Housing Authority of the City of Los Angeles
Year 2023 Agency Plan

DRAFT AGENCY PLAN

- Annual Plan for Fiscal Year 2023
- 5 Year Plan for Fiscal Years 2020 - 2024

June 10, 2022
The Housing Authority of the City of Los Angeles (HACLA) has developed and will be publishing its Draft Agency Plan for Fiscal Year 2023 in compliance with the Housing Reform Act of 1998. The 2023 Draft Agency Plan will be available for public review and comment beginning May 27, 2022 through August 18, 2022. The 2023 Draft Agency Plan can be reviewed during normal business hours at the Resident Council and HACLA management offices at the large family developments and also at:

Housing Authority of the City of Los Angeles – Central Office
2600 Wilshire Boulevard.
Los Angeles, CA 90057

Please note that comments received after the Public Hearing will not be considered or made part of the final 2023 Agency Plan. Please address any written communications to the Community Engagement Department at the address listed above.

The **Public Hearing for the 2023 Draft Agency Plan** will be held:

August 18, 2022
At 5:00 p.m.
Los Angeles Convention Center
Meeting Room 502AB
Concourse Meeting Rooms Section
1201 South Figueroa Street
Los Angeles, CA 90015-1399
(213) 741-1151

Should increases in COVID-19 cases or local regulation prohibit an in-person meeting, the meeting will be held virtually via Zoom. If needed, Zoom call-in information will be available at [www.hacla.org](http://www.hacla.org) one week prior to the meeting.
Board of Commissioners
Cielo Castro, Chairperson
Daniel Tenenbaum Vice-Chairperson
Noramay Cadena
Lucelia Hooper
Delfino De La Cruz Jr.
Ana Bryan
Taelor Bakewell

President & Chief Executive Officer (CEO)
Douglas Guthrie

Chief Administrative Officer (CAO)
Marlene Garza

Chief Programs Officer (CPO)
Margarita Lares

Chief Strategic Development Officer (CSDO)
Jenny Scanlin

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

[24 CFR Part 903.7 9 (r)]

The Housing Authority of the City of Los Angeles (HACLA) has prepared the following 2023 Agency Plan in compliance with Section 511 of the Quality Housing and Work Responsibility Act of 1998 and the ensuing HUD requirements. This 2023 Agency Plan contains updates to the Annual Agency Plan and 5-Year Plan for fiscal year 2022. Listed below are some of the primary goals that HACLA currently plans to pursue in the upcoming year and throughout the period covered by 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 2023 Annual Plan (the “2023 Annual Plan” or “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.**

The following information is for the completion and submission of HUD’s Agency Plan annual plan form HUD-50075-HP and the five-year plan form HUD-50075-5Y update.
Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low-income, very low-income, and extremely low-income families.

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

Definitions.

(1) High-Performer PHA – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments.

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

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

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

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

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

A. 1 General Information

PHA Name: Housing Authority of the City of Los Angeles
PHA Code: CA004
PHA Type: ☒ High Performer
PHA Plan for Fiscal Year Beginning: January 2023
PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)
Number of Public Housing (PH) Units: 6,488
Number of Housing Choice Vouchers (HCVs): 51,174
Other S8 Housing Assistance Programs: 5,790
Total Combined: 57,964  PHA Plan Submission Type: ☒ 5-Year Plan Submission
☐ Revised 5-Year Plan Submission

Availability of Information. 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. 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>
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<td>Lead PHA:</td>
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B. Plan Elements.

B.1 Revision of Existing PHA Plan Elements.

(a) Have the following PHA Plan elements been revised by the PHA?

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<tr>
<td>Y</td>
<td>N</td>
<td>Statement of Housing Needs and Strategy for Addressing Housing Needs</td>
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<td>Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</td>
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<td>Financial Resources.</td>
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<td>Rent Determination.</td>
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<td>Homeownership Programs.</td>
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<td>Safety and Crime Prevention.</td>
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<td>Significant Amendment/Modification</td>
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(b) If the PHA answered yes for any element, describe the revisions for each element below:

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

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% of 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). An applicant will be provided up to three (3) offers at three different locations, unless there is verified reasonable accommodation request for specific site or unit feature.

Preference for admission to the public housing program is as follows (all have equal “weight”) and per state public housing statutes, a priority among any preference shall be given to families of veterans or service members of the United States armed force:

1. working at least 20 hours per week at the State’s minimum wage and has been employed for a minimum of 6 months prior to the determination of eligibility; or

2. attending one or more accredited institutions of higher learning (college, trade school, vocational school) the equivalent of full-time (fulltime is defined by the policies or guidelines of the learning institution), and the course of study is expected to lead to employment; or

3. working and attending one or more accredited institutions of higher learning, and the combined total is at least 20 hours per week; or

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

6. disabled or age 62 years of age and older.

Based on the analysis of December 2021 income levels at the 12 family developments subject to this, most are “income neutral” falling between 85% of the HACLA average and 30% of the AMI. Three sites are “low” income and one site is 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. HACLA has adopted a robust Section 3 Policy and Compliance plan to ensure that contractors undertaking HACLA projects meet or exceed HUD labor hour benchmarks, 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 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 notify those higher income households of their “over-income” status. HUD has still 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>
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<tbody>
<tr>
<td><strong>1. Federal Grants (FY 2022 grants)</strong></td>
<td></td>
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<tr>
<td>a) Public Housing Operating Fund</td>
<td>$25,770,374</td>
<td>Operations</td>
</tr>
<tr>
<td>b) Public Housing Capital Fund</td>
<td>$24,558,367</td>
<td>Capital Improvements</td>
</tr>
<tr>
<td>c) Annual Contributions for Section 8 Tenant-Based Assistance</td>
<td>$734,019,847</td>
<td>Housing Assistance</td>
</tr>
<tr>
<td><strong>2. Other Federal Grants</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) HOPWA, Moderate Rehab, Continuum of Care, Supportive Housing, Family Self-Sufficiency</td>
<td>$63,814,122</td>
<td>Housing Assistance</td>
</tr>
<tr>
<td>b) MultiFamily Service Coordinators</td>
<td>$371,910</td>
<td>Resident Services</td>
</tr>
<tr>
<td>c) WIOA Cluster (Adult, Youth, Dislocated Worker)</td>
<td>$974,759</td>
<td>Workforce Training</td>
</tr>
<tr>
<td>d) Choice Neighborhood Implementation</td>
<td>$985,968</td>
<td>Capital Improvements</td>
</tr>
<tr>
<td>e) Temporary Assistance for Needy Families</td>
<td>$97,800</td>
<td>Workforce Training</td>
</tr>
<tr>
<td><strong>3. Public Housing Dwelling Rental Income</strong></td>
<td>$37,803,423</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>$2,829,671</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>c) Transformative Climate Communities</td>
<td>$2,000,000</td>
<td>Watts Neighborhood Development</td>
</tr>
</tbody>
</table>

**Total Resources** | $893,775,034 |
Rent Determination.

Rent Determination

Rent determination policies and procedures are found in the Section 8 Administrative Plan and the Public Housing ACOP for their respective programs. 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).

Homeownership Programs

In accordance with 24 CFR 982.625, “Homeownership Option: General”, HACLA supports programs and activities that support self-sufficiency for its participant families. 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 18.1, Program Purpose]

There is no homeownership program for the public housing program.

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 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). In 2022, HACLA will utilize Capital Fund Program (CFP) funds to expand and continue upgrading the camera systems at 12 of its 14 large public housing sites, as needed, with the exclusion of Jordan Downs and Rose Hills Courts due to those sites undergoing redevelopment projects. Additionally, HACLA will utilize a 2021 HUD $250,000 CFP Safety and Security grant to install new camera systems at Estrada, Imperial Courts, Mar Vista, Nickerson Gardens and Pueblo del Rio in 2022. HACLA will 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.

HACLA and LAPD agreed to a new 5-Year Memorandum of Agreement (MOA) in December 2020. The MOA’s term runs from January 1, 2021 to December 31, 2025 and seeks to re-envision CSP program operations and services in the community, drawing on stakeholders’ mutual experience over the past several years. The agreement draws on and reflects two recent program assessments conducted by independent researchers at the Urban Institute and UCLA, respectively.

For those sites without a CSP presence, site management works with the local LAPD division and the Senior Lead Officer (SLO) for the public housing development to coordinate any additional safety measures.
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. Animals that are needed to assist a member of the household with a disability are not considered a “pet” and do not have the same restrictions as “pets”. The HACLA Keeping of Animal Policy was developed with the input of residents and the Resident Advisory Board.

**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?

- [ ] Hope VI or Choice Neighborhoods.
- [ ] Mixed Finance Modernization or Development.
- [ ] Demolition and/or Disposition.
- [ ] Conversion of Public Housing to Tenant-Based Assistance.
- [ ] Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.
- [ ] Project-Based Vouchers.
- [ ] Units with Approved Vacancies for Modernization.
- [ ] Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

