

2023 Draft Agency Plan Summary of Proposed Changes

Last year HUD updated the Annual and Five-Year forms and we are implementing them this year. Following are updates to the Agency Plan.

2023 Agency Plan - Document Section

Page 6, added HUD form template header and form information to highlight that the documents is a HUD form.

Page 7, updated the General Information section.

Page 10, Public Housing – Admission & Deconcentration Policy, added additional information about the community-wide waiting list and preferences.

Page 12, updated the Financial Resources table.

Page 13, The Safety and Crime Prevention (VAWA) was relabeled the Safety and Crime Prevention. Updated section to include activities in 2022 that include expanding and upgrading the camera systems at 12 of the 14 public housing sites.

Page 16, in the Pet Policy section for clarification added assisted animals' information.

Page 18, under B.2 New Activities, updated Section 8 projects table.

Page 19, updated the HOPE VI or Choice Neighborhoods (CN) Implementation Grants section with William Mead updates (including award of \$450,00 planning grant), Jordan Downs activities, Rancho San Pedro including development of relocation plan.

Page 24, updated Mixed Finance Modernization or Development section to include New Dana Strand Phase I and II.

Page 24, added new section Faircloth to RAD Conversion with intended use of designated 1,910 units.

Page 25, updated Miscellaneous section to provide additional opportunities HACLA is exploring including forming partnerships for debt leveraging and other activities.

Page 26, updated Rose Hill Courts information including Temporary Certificate of Occupancy information.

Page 31, Conversion of Public Housing to Tenant Based Assistance is a new section.

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Page 33, updated the Jordan Downs information for the Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD regarding 70 RAD units and information on the various phases.

Page 35, updated Property Retention information regarding submission of application.

Page 35, updated the Voluntary Compliance Agreement (VCA) section.

Page 37, updated the Project-Based Vouchers Statement section for Pueblo Del Sol.

Page 37, updated Units Selected based on Non-competitive Selection to Attach PBV to PHA-Owned Projects (former Public Housing Units) section on Jordan Downs Phases H2A, H2B, S4, S5; Rose Hills Phase I, Phase II; and Pueblo Del Sol Phase I, Phase II.

Page 41, updated Other Capital Grant Programs section to include information on 5-Year Goals.

Page 42, updated the Most Recent Fiscal Year Audit section.

Page 44, Affirmatively Furthering Fair Housing (AFFH) is a new section but no information needs to be provided.

Page 44, updated Capital Fund Update section.

Page 46, added 5-Year PHA plan heading form HUD-50075-5Y to emphasize the beginning of the 5 Year Plan form and included corresponding language.

Page 49, under the Progress Report section updated the CHAP award information regarding seeking approval for Section 18 Demo/Dispo for 89 units at Rose Hills.

Page 51, updated the Goals and Objectives section.

Page 52, update the HUD Programs Under PHA Management section.

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Public Housing (Attachment 1)

Eligibility For Admission And Processing of Applications and the Application Requirements sections

- Adding to the Nondiscrimination *and to the General Transfer sections*, that HACLA does not discriminate based on military or veteran status updating to reflect change in the State's list of protected classes.
- And under the Application Requirements section, adding that after the initial determination of eligibility, HACLA may make additional eligibility determination to ensure that the Applicant's verification documents are not older than 120 days before signing the lease.

Removal of Applicant from the Waiting List

- Under this section we are including communications via email. Previously only via regular mail.
- And an Applicant or Co-Applicant can be removed from the application if they do not attend or participate in the eligibility determination.

Reinstatement to the Waiting List

- Applicants reinstated to the waiting list will retain their most recent application date and time.

Splitting of an Application

- For clarification, adding that an applicant family may split their application before the initial eligibility determination.

Suspension of Application Taking

- HACLA may suspend the taking of applications and will publicly announce it.

Local Preferences

- An applicant may claim a preference before entering into a rental agreement but must also provide verification. Previously the verification had to be provided before being offered a unit updating to provide clarification.

