, rental interviews, or termination of tenancy hearings.

4. Identify the available and future resources and costs associated with providing language services to LEP persons. Departments should determine if it is more cost-effective to re-assign staff, hire additional bilingual staff, or contract with vendors to perform routine duties requiring interpretation services.

Those departments providing direct services to LEP persons, including residents, Section 8 participants, or applicants, shall make every effort to provide interpretation services through the use of civil service bilingual staff members or contracted services. For example:

a. Re-assigning existing NYCHA civil service bilingual employees to provide language assistance services in consultation with the Human Resources Department and consistent with applicable collective bargaining agreements.
   
b. Comparing the cost for hiring civil service bilingual employees to provide language assistance services with cost estimates for utilizing contract vendors.

**NOTE:** The requesting department’s budget covers all costs related to the use of contract vendors.
c. Determining if vacancies that are direct service positions require replacement with bilingual employees.

B. Providing Language Assistance Services

NYCHA shall provide language assistance services to LEP persons as follows:

1. Oral Language Interpretation Services

Under the following guidelines, each NYCHA department, office, or location providing programs or activities to LEP persons shall provide oral interpretation at points of contact and service at no charge to LEP persons:

a. Identify Language at Point of Contact

When a person visits a NYCHA office or location and identifies him/herself as an LEP person, a NYCHA employee shall show the person NYCHA Form 036.034, Language Identification Card. The form helps the LEP person identify his/her language.

NYCHA employees working in a department that provides direct services to residents and/or applicants shall have the language identification card readily available.

**NOTE:** LEP persons must not be required or asked to bring their own translator or interpreter.

If an LEP person requests an adult family member or friend (18 years of age or older) to provide interpretation, this practice is acceptable only if it is the choice of the LEP person. The employee shall advise the LEP person about the availability of free language services and document if the LEP person still chooses to utilize his/her own interpreter.

There are some situations where the use of family members or friends is not suitable, e.g., domestic violence, elder abuse or sexual assault. In those instances, **NYCHA staff shall provide language assistance services even if LEP persons bring family members or friends.**

NYCHA employees shall contact supervisory staff for assistance in determining how to provide interpretation services to visitors and telephone callers.

b. Supervisory/Managerial Staff Responsibilities

Supervisors (or managers) shall be responsible for determining the most efficient and effective means of providing interpretation and translation services. The steps
listed below shall be taken by supervisors in the following order to obtain these services:

(1) Civil Service Bilingual Employees

Supervisors shall utilize from their own department the civil service bilingual employees, if any.

(2) Language Bank Volunteers

If civil service bilingual employees are unavailable, supervisors shall utilize from their own department the Language Bank volunteers, if any.

If neither civil service bilingual employees nor Language Bank volunteers are available, supervisors shall call LSU at (212) 306-4443 for interpreters or translation services, and DOC will coordinate to seek the assistance of other Language Bank volunteers not from the supervisors’ department.

(3) Contract Vendor Services

If there are no available civil service bilingual employees, Language Bank volunteers, interpreters, or translators, supervisors shall contact their department director for contract vendor services. See Section VII.B.1.d, Contract Vendors, below.

NOTE: To the extent possible, NYCHA staff shall plan in advance for making arrangements for appointments/interviews that may require interpretation services. Appointments/interviews shall be rescheduled to a later date to provide language assistance services. No penalty or negative action should result from the rescheduling. Submit NYCHA Form 036.017, Translation/Interpretation Request, at least five days in advance of the rescheduled date.

c. Types of activities for which interpretation services shall be offered to LEP persons include, but are not limited to, the following:

(1) Eligibility interview

(2) Voucher briefing

(3) Rental interview

(4) Resident/applicant/voucher holder hearings

(5) Interviews regarding annual and interim recertification
(6) Termination of tenancy hearings

The customer service agents at the Customer Contact Walk-In Centers, and/or the staff in the Office of Safety and Security, shall contact the LSU Hotline for assistance in directing LEP persons. Once it is determined where the call should be routed, the call taker shall transfer the interpreter and the LEP caller to begin language assistance services.

d. Contract Vendors

All costs relating to the use of contract vendors shall be charged to the appropriate department’s budget.

To reduce costs, all internal measures shall be attempted before contacting a contract vendor for interpretation services, i.e., civil service bilingual employee, LSU interpreters, and Language Bank volunteers shall be tried first.

If authorized, departments may use contract vendors for interpretation services; e.g., in person or telephone interpreter line. In such instances, before engaging the vendor, the department director shall approve the proposed use.

All contract vendors used for interpretation services shall receive the prior approval of DOC. To request this approval, the department directors shall contact DOC at (212) 306-4443 or via e-mail at languageservices@nycha.nyc.gov.

The following guidelines shall be strictly adhered to when using contract vendors for interpreter services:

(1) Staff shall first determine if:

(a) Civil service bilingual employees are available.

(b) DOC’s LSU interpreters or Language Bank volunteers are available.

(c) A non-emergency interview may be rescheduled for a later date after confirming the availability of an interpreter.

(2) Supervisory Approval

Each department director shall give prior approval before engaging a contract vendor.
NYCHA STANDARD PROCEDURE MANUAL

(3) Tracking

NYCHA staff requesting contract vendor services, e.g., language line telephone interpretation service, shall complete all applicable sections of NYCHA Form 036.035, "Telephone Interpretation Services Log," after receiving supervisory approval from a department director. The department director receives on a monthly basis a copy of the interpreter services log.

The department director shall review the log to determine if:

(a) Usage is within the budgeted amounts for language services.

(b) Demand for language assistance services has changed.

(4) Reconciliation of Interpreter Services Invoices

Department directors shall reconcile all payment invoices with entries in the NYCHA Form 036.035, "Telephone Interpretation Services Log," before processing payment.

NYCHA staff shall charge to the appropriate department’s budget all costs relating to the use of contract vendors.

NOTE: In order to avoid delays in providing emergency services, Customer Contact Center staff may utilize the language line telephone interpretation service immediately.

2. Written Language Translation Services

Each department director, in consultation with DOC, shall conduct an initial review of its written documents for the purpose of assessing whether any document is vital and requires translation. Each department director shall conduct a similar review to determine if new documents are “vital” and require translation. All new vital documents shall be translated into the covered languages before distribution.

a. Vital Documents

Vital documents currently in use, as defined in Section IV, shall be translated into the following covered languages:

(1) Spanish

(2) Chinese

(3) Russian
The covered languages shall be modified, as necessary, to accommodate language needs of LEP persons regularly encountered by NYCHA.

Forms or standardized letters to be posted in NYCHA’s Forms and Reference Library shall first be submitted to IT in the Process & Information Management Department (PIMD) by using NYCHA Form 139.003, *Forms Request & Tracking Sheet*. Once the requesting department approves the draft version of the form or letter for release, PIMD submits the final version of the form or letter to LSU for translation.

All other translation requests shall be submitted to DOC by using NYCHA Form 036.017, *Translation/Interpretation Request*. Documents needing translation shall be submitted in MS Word format to maintain the standardization of terms and language used for NYCHA’s translations and to facilitate the use of LSU’s translation memory software.

Any document not translated by DOC shall be submitted to LSU for review prior to issuance.

C. Sign Language Interpreters for Hearing-Impaired Persons

A hearing-impaired person may require a sign language interpreter when communicating with NYCHA staff.

**NOTE:** Hearing-impaired persons must not be required or asked to bring their own sign language interpreter.

Hearing-impaired persons must be advised that free sign language interpretation is available. If a hearing-impaired person requests an adult family member or friend (18 years of age or older) to provide sign language interpretation, that practice is acceptable only if it is the choice of the hearing-impaired person.

After advising a hearing-impaired person of the availability of sign language interpreters, staff shall document if that person chooses to utilize his/her own interpreter instead.

In some situations, including domestic violence, elder abuse, or sexual assault, the use of family members or friends as interpreters is not suitable. In those instances, **NYCHA staff shall provide a sign language interpreter even if the hearing-impaired person brings family or friends.**
1. When American Sign Language is Understood

Prior to requesting sign language interpretation services, NYCHA staff shall determine if the resident or applicant understands American Sign Language (ASL). ASL is a complex visual-spatial language used by people who are deaf, hard of hearing, or not hearing impaired but living or working within the deaf community.

Sign language interpretation services shall be provided by contract vendors. The cost for these services is charged to the budget of the department requesting the services.

Requesting departments must submit NYCHA Form 036.020, Request for Sign Language Interpreter Services to LSU at least ten (10) days in advance of a scheduled interview. The requesting department will indicate the date, time, and location of the interview on the form. LSU will procure a sign language interpreter and confirm procurement with the requesting department. The sign language interpreter will appear at the indicated location at the date and time scheduled. The requesting department will notify the hearing-impaired individual of the date and time of the interview.

2. When American Sign Language is Not Understood

If the resident or applicant does not understand ASL, then LSU can request the services of a Certified Deaf Interpreter (CDI). The CDI, who is deaf or hard of hearing, is certified as an interpreter by the Registry of Interpreters for the deaf.

In some instances, a resident or applicant is able to read lips; i.e., lip reading or speech reading is a technique of understanding speech by visually interpreting the movements of the lips, face and tongue when normal sound is not available.

NOTE: Lip reading should not be utilized to communicate with a hearing-impaired person. Written notes may be utilized for minor issues or short-term interactions. Follow the procedures outlined above to arrange for a sign language interpreter for hearings or other lengthy or complex communications.

D. Outreach

NYCHA staff shall post notices of the availability of free language assistance services in offices where LEP persons interact with NYCHA. These offices include, but are not limited to, development management offices, hearing offices, Leased Housing and Application and Tenancy Administration centers; and Walk-In Centers of the Customer Contact Center. Notices regarding the availability of free language assistance services shall be posted on NYCHA’s website.
E. Complaints

1. Reporting Dissatisfaction with Language Assistance Services

NYCHA employees shall inform the Department of Equal Opportunity (DEO) if they learn that an LEP person believes she/he has not been provided with language assistance services in accordance with this Language Assistance Services Standard Procedure.

Employees shall direct the LEP person to call the DEO at (212) 306-4468 or TTY (212) 306-4845, or to visit the DEO at 250 Broadway on the 3rd floor.

2. 311 Complaint Processing

LEP persons may call 311 to file a language access complaint based on alleged shortcomings in receiving language assistance services from NYCHA. The following steps apply to processing the complaint:

a. The complaint receives a 311 service request number. The staff at 311 forwards the complaint to the Language Services Unit (LSU) of NYCHA’s DOC, the Mayor’s Office of Immigrant Affairs (MOIA), and the Mayor’s Office of Operations (MOO). MOIA and Operations track the status of complaints using the 311 service request numbers.

b. LSU must contact the complainant within the period of 14 calendar days and investigate the complaint in an attempt to resolve the issues.

c. There is no expectation of a resolution of the complaint within this period but LSU, at a minimum, must acknowledge to the complainant the receipt of the complaint.

d. After investigating the complaint issues, and whether or not they are resolved, LSU reports the actions taken to the complainant, MOIA, and MOO.

VIII. OUTPUTS, REPORTS, AND RECORDKEEPING

A. Outputs

Language assistance services.

B. Reports

DOC shall issue:

1. Two monthly reports on all interpretation requests handled by LSU and an end-of-the-year report. The reports will include the following information:
a. Interpretation Services

(1) Number of LEP persons served:

(a) Via telephone with staff interpreters/Language Bank volunteers.

(b) Via telephone with contract vendors.

(c) In person with staff interpreters/Language Bank volunteers.

(d) In person with contract vendors.

b. Translation Services

Number of documents and pages translated.

c. Number of calls received and handled on a monthly basis, by language.

C. Recordkeeping

LSU shall maintain a data warehouse to collect and compile all interpretation and translation requests handled by LSU and NYCHA staff.

IX. TRAINING REQUIREMENTS

NYCHA’s Human Resource Department Professional Development and Training Unit provides ongoing training for appropriate staff about the language assistance services policy and procedure. Training topics include:

A. An overview of NYCHA’s language assistance policy and Standard Procedure.

B. How to use NYCHA’s language identification card to pinpoint the language of an LEP person.

C. How to access language services through bilingual staff, LSU and Language Bank, or contract vendor.

D. How to work with an interpreter.

E. Prohibition against requiring or asking an LEP person to bring his or her own interpreter.

F. Cultural sensitivity.
X. PERFORMANCE METRICS

A. Departmental Monitoring

NYCHA departments with programs or activities for LEP persons regularly monitor and assess the language assistance services provided to ensure meaningful access by LEP persons.

Each NYCHA department shall designate a language liaison to:

1. Ensure tracking of language assistance services provided by the department includes the following:
   a. LEP person served
   b. Language
   c. Type of service
   d. Method of language service

2. Work with the LAC to address issues related to language services.

3. Submit information to the LAC to help identify emerging languages and changes in the proportion of existing language groups.

4. Provide the LAC with reports on language assistance provided.

5. Identify staff requiring training on the delivery of language services; e.g. new hires, and employees new to the department.

6. Supply the LAC with updated language assistance service needs of the department.

B. NYCHA-Wide Monitoring

The LAC shall monitor NYCHA’s provision of language assistance services to LEP persons on an ongoing basis. The LAC shall meet periodically with department language liaisons to coordinate and facilitate the delivery of language services and address issues related to language services.

C. LSU responsibilities shall include:

1. Testing of Language Bank volunteers to determine their level of proficiency to provide oral interpretation and/or written translation in their language.
2. Ensuring the quality of translations by using a second translator to review the work of the primary translator.

3. Making available a glossary of NYCHA terminology to civil service bilingual employees, volunteers, and contract vendors for use when translating NYCHA documents.

D. Annual Performance Analysis

1. NYCHA will outline benchmarks for compliance with, and the success of, this policy to include, but not be limited to, an annual review of the following:

   a. Utilization of telephone interpreter services versus the number of customers identifying that language as their primary language.

   b. Survey of NYCHA staff regarding issues and/or suggestions addressing implementation of the policy.

   c. Opportunity for feedback from resident leadership on the policy.

XI. NON-COMPLIANCE

Failure to comply with the requirements of this procedure may result in disciplinary action.

