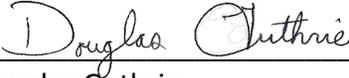


RESOLUTION AUTHORIZING THE CHAIRPERSON AND THE PRESIDENT AND CEO TO ADOPT REVISIONS TO THE SECTION 8 ADMINISTRATIVE PLAN SECTION 6.12.1, APPROVAL OF A LIVE-IN AIDE



 Douglas Guthrie
 President & Chief Executive Officer



 Carlos Van Natter
 Director of Section 8

Purpose: To comply with HUD requirements.

Issues: HACL A must adopt a written administrative plan that establishes local policies for administration of the program in accordance with HUD requirements, including but not limited to establishing subsidy standards to determine the number of bedrooms needed for families of different sizes and compositions.

HACL A strives to provide equal opportunity for all individuals, (including individuals with disabilities and families that include a member with disabilities), to participate in and benefit from programs that are administered by HACL A, including the approval of a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR part 8 to make the program accessible to and usable by the family member with a disability.

A family that consists of one or more elderly, near-elderly or disabled persons may request that HACL A approve a live-in aide to reside in the unit and provide necessary supportive services for a family member with disabilities.

The approval of a live-in aide in accordance with 24 CFR § 982.316 will result in the issuance of an additional bedroom size voucher.

To increase equal opportunity for all individuals and as part of the reasonable accommodation interactive process, HACL A will allow an existing family member to be designated as a live-in aide, if it is determined to be essential to the care and well-being of the person with disabilities, is not obligated for the support of the person with disabilities, would not be living in the unit except to provide the necessary supportive services, and is not entitled to Section 8 assistance as the remaining member of the tenant family, as provided by 24 CFR § 5.403.

In response to legal action and further review of HACL A's policy, HACL A is revising Section 6.12.1 to ensure consistency with 24 CFR § 5.403 and prevent an automatic disqualification of an existing household member to serve as a live-in aide.

Procurement: Not Applicable.

Vision Plan: **PATHWAYS Strategy No. 7, Identify opportunities to reduce operating and administrative costs so that scarce resources are maximized.**

An on-going review of program operations allows the Section 8 Department to identify and implement available regulatory relief intended to streamline program operations while maintaining required program compliance.

Funding: This approval requires no funds.

Environmental Review: Not Applicable.

Section 3: Not Applicable.

Attachments:

1. Resolution
2. Section 8 Administrative Plan Revisions

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CHAIRPERSON AND THE PRESIDENT AND CEO TO ADOPT REVISIONS TO THE SECTION 8 ADMINISTRATIVE PLAN SECTION 6.12.1, APPROVAL OF A LIVE-IN AIDE

WHEREAS, HACLA must adopt a written administrative plan that establishes local policies for administration of the program in accordance with HUD requirements, including but not limited to establishing subsidy standards to determine the number of bedrooms needed for families of different sizes and compositions;

WHEREAS, HACLA strives to provide equal opportunity for all individuals, (including individuals with disabilities and families that include a member with disabilities), to participate in and benefit from programs that are administered by HACLA, including the approval of a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR part 8 to make the program accessible to and usable by the family member with a disability;

WHEREAS, a family that consists of one or more elderly, near-elderly or disabled persons may request that HACLA approve a live-in aide to reside in the unit and provide necessary supportive services for a family member with disabilities;

WHEREAS, the approval of a live-in aide in accordance with 24 CFR § 982.316 will result in the issuance of an additional bedroom size voucher;

WHEREAS, to increase equal opportunity for all individuals and as part of the reasonable accommodation interactive process, HACLA will allow an existing family member to be designated as a live-in aide, if it is determined to be essential to the care and well-being of the person with disabilities, is not obligated for the support of the person with disabilities, would not be living in the unit except to provide the necessary supportive services, and is not entitled to Section 8 assistance as the remaining member of the tenant family, as provided by 24 CFR § 5.403; and

WHEREAS, in response to legal action and further review of HACLA's policy, HACLA is revising Section 6.12.1 to ensure consistency with 24 CFR § 5.403 and prevent an automatic disqualification of an existing household member to serve as a live-in aide.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the attached revision to Section 6.12.1 Approval of a Live-in Aide to the Section 8 Administrative Plan.

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

APPROVED AS TO FORM

HOUSING AUTHORITY OF THE
CITY OF LOS ANGELES

By: _____
James Johnson, General Counsel

By: _____
Cielo Castro, Chairperson

DATE ADOPTED: _____

Attachment No. 2: Section 8 Administrative Plan Revisions

Revise Section 6.12.1, Approval of a Live-in Aide, to read as follows:

(Strikeout = deleted text. ***Bold italics*** = added text)

6.12.1 Approval of a Live-in Aide

~~The~~ HACL A may approve a live-in aide for a family upon verification of need by a provider/worker subject to Section 13.3, *Refusal to Approve a Live-In Aide*, of this Administrative Plan.

If applicable, the requirements of the Rent Stabilization Ordinance of the City of Los Angeles (as amended) apply to any increase in the rent to owner which is allowed when an additional member is added to the tenant household. However, ~~the~~ HACL A must determine that the rent to owner is reasonable in accordance with the HAP Contract and that the owner abides by the terms of the lease and lease addendum prescribed by HUD. [See Section 11.19, *Changes in Rent to Owner*, of this Administrative Plan for information on the Rent Stabilization Ordinance.]

~~A person previously approved by the HACL A as a family member does not qualify as a live-in aide.~~

~~Notwithstanding the above, on a case by case basis, the HACL A may consider a former family member as a live-in aide.~~

HACL A will administer the approval of live-in aides in accordance with 24 CFR § 5.403, which defines a live-in aide as a person who resides with one or more elderly persons, or near-elderly person, or persons with disabilities, and who:

- (1) Is determined to be essential to the care and well-being of the persons;***
- (2) Is not obligated for the support of the persons; and***
- (3) Would not be living in the unit except to provide the necessary supportive services.***