

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

PHA Plans

5 Year Plan for Fiscal Years 2005 - 2009
Annual Plan for Fiscal Year 2005

Housing Authority of the County of Contra Costa

NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN ACCORDANCE WITH INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES

**PHA Plan
Agency Identification**

PHA Name: Housing Authority of the County of Contra Costa

PHA Number: CA 011

PHA Fiscal Year Beginning: 4/01/2005

Public Access to Information

Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plans (including attachments) are available for public inspection at: (select all that apply)

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices
- Main administrative office of the local government
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
- PHA website
- Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- Main business office of the PHA
- PHA development management offices
- Other (list below)

5-YEAR PLAN
PHA FISCAL YEARS 2005 - 2009
[24 CFR Part 903.5]

A. Mission

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. (select one of the choices below)

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The PHA's mission is:

The mission of the Housing Authority of Contra Costa County is to provide high quality affordable housing solutions and promote self-sufficiency for low-income people of Contra Costa County. (adopted 9/16/99)

B. Goals

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own, or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, **PHAS ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS.** (Quantifiable measures would include targets such as: numbers of families served or PHAS scores achieved.) PHAs should identify these measures in the spaces to the right of or below the stated objectives.

HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score)
 - Improve voucher management: (SEMAP score)
 - Increase customer satisfaction:
 - Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)
 - Renovate or modernize public housing units:
 - Demolish or dispose of obsolete public housing:

- Provide replacement public housing:
 - Provide replacement vouchers:
 - Other: **To increase viability of existing stock through development or significant physical changes.**
- PHA Goal: Increase assisted housing choices
- Objectives:
- Provide voucher mobility counseling:
 - Conduct outreach efforts to potential voucher landlords
 - Increase voucher payment standards
 - Implement voucher homeownership program:
 - Implement public housing or other homeownership programs:
 - Implement public housing site-based waiting lists:
 - Convert public housing to vouchers:
 - Other: **Aggressively pursue “opt-out” and special program vouchers. Allow maximum flexibility regarding rental search timelines.**

HUD Strategic Goal: Improve community quality of life and economic vitality

- PHA Goal: Provide an improved living environment
- Objectives:
- Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
 - Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
 - Implement public housing security improvements:
 - Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
 - Other: **Aggressively pursue “opt-out” and special program vouchers. Allow maximum flexibility regarding rental search timelines.**

HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals

- PHA Goal: Promote self-sufficiency and asset development of assisted households.
- Objectives:
- Increase the number and percentage of employed persons in assisted families:
 - Provide or attract supportive services to improve assistance recipients' employability:
 - Provide or attract supportive services to increase independence for the elderly or families with disabilities.
 - Other: **Aggressively pursue “opt-out” and special program vouchers. Allow maximum flexibility regarding rental search timelines.**

HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing
Objectives:
 - Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
 - Other: **Aggressively pursue “opt-out” and special program vouchers. Allow maximum flexibility regarding rental search timelines.**

Other PHA Goals and Objectives: (list below)

Annual PHA Plan

PHA Fiscal Year 2005

[24 CFR Part 903.7]

i. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

Standard Plan

Streamlined Plan:

- High Performing PHA**
- Small Agency (<250 Public Housing Units)**
- Administering Section 8 Only**

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

Adoption of the Agency Plans follows a public review process that included input from our Resident Advisory Board (RAB), which represents program participants from the public housing and Housing Choice Voucher programs. The Housing Authority met with the Resident Advisory (RAB) on October 21, 2004, to seek their approval of the Five Year and Annual Plans before initiating the mandatory 45-day public review period. A public notice was placed in a newspaper of general circulation stating that a public hearing was scheduled for December 16, 2004. Housing Authority staff met again with the RAB prior to the public hearing on December 16, 2004. After some discussion and explanation there were no comments or recommendations to the proposed five-year and annual plan at the public hearing. The Advisory Housing Commission approved the Fiscal Year (FY) 2005-06 Housing Authority Annual Plan and Five Year Plan 2005-09 on January 24, 2005, for submission to the Board of Commissioners for their meeting on February 15, 2005.