XII. FORMS

The following forms are available on NYCHA Connect in the Forms & Reference Library:

A. NYCHA Form 036.034, Language Identification Card

B. NYCHA Form 036.017, Translation/Interpretation Request

C. NYCHA Form 036.020, Request for Sign Language Interpreter Services

D. NYCHA Form 036.035, Telephone Interpretation Services Log

E. NYCHA Form 139.003, Forms Request & Tracking Sheet
XIII. WORKFLOW

Intentionally left blank
### XIV. REVIEW/REVISION HISTORY PAGE

**LANGUAGE ASSISTANCE SERVICES**

**SP 007:09:1**

<table>
<thead>
<tr>
<th>Review/Revision</th>
<th>Review/Revision Date</th>
<th>Sections Amended</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>03/16/15</td>
<td>SP reformatted to comply with new Standard Procedure template.</td>
</tr>
<tr>
<td>2</td>
<td>03/16/15</td>
<td>Added Table of Contents</td>
</tr>
<tr>
<td>3</td>
<td>03/16/15</td>
<td>Banner</td>
</tr>
<tr>
<td>4</td>
<td>03/16/15</td>
<td>Section I. Purpose</td>
</tr>
<tr>
<td>5</td>
<td>03/16/15</td>
<td>Section II. Policy</td>
</tr>
<tr>
<td>6</td>
<td>03/16/15</td>
<td>Section III. Applicability (Section IV in previous version)</td>
</tr>
<tr>
<td>7</td>
<td>03/16/15</td>
<td>Section IV. Definitions (Section III in previous version)</td>
</tr>
<tr>
<td>8</td>
<td>03/16/15</td>
<td>Added Section V. Review Cycle</td>
</tr>
<tr>
<td>9</td>
<td>03/16/15</td>
<td>Added Section VI. Responsibilities, Subsections A-B</td>
</tr>
<tr>
<td>10</td>
<td>03/16/15</td>
<td>Section VII. Procedure, Subsections A-E (Sections V., VI, VII, and X in previous version)</td>
</tr>
<tr>
<td>11</td>
<td>03/16/15</td>
<td>Added Section VIII. Outputs, Reports, and Recordkeeping, Subsections A-C</td>
</tr>
<tr>
<td>12</td>
<td>03/16/15</td>
<td>Section IX, Training Requirements (Section VIII. in previous version)</td>
</tr>
<tr>
<td>13</td>
<td>03/16/15</td>
<td>Section X. Performance Metrics (Section IX. In previous version)</td>
</tr>
<tr>
<td>14</td>
<td>03/16/15</td>
<td>Added Section XI, Non-Compliance</td>
</tr>
<tr>
<td>15</td>
<td>03/16/15</td>
<td>Section XII. Forms (Section XI. in previous version)</td>
</tr>
<tr>
<td>16</td>
<td>03/16/15</td>
<td>Added Section XIII. Workflow</td>
</tr>
<tr>
<td>17</td>
<td>03/16/15</td>
<td>Added Section XIV, Review/Revision History Page</td>
</tr>
<tr>
<td>18</td>
<td>03/16/15</td>
<td>Added Section XV. Appendices</td>
</tr>
<tr>
<td>19</td>
<td>07/05/16</td>
<td>Banner</td>
</tr>
<tr>
<td>20</td>
<td>07/05/16</td>
<td>Section IV. Definitions.</td>
</tr>
<tr>
<td>21</td>
<td>07/05/16</td>
<td>Section VI. Responsibilities, Subsection A</td>
</tr>
<tr>
<td>22</td>
<td>07/05/16</td>
<td>Section VII. Procedure, Subsections B and C</td>
</tr>
<tr>
<td>23</td>
<td>07/05/16</td>
<td>Section IX. Training Requirements</td>
</tr>
<tr>
<td>24</td>
<td>07/05/16</td>
<td>Section XII. Forms</td>
</tr>
</tbody>
</table>
APPENDIX A

LANGUAGE SURVEY QUESTIONS: LANGUAGE INFORMATION

1) Can you speak and understand English? ___Yes ___No If you answered NO, what language do you speak and understand? (check only one) ___Spanish ___Russian ___Chinese ___Italian ___Korean ___Haitian Creole Other __________

2) Can you read and understand letters or documents written in English? ___Yes ___No If you answered NO, what language do you read and understand? (check only one) ___Spanish ___Russian ___Chinese ___Italian ___Korean ___Haitian Creole Other __________
October 12, 2020

Housing Authority of the City of Los Angeles
2600 Wilshire Boulevard
Los Angeles, CA 90057
Via email to Tiffany.Prescott@hacla.org

Re: Comments to HACLA’s 2021 Draft Agency Plan

The Legal Aid Foundation of Los Angeles (“LAFLA”) respectfully submits these comments and recommendations on policy changes for the forthcoming 2021 Agency Plan for the Housing Authority of the City of Los Angeles (“HACLA”). This letter sets forth specific recommendations for HACLA to consider while developing the 2021 Public Housing ACOP (“ACOP”) and the Section 8 Program Administrative Plan (“Section 8 Admin Plan”), as well as broader policy changes to consider in the context of this public comment process.

1. HACLA’s Policies and Procedures in Response to the COVID-19 Pandemic and Other Future Catastrophes Could Be Improved

LAFLA greatly appreciates HACLA’s swift and tenant-focused response to the ongoing COVID-19 pandemic. We understand how difficult it was to implement a remote work environment while simultaneously continuing to meet the needs of program participants. HACLA’s policies, including being liberal with extensions and discretionary deadlines, has made a meaningful difference in the life of our clients. However, there are still a few places where improvements to HACLA’s practices could be made. These changes would be beneficial during our ongoing crisis, but similar emergency procedures would make sense during a number of large-scale public disasters and HACLA should be prepared to implement them in the future, as well.

Participant access to HACLA staff has been challenging and limited during this time. With in-person options and walk-in hours unavailable, HACLA has provided email and phone access to participants and advocates. This has created hardship for some program participants who have been unable to get needed documents. While HACLA has suggested that email is the best way for
participants to receive documents at this time, this has revealed some issues of inequitable access. Many LAFLA clients do not have regular, consistent access to email, or even email access at all. These participants are unable to receive documents without the intervention of an advocate. We request that HACLA look into additional methods of document provision, including possibly limited, appointment-only handoffs. HACLA should also keep a detailed record of participant communications, including both phone calls and emails, to ensure that participants do not miss deadlines because they placed a phone call or email which goes unnoted in a file.

In addition, at least one LAFLA advocate was told by a HACLA staff person that electronic delivery of records was impossible, because the relevant documents were not yet digitized and the HACLA staff did not have the technology necessary to do so. We ask that HACLA review its document management policy to ensure that all participants are able to access documents without the intervention of a third-party advocate.

2. HACLA’s Procedure for Processing Emergency Transfers for Victims of Domestic Violence Under VAWA Continues to be Inadequate.

LAFLA has repeatedly advocated for strengthened protections of victims of domestic violence in Section 8 housing for the past several years, particularly in the context of emergency transfers for those who have been recent victims of domestic violence. In past Agency Plan comment periods, LAFLA has urged HACLA to adopt clear procedures and timelines for handling emergency transfers for recent victims of domestic violence. LAFLA has had multiple clients over the past several years in which: (1) the program participant experienced an incident of domestic violence in their household or building; (2) made HACLA aware, either in person, over the phone, or in writing, of the incident and the imminent threat to their physical and mental well-being by remaining at the building or unit near or with the perpetrator; and (3) HACLA either unduly delayed or failed to respond in a timely manner to these critically urgent safety issues. In one case, an emergency transfer was not processed for the participant for over one year from the participant’s original request; in another case, HACLA failed to respond to the participant’s emergency transfer request for over one year until LAFLA represented the client.

Accommodating the well-being and safety needs of domestic violence survivors is a primary goal of LAFLA. Although HACLA provides for domestic violence as an exception to limitations on moving, HACLA does not do enough to ensure the safety of its beneficiaries. HACLA must respond in a timely manner to reports of domestic violence by providing the victim with a new voucher or temporary place to stay, such as a motel room paid for by the HACLA where a transfer unit in Section 8 or public housing is not immediately available.

Although HACLA stresses that it acts quickly in instances of domestic violence, the language in the section regarding Emergency Transfer Placement of the 2021 Draft Public Housing ACOP does not provide a specific timeline as to how long it can or should take to get a domestic violence survivor into a new unit. Rather, the provision states that HACLA will engage in a number of transfer attempts until an available unit is located within the program. While LAFLA appreciates the exception made to the number of unit transfer offers made for victims of domestic violence, it is highly likely that it may take a prolonged period of time for HACLA to locate an appropriately sized unit for a victim of
domestic violence and his or her family members. HACLA should propose a clear time period during which a unit transfer to another public housing unit will be done. If by the end of that time period, a unit transfer is not available due to lack of an appropriate unit for the family, HACLA should provide that the participant will be housed temporarily at a motel or other suitable arrangement at HACLA’s expense until a subsidized unit becomes available.

LAFLA again urges HACLA to incorporate a specific timeline by which a victim must be relocated. HACLA must commit to providing safe housing for domestic violence survivors and their minor children within a standard timeframe. LAFLA feels that an appropriate and fair timeline would be HACLA committing to issuing a new voucher or moving the domestic violence survivor into a new unit in Section 8 or public housing within one week of the domestic violence incident. This timeframe would balance administrative challenges with the safety concerns of victims. If necessary to accomplish this requirement, we suggest that HACLA set aside a number of its vouchers for domestic violence survivors. In crafting an emergency transfer plan that is more protective of victims, the HACLA should review HUD’s Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (form HUD-5381), and Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking form (form HUD-5383). As you may be aware, HUD amended 24 CFR 5.2009(c) to state that “Covered housing providers are encouraged to undertake whatever actions permissible and feasible under their respective programs to assist individuals residing in their units who are victims of domestic violence, dating violence, sexual assault, or stalking to remain in their units or other units under the covered housing program or other covered housing providers, and for the covered housing provider to bear the costs of any transfer, where permissible.” By adopting a transfer policy with a specified timeframe, HACLA would accomplish the protections created by VAWA for domestic violence survivors.

We respectfully request that HACLA consider the above-discussed comments and recommendations in the process of preparing the 2021 Agency Plan.

Sincerely,

Jonathan Jager
Staff Attorney
October 14, 2020

Juan Garcia  
Systems & Procedures Supervisor  
Housing Authority of the City of Los Angeles  
Intergovernmental Department  
2600 Wilshire Blvd., 3rd Floor  
Los Angeles, CA 90057

Submitted via email

RE: Comments on Draft Housing Authority of the City of Los Angeles Year 2021 Agency Plan

Dear Mr. Garcia:

Thank you for the opportunity to comment on the draft Housing Authority of the City of Los Angeles Year 2021 Agency Plan. Shelter Partnership is a non-profit organization collaboratively solving homelessness in Los Angeles County through policy analysis, program design, resource development, and advocacy in support of agencies and local governments that serve the homeless. Shelter Partnership commends the HACLA administration, Board, and staff for their commitment to ending homelessness and for HACLA’s collaboration with other government agencies and non-profit organizations to achieve this goal.

Shelter Partnership’s comments relate to the following three areas of the Agency Plan.

moving on strategy
Shelter Partnership suggests clarifying HACLA’s Moving On policy by adding the following underlined language: “…eligible families with no or very low supportive service needs who are choosing to move on from permanent supportive housing may be referred to the HACLA…” (Chapter 18.6.14).

In HUD’s annual Continuum of Care Program Competition, the LA Homeless Services Authority (LAHSA), as the lead applicant, is required to demonstrate the local PHA commitment to a Moving On strategy. In the 2019 HUD NOFA, this rating factor read as follows (emphasis added): “Coordinates with the PHAs located in the CoC’s geographic area that results in admission preferences for households experiencing homelessness, including move-on strategy which is a partnership between the CoC and one or more PHAs that have an admission preference for participants in PH-PSH who are able and want to move out of supportive housing with a rental subsidy” (https://files.hudexchange.info/resources/documents/FY-2019-CoC-Program-Competition-NOFA.pdf, p. 63).
Adding the suggested language above to the Administrative Plan will ensure that HACLA’s Moving On policy is explicitly voluntary for participants, and thereby consistent with HUD requirements and best practices.

**Public Housing Waiting List Preference for Homeless Seniors**

In its *2020 Admissions and Continued Occupancy Policy for the Conventional Public Housing Program*, the LA County Development Authority (LACDA) established a waiting list preference for 25% of turnover units for homeless seniors (62+ years of age) within two of its senior properties (p. 30). This policy will add critical units to serve one of the fastest growing populations of persons experiencing homelessness. According to LAHSA, homelessness among adults 55 years and older has increased 20% since 2017, and is likely to continue increasing at similar rates without big investments in the supply of accessible and affordable senior housing. Shelter Partnership suggests that HACLA consider establishing a waiting list preference similar to LACDA’s in all or a portion of its senior public housing properties, and/or other public housing properties, to help meet the growing housing needs of homeless older adults.

**Continuum of Care Program Supportive Services Match Requirement**

The Administrative Plan erroneously states that the Continuum of Care Program’s supportive services match must equal at least the portion of rental assistance paid by HACLA (Chapter 18.6.4). The HUD requirement is actually for the services match to be 25% of the grant amount ([https://www.hudexchange.info/faqs/programs/continuum-of-care-coc-program/program-requirements/match/what-are-the-match-requirements-in-the-coc-program/](https://www.hudexchange.info/faqs/programs/continuum-of-care-coc-program/program-requirements/match/what-are-the-match-requirements-in-the-coc-program/)). Shelter Partnership suggests correcting this error in the Administrative Plan.

Thank you again for your work in ending homelessness in Los Angeles. Please do not hesitate to contact me at (213) 943-4580 or by e-mail at rschwartz@shelterpartnership.org.

Sincerely,

Ruth Schwartz
Executive Director
RE: Justice in Aging’s Comments on the Draft Housing Authority of the City of Los Angeles Year 2021 Agency Plan

Dear Mr. Garcia:

Thank you for the opportunity to comment on the draft Housing Authority of the City of Los Angeles Year 2021 Agency Plan. Justice in Aging commends the HACLA administration, Board, and staff for their commitment to ending homelessness for the more than 62,000 individuals counted as homeless in LA County in the 2019 Point in Time count.

We are particularly concerned that the fastest growing demographic among Los Angeles adults experiencing homelessness is among persons over the age of 62, who are disproportionately people of color. According to the Los Angeles Homeless Services Authority (LAHSA), African Americans comprise 6% of the population of Los Angeles County. However, they represent 30% of the homeless population, and 39% of the older homeless population, evidence that racial disparities as a result of a lifetime of racial discrimination compound as people age into poverty and homelessness.

Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care and housing, economic security, and the courts for older adults with limited resources. Since 1972 we’ve focused our efforts primarily on fighting for people who have been marginalized and excluded from justice, such as women, people of color, LGBTQ individuals, and people with limited English proficiency.

Because Justice in Aging focuses on the need to prevent and end homelessness for older, low-income Californians, we are limiting our comments to the following area of the Agency Plan.
Public Housing Waiting List Preference for Homeless Seniors

In its 2020 Admissions and Continued Occupancy Policy for the Conventional Public Housing Program, the LA County Development Authority (LACDA) established a waiting list preference for 25% of turnover units for homeless seniors (62+ years of age) within two of its senior properties (p. 30). This policy will add critical units to serve one of the fastest growing populations of persons experiencing homelessness. According to LAHSA, homelessness among adults 55 years and older has increased 20% since 2017, and is expected to exceed 14,000 older individuals by 2026, unless we make significant increases in the supply of accessible and affordable senior housing. We urge HACLA to create a similar preference or set-aside in its public housing waiting list for all of its senior public housing properties to help meet the growing housing needs of homeless older adults. Further, given the small number of dedicated units for seniors or persons with disabilities, HACLA should also consider creating a similar waiting list and admission preference for older adults for its inventory of public housing units that are not specifically designated for older adults.

Thank you again for your work in ending homelessness in Los Angeles, and for your attention to the special risks faced by homeless older individuals due to the serious health consequences if infected by COVID. If you have any questions or would like to discuss these comments, please do not hesitate to contact me at (413) 695-2189 or by e-mail at: pprunhuber@justiceinaging.org.

Sincerely,

[Signature]

Patti Prunhuber
Senior Housing Attorney
ATTACHMENT 4

Certification Forms
(only in Final & Final Draft Versions)
Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, __________ Ann Sewill ________, the __________ General Manager __________
Official’s Name Official’s Title

certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

______ Housing Authority of the City of Los Angeles
PHA Name

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of
Impediments (AI) to Fair Housing Choice of the

______ City of Los Angeles
Local Jurisdiction Name

pursuant to 24 CFR Part 91.

Provide a description of how the PHA Plan is consistent with the Consolidated Plan or State Consolidated Plan and the AI.
The PHA Plan aligns with actions planned to address special needs populations and supports Goal #4, Preventing and Reducing Homelessness and Domestic Violence.

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
Ann Sewill  General Manager

Signature  Date

10/8/2020
Certification of Payments to Influence Federal Transactions

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Applicant Name

Housing Authority of the City of Los Angeles

Program/Activity Receiving Federal Grant Funding

2021 Agency Plan (including Capital Fund)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

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.


Name of Authorized Official

Douglas Guthrie

Title

President & CEO

Signature

Date (mm/dd/yyyy)

Previous edition is obsolete
### DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

*(See reverse for public burden disclosure.)*

<table>
<thead>
<tr>
<th>1. Type of Federal Action:</th>
<th>2. Status of Federal Action:</th>
<th>3. Report Type:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. contract</td>
<td>a. bid/offer/application</td>
<td>a. initial filing</td>
</tr>
<tr>
<td>b. grant</td>
<td>b. initial award</td>
<td>b. material change</td>
</tr>
<tr>
<td>c. cooperative agreement</td>
<td>c. post-award</td>
<td></td>
</tr>
<tr>
<td>d. loan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. loan guarantee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. loan insurance</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**For Material Change Only:**
- year __________ quarter __________
- date of last report ____________

<table>
<thead>
<tr>
<th>4. Name and Address of Reporting Entity:</th>
<th>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Prime</td>
<td></td>
</tr>
<tr>
<td>□ Subawardee</td>
<td></td>
</tr>
<tr>
<td>Tier ______, if known:</td>
<td></td>
</tr>
<tr>
<td>Congressional District, if known:</td>
<td></td>
</tr>
</tbody>
</table>

**Prime**

<table>
<thead>
<tr>
<th>6. Federal Department/Agency:</th>
<th>7. Federal Program Name/Description:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CFDA Number, if applicable:_________</td>
</tr>
</tbody>
</table>

**Subawardee**

<table>
<thead>
<tr>
<th>8. Federal Action Number, if known:</th>
<th>9. Award Amount, if known:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):</th>
<th>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Signature:** ____________________________

Print Name: Douglas Guthrie

Title: President & CEO

Telephone No.: (213) 252-1810

Date: ____________

Federal Use Only: Authorized for Local Reproduction

Standard Form LLL (Rev. 7-97)
INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including 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 the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.
Certifications of Compliance with PHA Plans and Related Regulations
(Standard, Troubled, HCV-Only, and High Performer PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 02/29/2016

PHA Certifications of Compliance with the PHA Plan and Related Regulations including Required Civil Rights Certifications

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___ 5-Year and/or ___ Annual PHA Plan for the PHA fiscal year beginning _______, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
7. For PHA Plans that includes a policy for site based waiting lists:
   • The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);
   • The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
   • Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
   • The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
   • The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).

13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.

14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.

15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.

16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.

17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).

18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.

19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

20. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

---

Housing Authority of the City of Los Angeles

PHA Name

X Annual PHA Plan for Fiscal Year 2021

X 5-Year PHA Plan for Fiscal Years 2020 - 2024

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

Name of Authorized Official

Ben Besley

Title

Chairperson, Board of Commissioners

Signature

Date
Civil Rights Certification

Annual Certification and Board Resolution

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official, I approve the submission of the 5-Year PHA Plan for the PHA of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the public housing program of the agency and implementation thereof:

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and working with local jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the PHA’s involvement and by maintaining records reflecting these analyses and actions.

Housing Authority of the City of Los Angeles CA004
PHA Name

Name of Authorized Official
Ben Besley

Signature

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)

Title
Chairperson, Board of Commissioners

Date

Previous version is obsolete

Page 1 of 1

form HUD-50077-CR (2/2013)
ATTACHMENT 5

Residents Rights under Rental Assistance Demonstration (RAD)
**Resident Rights, Participation, Waiting List and Grievance Procedures applicable for conversion under Rental Assistance Demonstration (RAD)**

Housing Authority of the City of Los Angeles (HACLA) projects that have received awards under the Rental Assistance Demonstration (RAD) Program are subject to the Resident Rights, Participation, Waiting List and Grievance Procedures applicable to RAD conversions, in accordance with the guidelines of PIH Notice 2012-32/H-2017-03, Rev 3 and any successor notices.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing HACLA with access to private sources of capital to redevelop its affordable housing assets. Upon conversion, HACLA’s Capital Fund Budget will be reduced by the pro rata share of Public Housing Units converted as part of the RAD.

Upon conversion of the units to RAD Project Based Vouchers, HACLA will adopt the resident rights, participation, waiting list and grievance procedures listed in Section 1.6.C & 1.6.D of PIH Notice 2012-32 (HA)/H-2017-03, REV-3. These resident rights, participation, waiting list and grievance procedures are listed in Section A below. Additionally, Attachment 1B to PIH Notice 2012-32 (HA)/H-2017-03, REV-3 regarding Resident Provisions and Section 6 of the Fair Housing and Civil Rights Requirements and Relocation Requirements (Notice H 2016-17/ PIH 2016-17 (HA)) are attached to this amendment.

**A. Resident Rights and Participation**

1. **Right to Return.** Any resident that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the Covered Project once rehabilitation or construction is completed. Permanent involuntary displacement of residents may not occur as a result of a project’s conversion of assistance, including, but not limited to, as a result of a change in bedroom distribution, de minimis reduction of units, the reconfiguration of efficiency apartments, or the repurposing of dwelling units in order to facilitate social service delivery. Where the transfer of assistance to a new site is warranted and approved, residents of the Converting Project will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete. Residents will be provided the option to accept a unit in the Covered Project, move to another public housing site if a unit is available or utilize a Tenant Based Voucher to relocate to another assisted unit.

2. **No Re-screening of Tenants upon Conversion.** Pursuant to the RAD statute, at conversion, current households cannot be excluded from occupancy at the Covered Project based on any rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR § 982.201, concerning eligibility and targeting, will not apply for current households. Once that remaining household moves out, the unit must be leased to an eligible family. Further, so as to facilitate the right to return to the assisted property, this provision shall apply to current public housing residents of the Covered Project that will reside in non-RAD PBV units placed in a project that will contain RAD PBV units. Such families and such contract units will otherwise be subject to all requirements of the applicable program, specifically 24 CFR § 983 for non-RAD PBV units.
3. **Under-Occupied Unit.** If a family is in an under-occupied unit under 24 CFR 983.260 at the time of conversion, the family may remain in this unit until an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by HACLA, the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the Covered Project, 24 CFR 983.260 is waived.

4. **Renewal of Lease.** Since publication of the PIH Notice 2012-32 Rev 1, the regulations under 24 CFR part 983 have been amended requiring Project Owners to renew all leases upon lease expiration, unless cause exists. This provision must be incorporated by the PBV owner into the tenant lease or tenancy addendum, as appropriate.

5. **Phase-in of Tenant Rent Increases.** If a tenant’s monthly rent increases by more than the greater of 10 percent or $25 purely as a result of conversion, the rent increase will be phased in over 3 years. To implement this provision, HUD is specifying alternative requirements for section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of “total tenant payment” (TTP)) to the extent necessary to allow for the phase-in of tenant rent increases.

The below method explains the set percentage-based phase-in an owner must follow according to the phase-in period established. For purposes of this section “Calculated PBV TTP” refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the “most recently paid TTP” refers to the TTP recorded on line 9j of the family's most recent HUD Form 50058. If a family in a project converting from Public Housing to PBV was paying a flat rent immediately prior to conversion, the PHA should use the flat rent amount to calculate the phase-in amount for Year 1, as illustrated below.

**Three Year Phase-in:**

- **Year 1:** Any recertification (interim or annual) performed prior to the second annual recertification after conversion - 33% of difference between most recently paid TTP and the Calculated PBV TTP

- **Year 2:** Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR - 50% of difference between most recently paid TTP and the Calculated PBV TTP

- **Year 3:** Year 3 AR and all subsequent recertifications – Full Calculated PBV TTP

6. **Public Housing Family Self Sufficiency (PH FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs.** Public Housing residents that are current FSS participants will continue to be eligible for FSS once their housing is converted under RAD, and HACLA will be allowed to use any PH FSS funds already awarded to serve those FSS participants who live in units converted by RAD. Due to the program merger between PH FSS and HCV FSS that took place pursuant to the FY14 Appropriations Act (and was continued in the FY15 Appropriations Act), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

HACLA will administer the FSS program in accordance with FSS regulations at 24 CFR Part 984, the participants’ contracts of participation, and the alternative requirements established in the
“Waivers and Alternative Requirements for the FSS Program” Federal Register notice, published on December 29, 2014, at 79 FR 78100. Further, upon conversion to PBV, already escrowed funds for FSS participants shall be transferred into the HCV escrow account and be considered TBRA funds, thus reverting to the HAP account if forfeited by the FSS participant.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future public housing ROSS-SC grants, nor will its residents be eligible to be served by future public housing ROSS-SC grants, which by statute can only serve public housing residents.

7. Resident Participation and Funding. In accordance with Attachment 1B (attached), residents of the Covered Project with converted PBV assistance will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding.

8. Resident Procedural Rights. The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner’s lease, which includes the required tenancy addendum, as appropriate.

   a. Termination Notification. HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257, related to Project owner termination of tenancy and eviction, the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:

   i. A reasonable period of time, but not to exceed 30 days:

      a. If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
      b. In the event of any drug-related or violent criminal activity or any felony conviction;

   ii. Not less than 14 days in the case of nonpayment of rent; and

   iii. Not less than 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.

   b. Grievance Process. Pursuant to the requirements in the RAD Statute, HUD has established additional procedural rights to comply with the requirements of Section 6 of the Act.

   For issues related to tenancy and termination of assistance, PBV program rules require the Project Owner to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, to require that:
i. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi), an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual’s lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident’s rights, obligations, welfare, or status.

   a. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).

   b. For any additional hearings required under RAD, the Project Owner will perform the hearing.

ii. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.

iii. The Project Owner will give residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).

iv. The Project Owner will provide an opportunity for an informal hearing before an eviction.

Hearing procedures are outlined in the HACLA’s Section 8 Administrative Plan.

9. Earned Income Disregard (EID). Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to rent phase-in, as described above; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time.

Under the Housing Choice Voucher Program, the EID exclusion is limited to only persons with disabilities (24 CFR § 5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV Covered Project, the provision in section 5.617(b) limiting EID to only disabled persons is waived. The waiver and resulting alternative requirement only apply to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants who at one time received the EID but are not receiving the EID exclusion at the time of conversion (e.g., due to loss of employment); tenants that move into the property following conversion, etc.,) is covered by this waiver.

10. When Total Tenant Payment Exceeds Gross Rent. Under normal PBV rules, HACLA may only select an occupied unit to be included under the PBV HAP contract if the unit’s occupants are eligible for housing assistance payments (24 CFR § 983.53(c)). Also HACLA must remove a unit from the contract when no assistance has been paid for 180 days because the family’s TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent) (24 CFR § 983.258). Since the rent limitation may often result in a family’s TTP equaling or exceeding the gross rent for the unit, for current residents (i.e.,
residents living in the public housing property prior to conversion and who will return to the
Covered Project after conversion), HUD is waiving both of these provisions and requiring that the
unit for such families be placed on and/or remain under the HAP contract when TTP equals or
exceeds the Gross Rent. Further, HUD is establishing the alternative requirement that until such
time that the family’s TTP falls below the gross rent, the rent to the owner for the unit will equal
the lesser of (a) the family’s TTP, less the Utility Allowance, or (b) any applicable maximum rent
under LIHTC regulations. When the family’s TTP falls below the gross rent, normal PBV rules
shall apply. UD is waiving, as necessary to implement this alternative provision, the provisions of
Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR 983.301 as modified

In such cases, the resident is
considered a participant under the program and all of the family obligations and protections under
RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as
compliance with the HQS requirements, apply as long as the unit is under HAP contract.