(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>Estimated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams Terrace</td>
<td>4347 &amp; 4314 W. Adams Blvd.</td>
<td>43</td>
<td>Individuals</td>
<td>12/9/2022</td>
</tr>
<tr>
<td>Amani Apartments</td>
<td>4200 W. Pico Blvd.</td>
<td>53</td>
<td>Individuals</td>
<td>7/19/2022</td>
</tr>
<tr>
<td>Ambrose Apartments</td>
<td>1615 W. Montana St.</td>
<td>63</td>
<td>Seniors</td>
<td>11/1/2022</td>
</tr>
<tr>
<td>Bell Creek Apartments</td>
<td>6940 N. Owensmouth Ave.</td>
<td>41</td>
<td>Individuals &amp; Families</td>
<td>11/30/2022</td>
</tr>
<tr>
<td>Berendo Sage</td>
<td>1035 S. Berendo St.</td>
<td>21</td>
<td>Individuals &amp; Families</td>
<td>7/22/2022</td>
</tr>
<tr>
<td>Broadway Apartments</td>
<td>301 W. 49th St.</td>
<td>34</td>
<td>Veterans</td>
<td>5/30/2022</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>3/15/2022</td>
</tr>
<tr>
<td>Chesterfield Apartments</td>
<td>4719 S. Normandie Ave.</td>
<td>42</td>
<td>Individuals</td>
<td>5/31/2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Individuals &amp; Families, Seniors</td>
<td>12/15/2022</td>
</tr>
<tr>
<td>Colorado East</td>
<td>2451 W. Colorado Blvd.</td>
<td>15</td>
<td>Families &amp; Seniors</td>
<td>12/31/2022</td>
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<tr>
<td>Firmin Court</td>
<td>418 N. Firmin St.</td>
<td>45</td>
<td>Individuals &amp; Families</td>
<td>6/15/2022</td>
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<tr>
<td>HiFi Collective (formerly Temple View)</td>
<td>3200 W. Temple Ave.</td>
<td>63</td>
<td>Individuals</td>
<td>5/20/2022</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Individuals &amp; Veterans</td>
<td>9/30/2022</td>
</tr>
<tr>
<td>Isla De Los Angeles</td>
<td>283 W. Imperial Hwy.</td>
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<td>Individuals &amp; Veterans</td>
<td>6/30/2022</td>
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<tr>
<td>Jordan Downs Area H</td>
<td>9901 S. Alameda St.</td>
<td>49</td>
<td>Non-Homeless</td>
<td>3/18/2022</td>
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<tr>
<td>Jordan Downs Phase S3</td>
<td>9901 S. Alameda St.</td>
<td>48</td>
<td>Non-Homeless</td>
<td>6/15/2022</td>
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<tr>
<td>La Prensa Libre</td>
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<td></td>
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<tr>
<td></td>
<td>(formerly Washington/LA Apartments)</td>
<td>206 E. Washington Blvd.</td>
<td>TAY</td>
<td>11/30/2022</td>
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<tr>
<td>LAMP Lodge</td>
<td>656 S. Stanford Ave.</td>
<td>40</td>
<td>Individuals</td>
<td>6/15/2022</td>
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<tr>
<td>Marcella Gardens (68th &amp; Main)</td>
<td>6714 S. Main St.</td>
<td>59</td>
<td>Veterans, Individuals &amp; TAY</td>
<td>7/15/2022</td>
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<tr>
<td>Marian Place</td>
<td>2213 S. Marian Place</td>
<td>8</td>
<td>Individuals &amp; Families</td>
<td>12/1/2022</td>
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<tr>
<td>Missouri Place Apartments</td>
<td>11950 W. Missouri Ave</td>
<td>44</td>
<td>Families &amp; Individuals</td>
<td>3/8/2022</td>
</tr>
<tr>
<td>Pueblo Del Sol Phase 1</td>
<td>1400 E. Gabriel Garcia Marquez St.</td>
<td>42</td>
<td>Non-Homeless</td>
<td>7/31/2022</td>
</tr>
<tr>
<td>Pueblo Del Sol Phase 2</td>
<td>1300 Plaza Del Sol E</td>
<td>34</td>
<td>Non-Homeless</td>
<td>12/31/2022</td>
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<tr>
<td>Project Name</td>
<td>Address</td>
<td>Unit Count</td>
<td>Target Group</td>
<td>Date</td>
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<tr>
<td>-----------------------------------------</td>
<td>----------------------------------------------</td>
<td>------------</td>
<td>------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Reseda Theater Senior Housing</td>
<td>7221 N. Canby Ave.</td>
<td>13</td>
<td>Seniors</td>
<td>7/1/2022</td>
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<tr>
<td>Rose Apartments</td>
<td>720 E. Rose Ave.</td>
<td>34</td>
<td>Individuals &amp; TAY</td>
<td>3/15/2022</td>
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<tr>
<td>Rose Hill Courts Phase I</td>
<td>4446 Florizel Street</td>
<td>89</td>
<td>Non-Homeless</td>
<td>5/30/2023</td>
</tr>
<tr>
<td>Rose Hill Courts Phase II</td>
<td>3521 North Mckenzie Avenue</td>
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<td>Non-Homeless</td>
<td>9/30/2025</td>
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<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>8/30/2022</td>
</tr>
<tr>
<td>Serenity Apartments</td>
<td>923 S. Kenmore Ave.</td>
<td>74</td>
<td>Seniors</td>
<td>10/7/2022</td>
</tr>
<tr>
<td>Silva Crossing Apartments</td>
<td>12667 N San Fernando Rd</td>
<td>55</td>
<td>Individuals</td>
<td>6/1/2022</td>
</tr>
<tr>
<td>Summit View Apartments</td>
<td>11681 W. Foothill Blvd.</td>
<td>48</td>
<td>Veterans</td>
<td>6/10/2022</td>
</tr>
<tr>
<td>Sun Commons</td>
<td>6345 N. Clybourn Ave.</td>
<td>51</td>
<td>Families &amp; Individuals</td>
<td>9/23/2022</td>
</tr>
<tr>
<td>Talisa Apartments</td>
<td>9502 N. Van Nuys Blvd.</td>
<td>48</td>
<td>Individuals, Families, DV</td>
<td>10/7/2022</td>
</tr>
<tr>
<td>Vermont Corridor Apartments</td>
<td>433 S. Vermont Ave.</td>
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<td>Seniors</td>
<td>9/15/2022</td>
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<td>West LA VA Campus Bldg 205</td>
<td>11301 Wilshire Blvd., Bldg 205</td>
<td>67</td>
<td>Veterans</td>
<td>8/20/2022</td>
</tr>
<tr>
<td>West LA VA Campus Bldg 208</td>
<td>11301 Wilshire Blvd., Bldg 208</td>
<td>53</td>
<td>Veterans</td>
<td>8/20/2022</td>
</tr>
<tr>
<td>West Terrace (6604 West)</td>
<td>6604 S. West Blvd.</td>
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<td>Individuals &amp; Families</td>
<td>10/7/2022</td>
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<tr>
<td>West Third Apartments</td>
<td>1900 W. Third St.</td>
<td>136</td>
<td>Veterans</td>
<td>7/30/2022</td>
</tr>
</tbody>
</table>

**HOPE VI or Choice Neighborhoods (CN) Implementation Grants**

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 are 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 and other 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 and the area around William Mead. HACLA has received Choice
Neighborhoods Planning grant for Rancho San Pedro and William Mead has received a Choice Neighborhoods Implementation grant for the Watts Rising neighborhood incorporating the Jordan Downs site.

**William Mead**

In 2021, following conversations with the William Mead Resident Advisory Council and the Los Angeles City Council Office, HACLA engaged a consultant to assist in the preparation and submission of an application for a CNI planning grant, and HACLA was subsequently awarded a $450,000 grant. At the same time, HACLA initiated a robust community engagement and education process to obtain input from residents and community stakeholders, and HACLA will continue to engage residents throughout the planning process and through implementation. HACLA believes 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, businesses 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. As part of the redevelopment planning for William Mead over the coming year, HACLA may submit a RAD application to HUD to maximize resources for RAD conversion of some of the units on the site.

**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 includes 133 affordable units and 2 manager units. Construction was completed by November 2020 and full occupancy was achieved in June 2021. The Project is scheduled to achieve perm conversion by mid-year FY2022.

Phase 1C is a 115,000 square-foot neighborhood retail center. HACLA worked with an experienced urban commercial retail developer, Primestor Development, Inc., on development of 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 all major retailers was completed by Fall 2020. Operations by some retailers began in January 2020, with the grand opening of Smart & Final grocery store and Blink Fitness followed by the lease up of 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 93% leased up.

Phase Area H is 80 units comprised of 1, 2, 3 & 4 bedroom units. 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 was completed in March 2022 while occupancy started in May 2022.

Phase S2 achieved financial closing in June of 2021 and is under construction. Construction is approximately 50% complete with an expected completion date of June 2023. Phase S2 is an 81 unit project consisting of 63 PBV units, 17 RAD units and one manager’s unit. S2 is being funded with private activity bonds, 4% low income housing tax credits and Transformative Climate Communities (TCC) funds that primarily provide gap financing. S2 was also awarded a $2,000,000 infill infrastructure grant award.

Phase S3 achieved financial closing in March 2020 and construction began shortly thereafter. Construction completion is approximately 90% with an expected completion date of August 2022. This phase will include 91 affordable units and 1 manager unit. Occupancy is projected to begin starting in September 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 manager’s unit. S3 is funded with federal and state tax credit and AHSC for primary gap financing in addition to a 9% LIHTC and conventional financing.

Area H2A achieved financial closing in April 2022 and is now under construction. Expected construction completion date will be in October 2023. H2A is a 76-unit project with 61 affordable units, 14 market rate units, and 1 manager’s unit. Forty-five units will have PBVs, and there will be 9 RAD units. The project was funded with 9% federal low-income housing tax credits, a CNI loan, and gap funding.

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. Since then seven additional new streets have been built out by the development team as arterial roadways off Century Boulevard.

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

**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</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 2017, 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, the HACLA BOC approved the selection of the Richman Group (Richman) and their One San Pedro Collaborative partners (including, National CORE and Century Housing) 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. 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 2017, 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 identified over 30 partners that serve on the Alliance, an organized group of human capital providers and our Community Advisory Committee, which guides the entire Transformation Plan.

In early 2019, HACLA began engaging the community around Action Activities, in conjunction with the neighborhood planning process. The implementation of the Action Activities Plan will help to create continued momentum throughout the planning process and build upon the neighborhood needs outlined in the Transformation Plan that was approved by HUD in March 2020. HACLA and the Los Angeles Harbor Department (Port of Los Angeles Harbor Department (Port of Los Angeles) executed a Memorandum of Understanding (MOU) in April 2021 with HACLA and the Los Angeles Harbor Department (aka, The Port of Los Angeles) to coordinate on the Harbor Boulevard Improvements Project as part of the Action Activity Plan. HACLA engaged a design team for the park in 2021 and 2022, and executed a bid with a contractor to begin
construction in the summer of 2022. The Action Activity project will be completed in the first quarter of 2023. 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 drafting the Specific Plan and the CEQA and NEPA process.

In addition, as of February 2021, HACLA and the development team are working with residents on the creation of a relocation plan for Rancho San Pedro. The team has also begun to identify additional sites near the property that may be acquired to be used for replacement housing as part of the redevelopment, including 327 S. Harbor Blvd which the developer has under contract and will begin assembling financing with the aim of beginning construction in 2023. Financing for the site may include low-income housing tax credits, tax-exempt bonds, state HCD funds and Affordable Housing and Sustainable Communities funds, HACLA gap funds, and Project Based Vouchers.

Mixed Finance Modernization or Development:

<table>
<thead>
<tr>
<th>Name of Development</th>
<th>New Dana Strand Phase I (HarborView Place)</th>
<th>New Dana Strand Phase II (Wilmington Townhomes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Number</td>
<td>CA004000225</td>
<td>CA004000228</td>
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<tr>
<td>Number of PH Units</td>
<td>48</td>
<td>46</td>
</tr>
<tr>
<td>Total Number of Units</td>
<td>120</td>
<td>116</td>
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In FY 2022-23 HACLA, itself or through an instrumentality, intends to exercise its rights under the Option and Right of First Refusal Agreements for the first two phases of the New Dana Strand mixed-finance development, also known as Harbor View Place and Wilmington Townhomes. This may result in the purchase of the limited partner interests in one or both of the current owner entities or the purchase of one or both of the projects themselves. In the event the limited partner interests are purchased, appropriate notice will be given to HUD. In the event the projects themselves are to be purchased, HACLA will seek the appropriate mixed-finance approvals from HUD.

Faircloth to RAD Conversion

In accordance with guidance from HUD under guidance of 24 CFR 905.604 subpart F, HACLA currently has been designated 1,910 of available Faircloth-to-RAD units for development. HACLA has preliminarily expressed its interest in entering into a Rental Assistance Demonstration (“RAD”) contract with a third-party development team comprised of Related California, or its subsidiary, and other members for the development of new housing units on a state-owned parcel of land at 1405 S. Broadway Street in Los Angeles, subject to HUD and HACLA Board of Commissioners’ approval. The RAD contract will provide rental assistance for a minimum of eight-eight (88) RAD
Units between the Senior and Family communities. HACLA has submitted a request for a Notice of Anticipated Rents for the Faircloth units. HACLA also expects to receive additional proposals for the construction and Faircloth-to-RAD conversion of additional units through its Solicitation for Innovative Partnerships over the coming year. All such partnerships will require the approval of the HACLA Board of Commissioners, and will be done in accordance with HUD regulations.