There have been changes to the Housing Authority's financial resources and program operations as a result of the HUD funding letter of January 21, 2005. The magnitude of these changes on the proposed Agency Plans has a substantial impact on program operations, work processes and staffing.

A summary of changes from the fiscal year 2004-05 Annual Plan is as follows:

Change in Funding Resources

Housing Authority anticipated budget for fiscal year 2005-06 would be approximately \$74.1million. This is a \$12.5 million decrease from the last fiscal year's annual plan approved by your Board on January 27, 2004. This decrease in funding is attributable to the HUD change of Section 8 Housing Choice Voucher (HCV) renewal funding as enacted by the Consolidate Appropriations Act, 2005 (the Act).

Renewal Funding for this program was calculated on a calendar year basis (January 1 through December 31) and not on a PHA fiscal year basis. Therefore, funding for the HCV program reflects only that funding awarded from April 1 through December 31, 2005. In addition, funding was appropriated upon available revenue not upon PHA anticipated need, and the basis for funding was a three-month snapshot (May, June and July, 2004) of HCV program Housing Assistance Payment activity. The Act mandated across the board cut that resulted in the Housing Authority receiving only 95.9% or \$3.2 million less than needed to continue the program operation at its current level. Several program changes have been implemented to address the HCV shortfall.

Change in Program Operations – Housing Choice Voucher Program Project Based Assistance and Occupancy Standards.

In accordance with HUD Regulations (24 CFR part 903) the Housing Authority has attached a statement to the annual plan that circumstances exist that indicate the project basing voucher is no longer appropriate, given the reduction in HCV renewal funding. Although not reflected in the Annual Plan but approved by your Board on February 1, 2005, the Housing Authority has also modified its occupancy standards to ensure participants are not removed from this program. These actions are a reflection of the Housing Authority's effort to utilize 100% of the available units within the limited funding provided by HUD for the Section 8 Housing Choice Voucher program.

A plan has been developed and initiated, with HUD's cooperation, to ensure that the Housing Authority provides affordable housing to the low and very low-income households of the County at its current unit baseline level. There are no plans within this funding year to reduce the current number of participants in this program by forcing participating families off the program.

Change in Program Operations – Section 8 Housing Choice Voucher Homeownership Program

This year the Housing Authority plans to implement the Section 8 Homeownership Program. This program permits eligible participants in the

Section 8 Housing Choice Voucher (HCV) program the option of purchasing a home with their Section 8 assistance rather than renting. The homeownership option is limited to 1% of the total Section 8 HCV program administered by the Housing Authority in any fiscal year, provided that disabled families shall not be subject to the 1% limit. Only HCV participants who are enrolled in the Housing Authority's Family Self-Sufficiency (FSS) program are eligible for the program.

Change in Program Operations - The Housing Authority has included the El Pueblo public housing development in the Annual Plan for demolition and disposition.

The El Pueblo public housing development located in the City of Pittsburg has become a part of the City's redevelopment plan. Negotiations with the City are currently under way to dispose of this property in favor of single-family homes, and develop another multi-family apartment complex on a vacant six-acre lot located within the city.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

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Plan - Attachment J., page 66	

Attachments

Indicate which attachments are provided by selecting all that apply. Provide the attachment’s name (A, B, etc.) in the space to the left of the name of the attachment. Note: If the attachment is provided as a **SEPARATE** file submission from the PHA Plans file, provide the file name in parentheses in the space to the right of the title.

Required Attachments:

- Admissions Policy for Deconcentration
- FY 2005 Capital Fund Program Annual Statement
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

- PHA Management Organizational Chart

- FY 2005 Capital Fund Program 5 Year Action Plan
- Public Housing Drug Elimination Program (PHDEP) Plan
- Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text) See Attachment G
- Other (List below, providing each attachment name)