Following conversion, 24 CFR § 983.53(d) applies, and any new families referred to the RAD
Covered Project must be initially eligible for a HAP payment at admission to the program, which
means their TTP may not exceed the gross rent for the unit at that time. Further, HACLA must
remove a unit from the contract when no assistance has been paid for 180 days. If units are
removed from the HAP contract because a new admission’s TTP come to equal or exceed the
gross rent for the unit and if the project is fully assisted, HUD is imposing an alternative
requirement that the HACLA must reinstate the unit after the family has vacated the property;
and, if the project is partially assisted, the HACLA may substitute a different unit for the unit on
the HAP contract in accordance with 24 CFR § 983.207 or, where “floating” units have been
permitted per Section 1.6.B.10 of Notice PIH-2012-32 (HA) H-2017-03, REV-3.

D. PBV: Other Miscellaneous Provisions

1. Access to Records, Including Requests for Information Related to Evaluation of
Demonstration. HACLA agrees to any reasonable HUD request for data to support program
evaluation, including but not limited to project financial statements, operating data, Choice-
Mobility utilization, and rehabilitation work.

2. Additional Monitoring Requirement. The HACLA’s Board must approve the operating
budget for the Covered Project annually in accordance with HUD requirements.

3. Davis-Bacon Act and Section 3 of the Housing and Urban Development Act of 1968
(Section 3).

i. The Davis-Bacon prevailing wage requirements (prevailing wages, the Contract Work
Hours and Safety Standards Act, and other related regulations, rules, and requirements)
apply to all Work, including any new construction, that is identified in the Financing Plan
and RCC to the extent that such Work qualifies as development. “Development”, as
applied to work subject to Davis-Bacon requirements on Section 8 projects, encompasses
work that constitutes remodeling that alters the nature or type of housing units in a PBV
project, reconstruction, or a substantial improvement in the quality or kind of original
equipment and materials, and is initiated within 18 months of the HAP contract. Development
activity does not include replacement of equipment and materials rendered
unsatisfactory because of normal wear and tear by items of substantially the same kind.
Davis-Bacon requirements apply only to projects with nine or more assisted units.
ii. Section 3 (24 CFR Part 135) applies to all initial repairs and new constructions that are identified in the Financing Plan to the extent that such repairs qualify as construction or rehabilitation. In addition, Section 3 may apply to the project after conversion based on the receipt of the use of federal financial assistance for rehabilitation activities.

4. Establishment of Waiting List. 24 CFR § 983.251 sets out PBV program requirements related to establishing and maintaining a voucher-wide, PBV program-wide, or site-based waiting list from which residents for the Covered Project will be admitted. These provisions will apply unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:

i. Transferring an existing site-based waiting list to a new site-based waiting list. If the PHA is transferring the assistance to another neighborhood, and as a result of the transfer of the waiting list, the applicant would only be eligible for a unit in a location which is materially different from the location to which the applicant applied, the PHA must notify applicants on the wait-list of the transfer of assistance, and on how they can apply for residency at the new project site or other sites. Applicants on a project-specific waiting list for a project where the assistance is being transferred shall have priority on the newly formed waiting list for the new project site in accordance with the date and time of their application to the original project’s waiting list.

ii. Transferring an existing site-based waiting list to a PBV program-wide or HCV program-wide waiting list.

iii. Transferring an existing community-wide public housing waiting list to a PBV program-wide or HCV program-wide waiting list.

iv. Informing applicants on a public housing community-wide waiting list on how to transfer their application to one or more newly created site-based waiting lists.

For any applicants on the public housing waiting list that are likely to be ineligible for admission to a Covered Project converting to PBV because the household’s TTP is likely to exceed the RAD gross rent, the PHA shall consider transferring such household, consistent with program requirements for administration of waiting lists, to the PHA's remaining public housing waiting list(s) or to another voucher waiting list, in addition to transferring such household to the waiting list for the Covered Project.

To the extent any wait list relies on the date and time of application, the applicants shall have priority on the wait list(s) to which their application was transferred in accordance with the date and time of their application to the original waiting list.

If the PHA is transferring assistance to another neighborhood and, as a result of the transfer of the waiting list, the applicant would only be eligible for a unit in a location which is materially different from the location to which the applicant applied, the PHA must notify applicants on the wait-list of the transfer of assistance, and on how they can apply for residency at other sites.
If using a site-based waiting list, PHAs shall establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA’s public housing community-wide waiting list have been offered placement on the converted project’s initial waiting list. In all cases, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing community-wide waiting list given the number of applicants, PHA resources, and admissions requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area, informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Applicants on the agency’s centralized public housing waiting list who wish to be placed onto the newly-established waiting list are done so in accordance with the date and time of their original application to the centralized public housing waiting list. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and the obligation to provide meaningful access for persons with limited English proficiency (LEP).

A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies.

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, the PHA shall administer its waiting list for the converted project in accordance with 24 CFR § 983.251(c).

5. Mandatory Insurance Coverage. The Covered Project shall maintain at all times commercially available property and liability insurance to protect the Covered Project from financial loss and, to the extent insurance proceeds permit, promptly restore, reconstruct, and/or repair any damaged or destroyed property of a project.

6. Future Refinancing. Project Owners must receive HUD approval for any refinancing or restructuring of permanent debt within the HAP contract term to ensure the financing is consistent with long-term preservation.

7. Administrative Fees for Public Housing Conversions during the Year of Conversion. For the remainder of the Calendar Year in which the HAP Contract is effective (i.e. the “year of conversion”), RAD PBV projects will be funded with public housing funds. For example, if the Covered Project’s assistance converts effective July 1, 2017, the public housing Annual Contributions Contract (ACC) between the PHA and HUD will be amended to reflect the number of units under the HAP contract, but will be for zero dollars, and the RAD PBV HAP contract will be funded with public housing money for July through December 2017. Since TBRA is not the source of funds, PHAs should not report leasing and expenses into VMS during this period, and PHAs will not receive section 8 administrative fee funding for converted units during this time. PHAs operating HCV program typically receive administrative fees for units under a HAP Contract, consistent with recent appropriation act references to “section 8(q) of the [United States Housing Act of 1937] and related appropriations act provisions in effect immediately before the Quality Housing and Work Responsibility Act of 1998” and 24 CFR § 982.152(b). During the year of
conversion mentioned in the preceding paragraph, these provisions are waived. PHAs will not receive Section 8 administrative fees for PBV RAD units during the year of conversion.

After the year of conversion, the Section 8 ACC will be amended to include Section 8 funding that corresponds to the units covered by the Section 8 ACC. At that time, the regular Section 8 administrative fee funding provisions will apply.

8. **Choice Mobility.** One of the key features of the PBV program is the mobility component, which provides that if the family has elected to terminate the assisted lease at any time after the first year of occupancy in accordance with program requirements, the HACLA must offer the family the opportunity for continued tenant-based rental assistance, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance.

If as a result of participation in RAD a significant percentage of the HACLA’s HCV program becomes PBV assistance, it is possible for most or all of the PHA’s turnover vouchers to be used to assist those RAD PBV families who wish to exercise mobility. While HUD is committed to ensuring mobility remains a cornerstone of RAD policy, HUD recognizes that it remains important for the PHA to still be able to use tenant-based vouchers to address the specific housing needs and priorities of the community. Therefore, HUD is establishing an alternative requirement for PHAs where, as a result of RAD, the total number of PBV units (including RAD PBV units) under HAP contract administered by the PHA exceeds 20 percent of the PHA’s authorized units under its HCV ACC with HUD.

The alternative mobility policy provides that an eligible voucher agency would not be required to provide more than three-quarters of its turnover vouchers in any single year to the residents of covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented, the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received. In order to adopt this provision, this alternative mobility policy must be included in HACLA’s administrative plan. This alternative requirement does not apply to PBVs entered into outside of the context of RAD.

9. **Reserve for Replacement.** The Project Owner shall establish and maintain a replacement reserve in an interest-bearing account to aid in funding extraordinary maintenance and repair and replacement of capital items in accordance with applicable regulations. The reserve must be built up to and maintained at a level determined by HUD to be sufficient to meet project requirements. For FHA transactions, Replacement Reserves shall be maintained in accordance with the FHA Regulatory Agreement. For all other transactions, Replacement Reserves shall be maintained in a bank account or similar instrument, as approved by HUD, where funds will be held by the Project Owner or mortgagee and may be drawn from the reserve account and used subject to HUD guidelines.

**Attachments:**
- Attachment 1B to PIH Notice 2012-32 (HA)/ H-2017-03 REV-3
- Section 6 of H 2016-17/ PIH 2016-17 (HA)
a. Attachment 1B to PIH Notice PIH-2012-32 (HA)/H-2017-03, REV-3
Attachment 1B – Resident Provisions in Conversions of Assistance from Public Housing to PBRA and PBV

This Attachment contains two sections, describing:

1B.1 Summary of Resident Provisions
1B.2 Resident Participation and Funding

1B.1 Summary of Resident Provisions

The following is a summary of special provisions and alternative requirements related to tenants of public housing projects converting under RAD:

- Conversion will be considered a significant amendment to a PHA Plan (see Section 1.5(E) of this Notice);
- Notification of proposed conversion, meetings during the conversion process, written response to residents comments on conversion, and notification of conversion approval and impact (see Section 1.8 of this Notice);
- No rescreening at conversion (see Section 1.6(C)(1) of this Notice for conversions to PBV and Section 1.7(B)(1) for conversions to PBRA);
- Right to return after temporary relocation to facilitate rehabilitation or construction (see Section 1.4(A)(5) of this Notice and the RAD Fair Housing, Civil Rights, and Relocation Notice);
- Phase-in of tenant rent increases (see Section 1.6(C)(4) of this Notice for conversions to PBV and Section 1.7(B)(3) for conversions to PBRA);
- Continued participation in the ROSS-SC and FSS programs (see Section 1.6(C)(5) of this Notice, for conversions to PBV and Section 1.7(B)(4) for conversions to PBRA);
- Continued Earned Income Disregard (see Section 1.6(C)(8) of this Notice, for conversions to PBV and Section 1.7.(B)(7) for conversions to PBRA);
- Continued recognition of and funding for legitimate residents organizations (see Section 1.6(C)(6) of this Notice for conversions to PBV, Section 1.7(B)(5) of this Notice for conversions to PBRA, and below in Attachment 1B.2 for additional requirements for both programs);
- Procedural rights consistent with section 6 of the Act (see Section 1.6(C)(7) of this Notice for conversions to PBV and Section 1.7(B)(6) of this Notice for conversions to PBRA); and
- Choice-mobility option allowing a resident to move with a tenant-based voucher after tenancy in the Covered Project (see 24 CFR § 983.260 for conversions to PBV and Section 1.7(C)(5) of this Notice for conversions to PBRA).
- For additional information, refer to Notice H 2016-17; PIH 2016-17 for additional information on relocation requirements under RAD.
1B.2 Resident Participation and Funding

The following provisions contain the resident participation and funding requirements for public housing conversions to PBRA and PBV, respectively.

A. PBRA: Resident Participation and Funding

Residents of Covered Projects converting assistance to PBRA will have the right to establish and operate a resident organization in accordance with 24 CFR Part 245 (Tenant Participation in Multifamily Housing Projects). In addition, a Project Owner must provide $25 per occupied unit annually for resident participation, of which at least $15 per occupied unit shall be provided to the legitimate tenant organization at the covered property. Resident participation funding applies to all occupied units in the Covered Project as well as units which would have been occupied if not for temporary relocation. These funds must be used for resident education, organizing around tenancy issues, and training activities.

In the absence of a legitimate resident organization at a Covered Project:

1. HUD encourages the Project Owner and residents to work together to determine the most appropriate ways to foster a constructive working relationship, including supporting the formation of a legitimate residents organization. Residents are encouraged to contact the Project Owner directly with questions or concerns regarding issues related to their tenancy. Project Owners are also encouraged to actively engage residents in the absence of a resident organization; and

2. Project Owners must make resident participation funds available to residents for organizing activities in accordance with this Notice. Residents must make requests for these funds in writing to the Project Owner. These requests will be subject to approval by the Project Owner.

B. PBV: Resident Participation and Funding

To support resident participation following conversion of assistance, residents of Covered Projects converting assistance to the PBV program will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment, which includes the terms and conditions of their tenancy as well as activities related to housing and community development.

1. **Legitimate Resident Organization.** A Project Owner must recognize legitimate resident organizations and give reasonable consideration to concerns raised by legitimate resident organizations.
organizations. A resident organization is legitimate if it has been established by the residents of a Covered Project, meets regularly, operates democratically, is representative of all residents in the project, and is completely independent of the Project Owner, management, and their representatives.

In the absence of a legitimate resident organization at a Covered Project, HUD encourages the Project Owner and residents to work together to determine the most appropriate ways to foster a constructive working relationship, including supporting the formation of a legitimate residents organization. Residents are encouraged to contact the Project Owner directly with questions or concerns regarding issues related to their tenancy. Project Owners are also encouraged to actively engage residents in the absence of a resident organization; and

2. **Protected Activities.** Project Owners must allow residents and resident organizers to conduct the following activities related to the establishment or operation of a resident organization:
   a. Distributing leaflets in lobby areas;
   b. Placing leaflets at or under residents' doors;
   c. Distributing leaflets in common areas;
   d. Initiating contact with residents;
   e. Conducting door-to-door surveys of residents to ascertain interest in establishing a resident organization and to offer information about resident organizations;
   f. Posting information on bulletin boards;
   g. Assisting resident to participate in resident organization activities;
   h. Convening regularly scheduled resident organization meetings in a space on site and accessible to residents, in a manner that is fully independent of management representatives. In order to preserve the independence of resident organizations, management representatives may not attend such meetings unless invited by the resident organization to specific meetings to discuss a specific issue or issues; and
   i. Formulating responses to Project Owner's requests for:
      i. Rent increases;
      ii. Partial payment of claims;
      iii. The conversion from project-based paid utilities to resident-paid utilities;
      iv. A reduction in resident utility allowances;
      v. Converting residential units to non-residential use, cooperative housing, or condominiums;
      vi. Major capital additions; and
      vii. Prepayment of loans.
In addition to these activities, Project Owners must allow residents and resident organizers to conduct other reasonable activities related to the establishment or operation of a resident organization.

Project Owners shall not require residents and resident organizers to obtain prior permission before engaging in the activities permitted in this section.