**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.

**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>
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<tbody>
<tr>
<td>1a. Development name: <strong>Jordan Downs</strong></td>
</tr>
<tr>
<td>1b. Development (project) number: <strong>CA004000416</strong></td>
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<td>2. Activity type: Demolition ✗ Disposition ✗</td>
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</table>

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3. Application status (select one)
   - Approved ✗
   - Submitted, pending approval ☐
   - Planned application ☐

4. Date application approved, submitted, or planned for submission:
   - Submitted – 3/14/2016
   - Approved – 6/3/2016

5. Number of units affected: 630

<table>
<thead>
<tr>
<th>Bedroom Type</th>
<th>Number of Units</th>
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<tbody>
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<td>One Bedroom</td>
<td>74</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>233</td>
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<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 -
   - ✗ 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: 12/31/2026

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**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 the 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.

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. All existing tenants in the Phase I footprint were relocated between December 2020 and February 2021 in accordance with the Relocation Plan.

Over the past five 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. In FY2020, HACLA applied and received approval from HUD for the multi-phase Section 18 Disposition and Demolition of 89 units in Rose Hill Courts. The Project also received award for 13 Tenant Protection Vouchers. HACLA will be applying for additional 76 TPVs in FY2022 prior to the relocation of the residents in the second phase.

By April 2021 HACLA completed the Abatement and Demolition of Admin Building & 6 Residential buildings in Phase I. In mid-2021, after receiving all the necessary Federal, State and Local funding, the Phase I project comprising 89 units of which 11 Rental Assistance Demonstration ("RAD") units and 77 non-RAD Section 8 Project Based Voucher ("PBV") units and a manager unit achieved financing closing and is under construction. All 88 units are replacement units and will be made available to tenants of Rose Hill Courts based on seniority and with a preference for those households required to move off-site in order to construct Phase I. The first building in this Phase is expected to receive Temporary Certificate of Occupancy (TCO) by Dec 2022 and lease-up will begin soon thereafter while the second building will receive TCO in April 2023, with the overall completion scheduled to occur by May 2023.

HACLA and its Development partner, Related CA are working on the Financing Plan for Rose Hill Courts Phase II project. Based on funding availability, HACLA anticipates closing by early FY2024 and will begin the construction of 96 affordable apartments on the remaining land of which 95 units will be regular PBV units. HACLA entered into a First Amendment to the Disposition and Development Agreement ("DDA") with Related for Rose Hill Courts Phase II Project to remove approximately 0.33 acres of land that will be improved as central open space from the Phase II ground lease area. HACLA will amend the Phase I land area and add the open space to that Ownership phase once improvements are complete. The DDA Amendment will impose obligations upon the Phase II ownership to construct the central open space improvements. Both Phase I and Phase II ownership will enter into a shared use agreement for the common areas. HACLA will seek HUD approval for amending the multi-phase Section 18 Disposition and Demolition approval.

<table>
<thead>
<tr>
<th>Demolition/Disposition Activity Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a. Development name: <strong>Rose Hill Courts (part of the Ramona Gardens AMP)</strong></td>
</tr>
<tr>
<td>1b. Development (project) number: <strong>CA004000401</strong></td>
</tr>
<tr>
<td>2. Activity type: Demolition ☒ Disposition ☒</td>
</tr>
<tr>
<td>3. Application status (select one)</td>
</tr>
<tr>
<td><strong>Approved</strong> ☒</td>
</tr>
<tr>
<td>Submitted, pending approval ☐</td>
</tr>
<tr>
<td>Planned application ☐</td>
</tr>
</tbody>
</table>
4. Date application approved, submitted, or planned for submission:
   Approval – 09/23/2020

5. Number of units affected: up to 89

6. Coverage of action (select one)
   □ Part of the development -
   ☑ Total development(s) –

7. Timeline for activity:
   a. Actual or projected start date of activity: 11/01/2020
   b. Actual end date of activity: 2025

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: Rancho San Pedro</td>
</tr>
<tr>
<td>1b. Development (project) number: CA004000404</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</td>
</tr>
<tr>
<td>planned for submission: Planned for</td>
</tr>
<tr>
<td>Submission – 9/1/2022</td>
</tr>
</tbody>
</table>
5. Number of units affected: **478**
6. Coverage of action (select one)
   - [ ] Part of the development -
   - [x] Total development(s) – (phase demo/dispo per phasing plan to be determined)

7. Timeline for activity:
   a. Actual or **projected** start date of activity: **7/01/2023**
   b. Actual end date of activity: not available

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**Potential Watts Acquisition Section 18 Disposition/Transfer to HACLA Asset Management**

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 transferred these properties to HACLA Asset Management for administration via third party management as of February 2022. Asset Management will carry out a Section 18 Disposition through RAD Conversion, which includes the transfer of ownership to a HACLA non-profit instrumentality and third-party property management. Asset Management will conduct resident meetings to discuss the plans and secure approval from the Board of Commissioners.

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**Demolition/Disposition Activity Description**

1a. Development name: **Jordan - Scattered**
1b. Development (project) number: **CA004000999**

2. Activity type: Demolition Disposition
   - [ ]
   - [x]

3. Application status (select one)
   - [ ] Approved
   - [ ] Submitted, pending approval
   - [x] Planned application

---
4. Date application approved, submitted, or planned for submission:
   Planned for Submission – late 2022

5. Number of units affected: 34

6. Coverage of action (select one)
   [ ] Part of the development -
   [x] Total development(s)

7. Timeline for activity:
   a. Actual or projected start date of activity: late 2023
   b. Actual end date of activity: TBD

Conversion of Public Housing to Tenant-Based Assistance.

HACLA does not plan on converting any additional Public Housing to Tenant Based Assistance in 2023.

Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers 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>CA004000416</td>
</tr>
<tr>
<td>Number of Units to be converted to RAD</td>
<td>246</td>
</tr>
</tbody>
</table>

Although HACLA’s 2013 and 2015 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 received a multi-phase award for 81 more Rental Assistance Demonstration units for future phases of Jordan Downs in April 2022.

HACLA 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 were 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 Credit units that are deed restricted to between 30% and 50% of AMI. The 250 new units were constructed on the adjacent remediated vacant land. Families, depending on their preference, were given the choice to move into the replacement units within these developments 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 to move to an available comparable public housing unit within a different public housing development owned by HACLA, if a unit was available at the time of their relocation. HACLA 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 H2a and H2b (formerly known as Area G).

On September 5, 2019, HUD notified HACLA, the Multi-Phase award of 190 RAD units received in 2016 was being converted to a Portfolio Award with 451 RAD units. The portfolio award was expanded to all conversion sites and has been exhausted.

In October 2020, HACLA was awarded a $35 million CNI implementation grant from HUD. The revised Housing Plan approved by HUD, specifies 214 RAD units allocated between Phase 1B through Phase S7. An additional 32 RAD units was converted for Phase 1A and not shown on the HUD CNI Housing Plan.

Of the 246 RAD units, HACLA has converted 32 units in Phase 1A, 38 RAD units in Phase 1B and has a CHAP for an additional 95 units for Area H, S3, S2, and H2A, and H2B. HACLA was issued CHAPs in April 2022 for the remaining 81 RAD units for the future phases of S4, S5, H3A, H3B, S6, and S7 of the Jordan Downs redevelopment project.

Below, please find specific information related to the Public Housing development selected for the remaining 176 RAD Units that will be converted as part the Jordan Downs redevelopment:
Name of Public Housing Development: Jordan Downs

<table>
<thead>
<tr>
<th>Bedroom Type</th>
<th>Number of Units Pre-Conversion</th>
<th>Number of Units Post-Conversion</th>
<th>Change in Number of Units per Bedroom Type and Why: (De Minimis Reduction, Transfer of assistance, Unit Reconfigurations, etc.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Bedroom</td>
<td>20</td>
<td>14</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>64</td>
<td>64</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>69</td>
<td>80</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Four Bedroom</td>
<td>16</td>
<td>16</td>
<td>Unit reconfiguration*</td>
</tr>
<tr>
<td>Five Bedroom</td>
<td>6</td>
<td>2</td>
<td>Unit reconfiguration*</td>
</tr>
</tbody>
</table>

If performing a Transfer of Assistance: NA

Note:

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.
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.

**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>34</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**

HACLA may submit a RAD application for Rancho San Pedro in FY2023.

<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>Up to 478</td>
</tr>
</tbody>
</table>

HACLA may submit a RAD application for William Meade Homes in FY2023.

<table>
<thead>
<tr>
<th>Name of Development</th>
<th>William Meade Homes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Number</td>
<td>CA004000406</td>
</tr>
<tr>
<td>Number of Units to be converted to RAD</td>
<td>Up to 416</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 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. HACLA submitted a Retention Application in FY2021 and expects to receive HUD approval in FY2022 upon which, HACLA will take the necessary steps to release HUD's Declarations of Trust on these parcels. 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
- *Westbrook v Housing Authority of the City of Los Angeles*, HUD Case Nos. 09-19-5786-8 & 09-19-5786-4

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 6,573\(^1\) 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 the City of Los Angeles Housing Department 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 has received an allocation of 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. As units are removed from PIC, HACLA will make annual requests for draw down of its Tenant Protection Vouchers and returning tenants will be provided with these replacement vouchers.

HACLA projects the Jordan Downs redevelopment to require approximately 650 PBV units, comprising replacement and non-replacement units. The PBVs will be administered as replacement TPVs and through HACLA’s own PBV authority.

**Rose Hill Courts**

HACLA shall require Section 8 project-based vouchers (PBV) to be utilized as replacement housing for Rose Hill Courts. Under the Section 18 Demolition/Disposition approval, HACLA is eligible for 89 Replacement Tenant Protection Vouchers (TPVs) that will be made available first to assist displaced residents and remaining replacement TPVs will be project based. Rose Hill Courts

\(^1\) Homeless Initiatives as of March 2021
revitalization project will require up to 172 PBV units, comprising 77 PBVs for Phase I and 95 PBVs for Phase II.

**Pueblo Del Sol**

HACLA has converted 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.