- Attachment A. List of Members of Governing Board of Commissioners**
 - Attachment B. List of Members of Advisory Housing Commission**
 - Attachment C. Statement of Progress**
 - Attachment D. Contra Costa Consolidated Plan, April 2000 cover sheet**
 - Attachment E. HUD 50075; Annual Statement/Performance & Evaluation Report, Capital Fund**
 - Attachment F. List of Members of Resident Advisory Board (RAB) 2005**
 - Attachment G. Minutes of RAB meeting, October 21, 2004**
 - Attachment H. Public Hearing Agenda: December 16, 2004**
 - Attachment I. Minutes of the Public Hearing Meeting December 16, 2004**
 - Attachment J. Certification by State or Local Official of PHA Plans**
 - Attachment K. Law Enforcement Letters of Support**
 - Attachment L. Certifications of Compliance with the PHA Plans & related Regulations**
 - Attachment M. Housing Choice Voucher Project Based Assistance**
 - Attachment N. Pet Policy, Elderly/Disabled Developments**
 - Attachment O. Pet Policy, General Occupancy (Family) Developments**
 - Attachment P. Complaints, Grievances and Appeals Public Housing**
 - Attachment Q. Complaints and Appeals Section 8 Program**
 - Attachment R. Community Service**
 - Attachment S. Section 8 Home Ownership Option Program and Addendum**
 - Attachment T. Public Housing Home Ownership Program**
 - Attachment U. Organization Chart**
 - Attachment V. Allowable deductions from Annual Income**
 - Attachment W. Deconcentration of Poverty and Income Mixing**
- Supporting Documents Available for Review**

Indicate which documents are available for public review by placing a mark in the "Applicable & On Display" column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair	5 Year and Annual Plans

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures <input checked="" type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures	Annual Plan: Grievance Procedures

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	<input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
X	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
X	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
X	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
X	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program <input checked="" type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
X	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
X	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall Needs" column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact." Use N/A to indicate that no information is available upon which the PHA can make this assessment.

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ability	Size	Loca-tion
Income <= 30% of AMI	11,296	5	5	3	2	5	5
Income >30% but <=50% of AMI	9,810	5	5	3	2	4	5
Income >50% but <80% of AMI	9,363	5	5	3	2	3	4
Elderly	6,136	5	5	4	4	2	3
Families with Disabilities	8,208	5	4	4	4	3	3
Race/Ethnicity White	30,569	4	3	3	2	2	2
Race/Ethnicity Hispanic	4,607	5	5	4	3	5	4
Race/Ethnicity Asian/Pac. Island	1,166	2	2	2	2	2	2
Race/Ethnicity Black	3,088	5	5	4	3	4	4

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- Consolidated Plan of the Jurisdiction/s
Indicate year: **FY 2000/02 – 2004/05**
- U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information)
**Consolidated Plan of the City of Richmond
Consultant 1999**

B. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists

State the housing needs of the families on the PHA's waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/sub-jurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	3,015		-0-
Extremely low income <=30% AMI	2,268	75.2%	
Very low income (>30% but <=50% AMI)	600	19.9%	
Low income (>50% but <80% AMI)	135	4.5	
Families with children	1,858	61.6	
Elderly families	165	5.5%	
Families with Disabilities	600	19.9%	
Race/ethnicity Black	2,365	78.4%	
Race/ethnicity White	342	11.3%	
Race/ethnicity Asian	23	.8%	
Race/ethnicity Native America	131	4.3%	
Race/ethnicity Hispanic	170	5.6%	

Housing Needs of Families on the Waiting List

Is the waiting List closed (select one)? No **Yes**

If yes:

How long has it been closed (# of months)? **36**

Does the PHA expect to reopen the list in the PHA Plan year?)? No **Yes**

Does the PHA permit specific categories of families onto the waiting list, even if generally closed?)? **No** Yes

Housing Needs of Families on the Waiting List

Waiting list type: (select one)

- Section 8 tenant-based assistance
 Public Housing
 Combined Section 8 and Public Housing
 Public Housing Site-Based or sub-jurisdictional waiting list (optional)
 If used, identify which development/subjurisdiction:

	# of families	% of total families	Annual Turnover
Waiting list total	4,318		900
Extremely low income <=30% AMI	1,047	24.2	
Very low income (>30% but <=50% AMI)	1	.002	
Low income (>50% but <80% AMI)	2,742	63.5	
Families with children	929	21.5	
Elderly families	705	16.3	
Families with Disabilities	2,071	48.0	
Race/ethnicity White	1,852	42.9	
Race/ethnicity Hispanic	569	13.2	
Race/ethnicity Asian/Pac. Islander	319	7.4	
Race/ethnicity Native America	131	4.3%	
Race/ethnicity Black	1,838	42.9	
Characteristics by Bedroom Size			
0 BR	2	.004	
1 BR	2,742	63.5	
2 BR	1,186	27.5	
3 BR	336	7.8	
4 BR	48	1.1	
5 BR	4	.009	