3. **Meeting Space.** Project Owners must reasonably make available the use of any community room or other available space appropriate for meetings that is part of the multifamily housing project when requested by:
   a. Residents or a resident organization and used for activities related to the operation of the resident organization; or
   b. Residents seeking to establish a resident organization or collectively address issues related to their living environment.

Resident and resident organization meetings must be accessible to persons with disabilities, unless this is impractical for reasons beyond the organization's control. If the project has an accessible common area or areas, it will not be impractical to make organizational meetings accessible to persons with disabilities.

Project Owners may charge a reasonable, customary and usual fee, approved by the Secretary as may normally be imposed for the use of such facilities in accordance with procedures prescribed by the Secretary, for the use of meeting space. A PHA may waive this fee.

4. **Resident Organizers.** A resident organizer is a resident or non-resident who assists residents in establishing and operating a resident organization, and who is not an employee or representative of current or prospective Project Owners, managers, or their agents.

Project Owners must allow resident organizers to assist residents in establishing and operating resident organizations.

5. **Canvassing.** If a Covered Project has a consistently enforced, written policy against canvassing, then a non-resident resident organizer must be accompanied by a resident while on the property of the project.

If a project has a written policy favoring canvassing, any non-resident resident organizer must be afforded the same privileges and rights of access as other uninvited outside parties in the normal course of operations. If the project does not have a consistently
enforced, written policy against canvassing, the project shall be treated as if it has a policy favoring canvassing.

A resident has the right not to be re-canvassed against his or her wishes regarding participation in a resident organization.

6. **Funding.** Project Owners must provide $25 per occupied unit annually for resident participation, of which at least $15 per occupied unit shall be provided to the legitimate resident organization at the covered property. These funds must be used for resident education, organizing around tenancy issues, and training activities.

In the absence of a legitimate resident organization at a Covered Project:

a. HUD encourages the Project Owners and residents to work together to determine the most appropriate ways to foster a constructive working relationship, including supporting the formation of a legitimate residents organization. Residents are encouraged to contact the Project Owner directly with questions or concerns regarding issues related to their tenancy. Project Owners are also encouraged to actively engage residents in the absence of a resident organization; and

b. Project Owners must make resident participation funds available to residents for organizing activities in accordance with this Notice. Residents must make requests for these funds in writing to the Project Owner. These requests will be subject to approval by the Project Owner.

---

85 Resident participation funding applies to all occupied units in the Covered Project as well as units which would have been occupied if not for temporary relocation.
b. Section 6 of Notice H 2016-17/ PIH 2016-17 (HA)

Right to Return and Relocation Assistance
SUBJECT: Rental Assistance Demonstration (RAD) Notice Regarding Fair Housing and Civil Rights Requirements and Relocation Requirements Applicable to RAD First Component – Public Housing Conversions.¹

¹ While this Notice addresses fair housing and civil rights requirements and relocation requirements, the fair housing and civil rights requirements are not limited to relocation issues.

² Consistent with PIH Notice 2012-32 (HA) REV-2 (PIH 2012-32 (HA) REV-2) (the “RAD Notice”), this Notice uses the term “PHA” to refer to the owner of the project prior to the RAD conversion and “Project Owner” to refer to the owner of the project after the RAD conversion.
SECTION 6. RELOCATION REQUIREMENTS

In some cases, as explained in this Section, the activities associated with the RAD transaction may require the relocation of residents. In the event of acquisition, demolition, construction or rehabilitation activities performed in connection with a RAD conversion, the PHA and/or Project Owner should plan such activities to reasonably minimize any disruption to residents’ lives, to ensure that residents are not exposed to unsafe living conditions and to comply with applicable relocation, fair housing and civil rights requirements. As discussed in Section 6.1, below, a written relocation plan is required in some circumstances and strongly encouraged for any conversion resulting in resident moves or relocation. Further, the obligations due to relocating residents under RAD are broader than URA relocation assistance and payments and RAD specifies requirements which are more protective of residents than standard URA requirements, including additional notices (see Section 6.6) and a right to return (see Section 6.2). This Notice requires that certain information be provided to all households, beginning prior to submission of the RAD application.

Any resident who moves as a direct result of acquisition, rehabilitation or demolition for an activity or series of activities associated with a RAD conversion may, depending on the circumstances and length of time of the relocation, be eligible for relocation assistance and payments under the URA. Additionally, Section 104(d) relocation and one-for-one replacement

60 Under the URA, the term “displacing agency” refers to the agency or person that carries out a program or project which will cause a resident to become a displaced person. Projects vary and, for any specific task described in this Notice, the displacing agency may be either the PHA or the Project Owner, as determined by the allocation of roles and responsibilities between the PHA and Project Owner.
housing requirements may also apply when CDBG- or HOME-funds are used in connection with a RAD conversion. The applicability of the URA or Section 104(d) to RAD conversions is fact-specific, which must be determined in accordance with the applicable URA and Section 104(d) regulations.\textsuperscript{67}

Eligibility for specific protections under this Notice applies to any person residing in a Converting Project who is legally on the public housing lease, has submitted an application to be added to an existing lease, or is otherwise in lawful occupancy at the time of the issuance of the CHAP and at any time thereafter until conversion of assistance under RAD. All such residents of a Converting Project have a right to return and are eligible for relocation protections and assistance as provided by this Notice. The eligibility criteria set forth in this paragraph apply to the protections under this Notice regardless of whether residents or household members meet the statutory and regulatory requirements for eligibility under URA.\textsuperscript{68}

6.1. Planning

If there is a possibility that residents will be relocated as a result of acquisition, demolition, or rehabilitation for a Converting Project, PHAs must undertake a planning process in conformance with the URA statutory and regulatory requirements in order to minimize the adverse impact of relocation (see \textsection\ 49 C.F.R. 24.205). PHAs must also ensure that their relocation planning is conducted in compliance with applicable fair housing and civil rights requirements.

The PHA shall prepare a written relocation plan if the RAD conversion involves permanent relocation (including, without limitation, a move in connection with a transfer of assistance) or temporary relocation anticipated to last longer than one year. While a written relocation plan is not required for temporary relocation lasting one year or less, HUD strongly encourages PHAs, in consultation with any applicable Project Owners, to prepare a written relocation plan for all RAD conversions to establish their relocation process clearly and in sufficient detail to permit consistent implementation of the relocation process and accurate communication to the residents. Appendix II contains recommended elements of a relocation plan.

During the planning stages of a RAD transaction and based on the results of this planning process, a PHA must submit applicable portions of the Checklist described in Section 5.3(B) to HUD, together with any required backup documentation, as early as possible once the information covered in the applicable part is known.\textsuperscript{69} All parts of the Checklist must be submitted to HUD prior to submission of the Financing Plan. The Checklist will allow HUD to assist the PHA to comply, and to evaluate the PHA’s compliance, with relocation requirements, including civil rights requirements related to relocation.

\footnotesize
\textsuperscript{67} 42 U.S.C. \textsection\ 4601 \textit{et seq.}, 42 U.S.C. \textsection\ 5304(d), and their implementing regulations at 49 C.F.R Part 24 and 24 C.F.R. Part 42 subpart C.
\textsuperscript{68} A nonexclusive listing of persons who do not qualify as displaced persons under URA is at 49 C.F.R. 24.2(a)(9)(ii). See also, Paragraph 1-4(J) of HUD Handbook 1378. See Section 6.5 of this Notice for discussion of the date of “initiation of negotiations.”
\textsuperscript{69} The Checklist refers to the existing FHEO Accessibility and Relocation Checklist until a revised Checklist is approved for use pursuant to the Paperwork Reduction Act.
The following presents a general sequencing of relocation planning activities within the RAD conversion process for informational and planning purposes only. Specific requirements are set forth in the provisions of this Notice.

<table>
<thead>
<tr>
<th>Stage</th>
<th>Activities</th>
</tr>
</thead>
</table>
| 1. Prior to submission of RAD application  | • Determine potential need for relocation in connection with proposed conversion plans.  
|                                            | • Meet with residents to discuss proposed conversion plans, communicate right to return, and solicit feedback.  
|                                            | • Provide the *RAD Information Notice* (RIN) to residents as described in Section 6.6(A) of this Notice.  |
| 2. After submission of RAD application      | • Assess the need for relocation planning in connection with proposed conversion plans. Determine if technical assistance would be beneficial to ensuring compliance with relocation requirements.  
|                                            | • Survey residents to inform relocation planning and relocation process.  
|                                            | • Develop a relocation plan (see Appendix II for recommended content).  
|                                            | • Prepare Significant Amendment to PHA Plan and engage with the Resident Advisory Board, residents and the public regarding Plan amendment.  
| 3. Following issuance of the CHAP, or earlier if warranted | • Provide the *General Information Notice* (GIN) to residents when the project involves acquisition, rehabilitation, or demolition as described in Section 6.6(B) of this Notice and relocation may be required.  |
| 4. While preparing Financing Plan           | • Discuss the outlines of the conversion plans and their impact on relocation with the HUD transaction manager.  
|                                            | • Refine the plan for relocation and integrate the construction schedule into the relocation strategy; seek to minimize off-site or disruptive relocation activities.  
|                                            | • Identify relocation housing options.  
|                                            | • Budget for relocation expenses and for compliance with accessibility requirements.  
|                                            | • Submit the Checklist and, where applicable, the relocation plan.  
|                                            | • If the conversion involves acquisition, at the discretion of the Project Owner issue Notice of Intent to Acquire (NOIA).  
|                                            | • If a NOIA is issued, at the discretion of the Project Owner provide residents with appropriate relocation notices as  

---

70 Alternatively, the PHA may submit a new PHA Five-Year or Annual Plan, especially if it is on schedule to do so. Under any scenario, the PHA must consult with the Resident Advisory Board and undertake the community participation process.
<table>
<thead>
<tr>
<th>Stage</th>
<th>Activities</th>
</tr>
</thead>
</table>
| 5. From RAD Conversion Commitment (RCC) to Closing                   | • Meet with residents to describe approved conversion plans and discuss required relocation.  
• The effective date of the RCC marks the date of “Initiation of Negotiations” (ION), as defined in the URA (49 § C.F.R. 24.2(a)(15)).  
• If no NOIA was provided while preparing the Financing Plan, provide residents with appropriate relocation notices as described in Section 6.6(C) through 6.6(E) of this Notice.  
• Resident relocation may begin following the effective date of the RCC, subject to applicable notice requirements. |
| 6. Post-Closing                                                     | • Ongoing implementation of relocation  
• Notify the residents regarding return to the Covered Project as described in Section 6.6(F) of this Notice  
• Implementation of the residents’ right to return |

### 6.2. Resident Right to Return

Any public housing or Section 8 assisted resident that may need to be relocated temporarily to facilitate rehabilitation or construction has a right to return to an assisted unit at the Covered Project once rehabilitation or construction is complete.\(^{71}\) Permanent involuntary displacement of public housing or Section 8 assisted residents may not occur as a result of a project’s conversion of assistance. The Project Owner satisfies the RAD right to return to a Covered Project if the Project Owner offers the resident household either: a) a unit in the Covered Project in which the household is not under-housed; or b) a unit in the Covered Project which provides the same major features as the resident’s unit in the Converting Project prior to the implementation of the RAD conversion. In the case of a transfer of assistance to a new site, residents of the Converting Project have the right to reside in an assisted unit meeting the requirements set forth in this paragraph at the Covered Project (the new site) once the Covered Project is ready for occupancy in accordance with applicable PBV or PBRA requirements.

If proposed plans for a Converting Project would preclude a resident from returning to the Covered Project, the resident must be given an opportunity to comment and/or object to such plans. Examples of project plans that may preclude a resident from returning to the Covered Project include, but are not limited to:

- Changes in bedroom distribution which decrease the size of units such that the resident would be under-housed;\(^{72}\)

---

\(^{71}\) The right to return is not a right to any specific unit in the Covered Project. Tenancies other than public housing or Section 8 assisted residents (such as commercial tenants) do not hold a right to return and are subject to standard relocation requirements applicable to such tenants under the URA.

\(^{72}\) See the RAD Notice for a description of the procedures that must be undertaken if a resident is over-housed.
• Where a) the PHA is reducing the number of assisted units at a property (if authorized to do so under Section 1.5.B of the RAD Notice) and b) the resident cannot be accommodated in the remaining assisted units;

• The imposition of income eligibility requirements, such as those associated with LIHTC or other program financing, under which the current resident may not be eligible; and

• Failure to provide reasonable accommodation to an individual with disabilities, in violation of applicable law, which reasonable accommodation may include installation of accessibility features that are needed by the individual with disabilities.

If the resident who would be precluded from returning to the Covered Project objects to such plans, the PHA must alter the project plans to accommodate the resident’s right to return to the Covered Project.

If the resident who would be precluded from returning to the Covered Project prefers to voluntarily and permanently relocate rather than object to the project plans, the PHA must secure informed, written consent to a voluntary permanent relocation in lieu of returning to the Covered Project and must otherwise comply with all the provisions of Section 6.10, below, regarding alternative housing options. The PHA cannot employ any tactics to pressure residents into relinquishing their right to return or accepting alternative housing options. A PHA may not terminate a resident’s lease if the PHA fails to obtain the resident’s consent and the resident seeks to exercise the right to return.

In the case of a multi-phase transaction, the resident has a right to return to the Covered Project or to other converted phases of the property which have converted and are available for occupancy at the time the resident is eligible to exercise the right to return. A relocated resident should get the benefit of improvements facilitated by the resident’s relocation and conversion and completion of future phases cannot be assured. In most cases, this means that the resident’s right to return must be accommodated within the Covered Project associated with resident’s original unit. However, in those cases where improvements to multiple phases of a site are occurring simultaneously, the PHA or Project Owner may treat multiple Covered Projects on the same site as one for purposes of the right to return. If the PHA or Project Owner seeks to have the resident exercise the right of return at a future phase, the PHA or Project Owner would need to secure the resident’s consent to such plan as an alternative housing option pursuant to Section 6.10, below.

In implementing the right of return, the Project Owner shall comply with all applicable fair housing laws and implementing regulations, including, but not limited to, the Fair Housing Act,

73 In these cases, a PHA may elect to exclude some units from the applicable financing program, for example, claiming LIHTC for a subset of the units and not claiming tax credits in connection with the units occupied by households over the LIHTC maximum eligibility of 60% of AMI.