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 will initially attach PBVs to a minimum of 31 units in Phase I and 19 units in Phase II that 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 the remaining Tax credit units. Therefore, HACLA will 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>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 H2A (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>66</td>
<td>H2A is the sixth project of the Jordan Downs Redevelopment. This 9% LIHTC new construction project is a 76-unit affordable residential development with a total of 45 Section 8 PBV units, 9 RAD units, 7 Tax Credit only units, 14 unrestricted units and 1 Manager Unit. Hard costs are projected at approximately $466,320 per unit.</td>
</tr>
<tr>
<td></td>
<td>Project Name</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>Unit Count</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>e)</td>
<td>Jordan Downs Phase H2B (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>45</td>
</tr>
<tr>
<td>f)</td>
<td>Jordan Downs Phase S4 (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>48</td>
</tr>
<tr>
<td>g)</td>
<td>Jordan Downs Phase S5 (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>32</td>
</tr>
<tr>
<td>h)</td>
<td>Rose Hill Courts Phase I (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>77</td>
</tr>
<tr>
<td>i)</td>
<td>Rose Hill Courts Phase II (New Construction)</td>
<td>Ground Lessor/Managing General Partner of the Limited Partner Ownership</td>
<td>95</td>
</tr>
</tbody>
</table>
j) Pueblo Del Sol Phase I (Rehabilitation)  
Ground Lessor/Managing General Partner of the Limited Partner Ownership  
88 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 is currently undergoing an acquisition/resyndication/rehabilitation/RAD conversion with 4% LIHTC and Tax Exempt Bonds. 112 PH units have been converted under RAD, while 8 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 $81,000 per unit.

k) Pueblo Del Sol Phase II (Rehabilitation)  
Ground Lessor/Managing General Partner of the Limited Partner Ownership  
63 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 is currently undergoing an acquisition/resyndication/rehabilitation/RAD conversion with 4% LIHTC and Tax Exempt Bonds. 112 PH units have been 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 53 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 $87,000 per unit.

HACLA may also decide to allocate PBVs to the future redevelopment of William Mead, which is beginning a planning process this year.

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.
Units with Approved Vacancies for Modernization

Annually HACLA is required to utilize Capital Funds to make repairs to dwelling units that are outside the regular unit turnover or daily maintenance routines. Reasons for such work include: the abatement of asbestos containing materials (ACM) in the flooring and subsequent reflooring of units if testing show a presence of ACM; repairs due to fire damage, exensice mold damage or other environmental hazard; other physical damage to the unit. Such vacancies are approved by HUD in accordance with PIH Notice 2021-35 (and earlier versions of such guidance).

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

B.3 Progress Report

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

For the Public Housing program, progress on the 5-Year Goals include: HACLA’s use of Capital Funds is driven by the items identified in the most recent Physical Needs Assessment (PNA) as well as from input from residents and site staff.

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 developed a twenty-five (25) year Vision Plan called Build HOPE (Housing Opportunity People Excellence).

Development of the plan began in February 2016, when 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. After over two years of community engagements, evaluation and internal vetting, the Vision Plan was adopted by the Board of Commissioners and published January 2019.
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

HACLA developed 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 included which will inform the implementation strategy for the Vision Plan and a database of community organizations creates a roadmap for future partnerships.

Since then, HACLA has initiated staff training and plan implementation of the strategies and actions set forth for year one and beyond. The Vision Plan will be revisited every five years for updates and re-evaluation. However, regular reports on progress against key objectives and indicators in the plan is provided to the Board of Commissioners on at least an annual basis.

B.4 Capital Improvements.

Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.

The current 5-Year Action Plan from 2021 through 2025 was approved by HUD on May 20, 2021.

B.5 Most Recent Fiscal Year Audit.

(a) Were there any findings in the most recent FY Audit?

Y ☐ N ☒

(b) If yes, please describe:

C. Other Document and/or Certification Requirements.
C.1 Resident Advisory Board (RAB) Comments.

(a) Did the RAB(s) have comments to the PHA Plan?

Y ☑ N ☐

(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.

(See Attachment 3 in Final & Final Draft Document)

C.2 Certification by State or Local Officials.

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

(See Attachment 4 in Final & Final Draft)

C.3 Civil Rights Certification 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.4 Challenged Elements.

If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.

Did the public challenge any elements of the Plan?

Y ☑ N ☐

(See Attachment 3 in Final & Final Draft Document)
D. **Affirmatively Furthering Fair Housing (AFFH).**

D.1 **Affirmatively Furthering Fair Housing (AFFH).**

Provide a statement of the PHA’s strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.

**Fair Housing Goal:**

Describe the fair housing strategies and actions to achieve the goal. (for each goal listed)

State the PHA’s mission for serving the needs of low-income, very low-income, and extremely low-income families in the PHA’s jurisdiction for the next five years.

**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 2022 Capital Grant funding year, the Housing Authority received $24,558,367 in Capital Grant funds. HACLA will transfer 20% of its award to public housing operations to supplement the ordinary maintenance and operations of the public housing developments. Another 10% 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 $600,000 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 $4,200,000 for improvements at all the public housing sites, including $2,500,000 for ADA accommodations, $1,000,000 for asbestos abatement, $350,000 for the repair of fire damaged units, and $350,000 for equipment purchases, including stoves and refrigerators.

The balance of $12,390,858 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, interior renovations of the residential units and lead based paint abatement and exterior repaint of the sites and the demolition, disposition and relocation activities associated with Jordan Downs redevelopment. Included in the $12.39 million is the reservation of $350,000 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.

D.1 Capital Improvements.

Capital Improvements.

The current 5-Year Action Plan from 2021 through 2025 was approved by HUD on May 20, 2021.
Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low-income, very low-income, and extremely low-income families.

Applicability. Form HUD-50075-5Y is to be completed once every 5 PHA fiscal years by all PHAs.

5-Year Plan Information

A. PHA Information

For PHA information refer to the PHA information section on the Annual Plan section at the beginning of this document.

B. 5-Year Plan. Required for all PHAs completing this form.

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 or work toward the following goals:

- 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 toward 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:

- Offer automated and streamlined service options, including: Automated Clearing House (ACH) direct deposit for Housing Assistance Payments (HAP) to landlords and the Walk-in Payments (WIPs) system and Rent Café portal for public housing residents. These changes are being implemented to expedite payments, reduce the agency’s environmental footprint, 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 criteria:

- 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 criteria 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.

- 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.

- In FY2020, HACLA received Section 18 demolition and disposition approval from HUD for 89 units of the Rose Hill Courts project and entered into a Converting Awaiting Transfer (“CAT”) agreement for the early demolition and conversion of 7 vacant RAD units located in the Phase I footprint.
In FY2020, HACLA received CHAP award for the RAD conversion of the public housing units at Pueblo Del Sol Phase I and Phase II and achieved resyndication/RAD conversion/PBV conversion of eligible Tax credit units for the Pueblo Del Sol Phase I project.

In FY2021, HACLA achieved the resyndication/RAD conversion/PBV conversion of eligible Tax credit units for the Pueblo Del Sol Phase II project. HACLA achieved Section 18 Disposition approval for the disposition of a few small non-dwelling properties originally associated with the prior Aliso Village project to be conveyed to the Los Angeles Unified School District as part of a land exchange.

**Violence Against Women Act (VAWA) Goals**


**Significant Amendment or Modification**

- See section on Significant Amendment of the Annual Plan.

**Resident Advisory Board (RAB) Comments**

(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?

Y N

(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.

- 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 2023 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 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.

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.
## PHA Inventory

### HUD Programs Under PHA Management

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Units or Families Served at Year Beginning 2022</th>
<th>Expected Annual Turnover</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Housing</td>
<td>6,488</td>
<td>260</td>
</tr>
<tr>
<td>S8 Vouchers &amp; Portability</td>
<td>29,412</td>
<td>1471</td>
</tr>
<tr>
<td>HUD-VASH(^2)</td>
<td>2,667</td>
<td>343</td>
</tr>
<tr>
<td>Non-Elderly Disabled</td>
<td>281</td>
<td>14</td>
</tr>
<tr>
<td>Family Unification Program</td>
<td>247</td>
<td>12</td>
</tr>
<tr>
<td>Tenant Protection</td>
<td>1,002</td>
<td>50</td>
</tr>
<tr>
<td>Mainstream Year 5</td>
<td>120</td>
<td>6</td>
</tr>
<tr>
<td>Welfare to Work</td>
<td>197</td>
<td>10</td>
</tr>
<tr>
<td>Project-Based Voucher</td>
<td>4,978</td>
<td>249</td>
</tr>
<tr>
<td>WL Limited Preference Homeless</td>
<td>3,773</td>
<td>189</td>
</tr>
<tr>
<td>WL Limited Preference TBSH(^3)</td>
<td>637</td>
<td>32</td>
</tr>
<tr>
<td>WL Limited Preference HVI(^4)</td>
<td>138</td>
<td>7</td>
</tr>
<tr>
<td>S8 Homeownership</td>
<td>28</td>
<td>1</td>
</tr>
<tr>
<td>Public Housing Drug Elimination Program (PHDEP)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>HOPE VI</td>
<td>64</td>
<td>3</td>
</tr>
<tr>
<td>Continuum of Care</td>
<td>3,711</td>
<td>260</td>
</tr>
<tr>
<td>Section 8 Moderate Rehabilitation</td>
<td>1,090</td>
<td>55</td>
</tr>
<tr>
<td>HOPWA(^5)</td>
<td>159</td>
<td>8</td>
</tr>
</tbody>
</table>

**Total Expected Turnover**

| Grand Total Section 8 Programs                   | 48,504                                         | 2,970                    |

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\(^2\) VASH – Veterans Affairs Supportive Housing Program  
\(^3\) TBSH - Tenant Based Supportive Housing Program  
\(^4\) HVI – Homeless Veterans Initiative  
\(^5\) HOPWA - Housing Opportunities for Persons With AIDS Program
Note: Supporting Documents

All supporting documents for FY 2023 Agency Plan can be viewed at HACLA’s Central offices located at:

2600 Wilshire Blvd. 3rd Floor
Community Engagement Department
Los Angeles, CA. 90057
<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

2. 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, medical condition, sexual orientation, marital status, source of income, familial status, genetic information, gender, gender expression, or gender identity, or military or veteran status 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.

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

D. Application Requirements

4. At the very least, the HACLA will verify the following:

   Following the initial determination of eligibility, subsequent eligibility determination(s) may be required to ensure that the Applicant’s verification documents are no older than 120 days prior to initial lease signing.
E. Changes Following the Initial Certification and any Subsequent Eligibility Determination and Prior to Unit Leasing

Any changes to the household composition or income following initial certification eligibility determination and prior to the Applicant signing a lease with the HACLA must be reported by the Applicant to the Application Center for recertification.

*****

F. Removal of Applicant from the Waiting List

1. Under any of the following conditions, applicants will be removed from the waiting list:

   ****

   c. The applicant failed to respond to the HACLA’s first class mail correspondence and/or email to confirm their continued interest in public housing during an update of the waiting list;

   *****

   e. The applicant failed to keep a scheduled interview or failed to respond to the HACLA regarding information that is necessary to process the application or to remain on the waiting list.

   For these applicants, the HACLA will notify the applicant via first class mail and/or email that they have 10 working days to reschedule the interview or to provide the requested information. The applicant will be removed from the waiting list if they failed to respond within the period.

   *****

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 Public Housing Application Center that they would like their name removed from the application.

   b. If the Applicant or Co-Applicant does not attend (or participate in) the scheduled interview eligibility determination.

   *****

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.

*Applicants reinstated to the waiting list will retain their most recent application date/time.*

H. Splitting of an Application

1. At any time before the interview *initial eligibility determination*, the Applicant and Co-applicant can split their application and their place(s) on the waiting list shall be appropriately adjusted.