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Rent Determinations

- In the Initial Occupancy section for new tenants, if HACLA discovers unreported income, the family will be called in and rent may be recalculated and eligibility for admission to the public housing program reevaluated.

Flat Rent

- For clarification adding that the Flat Rents will be based on 80% of the Small Area Market Rent (SAFMR) market rate minus the utility allowance in accordance with HUD regulations.

Posting of Payment Charges

- Payments made for rent, excess utility usage, services, or other charges are 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.
- Rent payment will be applied first to the oldest obligation in these categories unless otherwise required by federal or state legislation. There is no change in the posting, just adding clarifying language.

Occupancy Standards

- In the Only bedrooms may be used as regular sleeping quarters section, adding that a family placed in a larger unit than the occupancy standard provides will be downsized to an appropriate size unit when such adjustments are needed by management per policy. This is not a change, just adding clarifying language.

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

- For clarification adding that the bedroom provided for the Live-in-Aide is excluded from the bedroom count under the occupancy standards for the Resident's family.

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Leasing of Units

- For clarification, under the Security Deposits section, adding that “Extensions” are considered a separate development from the original property as in the case of Pueblo Del Rio, Estrada Courts, and Rancho San Pedro.

Periodic Reexaminations

- Under the General Reexamination Requirements section, for clarification and emphasis adding that all members of the household must provide required releases including HUD form 9886 form, “Authorization for the Release of Information”, and other release forms necessary to determine the family’s income and continued eligibility during reexaminations.

Effective Date of Reviews

- Under the Additional 30-Day Notification of Rent Increases – Special Cases section, families whose rent is increasing over 10% (for reasons other than a change in family composition or income) will be given an additional 60-days before the rent increase will take effect, or additional time if required by law. Currently families are only given 30-days. This language is being added to further align to changes in State laws that require additional time for such notices - state law previously had the additional 30-day, currently the state increased to 60 days. Aligning language to meet current state law as well as any future changes

Emergency Transfers & Emergency Transfer Options

- Under the Emergency Transfers section, replacing President and CEO for the Director of Housing Services or their designee regarding approval of Emergency Transfer request and providing a section 8 voucher to the family when units are not available or providing or extending third party housing.

Routine Transfers

- Under the Prerequisite for Resident requested routine transfers section, removing scattered sites references since they are no longer available.
- And under the Prerequisite for inter-programmatic requested transfer section, updating section reference to Section VIII.

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Routine Transfer Options

- Adding to the section that 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 at least 36 months following the transfer effective date.

Additions/Deletions To The Household Compositions and Additions to the Family Composition sections

- For a family to remove or add a minor to the household, removing the requirement for a notarized statement and replacing it with a Certified Statement when a parent or a person with the legal custody is already known by HACLA.
- However for cases where the parent or person with legal custody is not a HACLA resident, then a notarized statement will be required for removing or adding the minor to the unit, along with a copy of the minor's birth certificate or other related documentation must be provided.

The Death of the Resident and Status of the Remaining Household Members

- Where the head of household passed away, HACLA may deny the proposed new head or co-head:
 - ❖ Based on behavior that impacts the rights and safety of other residents or HACLA personnel
 - ❖ History of damage to HACLA property
 - ❖ Other behavior that would make the individual ineligible for admission to the program
 - ❖ Remaining household members will have grievance rights to challenge the decision
- Excluding foster youth/adults from the right to enter a new lease when the head of household or cohead passed away.
- Families who apply for designation of new Head and/or Co-Head must comply with HACLA staff requests including submitting documentation and within the requested timeframe
- Failure by the family to provide requested information and in a timely manner will result in a rejection of the application.

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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

Where the head of household passed away, was placed in a nursing or otherwise involuntarily removed from the unit, HACLA may deny the proposed new head or co-head under the same reasons outlined above.

Section 8 Administrative Plan (Attachment 2)

The proposed changes are as follows:

In various sections, Technical Corrections & Updating References

- In various sections HACLA is making technical corrections or updating or deleting outdated references to sections or programs that no longer exist.