74 Refer to the Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Modifications Under the Fair Housing Act (March 5, 2008), at http://www.hud.gov/offices/fheo/disabilities/reasonable_modifications_mar08.pdf for additional detail regarding applicable standards for reasonable accommodations and accessibility features which must be provided. If the resident has paid for installation of accessibility features in the resident’s prior unit, the PHA or Project Owner shall pay for the installation of comparable features in the new unit. Violations of law may also result in other sanctions.
Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, and Titles II and III of the Americans with Disabilities Act.

6.3. Admissions and Continued Occupancy Requirements

Resident households may not be denied relocation housing or the right to return based on rescreening, income eligibility, or income targeting. PHAs may only offer housing options with screening, income eligibility or income targeting requirements if the impacted residents meet the admission and occupancy policies applicable to such housing. However, whether or not in a temporary relocation situation, the household remains subject to the applicable program policies regarding continued occupancy of an assisted unit by an incumbent resident of the unit.

6.4. Types of Moves and Relocation

Any time project plans require a resident to move from their current unit, the resident is eligible for assistance as described in this Notice. Assistance may vary depending on the options provided to residents, whether the relocation is temporary or permanent and, if applicable, the length of time the resident is in temporary accommodations. In all circumstances, the move or relocation must be in compliance with applicable requirements of this Notice and consistent with applicable fair housing and civil rights requirements. Each type of move is discussed below.

A) Moves within the same building or complex of buildings

Temporary or permanent moves within the same building or complex of buildings may be appropriate given the extent of work to be completed to permit phasing of rehabilitation or construction. Moves within the same building or complex of buildings are not considered relocation under RAD and a tenant generally does not become displaced under the URA. Whether permanent (i.e., the tenant will move to and remain in an alternative unit) or temporary (i.e., the tenant will move to another unit and return to their original unit), the PHA or Project Owner must reimburse residents for all reasonable out-of-pocket expenses incurred in connection with any move and all other terms and conditions of the move(s) must be reasonable. The final move must be to a unit which satisfies the right to return requirements specified in Section 6.2 of this Notice.

75 PHAs should note that the definitions of “permanent” vary between the URA and RAD. For example, “permanent displacement” under the URA includes moves from the original building or complex of buildings lasting more than one year. The RAD Notice, meanwhile, considers “permanent relocation” to be separation from the RAD-assisted unit upon completion of the conversion and any associated rehabilitation and construction. The duration of a temporary move may exceed one year. In the case of a transfer of assistance, it is not permanent relocation under RAD when the resident must move from the original complex of buildings to the destination site in order to retain occupancy of the RAD-assisted unit.

76 An example of relocation within the same building or complex of buildings would be if one floor of a multi-story building is vacant, and the PHA is moving residents from another floor to the vacant units.

77 Failure to reimburse residents for moving or other out-of-pocket expenses and any other terms and conditions of the move which may be unreasonable may result in the resident becoming a displaced person under the URA if the resident subsequently moves from the property.
B) Temporary relocation lasting one year or less

If a resident is required to relocate temporarily, to a unit not in the same building or complex of buildings, for a period not expected to exceed one year in connection with the RAD conversion, the resident’s temporarily occupied housing must be decent, safe, and sanitary and the resident must be reimbursed for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation. These expenses include, but are not limited to, moving expenses, increased housing costs (e.g., rent and utilities), meals if the temporary housing lacks cooking facilities (e.g., during a short hotel stay, whether or not on an emergency basis) and other applicable expenses.78

C) Temporary relocation initially expected to last one year or less, but which extends beyond one year

In the event that a resident has been temporarily relocated, to a unit not in the same building or complex of buildings, for a period which was anticipated to last one year or less but the temporary relocation in fact exceeds one year, the resident qualifies as a “displaced person” under the URA and as a result immediately becomes eligible for all permanent relocation assistance and payments as a “displaced person” under the URA, including notice pursuant to Section 6.6(E). This assistance would be in addition to any assistance the person has already received for temporary relocation, and may not be reduced by the amount of any temporary relocation assistance.

In such event, the PHA or Project Owner shall offer the resident the opportunity to choose to voluntarily permanently relocate with the offered URA assistance or to choose to remain temporarily relocated based on updated information from the PHA or Project Owner about when they can return to the completed RAD unit. The PHA or Project Owner must present this opportunity to the resident when the temporary relocation extends beyond one year and each time thereafter that the temporary relocation extends beyond the previously anticipated duration. In presenting such opportunity, the PHA or Project Owner must inform the resident in writing that his or her acceptance of voluntary permanent relocation, with the associated assistance, would terminate the resident’s right to return to the Covered Project. The PHA or Project Owner must provide the resident with at least 30 days to decide whether to remain in temporary relocation status or to voluntarily relocate permanently.

D) Temporary relocation anticipated to last more than one year

When the PHA anticipates that the temporary relocation, to a unit not in the same building or complex of buildings, will last more than one year, but the resident is retaining the resident’s right to return to the Covered Project, the resident is considered temporarily relocated under RAD and is eligible to receive applicable temporary relocation assistance and payments. Under the URA, the resident becomes eligible to receive applicable relocation assistance and payments as a “displaced person” when the temporary relocation period exceeds one year and each time thereafter that the temporary relocation extends beyond the previously anticipated duration, at

78 HUD Handbook 1378, Chapter 2, Section 2-7 governs activities subject to URA requirements and informs, but is not binding upon, any RAD activities not governed by the URA. PHAs may also refer to HUD Form 40030.
which time the PHA or Project Owner shall offer the resident the opportunity to choose to voluntarily permanently relocate or to remain temporarily relocated, as described in Section 6.4(C), above.

In order to allow residents to make the election earlier than required under the URA (thereby avoiding a year in temporary relocation housing prior to electing voluntary permanent relocation), if the PHA or Project Owner anticipates that temporary relocation will last more than one year, the PHA or Project Owner shall provide the resident with an initial option to (a) be temporarily relocated, retain the right to return to the Covered Project when a unit becomes available and receive assistance, including temporary housing and reimbursement for all reasonable out-of-pocket expenses associated with the temporary relocation, or (b) accept RAD voluntary permanent relocation assistance and payments equivalent to what a “displaced person” would receive under the URA. The PHA or Project Owner must inform the resident in writing that his or her acceptance of voluntary permanent relocation, with the associated assistance, would terminate the resident’s right to return to the Covered Project. The PHA or Project Owner must provide the resident with at least 30 days to decide whether to remain in temporary relocation status or to voluntarily relocate permanently.

E) Permanent moves in connection with a transfer of assistance

In cases solely involving a transfer of assistance to a new site, resident relocation from the Converting Project to the Covered Project is not, by itself, generally considered involuntary permanent relocation under RAD. However, the URA and/or Section 104(d) is likely to apply in most cases. In cases of a transfer of assistance to a new site where it has also been determined that the URA and/or Section 104(d) apply to the transfer of assistance, residents may be eligible for all permanent relocation assistance and payments for eligible displaced persons under the URA and/or Section 104(d). If the URA applies to a move of this type, the PHA or Project Owner must make available at least one, and when possible, three or more comparable replacement dwellings pursuant to 49 C.F.R. § 24.204(a). However, provided the transfer of assistance unit meets the URA definition of a comparable replacement dwelling pursuant to 49 C.F.R. § 24.2(a)(6), that unit could in fact represent the most comparable replacement dwelling as determined by the agency for purposes of calculating a replacement housing payment, if any, under 49 C.F.R. § 24.402.

Whether or not the URA and/or Section 104(d) apply, under RAD the residents are entitled to relocation assistance and payments, including counseling in preparation for the relocation, written notices of the relocation (including a 90-day RAD Notice of Relocation), and reimbursement for all reasonable out-of-pocket expenses, including moving expenses, incurred in connection with the move. It should be noted that the RAD relocation assistance and payments provided to transferring residents in this paragraph differ from those required under the URA and/or Section 104(d) as described above. Where both frameworks apply, the residents must receive the more extensive protections offered under either framework.

If HUD determines that the distance from the Converting Project to the site of the Covered Project is significant and the resident could not reasonably be required to move to the new site, then HUD will require the PHA to adjust project plans to accommodate the resident in an assisted unit (e.g., a public housing unit, some other project-based Section 8 unit or a market unit
with a housing choice voucher) within a reasonable distance of the site of the Converting Project. HUD will evaluate whether this requirement applies on a case by case basis, considering whether the distance would impose a significant burden on residents’ access to existing employment, transportation options, schooling or other critical services. Accommodating the resident may also be satisfied by the resident’s consent to an alternative housing option pursuant to Section 6.10. The requirement set forth in this paragraph is in addition to all protections, including, for example, the offer of comparable replacement dwellings, which are required in all instances where a transfer of assistance is subject to the URA and/or Section 104(d).

F) Voluntary permanent relocation

A resident may elect to relinquish their right of return and consent to voluntary permanent relocation pursuant to an alternative housing option offered and accepted according to the procedures described in Section 6.10, which Section specifies protections to ensure the resident’s decision is fully informed. By selecting voluntary permanent relocation, the resident is electing to receive RAD permanent relocation assistance and payments which are equivalent to the relocation payments and assistance required to be provided to a “displaced person” pursuant to the regulations implementing the URA.

6.5. Initiation of Negotiations (ION) Date

Eligibility for URA relocation assistance is effective on the date of initiation of negotiations (ION) (49 C.F.R. § 24.2(a)(15)). For Converting Projects, the ION date is the effective date of the RCC. The ION date is also typically the date when PHAs can begin to issue RAD Notices of Relocation (except in the case of acquisitions when the PHA can issue a Notice of Intent to Acquire and RAD Notices of Relocation prior to the ION date). Any person who is in lawful occupancy on the ION date is presumed to be entitled to relocation payments and other assistance.

PHAs and Project Owners should note that prior to the ION date, a resident may be eligible as a displaced person for permanent relocation assistance and payments under the URA if HUD determines, after analyzing the facts, that the resident’s move was a direct result of the project. However, resident moves taken contrary to specific instructions from the PHA or Project Owner (for example, contrary to instructions not to move if contained in a General Information Notice) are generally not eligible as a displaced person under the URA.

6.6. Resident Relocation Notification (Notices)

PHAs and Project Owners are encouraged to communicate regularly with the residents regarding project plans and, if applicable, the resulting plans for relocation. When residents may be relocated for any time period (including, without limitation, a move in connection with a transfer of assistance), written notice must be provided to the resident heads of households, including the notices listed below as applicable.79 PHAs and Project Owners are also encouraged to provide

79 The notices required under Sections 6.6(B) through 6.6(E) must be delivered in accordance with URA resident notification requirements, including the requirement that the notice be personally served or delivered by certified or registered first class mail return receipt requested. All notices must be delivered to each household (i.e., posting in
additional relocation notices and updates for the residents’ benefit as appropriate for the specific situation.

To ensure that all residents understand their rights and responsibilities and the assistance available to them, consistent with URA requirements at 49 C.F.R. § 24.5 and civil rights requirements, PHAs and Project Owners must ensure effective communication with individuals with disabilities, including through the provision of appropriate auxiliary aids and services, such as interpreters and alternative format materials. Similarly, PHAs and Project Owners are required to take reasonable steps to ensure meaningful access for LEP persons in written and oral materials. Each notice shall indicate the name and telephone number of a person to contact with questions or for other needed help and shall include the number for the telecommunication device for the deaf (TDD) or other appropriate communication device, if applicable, pursuant to 24 C.F.R. §8.6(a)(2).

The purpose of these notifications is to ensure that residents are informed of their potential rights and, if they are to be relocated, of the relocation assistance available to them. Two initial notices launch this effort and provide critical information regarding residents’ rights. The first, the RAD Information Notice, is to be provided at the very beginning of the RAD conversion planning process in order to ensure residents understand their rights, to provide basic program information and to facilitate residents’ engagement with the PHA regarding project plans. The GIN, meanwhile, provides information specifically related to protections the URA provides to impacted residents. Subsequent notices provide more detailed information regarding relocation activities specific to the household, including tailored information regarding eligibility and timelines for relocation.

PHAs should note that a resident move undertaken as a direct result of the project may be eligible to receive relocation assistance and payments under the URA even though the PHA has not yet issued notices to them. Sample notices which may be used as-is or modified to fit the peculiarities of each situation are provided on the RAD website at www.hud.gov/rad.

A) RAD Information Notice

The RAD Information Notice is to be provided to residents at the very beginning of the RAD conversion planning process in order to convey general written information on potential project plans and residents’ basic rights under RAD, and to facilitate residents’ engagement with the PHA regarding the proposed RAD conversion. The PHA shall provide a RAD Information Notice to all residents of a Converting Project prior to the first of the two meetings with residents required by the RAD Notice, Section 1.8.2, and before submitting a RAD Application. This RAD Information Notice shall be provided without regard to whether the PHA anticipates any relocation of residents in connection with the RAD conversion. The RAD Information Notice must do the following:

common areas is insufficient) and methods of delivery (e.g., certified mail, U.S. mail, or hand delivery) must be documented in the PHA’s or Project Owner’s files.
• Provide a general description of the conversion transaction (e.g., the Converting Project, whether the PHA anticipates any new construction or transfer of assistance, whether the PHA anticipates partnering with a developer or other entity to implement the transaction);
• Inform the resident that the early conceptual plans are likely to change as the PHA gathers more information, including, among other items, resident opinions, analysis of the capital needs of the property and financing options;
• Inform the resident that the household has a right to remain in the unit or, if any relocation is required, a right to return to an assisted unit in the Covered Project (which may be at the new site in the case of a transfer of assistance);
• Inform the resident that they will not be subject to any rescreening as a result of the conversion;
• Inform the resident that the household cannot be required to move permanently without the resident’s consent, except in the case of a transfer of assistance when the resident may be required to move a reasonable distance, as determined by HUD, in order to follow the assisted unit;
• Inform the resident that if any relocation is involved in the transaction, the resident is entitled to relocation protections under the requirements of the RAD program and, in some circumstances, the requirements of the URA, which protections may include advance written notice of any move, advisory services, payment(s) and other assistance as applicable to the situation;
• Inform the resident that any resident-initiated move from the Converting Project could put any future relocation payment(s) and assistance at risk and instruct the resident not to move from the Converting Project; and
• Inform the resident that the RAD transaction will be completed consistent with fair housing and civil rights requirements, and provide contact information to process reasonable accommodation requests for residents with disabilities during the relocation.