****

J. Suspension of Application Taking.

1. Any time the number of eligible applicants on the waiting list is such that there is no reasonable prospect that additional applicants could be housed within a reasonable period of time as deemed by the HACLA, the President/CEO may suspend the taking of further applications. Such suspension shall be publicly announced. When the decision is made to resume taking applications, that action shall also be publicly announced.

*Such suspensions can be for one or more bedroom sizes as appropriate.*

2. During periods of suspension, HACLA shall not maintain a listing of the names and addresses of persons expressing a desire to apply for participation in the program.

****

L. Local Preferences

*****

3. Applicants may claim qualification of a local preference when they apply for admission to the program or thereafter until they are offered a unit. *have entered into a Rental Agreement.* *Any claim to a preference will require verification of such claim.*

4. Prior to executing a Rental Agreement, the applicant must maintain any *the most recent* preference status previously verified by HACLA during eligibility determination.

*****

III. RENT DETERMINATIONS

A. Initial Occupancy

*****
For new tenants, the Authority will access HUD’s Enterprise Income Verification (EIV) system approximately 120 days following initial lease date to ensure that there was no unreported income at the time of move in. If the EIV report indicates unreported income, the family will be called in and rent may be recalculated and eligibility for admission to the public housing program reevaluated.

*****

C. Flat Rents

*****

5. In accordance with HUD guidance, residents paying the Flat Rent will receive the utility allowance for that unit beginning with their next annual income review following October 8, 2015. The Flat Rent will be 80% of the SAFMR less the UA as set for each dwelling unit.

*****

I. Posting of Payment Charges

Payments made for rent, excess utility usage, services, or other charges shall be credited in the following order:

1. Rent
2. Security deposit
3. Excess utility
4. Maintenance and Other Services
5. Other charges, including late fees
6. Amounts due under a repayment agreement with the HACLA.

The oldest obligation within any of the above classifications will be the first to be retired, unless required otherwise due to federal or state legislation.

*****

V. OCCUPANCY STANDARDS

*****

E. Only bedrooms may be used as regular sleeping quarters.

When it is found that the size of the dwelling is no longer suitable for the family in accordance with these standards, the family shall be required to move as soon as a dwelling unit of the appropriate size becomes available, subject to a waiting list, if any. The family has a choice of unit size within the acceptable range.

A Manager may waive these occupancy limits when necessary to eliminate or reduce vacancies, or to house a family in urgent need. However, the reason for the waiver shall be documented in the applicant/resident file. A family placed in a larger unit than the occupancy standard provides for will be downsized to an appropriate size.
unit when such adjustments are needed by management per policy.

*****

G. Only 1 additional bedroom shall be provided for any Live-In Aide.

The bedroom provided for the Live-in-Aide is excluded from the bedroom count under the occupancy standards for the Resident’s family.

VI. LEASING OF UNITS

*****

B. Security Deposits.

A security deposit shall be paid to the HACLA by the family at the time of admission. This amount must be paid in full within 45 days of move-in. For new residents leasing January 1, 2008 or after, the following security deposits shall be required in Low-Rent Housing:

*****

3. The security deposit shall be transferred without offset between units when a family is transferred between HACLA owned units within the same development ("Extensions" are considered a separate development from the original property as in the case of Pubelo Del Rio, Estrada Courts, and Rancho San Pedro). 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.

VII. PERIODIC REEXAMINATIONS

*****

E. General Reexamination Requirements

1. Annual Reexaminations

At the time of an annual reexamination, the head of the household will be required to submit an Application for Continued Occupancy (Lot-27) along with verification and documentation of income, family composition, assets, deductions, and employment.

Following receipt of this documentation, a determination of eligibility for continued occupancy will be made using the following criteria:

*****
e. The family must meet the authorization for the release of information requirements for all household members including those temporarily absent from the unit. This includes the HUD-9886 form, “Authorization for the Release of Information”, and other release forms deemed necessary by HACLA to determine the family’s income and continued eligibility factors.

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F. Effective Date of Reviews

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

Families experiencing an increase in rent over 10% for reasons other than a change in family composition or income shall be provided an additional 60 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 or military or veteran status.

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C. Emergency Transfers

1. An emergency transfer is a transfer determined at the sole discretion of the President/CEO, or his/her Director of Housing Services or their designee, to be required:

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c. To protect a Resident or a Household Member from a factually verifiable or documented threat of real and imminent criminal attack that is specifically directed towards that Resident, Household Member or other occupant of the Residence. In making such a determination, the President/CEO, or his/her Director of Housing Services or their designee may consider facts and circumstances including, but not limited to, recommendations by the District Attorney or a sworn peace officer with a rank equivalent to LAPD Detective II or higher attesting to the factual need for a transfer.
2. Request and Approval of Emergency Transfers

a. Except as provided below, all emergency transfer requests made by or on behalf of a Resident and all law enforcement recommendations shall be made in writing and submitted to the Director of Housing Services or their designee Department or President/CEO. Upon receipt of a request and all other required documentation, the Housing Services Department shall immediately forward the relevant paperwork to the President/CEO or his/her designee for a decision.

b. In cases of extreme emergency, verbal requests, verbal recommendations and the verbal rendering of facts may be made directly to the President/CEO, or his/her Director of Housing Services or their designee by law enforcement upon which the President/CEO, or his/her Director of Housing Services or their designee may act, provided that verbal assurances from law enforcement that all written documentation supporting the transfer will be submitted within 48 hours.

3. Emergency Transfer Options

a. The Authority shall have sole discretion in determining whether an emergency transfer shall be interdevelopmental, intradevelopmental, or to a temporary housing accommodation not owned and/or operated by the Authority; and whether the transfer is permanent or temporary.

b. If the President/CEO, or his/her Director of Housing Services or their designee determines there are no appropriate dwelling units available for the Resident at the time of the emergency, the Authority may utilize Director of Housing Services may request a tenant-based Section 8 voucher for the purposes of providing alternative housing, if one is available.

c. Pending a determination of the availability of an Authority-owned and operated dwelling and/or a determination of a Resident's eligibility for an emergency transfer, the President/CEO, or his/her Director of Housing Services or their designee may offer the Resident temporary non-Authority housing accommodations under an agreement with a third party. Such accommodations shall not exceed five business days unless otherwise extended in writing by the President/CEO Director of Housing Services. However, before non-Authority accommodations are offered the Resident must (i) be informed of the five business day limitation rule, (ii) informed of the possibility that an emergency transfer may be denied and, (iii) given a copy of these policies and procedures governing emergency transfers.

*****
D. Routine Transfers

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2. Prerequisite for Resident requested routine transfers
   a. All Resident requested transfers shall be in writing and submitted to the site management office on a designated form. The Authority will accept all Resident requested routine transfer for placement on the appropriate transfer list. However, residents are not eligible for transfer during the initial term of a lease or while the Resident is under the threat of eviction or owes the HACLA money. The Director of Housing Services may waive the one year residency requirement to reduce vacancies.

   b. Resident requested transfers to a Public Housing Scattered Site will only be accepted from families who have been in residence at one of the HACLA’s public housing family developments for a minimum of two years at the time the request for transfer is made.

       However, in order to avoid excessive vacancy loss, the Assistant Housing Services Director may apply a one-year requirement in lieu of a two-year requirement.

       The resident file must be documented as to the circumstances of the transfer approval.

       Additionally, the manager of the scattered site shall select from the site transfer waiting list the family whom the manager believes, after consideration of relevant circumstances, is the most likely to succeed without on-site supervision and support.

3. Prerequisite for inter-programmatic requested transfer
   a. Request for transfers into the public housing program from participants in another HACLA administered housing program shall require the following:

       (1). Approval from the Director of Housing Services;

       (2). In addition to the requirements under Section VIII G F 2 a - e of this policy, all adult household members shall be required to undergo criminal background and credit checks required of new admissions; and

       (3). Units offered to inter-programmatic transfers will be in accordance with the HACLA’s procedures for new admissions as administered by the Application Center.

4. Routine Transfer Options

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c. Unless agreed to by the Authority in writing and in advance, all routine transfers shall be permanent and the Resident will not be eligible for another routine transfer for 36 months following the transfer effective date.

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IX. ADDITIONS/DELETIONS TO THE HOUSEHOLD COMPOSITIONS

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B. Deletions to the Family Composition

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3. No minor Household Member shall be deleted from the Rental Agreement unless the Resident gives the Authority one of the following showing that someone other than the Resident or a Household Member has full custody and control of such minor:

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d. If the parent or person with legal custody is a HACLA resident whose identity has already been established, then a notarized statement a HACLA Certified Statement completed by a parent or other person having legal custody that person removing the minor from the public housing unit along with a copy of the minor's birth certificate or other related documentation.

If the parent or person with legal custody is a not a HACLA resident, then a notarized statement removing the minor from the public housing unit, along with a copy of the minor’s birth certificate or other related documentation.

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C. Additions to the Family Composition

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4. As it pertains to the addition of minors, other than from circumstances described in number 3 above, the Resident shall give the Authority in the appropriate case:

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a. If the parent or person with legal custody is a HACLA resident whose identity has already been established, then a notarized statement a HACLA Certified Statement completed by a parent or other person having legal custody that person giving written permission for the minor to live with the Resident, along with a copy of the minor’s birth certificate or other related documentation.
If the parent or person with legal custody is not a HACLA resident, then a notarized statement giving written permission for the minor to live with the Resident, along with a copy of the minor’s birth certificate or other related documentation.

X. THE DEATH OF THE RESIDENT AND STATUS OF THE REMAINING HOUSEHOLD MEMBERS

B. When (i) a Resident to a Public Housing Rental Agreement dies, (ii) there is no one else with a Resident status on the Rental Agreement, and (iii) there is at least one adult Household Member in possession of the Residence, the Authority shall execute a new Public Housing Rental Agreement with the remaining adult family member(s), provided the remaining family member(s) meet the then existing admission requirements to the Authority’s public housing program (it is up to the household member(s) to determine who will be head and/or co-head). Any other additions to the household at that time shall be as household members only.

Specifically, without limitation, this shall require the processing of an application by the Authority’s application center and the passing of the Authority’s criminal screening procedures by all remaining adult Household Members.

The Site Manager with Assistant Director approval, may deny the processing of a proposed new head or co-head based on documented evidence of such individual’s history of behavior that negatively impacts the rights and safety of other residents and/or HACLA personnel, has a history of damage to HACLA property, or has other known behavior that would make the individual otherwise ineligible for admission to the program. Under these circumstances, the remaining household members will be provided grievance rights to contest the denial as part of a notice to vacate.

C. Where the Resident to a Public Housing Rental Agreement dies leaving only minor Household Members (excluding foster youth/adult(s)) in possession of the Residence, the Authority shall execute a new Public Housing Rental Agreement with any court appointed guardian of such minors, providing such guardian, and their family (if any), meet the then existing admission requirements to the Authority’s public housing program. Specifically, without limitation, this shall require the processing of an application by the Authority’s application center and the passing of the Authority’s criminal screening procedures by all proposed adult occupants of the Residence. The Guardian(s) will be the Resident(s) (Head and Co-Head of Households). All other additions to the household at that time shall be as household members only.