Relation to the Agency Plan

- Removing reference to the McKinney-Vento Homeless Assistance Act programs (such as the Continuum of Care Program).

Chapter 2 EQUAL OPPORTUNITY HOUSING PLAN

- For clarification and emphasis, adding that HACLA does not discriminate based on military or veteran status.

Open Application Periods

Regarding Special Programs and Referrals:

- Replacing the Board of Commissioners with the Section 8 Department as to who determines when to take applications for the Section 8 Voucher Program.
- Adding Mobility Demonstration Voucher to the Priority 1 Preference category.

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Public Outreach

- In compliance with federal regulations adding that opening of the waiting list will be in accordance with 24 CFR 982.206 (a) instead of Section 2 of the Section 8 Administrative Plan.

Moderate Rehabilitation Program

- Adding that owners may refer eligible families to HACLA for placement on the Section 8 tenant-based waiting list. These families will receive a Priority 1 preference and are subject to the screening requirements of the tenant-based program.
- Placement on the waiting list is at the sole discretion of the HACLA and is subject to the following:
 1. 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. Family is a low income and eligible for the Housing Choice Voucher Program.
 3. Family has received assistance under the Moderate Rehabilitation Program for at least two years.
 4. Family is currently in compliance with Moderate Rehabilitation Program regulations.
 5. Family is in compliance with current lease including paying their rent on time.
 6. The Owner's performance has been satisfactory to HACLA.

Mobility Demonstration Voucher

- Adding to the section that 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.

Emergency Housing Vouchers (EHV)

- Adding information about the Emergency Housing Voucher Program (EHV):
 - After September 30, 2023, will not reissue any previously leased EHV
 - All EHV's under lease on or after October 1, 2023, will not be reissued to another family
 - The funds appropriated for the EHV program are available for obligation by HUD only until September 30, 2030.
- This program is to help homeless families.

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Admission of Low Income Families – Special Eligibility Criteria

- Deleting reference to the Continuum of Care Program and renumbering section.

Priority 1 Preference – Special Programs and Other Referrals

- Adding Priority 1 Preference to the Moderate Rehabilitation Referral, in the section.

Approval of a Live-in Aide

- Removing that a person who was previously approved as a family member cannot qualify as a live-in aide.

Documents Required of All Owners and Payees

- For clarification adding that owners must provide the property's title or vesting documents to show ownership of the property.
- Deleting the requirement that all owners and authorized signatory must provide a copy of a valid government-issued photo identification.

Subsidy Standards - Tenant-based Programs and Subsidy Standards - Project-based Programs sections

- To improve efficiency, removing the requirement for the Board of Commissioners to approve subsidy standard changes in the Tenant-based Programs and to change authorization guideline for families to occupy project-based units.

Establishing Voucher Payment Standards

- This change allows the Section 8 Department to make changes to the Voucher Payment standards that are within the basic range established by HUD without requiring the President and CEO to do it and without a memo to the Board of Commissioners.

Chapter 13 TERMINATIONS AND DENIALS

- Removing reference to the Continuum of Care program.

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Public Access to Hearing Decisions

- Updating reference, hearing decisions requests must be made to the HACLA's Records Management Specialist not the Section 8 Director.

PBV Program

- For clarification added the definition for the contract year and annual anniversary of the HAP contract which is defines as:

(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 and section 16.47. Rental Assistance Demonstration and Project Based Vouchers

For clarification, renaming the sections as follows:

- 16.46. Rental Assistance Demonstration Component 1 and Project Based Vouchers *and*
16.47. Rental Assistance Demonstration and Project Based Vouchers Component 2

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Attachment 3 Response to Comments

- Included in the Final Draft & Final versions of the document.

Attachment 4 Certification Forms

- Included in the Final Draft & Final versions of the document.

Attachment 5 Residents Rights Under Rental Assistance Demonstration (RAD)

- This is an attachment that provides information on RAD that includes Residents Rights under RAD.