B) General Information Notice (49 C.F.R. § 24.203(a))

The purpose of the General Information Notice (GIN) is to provide information about URA protections to individuals who may be displaced as a result of federally-assisted projects involving acquisition, rehabilitation or demolition. A GIN provides a general description of the project, the activities planned, and the relocation assistance that may become available.

A GIN shall be provided to any person scheduled to be displaced as soon as feasible based on the facts of the situation. In certain instances, such as when the PHA knows that a project will involve acquisition, rehabilitation or demolition, “as soon as feasible” may be simultaneous with issuance of the RAD Information Notice. For any RAD conversion involving acquisition, rehabilitation or demolition, “as soon as feasible” shall be no later than 30 days following the issuance of the CHAP. In instances where acquisition, rehabilitation or demolition is not anticipated at the time of the CHAP but project plans change to include such activities, pursuant to this Notice the PHA shall provide the GIN as soon as feasible following the change in project plans.
For RAD, the GIN must do at least the following:

- Inform the resident that he or she may be displaced for the project and generally describe the relocation payment(s) for which the resident may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s);
- Inform the resident that, if he or she qualifies for relocation assistance as a displaced person under the URA, he or she will be given reasonable relocation advisory services, including referrals to replacement properties, help in filing payment claims, and other necessary assistance to help the displaced resident successfully relocate;
- Inform the resident that, if he or she qualifies for relocation assistance as a displaced person under the URA, he or she will not be required to move without 90 days advance written notice;
- Inform the resident that, if he or she qualifies for relocation assistance as a displaced person under the URA, he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available;
- Inform the resident that any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child (see 49 C.F.R. § 24.208(h) for additional information);
- Describe the resident’s right to appeal the PHA’s determination as to a resident’s eligibility for URA assistance; and
- Inform the resident that the RAD transaction will be completed consistent with fair housing and civil rights requirements, and provide contact information to process reasonable accommodation requests for residents with disabilities during the relocation.

Because of the potential confusion caused by evolving policy directions in the RAD program regarding delivery of the GIN, for actions taken prior to the issuance of this Notice, HUD will consider the facts and circumstances of each conversion, with emphasis on the underlying URA requirements, in monitoring and enforcing a PHA’s compliance with this requirement.

C) Notice of Intent to Acquire (49 C.F.R. § 24.203(d))

For conversions involving acquisition, the Project Owner (the “acquiring agency”) may provide to residents of the Converting Project a Notice of Intent to Acquire (NOIA).80 The NOIA may be provided no earlier than 90 days prior to the PHA’s reasonable estimate of the date of submission of a complete Financing Plan. While eligibility for URA relocation assistance is generally effective on the effective date of the RCC (the ION date), a prior issuance of a NOIA establishes a resident’s eligibility for relocation assistance and payments on the date of issuance of the NOIA and prior to the ION date.

D) RAD Notice of Relocation

If a resident will be relocated to facilitate the RAD conversion, the PHA shall provide written notice of such relocation by means of a RAD Notice of Relocation. The RAD Notice of

80 Acquisition includes a new ownership entity’s purchase of the Covered Project from the PHA, such as a purchase by a single purpose entity, an affiliate or a low-income housing tax credit ownership entity.
Relocation may not be issued until: 1) the effective date of the RCC (the ION date) if the conversion does not involve acquisition; or 2) the earlier of the issuance of the Notice of Intent to Acquire (see Section 6.6(C)) or the effective date of the RCC (the ION date) if the conversion involves acquisition. Prior to issuance of the RAD Notice of Relocation, PHAs and Project Owners should meet with each resident household to provide preliminary relocation advisory services and to determine their needs and preferences.  

A RAD Notice of Relocation is not required for residents who will not be relocated. As a best practice, PHAs or Project Owners should notify residents that they are not being relocated once that determination has been made if they were previously informed by the GIN and/or by other methods that relocation was a possibility.

A RAD Notice of Relocation shall provide either: 1) 30-days’ notice to residents who will be relocated for twelve months or less; or 2) 90-days’ notice to residents who will be relocated for more than twelve months. The RAD Notice of Relocation must conform to the following requirements:

1. The notice must state the anticipated duration of the resident’s relocation.
2. The notice must specify which entity (the PHA or the Project Owner) is primarily responsible for management of the resident’s relocation and for compliance with the relocation obligations during different periods of time (i.e., before vs. after Closing).
3. For residents who will be relocated for twelve months or less:
   - The PHA or Project Owner must provide this notice a minimum of 30 days prior to relocation. PHAs or Project Owners may deem it appropriate to provide longer notice periods for persons who will be temporarily relocated.

---

81 PHAs and Project Owners should note the URA relocation advisory services requirement for personal interviews. See Section 6.7 of this Notice. In sequencing the RAD Notice of Relocation, PHAs and Project Owners wishing to offer alternative housing options pursuant to Section 6.10 should also note the additional complexity in the timeline of notices. Pursuant to Section 6.10(D), the resident can consent to an alternative housing option only after issuance of the NOIA or the effective date of the RCC and 30 days after presentation of the alternative housing options. In some cases, for example, when the resident would not otherwise be relocated for over twelve months, the RAD Notice of Relocation must include both the information described in Section 6.6(D)(3) and the information in Section 6.6(D)(4). The PHA or Project Owner should consider discussing the alternative housing options prior to issuing the RAD Notice of Relocation so that the RAD Notice of Relocation can be tailored to the resident’s situation.

82 The RAD program does not require a “notice of non-displacement,” which HUD relocation policy generally uses for this purpose.

83 The 90-day notice is required for residents relocated for more than twelve months, whether or not they intend to return to the Covered Project and whether or not they are eligible for assistance and payments as a displaced person under URA. Recipients of the 90-day notice would include those residents who have voluntarily accepted a permanent relocation option as well as those residents who are relocated within the same building or complex of buildings.

84 Note that residents may elect to move to the relocation housing before the 30 days have elapsed. However, a PHA may not require a resident to move prior to this time.
for an extended period of time (over 6 months), or if necessary due to personal needs or circumstances.

- The notice must explain that the PHA or Project Owner will reimburse the resident for all reasonable out-of-pocket expenses incurred in connection with any temporary move (including, but not limited to, increased housing costs and moving costs).
- The notice must explain the reasonable terms and conditions under which the resident may exercise the right to return to lease and occupy a unit in the Covered Project.

(4) For residents who will be relocated for more than twelve months, including for residents who may wish to voluntarily accept a permanent relocation option:

- The PHA or Project Owner must provide this notice a minimum of 90 days prior to relocation of residents.\(^{85}\)
- The notice must offer the choice to be temporarily relocated, thereby preserving the resident’s right to return, or the choice to be voluntarily permanently relocated pursuant to the procedures set forth in Section 6.10, together with guidance that the resident has at least thirty (30) days to consider the choice.
- For residents who voluntarily elect to be permanently relocated, the 90-day notice period may only begin once the PHA or Project Owner has made available at least one comparable replacement dwelling consistent with 49 C.F.R. § 24.204(a).\(^{86}\)
- The notice must describe the available relocation assistance, the estimated amount of assistance based on the individual circumstances and needs, and the procedures for obtaining the assistance. The notice must be specific to the resident and his or her situation so that the resident will have a clear understanding of the type and amount of payments and/or other assistance the resident household may be entitled to claim.
- The notice must comply with all requirements for a URA Notice of Relocation Eligibility as described in 49 C.F.R. § 24.203(b).

(5) The notice must inform the resident that the relocation will be completed consistent with fair housing and civil rights requirements, and it must provide contact information to process reasonable accommodation requests for residents with disabilities during the relocation.

For short-term relocations, the RAD Notice of Relocation may also contain the information required in the Notice of Return to the Covered Project (see Section 6.6(F)).

---

\(^{85}\) Note that residents may elect to move to the relocation housing before the 90 days have elapsed. However, a PHA may not compel a resident to move prior to this time.

\(^{86}\) PHAs should note that URA regulations also require, where possible, that three or more comparable replacement dwellings be made available before a resident is required to move from his or her unit.
E) **URA Notice of Relocation Eligibility – for residents whose temporary relocation exceeds one year (49 C.F.R. § 24.203(b))**

After a resident has been temporarily relocated for one year, notwithstanding a prior issuance of a RAD Notice of Relocation, the PHA or Project Owner must provide an additional notice: the notice of relocation eligibility in accordance with URA requirements ("URA Notice of Relocation Eligibility"). The URA Notice of Relocation Eligibility is not required if the resident has already accepted permanent relocation assistance.87

The URA Notice of Relocation Eligibility must conform to URA requirements as set forth in 49 C.F.R. part 24 and shall:

- Provide current information as to when it is anticipated that the resident will be able to return to the Covered Project.
- Give the resident the choice to remain temporarily relocated based upon the updated information or to accept permanent URA relocation assistance at that time instead of exercising the right to return at a later time.

If the resident chooses to accept permanent URA relocation assistance and this choice requires the resident to move out of their temporary relocation housing, the URA requires that the PHA or Project Owner make available at least one, and when possible, three or more comparable replacement dwellings pursuant to 49 C.F.R. § 24.204(a), which comparability analysis is in reference to the resident’s original unit. The URA further requires that the resident receive 90 days’ advance written notice of the earliest date they will be required to move pursuant to 49 C.F.R. § 24.203(c).

---

87 To illustrate, consider the following examples.

- **Example 1:** The household is expected to be relocated for 11 months. The resident would receive a RAD Notice of Relocation offering only temporary relocation. Construction delays result in the extension of the relocation such that, in fact, it exceeds 12 months. When the temporary relocation exceeds 12 months, the resident must receive a URA Notice of Relocation Eligibility offering a choice between continuation in temporary relocation status and permanent relocation.
- **Example 2:** The household is expected to be relocated for 14 months. The resident would receive a RAD Notice of Relocation offering a choice between temporary relocation status and permanent relocation. If the household elects temporary relocation, the URA Notice of Relocation Eligibility is required as an additional notice following twelve months in temporary relocation status.
- **Example 3:** The household is expected to be relocated for 14 months. The resident would receive a RAD Notice of Relocation offering a choice between temporary relocation status and permanent relocation. If the household elects permanent relocation, the URA Notice of Relocation Eligibility is not required.
- **Example 4:** The household can be accommodated with temporary relocation of 3 months, but has been offered and seeks to accept permanent relocation pursuant to an alternative housing option. This resident would receive a RAD Notice of Relocation under Section 6.6(D)(4) offering a choice between temporary relocation status (the default option) and permanent relocation (the alternative housing option), instead of the RAD Notice of Relocation under Section 6.6(D)(3) which would be expected absent a permanent relocation option. The URA Notice of Relocation Eligibility is not required in either case because a temporary relocation exceeding 12 months was never anticipated nor experienced.
F) Notification of Return to the Covered Project

With respect to all temporary relocations, the PHA or Project Owner must notify the resident in writing reasonably in advance of the resident’s expected return to the Covered Project, informing the resident of:

- The entity (the PHA or the Project Owner) with primary responsibility for managing the resident’s relocation;
- The address of the resident’s assigned unit in the Covered Project and, if different from the resident’s original unit, information regarding the size and amenities of the unit;
- The date of the resident’s return to the Covered Project or, if the precise date is not available, a reasonable estimate of the date which shall be supplemented with reasonable additional notice providing the precise date;
- That the PHA or Project Owner will reimburse the resident for all reasonable out-of-pocket expenses incurred in connection with the return relocation; and
- The resident’s options and the implications of those options if the resident determines that he or she does not want to return to the Covered Project and wants to decline the right of return.  

Reasonable advance notice shall be 15% of the duration of the resident’s temporary relocation or 90 days, whichever is less. For short-term relocations, the PHA or Project Owner may include this information within the RAD Notice of Relocation.

6.7. Relocation Advisory Services

Throughout the relocation planning process, the PHA and Project Owner should be in communication with the residents regarding the evolving plans for relocation. Notwithstanding this best practice, certain relocation advisory services, described below, are required by the URA.

The URA regulations require the PHA or Project Owner to carry out a relocation assistance advisory program that includes specific services determined to be appropriate to residential or nonresidential displacements. The specific advisory services to be provided, as determined to be appropriate, are outlined at 49 C.F.R. § 24.205(c). For residential displacement under the URA, a personal interview is required for each displaced resident household to determine the relocation needs and preferences of each resident to be displaced. The resident household shall be provided an explanation of the relocation payments and other assistance for which the resident may be eligible, the related eligibility requirements, and the procedures for obtaining such assistance. Advisory counseling must also inform residents of their fair housing rights and be carried out in

88 If the resident declines to return to the Covered Project upon completion of the period of temporary relocation, the resident shall be considered to have voluntarily moved out of the property, without the benefit of further relocation assistance. For example, a PHA or Project Owner may have rented a market-rate apartment as a temporary relocation resource for a six-month period. In such a situation, the resident may decline to return to the Covered Project and choose to remain in the market-rate apartment at the expiration of the six-month period, but shall not be eligible for any further relocation assistance and payments (including rent differential payments) under this Notice, the URA or Section 104(d), if applicable, in connection with the resident’s decision to remain in the temporary housing and not return to the Covered Project.
a manner that satisfies the requirements of Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and Executive Order 11063 (49 C.F.R. § 24.205(c)(1)). Such advisory services under the URA may include counseling to ensure that residents affected by the project understand their rights and responsibilities and the assistance available to them (49 C.F.R. § 24.205(c)). In addition, the PHA or Project Owner should inform residents that if they believe they have experienced unlawful discrimination, they may contact HUD at 1-800-669-9777 (Voice) or 1-800-927-9275 (TDD) or at http://www.hud.gov.

6.8. Initiation of Relocation

PHAs and Project Owners may not initiate any involuntary physical relocation until both the RCC is in effect and the applicable RAD Notice of Relocation period has expired (i.e., after either 30 or 90 days’ notice as applicable depending on nature of the relocation, as described above). This prohibition applies to all types of RAD transactions, regardless of whether the RAD Notice of Relocation is provided after issuance of a NOIA (for conversions involving acquisition) or following the effective date of the RCC (for all other conversions). PHAs are advised to account for the required 30-day or 90-day written notice periods in their planning process, to ensure that notices which satisfy all applicable requirements are issued prior to taking any action to initiate relocation.