D. Any application for designation of new Head and/or Co-Head must adhere to all requests by the HACLA for submission of documentation within the timeframe allotted. Failure to respond to such requests will result in a rejection of the application.
XI. THE STATUS OF THE REMAINING HOUSEHOLD MEMBERS WHEN THE RESIDENT IS
PERMANENTLY PLACED IN A NURSING/RETIREMENT HOME/BOARD & CARE OR
OTHERWISE INVOLUNTARILY REMOVED FROM THE UNIT

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The Site Manager with Assistant Director approval, may deny the processing of a
proposed new head or co-head based on documented evidence of such individual’s
history of behavior that negatively impacts the rights and safety of other residents
and/or HACLA personnel, has a history of damage to HACLA property, or has other
known behavior that would make the individual otherwise ineligible for admission to
the program. Under these circumstances, the remaining household members will be
provided grievance rights to contest the denial.

Any application for designation of new Head and/or Co-Head must adhere to all
request by the HACLA for submission of documentation within the timeframe allotted.
ATTACHMENT 2

Changes to the Section 8 Administrative Plan
1.2 Relation to the Agency Plan

The Section 8 Administrative Plan is a supporting document of the HACLA’s Agency Plan and some sections of the Plan provide information required by the Agency Plan. The Section 8 Administrative Plan must be available for public review.

The Section 8 Administrative Plan is developed in accordance with Section 8 and other Federal regulations and also serves as the policy document for managing rental housing assistance funds provided by HUD the McKinney-Vento Homeless Assistance Act programs (such as the Continuum of Care Program) and such other programs as may be developed by Congress to provide rental assistance.

Chapter 2 EQUAL OPPORTUNITY HOUSING PLAN

The HACLA complies with all requirements imposed by local, State and Federal Fair Housing Laws and does not discriminate, on account of race, color, sex, religion (creed), disability, familial status, national origin, ancestry, sexual orientation, marital status, source of income, or age, military or veteran status in the sale, leasing, rental or other disposition of housing or related facilities (including land) included in any project or in the use or occupancy thereof, nor does it deny to any family the opportunity to apply for such housing or for assistance under its Section 8 or other assisted housing programs, nor does it deny to any eligible applicant the opportunity to lease or rent any dwelling in any such housing suitable to its needs or to receive the benefits of housing assistance.

In administering its programs the HACLA does not utilize criteria or methods of administration which have the effect of discriminating against persons on the basis of their race, color, sex, religion (creed), disability, familial status, national origin, ancestry, sexual orientation, marital status, source of income, or age. The HACLA does not take any action which defeats or impairs the availability of a HUD-financed program or activity with respect to any persons on the basis of their race, color, sex, religion (creed), disability, familial status, national origin, ancestry, sexual orientation, marital status, source of income, or age, military or veteran status.

2.1.1. Owner Outreach Media Campaign

To encourage property owners to participate in the Section 8 and other assisted housing programs, the HACLA:

1. Issues public service announcements to radio and television stations in the Los Angeles area;
2. Places notices in major and community newspapers and publications [See Section 2.1.1 above for media names.];
3.1 Open Application Periods

The HACLA Board of Commissioners determines when the Section 8 Department...
Upon the written recommendation of the owner, eligible families with no or very low supportive service needs may be referred to HACLA for placement on the Section 8 tenant-based waiting list with a local preference of Priority 1. Such families become subject to the screening requirements for criminal history of the tenant-based program in accordance with Section 5.20, PBA, MRP, MRP-SRO, HOPWA and Tenant-based Section 8 Screening.

Placement on the waiting list is at the sole discretion of the HACLA and is subject to the following:

1. The family agrees with the Owner’s recommendation, understands the nature of the tenant-based program, and provides a written request for Housing Choice Voucher assistance.
2. The family is a low income family and otherwise eligible for the Housing Choice Voucher Program.
3. The family has received assistance under the Moderate Rehabilitation Program for at least two years.
4. The family is currently in compliance with Moderate Rehabilitation Program regulations.
5. The family is in compliance with current lease, including, but not limited to, paying their rent on time each month.
6. The Owner’s performance has been satisfactory to HACLA.

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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. If HACLA does not have enough families on the waiting list that meet the required preference, HACLA will select the next available family with at least one child aged 17 or under from the waiting list. 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.

***

3.2.1.2.16 Emergency Housing Vouchers

HACLA was awarded 3,365 Emergency Housing Vouchers (EHVs) to be effective July 1, 2021. The American Rescue Plan Act of 2021 authorized the funding for this housing assistance program (Public Law 117-2).
After September 30, 2023, the Housing Authority will not reissue any previously leased EHV, regardless of when the assistance for the formerly assisted family ends or ended. All EHV under lease on or after October 1, 2023, will not under any circumstances be reissued to another family when the participant leaves the program for any reason. The funds appropriated for the EHV program are available for obligation by HUD only until September 30, 2030.

The administrative policies adopted in the Section 8 Administrative Plan apply to EHV unless such policies conflict with the requirements of the American Rescue Plan (ARP), the requirements of PIH Notice 2021-15 dated May 5, 2021, or the alternative requirements outlined below.

 eligibility

The Housing Authority must partner with the Continuum of Care (CoC) or other homeless or victim services providers to assist qualifying families through a direct referral process. EHV waiting list is based on direct referrals.

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

1. Homeless
2. At risk of homelessness
3. Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
4. Recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

The Continuum of Care (CoC) or another partnering agency that makes direct referrals to the Housing Authority conducts the verification that the individual or family meets one of these four eligibility categories.

The CoC or other direct referral partner must provide supporting documentation to the Housing Authority that the family meet one of the four eligible categories for EHV assistance.

The income targeting requirements of section 16(b) of the United States Housing Act of 1937 and § 982.201(b)(2) are waived and do not apply for EHV families. The Housing Authority can effectively serve individuals and families in all the eligibility categories under the ARP who may be at a variety of income levels, including low-income families.

 Grounds for Denial of Admission

HUD requires HACLA to prohibit admission to EHV applicants under the following circumstances:
(1) if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

(2) if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

Unlike regular HCV admissions, the Housing Authority may not deny an EHV applicant admission regardless of whether:

- Any member of the family has been evicted from federally assisted housing in the last five years
- A Housing Authority has ever terminated assistance under the program for any member of the family.
- The family currently owes rent or other amounts to the Housing Authority or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.
- The family has not reimbursed any Housing Authority for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- The family breached an agreement with the Housing Authority to pay amounts owed to a Housing Authority, or amounts paid to an owner by a Housing Authority.
- The family would otherwise be prohibited admission under alcohol abuse standards established by the Housing Authority in accordance with §982.553(a)(3).
- The PHA determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

Similar to the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program, HUD is eliminating the Housing Authority’s permissive prohibitions for EHV admissions for drug-related criminal activity.

Initial Search Term

The initial term for an EHV must be at least 120 days. Any extensions, suspensions, and progress reports will remain under the policies in the Section 8 Administrative Plan but will apply after the minimum 120-day initial search term.

Services Fee

The Services Fee has four main components:

1. Housing Search Assistance. The Housing Authority will use the service fee funding to provide housing search assistance to EHV families during their initial housing search.
2. Security Deposit/Utility Deposit/Rental Application/Holding Fee. At the discretion of the Housing Authority and based on the availability of funds, this fee may be used for:
• Application fees/non-refundable administrative or processing fees/refundable application deposit assistance.
• Holding fees.
• Security deposit assistance.
• Utility deposit assistance/utility arrears.

3. Owner-related. At the discretion of the Housing Authority and based on the availability of funds, this fee may be used for:
• Owner recruitment and outreach.
• Owner incentive and/or retention payments.

4. Other eligible uses. At the discretion of the Housing Authority and based on the availability of funds, this fee may be used for:
• Moving expenses (including move-in fees and deposits).
• Tenant-readiness services.
• Essential household items.
• Renter’s insurance if required by the lease.

Voucher Payment Standard

On October 16, 2018, HUD approved a waiver to allow HACLA to apply the current payment standard to the HAP calculation at the time it approves a rent increase requested by the landlord that occurs before the family’s regular reexamination.

This waiver request applies under the following circumstances:

• HACLA has adopted increased payment standards for its program;
• The contract rent for the family’s unit increased;
• The contract rent increase occurs prior to the family’s next annual reexamination; and
• The family would bear the burden of the contract rent increase due to an increased TTP.

***

5.15 Admission of Low Income Families – Special Eligibility Criteria

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.
4. **3.** 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. **4.** 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. **5.** Participant families in the HUD-VASH program.

7. **6.** 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. **7.** 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 16, *Project-Based Vouchers*, of this Administrative Plan, and 24 CFR 983.3).

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5.17.1 Priority 1 Preference – Special Programs and Other Referrals

Families who are referred to and qualify for HACLA’s Special Programs receive a Priority 1 preference on the HCV waiting list. [For information and a list of programs see Section 3.2.1, *Referrals to Special Programs*, of this Administrative Plan.] This preference entitles the eligible applicant to be serviced and admitted to the Special Program for which it qualifies ahead of all other eligible applicants on the waiting list.

Families who qualify for admission due to Special Circumstances receive the identical Priority 1 preference. [See also Section 3.2.2, *Referrals Due to Special Circumstances*, of this Administrative Plan.]

In determining the order of service among applicants who qualify for a Priority 1 preference, the following ranking criteria is used. The ranking criteria follows the hierarchy noted and is based on the applicant having applied for admission under one of the programs listed under Section 3.2.1, Referrals to Special Programs, and Section 3.2.2, Referrals Due to Special Circumstances, of this Administrative Plan and have met any additional programmatic requirements, including, in some cases, certification by an agency accredited by HACLA to participate in the special programs:

1. Referrals from HACLA Owned Units (Section 3.2.2.1 of this Administrative Plan).
2. HOPWA to Housing Choice Voucher (Section 3.2.1.3.1 of this Administrative Plan).
3. Victims of Declared Disasters (Section 3.2.2.2 of this Administrative Plan).
4. Displacement Due to Government Actions (Section 3.2.2.3 of this Administrative Plan).
5. Underhousing in MRP-SRO Units (Section 16.7 of this Administrative Plan).
6. Underhousing in Continuum of Care Components: TRA, PRA, and SRA.
7. LAHSA Supportive Housing Program to Housing Choice Voucher (Section 3.2.1.2.13 Transitional Housing Conversion of this Administrative Plan).
8. PBV transfer to Housing Choice Voucher (Section 17.39 of this Administrative Plan).
9. Readmissions and Reasonable Accommodations (Section 6.18 of this Administrative Plan).
10. HUD-VASH to Housing Choice Voucher (Section 21.4.3 of this Administrative Plan).
11. Continuum of Care Referral to the Housing Choice Voucher Program.
12. Family Unification Program – Eligible Youth to Housing Choice Voucher (Section 3.2.1.2.2 of this Administrative Plan).
13. Continuum of Care Surviving or Remaining Members of a Family.
14. **Moderate Rehabilitation Referral to the Housing Choice Voucher (Section 3.2.1.1.1 of this Administrative Plan)**

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5.20 PBV and Tenant-based Section 8 Screening

HACLA screens all applicants and referrals to its PBV and tenant-based Section 8 programs and all proposed additions to an existing household in these programs by requiring each adult member of the proposed household to sign a consent form which authorizes a check of criminal history records.

For referrals to the HUD-VASH program see Chapter 19 Chapter 21 for special screening requirements.

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6.12.1 Approval of a Live-in Aide

The HACLA 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 HACLA 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 HACLA as a family member does not qualify as a live-in aide.

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

**HACLA 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.

***
Section 11.6.2.2 Documents Required of All Owners and Payees

The HACLA verifies the following documents of all owners and payees:

- A copy of the property’s title or vesting documents that establishes ownership of the rental property that is consistent with information provided by the owner in the Request For Tenancy Approval (RFTA) packet, or a copy of the recorded Grant Deed for the assisted property (a Deed of Trust is not an acceptable replacement);
- A copy of a signed, completed IRS form W-9, Request for Taxpayer Identification Number and Certification for each owner entity;
- A copy of a signed, completed IRS form W-9, Request for Taxpayer Identification Number and Certification for any payee if different from the owner entity; and
- A letter of authorization signed by all owners if there will be a designated signatory for the HAP contract;
- A copy of a valid government-issued photo identification card for each owner and authorized signatory, if applicable.

Per HUD guidance (EHV FAQs version no.5), to be an eligible HCV landlord at a minimum the landlord must meet the following requirements for approval of an assisted tenancy:

- Verification of property ownership
- Property taxes must be current
- Owner may not have any unpaid debt to the Housing Authority; and
- A valid property management agreement if there is a party acting as an agent for a landlord.

Effective immediately, the Housing Authority HACLA will not require a valid government issued photo identify card for each owner and authorized signatory.

***

10.8 Subsidy Standards - Tenant-based Programs

The HACLA’s tenant-based subsidy standards do not include consideration of the age or sex of members of the household as a means of determining bedroom size. The family, not the HACLA, determines who will use or share a bedroom/sleeping room.

Subsidy standards are applied when issuing or reissuing a voucher, at the time of any annual reexamination of family income and composition and at the time of approval of a new or revised lease. The HACLA uses two tables in applying its subsidy standards to determine the appropriate bedroom size for the family.

The HACLA may, with the prior approval of the Board of Commissioners, adjust the family size in any of these tables. Such adjustments shall not affect the family until the next regularly scheduled annual reexamination or the next re-contracting event. The family shall be provided at least 30 day’s notice of any change in the tenant portion of the rent as a result of such a revision.
To address financial shortfalls and reduce costs in the Section 8 program, the HACLA may determine if a single individual living in a one bedroom unit should have a zero voucher bedroom size.

***

10.10 Subsidy Standards - Project-based Programs

The HACLA will authorize families to occupy project-based units according to the following guidelines. These guidelines may be changed with the prior approval of the Board of Commissioners and in the same manner as subsidy standards for the tenant-based programs. See Section 10.8, Subsidy Standards – Tenant-based Programs, of this Administrative Plan.

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10.12 Subsidy Standards – Continuum of Care (CoC) Program

In general, Contractors in the CoC program must abide by the subsidy/occupancy standards for the project-based programs as stated in Section 10.10, Subsidy Standards – Project-based Programs, above.

***

10.14 Establishing Voucher Payment Standards

A voucher payment standard (VPS) is the dollar amount of the maximum subsidy payment for a family for a given bedroom size. The voucher payment standard is used to calculate the monthly Housing Assistance Payment. The HACLA establishes the dollar amounts of its payment standards in accordance with 24 CFR and other HUD guidelines.

The HACLA may, at the sole discretion of the President and CEO (but with an informational memo to the Board of Commissioners), adjust any of its voucher payment standards at any time within the limits of the “basic range” established by HUD.

***

Chapter 13 TERMINATIONS AND DENIALS

With the exception of the Continuum of Care and HUD-VASH programs, the provisions of this chapter apply to all programs. HUD-VASH program exceptions are contained in Chapter 21.

***

14.7.14 Public Access to Hearing Decisions

All hearing decisions are accessible to the public, subject to the provisions for safeguarding the privacy rights of the affected parties. Requests for access must be addressed to the Section 8 Director, HACLA’s Records Management Specialist.
16.8 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.

16.43.3.1 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.

In accordance with 24 CFR 983.302(e), contract year and annual anniversary of the HAP contract is defined as follows:

(1) The contract year is the period of 12 calendar months preceding each annual anniversary of the HAP contract during the HAP contract term. The initial contract year is calculated from the first day of the first calendar month of the HAP contract term.

(2) The annual anniversary of the HAP contract is the first day of the first calendar month after the end of the preceding contract year. The adjusted rent to owner amount applies for the period of 12 calendar months from the annual anniversary of the HAP contract.

16.46. Rental Assistance Demonstration and Project Based Vouchers Component 1

16.47. Rental Assistance Demonstration and Project Based Vouchers Component 2
ATTACHMENT 3

Response to Comments
(only in Final & Final Draft Versions)
ATTACHMENT 4

Certification Forms
(only in Final & Final Draft Versions)
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 2019-23 (HA), Rev 4 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 2019-23 (HA), REV-4. These resident rights, participation, waiting list and grievance procedures are listed in Section A below. Additionally, Attachment 1B to PIH Notice 2019-23 (HA), REV-4 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, a 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. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

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, Section 8(o)(4) of the 1937 Act and 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, HUD waives Section 8(o)(4) and 24 CFR § 982.201 to the extent necessary for this provision shall apply to current public housing residents of the Converting Project that will reside in non-RAD PBV units or non-RAD PBRA units placed in a project that contain RAD PBV units or RAD PBRA units. Such families and such contract units will otherwise be subject to all requirements of the applicable program, specifically 24 CFR §Part 983 for non-RAD PBV units and the PBRA requirements governing the applicable contract for non-RAD PBRA 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. To facilitate the uniform treatment of residents and units at a Covered Project, 24 CFR 983.260 is waived for current residents remaining or returning to the Covered Project. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

4. 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, HACLA shall specify prior to conversion whether the length of the conversion will be 3 or 5 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, HACLA 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 Five Year Phase in:

• Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP or flat rent and the Calculated PBV TTP

• Year 2: Year 2 AR and any IR prior to Year 3 AR – 25% of difference between most recently paid TTP and the Calculated PBV TTP

• Year 3: Year 3 AR and any IR prior to Year 4 AR – 33% of difference between most recently paid TTP and the Calculated PBV TTP

• Year 4: Year 4 AR and any IR prior to Year 5 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP

• Year 5 AR and all subsequent recertifications – Full Calculated PBV TTP

*Please Note:* In either the three-year phase-in or the five-year phase-in, once the calculated PBV TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

5. **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 participate in HACLA’s FSS program, 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. At the completion of the FSS grant, HACLA should follow the normal closeout procedures outlined in the grant agreement. If HACLA continues to run an FSS program that serves PH and/or HCV participants, HACLA will continue to be eligible (subject to NOFA requirements) to apply for FSS funding and may use that funding to serve PH, HCV and/or PBRA participants in its FSS program. 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 subsequent Appropriation Acts), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, HACLA should note that until provisions of the Economic Growth, Regulatory Relief, and Consumer Protection Act are implemented, there are certain FSS requirements (e.g., escrow calculation and escrow forfeitures) that apply differently depending on whether the FSS participant is a participant under the HCV program or a
public housing resident, and HACLA must follow such requirements accordingly. 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. At the completion of the ROSS-SC grant, HACLA should follow the normal closeout procedures outlined in the grant agreement. Please note that ROSS-SC grantees may be a non-profit or local Resident Association and this consequence of a RAD conversion may impact those entities. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

6. 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. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

7. 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 (HUD Form 52530-c) 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 and to non-RAD PBV units located at the Covered Project. 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 HACLA to 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 the termination of assistance and several other PHA determinations, PBV program rules require the PHA 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)-(v), 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)-(v), 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.
To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

8. **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. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

9. **Jobs Plus.** Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target projects(s) under RAD will be able to finish out their Jobs Plus period of performance at that site unless significant relocation and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary’s discretion, choose to end the Jobs Plus program at that project. If the program is continued, the Project Owner must agree to continue to implement the program according to HUD’s program requirements. Jobs Plus target public housing projects must enroll public housing residents into the Jobs Plus rent incentive, JPEID, prior to conversion. Any resident of the Covered Project that had not enrolled prior to conversion is not eligible to enroll in JPEID but may utilize Jobs Plus services that predominantly benefit the former public housing residents who resided at the target project at the time of RAD conversion. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the Covered Project may voluntarily utilize Jobs Plus services that predominantly benefit the former public housing residents who resided at the target project at the time of RAD conversion.

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. During any period when the family’s TTP falls below the gross rent, normal PBV rules shall apply. As necessary to implement this alternative provision, HUD is waiving the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR 983.301 as modified by Section 1.6.B.5 of this Notice. 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. The PHA is required to process these individuals through the Form 50058 submodule in PIC. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

Unless a waiver is requested and approved as described below, any new admission to Covered Project must meet the eligibility requirements of 982.201 and require a subsidy payment at admission to the program, which means their TTP may not equal or 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 left 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 the Notice.

HACLA may request a waiver from HUD for the Covered Project in order to admit otherwise eligible families whose TTP exceeds gross rent and to allow the units those families occupy to remain under the HAP contract even if the PHA has not made a housing assistance payment for a family in 180 days. For a Covered Project that consists of 100 percent RAD PBV units, HACLA must demonstrate that a waiver is necessary in order to avoid an undue concentration of poverty at the Covered Project. HACLA may evidence this by providing data showing, for example:

- how eligible income-certified applicants on the waiting list must be passed over because their incomes result in zero HAP at admission causing a higher concentration of poverty at the covered project; or
- how the income of newly admitted families is causing a markedly higher concentration of poverty than the PHA’s non-RAD PBV projects.

The resulting impact on the property must be compared with the concentration of poverty at non-RAD PBV projects in the PHA’s jurisdiction. If there are no non-RAD PBV projects in the PHA’s jurisdiction, the PHA may alternatively demonstrate that the median income of families that could be admitted to the Covered Project is significantly lower than the median income of new admissions from the waiting list to HACLA’s HCV program since the time of the RAD conversion. For any other Covered Project, the PHA must demonstrate that the property
contains specific units (e.g., units suitable for large families or accessible units) for which there are insufficient alternative housing opportunities.

If the waiver is approved, the new admission[s] families covered under the waiver are participants under the program and all of the family obligations and protections under RAD and PBV apply to the family, and the unit is subject to all program requirements. Such waiver requests should be submitted to the PIH Field Office in accordance with Notice PIH 2018-16.