Neither involuntary nor voluntary relocation for the project shall take place prior to the effective date of the RCC, unless moves are authorized under Section 7, below (“Applicability of HCV and Public Housing Requirements”) or unless HUD provides explicit approval which will only be provided in extraordinary circumstances. The PHA must wait until the RAD Notice of Relocation period has expired before it may initiate any involuntary relocation. However, a resident may request to move voluntarily, and the PHA may honor a resident’s request to move, before the applicable 30-day or 90-day period has elapsed, provided that the PHA may not take any action to encourage or coerce a resident to make such a request. If a resident has elected an alternative housing option, PHAs are advised to ensure that any consent to voluntary permanent relocation does not expire prior to the date of the relocation, as described in Section 6.10.

HUD may use administrative data to identify and investigate projects where relocation may be occurring prior to RCC.

6.9. Records and Documentation; Resident Log

HUD may request from the PHA or Project Owner written records and documentation in order to evidence the PHA’s and/or Project Owner’s compliance, as applicable, with this Notice and the URA. HUD may request to review some or all of such records in the event of compliance

89 For example, under fair housing and civil rights laws, the PHA and Project Owner may be required to inform residents about and provide reasonable accommodations for individuals with disabilities, such as search assistance; take appropriate steps to ensure effective communication with individuals with disabilities, such as through the provision of auxiliary aids and services, such as interpreters and alternate format documents; provide advisory counseling services in accessible locations and in an accessible manner for individuals with disabilities; and take reasonable steps to ensure meaningful access for LEP persons. See Section 4 of this Notice for more information on these requirements.

90 Chapter 6 of HUD Handbook 1378 includes guidance on URA recordkeeping requirements.
concerns, in the event a project is identified for additional review based on administrative data, in the event of audits for purposes of monitoring the RAD program as a whole, upon selection of a random sample of projects and/or at other times at HUD’s sole discretion. The records shall include resident files for all households relocated in connection with RAD and a resident log as described in this Section.

As part of such written record, the PHA or Project Owner must maintain data sufficient to deliver to HUD a resident log of every household that resides at the Converting Project at the time of the first required resident meeting on the proposed conversion pursuant to Section 1.8 of the RAD Notice (the “First Resident Meeting”) and of every household that moves into the Converting Project after the First Resident Meeting and before the conversion of assistance under RAD. If any relocation is required, the log shall track resident status through completion of rehabilitation and construction, including re-occupancy after relocation. The resident log must include, but need not be limited to, the following information:

- Name of head of household
- PHA’s resident identification number and/or the last four digits of the head-of-household’s Social Security Number
- The head of household’s race and ethnicity as reported on the HUD Form 50058 or the HUD Form 50058 MTW (the “Form 50058”). For purposes of the resident log, all references to the Form 50058 shall be to the form most recently prepared at the time of the First Resident Meeting or, for residents who moved in after the First Resident Meeting, the form most prepared at the time of the resident’s initial occupancy.
- A Yes/No indication if there is any household member reported as having a disability on the Form 50058.
- A Yes/No indication if there is any household member reported as under the age of 18 on the effective date of action of the Form 50058;
- The household’s relevant unit address, unit size and household size at the following times:
  - The time of the First Resident Meeting or the time of a resident’s initial occupancy if after the First Resident Meeting
  - The time of the issuance of the CHAP or the time of a resident’s initial occupancy if after the issuance of the CHAP
  - Proximate and prior to the PHA or Project Owner having authority to initiate involuntary relocation activities (i.e., at the time of issuance of the RCC unless otherwise approved by HUD upon extraordinary circumstances)
  - Completion of the relocation process following construction or rehabilitation and with return of all households exercising the right of return
- The household’s residence status at the time of issuance of the RCC (e.g., in residence at the Converting Project, transferred to other public housing, moved out, evicted or other with explanation)
- The household’s residence status upon completion of re-occupancy (e.g., in residence at the Covered Project/never relocated, in residence at the Covered Project/temporarily relocated and returned, transferred to other public housing, moved out, evicted, permanently relocated or other with explanation)
- The following dates for each resident household, as applicable:
  - Date of the RAD Information Notice
The following information for each resident household, as applicable:

- The type of move (e.g., the types identified in Section 6.4, above)
- The form of any temporary relocation housing (e.g., hotel, assisted housing, market-rate housing)
- The address and unit size of any temporary relocation housing
- Whether alternative housing options were offered consistent with Section 6.10, below
- Any material terms of any selected alternative housing options
- The type and amount of any payments for
  - Moving expenses to residents and to third parties
  - Residents’ out-of-pocket expenses
  - Rent differential payments or other payments for temporary or permanent rental assistance, together with the rent and utilities (if applicable) that were the basis for the calculations
  - Any other relocation-related compensation or assistance

6.10. Alternative Housing Options

Under the RAD Notice, “involuntary permanent relocation” is prohibited and each resident must be able to exercise his or her right of return to the Covered Project. A PHA or Project Owner is permitted to offer a resident alternative housing options when a resident is considering his or her future housing plans, provided that at all times prior to the resident’s decision, the PHA and Project Owner preserve the resident’s ability to exercise his or her right of return to the Covered Project.

A) Requirements for Any Offer of Alternative Housing Options

All residents who are similarly situated must be given the same offer of alternative housing options. If the PHA or Project Owner seeks to limit the number of households that accept the

---

91 The most recent consent must be within 180 days of the actual relocation date, as discussed in Section 6.10(D).
92 In the case of voluntary permanent relocation, the date of “return” may be the same as the date of relocation away from the Converting Project.
offer of alternative housing options, the PHA or Project Owner shall determine a fair and reasonable method for selection among similarly situated residents.93

In connection with any offer and acceptance of alternative housing options, the PHA or Project Owner must ensure that the residents’ decisions are: 1) fully informed; 2) voluntary; and 3) carefully documented. Any alternative housing option must include, at a minimum, all relocation assistance and payments required under this Notice, the URA and Section 104(d), as applicable, and may include other elements. Funds administered by HUD may not be used to pay any monetary elements not required under this Notice, the URA or Section 104(d).

Acceptance of an alternative housing option is considered voluntary permanent relocation and the accompanying RAD relocation assistance and payments for which the resident may be eligible must be administered in accordance with all requirements for an eligible displaced person under the URA and its implementing regulations and, where applicable, Section 104(d) and its implementing regulations.

PHAs may not propose or request that a displaced person waive rights or entitlements to relocation assistance under the URA or Section 104(d). The PHA must provide a written notice of URA or Section 104(d) relocation assistance and payments for which the resident may be eligible so that the resident may make an informed housing choice. The resident must be provided at least thirty (30) days to consider the offer of voluntary permanent relocation and the resident’s acceptance of the PHA’s offer of voluntary permanent relocation must be in writing signed by the head of the household for that unit.

B) Assisted Housing Options as Alternatives

Alternative housing option packages may include a variety of housing options and PHAs and Project Owners shall take particular care to ensure program compliance with the regulations applicable to the alternative housing options. Examples of alternative housing options may include:

- Transfers to public housing
- Admission to other affordable housing properties subject to the program rules applicable to such properties
- Housing Choice Vouchers (HCVs) subject to standard HCV program administration requirements. PHAs must operate their HCV programs, including any HCVs offered as an alternative housing option, in accordance with their approved policies as documented in their Section 8 Administrative Plan and HUD regulations at 24 C.F.R. part 982. Any offer of an HCV as an alternative housing option must be made consistent with the

93 For example, if the RAD conversion is financed by LIHTC and a few residents would not meet LIHTC program requirements, the PHA and Project Owner may want to offer these household alternative voluntary permanent relocation options. However, they must offer the same alternative housing options to all such households. As a second example, if the PHA and Project Owner seek to create two on-site vacancies of a particular unit size in order to facilitate temporary relocation on-site, the PHA may offer an alternative housing option of a housing choice voucher to all residents of applicable sized units (assuming that to do so is consistent with the PHA’s voucher administration policies), and conduct a lottery to select the two households which will receive the vouchers.
PHA’s admission preferences and other applicable policies and procedures set forth in the Section 8 Administrative Plan.
- Homeownership programs subject to the applicable program rules
- Other options as may be identified by the PHA and/or Project Owner

C) Monetary Elements Associated With Alternative Housing Options

A PHA or a Project Owner may include a monetary element in an alternative housing option package, provided that:

- Any monetary element associated with the alternative housing option shall be completely distinct from and in addition to any required RAD, URA or Section 104(d) relocation payments and benefits for which the resident is eligible (“Required Relocation Payments”).
- No funds administered by HUD may be used to pay for any monetary element associated with the alternative housing option other than Required Relocation Payments.
- Any monetary element associated with the alternative housing option other than Required Relocation Payments must be the same amount offered to all similarly situated households.\(^\text{94}\)
- Any alternative housing option package must comply fully with the disclosure and agreement provisions of this Notice.

D) Disclosure and Agreement to Alternative Housing Options

In providing an offer of alternative housing options to a resident, the PHA or Project Owner must inform the resident in writing of: a) his or her right to return;\(^\text{95}\) b) his or her right to comment on and/or object to plans which would preclude the resident from returning to the Covered Project; c) the requirement that if the resident objects to such plans, the PHA or Project Owner must alter the project plans to accommodate the resident in the Covered Project; and d) a description of both the housing option(s) and benefits associated with the right of return and the alternative housing options and benefits being offered. In the description of the available housing options and benefits, the PHA or Project Owner shall include a description of any temporary housing options associated exercising the right of return and a description of any permanent alternative housing options as well as a reasonable estimate of the financial implications of all temporary and permanent options on the resident long-term.

\(^{94}\) Monetary payments other than Required Relocation Payments are considered “temporary, nonrecurring or sporadic income” pursuant to 24 C.F.R. § 5.609(c)(9) and consequently are excluded from income for purposes of eligibility and assistance calculations under certain HUD programs. Residents should be reminded that monetary payments other than URA relocation payments may be taxable under the Internal Revenue Code, that monetary payments, including required relocation payments, may affect residents’ eligibility for other assistance programs and that the resident should seek knowledgeable guidance on these matters, including guidance on the taxation of monetary payments under state law.

\(^{95}\) In the case of a transfer of assistance to a new site a significant distance from the Converting Project as described in Section 6.4(E), the resident shall be informed of the resident’s right to return to the Covered Project at the new site and of the resident’s right to an assisted unit within a reasonable distance of the site of the Converting Project, as described in Section 6.4(E).
The written notification may request written consent from the resident to exercise the alternative housing option and receive permanent relocation assistance and payments pursuant to RAD, the URA and/or Section 104(d), as applicable, in addition to any benefits associated with the alternative housing option. As part of any voluntary consent, the resident head of household must acknowledge in writing that acceptance of such assistance terminates the resident’s right to return to the Covered Project. In order to ensure that the resident has sufficient time to seek advice and consider the alternative housing options, any consent to an alternative housing option executed within 30 days of the written presentation of the options shall be invalid.

Any offer of alternative housing options must be made in writing and the acceptance of the alternative must be voluntary and in writing. The offer of an alternative housing option must contain the following elements:

- The resident is informed of his or her right to return to the Covered Project and that neither the PHA nor the Project Owner can compel the resident to relinquish his or her right to return. The offer of alternative housing options must clearly state that acceptance of any alternative would relinquish the resident’s right to return to the Covered Project.
- The offer of an alternative housing option must be accompanied by identification of comparable housing units which the resident may use to understand the nature of housing options available to them and the rent and estimated utility costs associated with such housing options. This information must also be accompanied by a reasonable estimate of any replacement housing payment or “gap payment” for which the resident may be eligible.
- The offer of an alternative housing option must be accompanied by information regarding moving payments and assistance that would be available if the resident exercises the right of return and if the resident accepts the alternative housing option.
- Residents must be offered advisory assistance to consider their options.
- To be fully informed, the offer must outline the implications and benefits of each alternative housing option being made available (i.e., of accepting each alternative housing option as compared to exercising his or her right to return) as well as a reasonable estimate of when the resident’s relocation might occur. Implications and benefits include payment amounts, differences in rent calculations, differences in program rules, housing location, and potential long-term implications such as household housing expenses multiple years in the future.
- To be fully voluntary, the resident must have at least thirty (30) days following delivery of the written offer to consider their options. LEP persons must be provided a written translation of the offer and oral interpretation of any meetings or counseling in the appropriate language. In addition, PHAs must comply with their obligation to ensure effective communication with persons with disabilities.
- The resident cannot be asked to make a decision which will be implemented at a distant future time. Consequently, the resident may not provide written consent to an alternative housing option (and consequently, consent to voluntary permanent relocation) until after
the earlier of issuance of the NOIA or the effective date of the RCC. If a resident signs a written consent to accept an alternative housing option, that written consent is valid for 180 days. If relocation (after the applicable notice periods) has not occurred within this 180 day period, then the PHA or Project Owner must secure a new consent to accept an alternative housing option. New relocation notices are generally not required.

- The acceptance must be in writing signed by the resident head of household, including a certification of facts to document that the household is relinquishing its right to return and that the decision and the acceptance of the alternative housing option was fully informed and voluntary.
- Residents accepting alternative housing options to relinquish their right to return will be considered to have voluntarily and permanently relocated. Such residents are to be provided applicable RAD, URA and/or Section 104(d) relocation assistance and payments.

The information included with the offer of alternative housing options is to aid the resident in making decisions regarding the desirability of the alternative housing options and neither satisfies nor replaces the relocation notices and information required to be provided to residents pursuant to this Notice, the URA or Section 104(d).

While HUD does not require PHAs to submit documentation of alternative housing options offered to residents or the residents’ elections, PHAs must keep auditable written records of such consultation and decisions. HUD may request this documentation at any time, including as part of a review of the Checklist or if relocation concerns arise.

### 6.11. Lump Sum Payments

PHAs and Project Owners should note that certain relocation payments to displaced residential tenants may be subject to 42 USC § 3537c (“Prohibition of Lump-Sum Payments”) and must be disbursed in installments. The PHA or Project Owner may determine the frequency of the disbursements which must be made in installments. Handbook 1378, Chapter 3-7(D) provides guidance on the manner and frequency of disbursing payments subject to this requirement.

Any monetary element beyond Required Relocation Payments which may be associated with an alternative housing option described in Section 6.10, above, is not relocation assistance and is therefore not subject to the requirements regarding lump sum payments.

---

96 The PHA and Project Owner should note that securing resident consent to an alternative housing option may delay the issuance of the RAD Notice of Relocation. The RAD Notice of Relocation must be specific to whether the resident will be temporarily or permanently relocated.