B. 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. Please see Appendix IV for reporting units in Form HUD-50058.

2. Ongoing PHA Board Review of Operating Budget. HACLA’s Board must approve the operating budget for the Covered Project annually in accordance with HUD requirements. HACLA’s Board must confirm that the Project Owner is making deposits into the Reserve for Replacement account in accordance with the RCC as well as assess the financial health of the Covered Project.

3. Davis-Bacon Act and Section 3 of the Housing and Urban Development Act of 1968 (Section 3).

   **Davis-Bacon prevailing wages.** The Davis-Bacon prevailing wage requirements (prevailing wages, the Contract Work Hours and Safety Standards Act, and implementing 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 or PBRA project, reconstruction, or a substantial improvement in the quality or kind of original equipment and materials, and is initiated within 18 months following the effective date 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.

   **Section 3 of the Housing and Urban Development Act of 1968 (Section 3).** Section 3 is codified at 12 U.S.C. 1701u and implemented by regulation at 24 CFR part 135 or successor part.
a. Pursuant to such requirements, all pre-development conversion costs funded by public housing program funds pursuant to Section 1.5.A are subject to 12 U.S.C. 1701u(c)(1) and (d)(1), which sets forth Section 3 requirements applicable to public housing activities.

b. While most RAD conversions do not utilize funding covered by Section 3, HUD has established the alternative requirement that any Work required by the conversion after the RAD Closing that involves housing rehabilitation or housing construction is subject to the Section 3 requirements applicable to housing and community development activities as set forth in 12 U.S.C.1701u(c)(2) and (d)(2) and the regulations derived from such provisions,

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 shall 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).

When using a site-based waiting list, PHAs should consider waiting list and transfer policies that expand opportunities for tenants seeking an emergency transfer under, or consistent with, the PHA’s Emergency Transfer Plan. This includes allowing for easier moves between assisted properties.

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 Covered Project in accordance with 24 CFR § 983.251(c). To facilitate the uniform treatment of residents and units at a Covered Project, any non- RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations.

**Option to Elect Owner-Maintained Waiting Lists upon HUD and Board approval**

On October 8, 2020, HUD issued a notice of proposed rule change to further implement the Housing Opportunity Through Modernization Act ("HOTMA") at 85 Federal Register 63664 ("Proposed Rule"). In accordance with this Proposed Rule, a Public Housing Authority may elect to authorize owner-maintained waiting lists in accordance with the proposed regulations at 24 CFR § 983.210(c) and 24 CFR § 983.251(c)(7).
If the Proposed Rule is adopted, HACLA may at its discretion elect to authorize owner-maintained waiting lists for its PBV sites. In order to implement this section, the Administrative Plan will be amended upon HACLA’s Board approval, and will include the following information:

- The name of the impacted project(s);
- The oversight procedures that HACLA will use to ensure owner-maintained waiting lists are administered properly and in accordance with program requirements;
- The approval process of an owner’s tenant selection plan (including any preferences).

Finally, if approved by HACLA’s Board, the owner’s tenant-selection plan will be incorporated into HACLA’s Administrative Plan, HACLA will make final determinations of each family’s PBV program eligibility and HACLA will maintain oversight of any owner-maintained waiting lists.

5. Mandatory Insurance Coverage. The Covered Project shall maintain at all times commercially available property and liability insurance to protect the project from financial loss and, to the extent insurance proceeds permit, promptly restore, reconstruct, and/or repair any damaged or destroyed project property.

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 of the Covered Project. With respect to any financing contemplated at the time of conversion (including any permanent financing which is a conversion or take-out of construction financing), such consent may be evidenced through the RCC but HUD review of liens must be performed prior to execution.

7. Administrative Fees for Public Housing Conversions during the Year of Conversion. For the remainder of the Calendar Year in which the HAP Contract becomes effective (i.e., the “year of conversion”), RAD PBV projects will be funded with public housing funds. For example, if the project’s assistance converts effective July 1, 2015, the public housing ACC between the PHA and HUD will be amended to reflect the number of units under 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 2015. 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.

HACLA 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. HACLA 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 the following 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.

10. **Initial Certifications and Tenant Rent Calculations.** The Contract Administrator uses the family’s public housing tenant rent (reflected on line 10f of the family’s most recent HUD Form 50058) at the date of the conversion to calculate the PBV HAP and tenant rent until the effective date of the earlier of the family’s first regular or interim recertification following the date of conversion. At the earlier of the family’s first regular or interim recertification, the Contract Administrator will use the family’s TTP based on the recertification and the HCV utility allowance (or the PBV site specific utility allowance, if applicable) to determine the PBV HAP and tenant rent. This means that the family pays the same tenant rent as the family was paying under the public housing program until the earlier of first regular or interim reexamination following conversion, at which point the normally applicable PBV calculation for the tenant rent becomes effective. (Under the PBV program, the monthly HAP is the rent to owner minus the tenant rent, and the tenant rent is the family TTP minus the utility allowance.) To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same property as the Covered Project shall be subject to the terms of this provision. To effectuate this provision, HUD is waiving 24 CFR 5.601 and 983.3(c)(6)(iii).
Attachments:

a. Attachment 1B to H-2019-09 PIH-2019-23 (HA), Rental Assistance Demonstration REV-4
b. Section 6 of H-2016-17 PIH 2016-17 (HA), Rental Assistance Demonstration Notice Regarding Fair Housing and Civil Rights Requirements and Relocation Requirements
a. Attachment 1B to H-2019-09 PIH-2019-23 (HA), Rental Assistance Demonstration REV-4
Attachment 1B: Resident Provisions in Conversions of Assistance from Public Housing

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 (including for those that will reside in non-RAD PBV units in the Covered project):

- Conversion will be considered a significant action requiring discussion in the PHA’s Five-Year Plan, Annual Plan or MTW Plan or requiring 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);
- A right to return, which covers the right to return to the rent-assisted property after temporary relocation (when temporary relocation is necessary to facilitate rehabilitation or construction), or the right to occupancy of the new unit if the rental assistance is transferred to a new unit. (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.3. of this Notice for conversions to PBV and Section 1.7.B.3. for conversions to PBRA);
- Relocation protections, including procedural rights, assistance with moving, and applicable relocation payments. (See Section 1.4.A.5. of this Notice and the RAD Fair Housing, Civil Rights, and Relocation Notice.)
- Continued participation in the ROSS-SC FSS and JobsPlus programs (see Sections 1.6.C.5 and 1.6.C.9 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);
Attachment 1B: Resident Provisions in Conversions of Assistance from Public Housing

- 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).

The foregoing is a summary of special provisions and alternative requirements relating to residents of public housing projects converting to RAD and does not attempt to capture all program requirements and details. For additional information, refer to the full text of this Notice and to the RAD Fair Housing, Civil Rights, and Relocation Notice (Notice H 2016-17; PIH 2016-17).
1B.2 Resident Participation and Funding\(^9\)

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, 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 resident 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.

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. Eligible uses of funds are the same as those permitted under “Guidance on the use of Tenant Participation Funds,” Notice PIH 2013-21. The Department strongly encourages residents and Project Owners to resolve questions concerning specific uses of resident participation funds directly. If a dispute over funding arises the resident organization or Project Owner may refer any disputes over funding to the HUD Field Office for intervention only after documented efforts to at direct resolution have proven unsuccessful.

**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

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\(^9\) For the purposes of this Attachment, HUD uses the term “Project Owner” to refer to the owner of a Converting Project or Covered Project, as applicable to the context.
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. 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 resident 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.

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. Major capital additions; and
vi. 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.
Attachment 1B: Resident Provisions in Conversions of Assistance from Public Housing

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.\(^99\) These funds must be used for resident education, organizing around tenancy issues, and training activities. 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. Eligible use of funds are the same as those permitted under “Guidance on the use of Tenant Participation Funds,” Notice PIH 2013-21. The Department strongly encourages residents and Project Owners to resolve questions concerning specific uses of resident participation funds directly. If a dispute over funding arises the resident organization or Project Owner may refer any disputes over funding to the Contract Administrator for intervention only after documented efforts to at direct resolution have proven unsuccessful.

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\(^99\) 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)

Rental Assistance Demonstration Notice Regarding Fair Housing and Civil Rights Requirements and Relocation Requirements
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

SECTION 1. Purpose, Applicability and Major Provisions of this Notice

1.1. Purpose

This notice (Notice) provides PHAs,² Project Owners, and their RAD development partners with guidance regarding key fair housing and civil rights statutory and regulatory requirements, explains the situations in which HUD is requiring front-end fair housing and civil rights reviews, and provides information regarding the types of information that must be submitted to facilitate HUD’s review of certain fair housing and civil rights requirements in connection with public housing conversions under the First Component of RAD. This Notice also includes guidance

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.
activities that are consistent with its occupancy designation and the populations identified as least likely to apply. Any subsequent changes to occupancy designation or residency preferences shall be proposed, submitted and reviewed in accordance with standard PBRA requirements. If a PHA or Project Owner plans to adopt any local or residency preferences, the Project Owner must submit its Tenant Selection Plan along with the AFHMP (see HUD Handbook 4350.3, page 4-4).

The Multifamily Housing Office of Asset Management and Portfolio Oversight and the Office of Fair Housing and Equal Opportunity (“FHEO”) review the AFHMP. FHEO issues HUD’s official letter of approval or disapproval. Disapproval letters will specify the reason a plan was rejected and the revisions required. The PHA or Project Owner must make the required changes and resubmit a corrected plan to HUD for approval.

The PBRA contract becomes effective on the first day of a month, following closing. Approval of the AFHMP is not a condition to closing of the RAD conversion. When the project is preparing to accept applications, it must follow its approved AFHMP to ensure that groups least likely to apply are aware of the housing opportunities. The Project Owner is responsible for ensuring that the AFHMP is in place throughout the life of any FHA mortgage or PBRA contract. The Project Owner may not market or lease any unit not occupied by a household exercising its right to remain in or return to the Covered Project prior to approval of the AFHMP. Marketing or leasing includes the solicitation, distribution or acceptance of applications or development of a waiting list.

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

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66 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.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.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 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.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.

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.”
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.

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<th>Stage</th>
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| 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.  
- 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. |
| 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 applicable. |

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.
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| 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. 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;”

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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;72 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.74

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

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.

PHAs should note that the definitions of “permanent” vary between the URA and RAD. For example, “permanent disposition” 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.

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.

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 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 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). 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 Relocation

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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.\(^{81}\)

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.\(^{82}\)

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.\(^{83}\) 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.\(^{84}\) PHAs or Project Owners may deem it appropriate to provide longer notice periods for persons who will be temporarily relocated.

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\(^{81}\) 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.\(^{88}\)

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

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\(^{88}\) 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

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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
Date of the GIN
Date of the CHAP
Date of NOIA
Date of RAD Notice of Relocation
Date of URA Notice of Relocation Eligibility
Date of most recent consent to voluntary permanent relocation
Date of relocation away from the Converting Project or Covered Project
Dates of any intermediate relocation moves
Date of return to the Covered Project or to the household’s post-closing permanent address.

- 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

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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.\textsuperscript{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.

\textbf{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

\textsuperscript{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 applicably 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.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;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.\textsuperscript{96} 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.

\textsuperscript{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.