Housing Needs of Families on the Waiting List	
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
If yes:	
How long has it been closed (# of months)? 48 months	
Does the PHA expect to reopen the list in the PHA Plan year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	

C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Other (list below)

Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing
- Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- Other: (list below)

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

Select all that apply

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- Employ admissions preferences aimed at families with economic hardships
- Adopt rent policies to support and encourage work
- Other: (list below)

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

Select all that apply

- Employ admissions preferences aimed at families who are working
- Adopt rent policies to support and encourage work
- Other: (list below)

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available
- Other: **Consider new elderly outreach in the future.**

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- Seek designation of public housing for families with disabilities
- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)

Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

Select if applicable

- Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- Other: (list below)

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Other: (list below)

Other Housing Needs & Strategies: (list needs and strategies below)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs

- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: **Federal funding priorities**

Housing Authority's experience and knowledge

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2005 grants)	\$4,063,000	Before adjustments
a) Public Housing Operating Fund	\$ 3,745,390	
b) Public Housing Capital Fund	5,695,347	
c) HOPE VI Revitalization	-0-	
d) HOPE VI Demolition	-0-	
e) Annual Contributions for Section 8 Tenant-Based Assistance	60,914,382	Funding from Apr 1 thru Dec 31, 2005
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	-0-	
g) Resident Opportunity and Self-Sufficiency Grants	-0-	
h) Community Development Block Grant	225,000	Multi-family housing, housing rehabilitation
i) HOME	N/A	
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)	N/A	
DOJ (Weed & Seed)	20,000	PH Youth Activities
IDA/HHF Grant	-0-	
50103	289,610	PH Modernization
50104	2,195,225	PH Modernization
3. Public Housing Dwelling Rental Income	\$ 3,160,000	PH Operations
4. Other income (list below)		

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
Charges	72,225	PH Operations
Management Fees	140,000	HA Mgmt. Properties
5. Non-federal sources (list below)		
County Head Start Facilities	20,000	Maint. Head Start
County Homeless facilities	60,000	Maint. Homeless Fac.
Total resources	\$80,600,179	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

(1) Eligibility

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

- When families are within a certain number of being offered a unit: (state number)
- When families are within a certain time of being offered a unit: (state time)
- Other: **At initial application and re-verified prior to admission.**

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

- Criminal or Drug-related activity
- Rental history
- Housekeeping
- Other: **Sex Offender**

c. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

d. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

e. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

(2) Waiting List Organization

a. Which methods does the PHA plan to use to organize its public housing waiting list
(select all that apply)

- Community-wide list
- Sub-jurisdictional lists
- Site-based waiting lists
- Other (describe)

b. Where may interested persons apply for admission to public housing?

- PHA main administrative office
- PHA development site management office
- Other: **Central Waiting List Office and area offices**

c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**

1. How many site-based waiting lists will the PHA operate in the coming year?

2. Yes No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists?

3. Yes No: May families be on more than one list simultaneously?
If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- PHA main administrative office
- All PHA development management offices
- Management offices at developments with site-based waiting lists
- At the development to which they would like to apply
- Other (list below)

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- One
- Two
- Three or More

b. Yes No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

- Emergencies
- Overhoused
- Underhoused
- Medical justification
- Administrative reasons determined by the PHA (e.g., to permit modernization work)
- Resident choice: (state circumstances below)
- Other: **If a person is in a Victim/Witness Protection Program (upon request from law enforcement agency)**

c. Preferences

1. Yes No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If “no” is selected, skip to subsection **(5) Occupancy**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction

- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s): **Other disability preferences**

3. If the PHA will employ admissions preferences, please prioritize by placing a “1” in the space that represents your first priority, a “2” in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

1 Date and Time

Former Federal preferences:

Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)

2 Victims of domestic violence

Substandard housing

Homelessness

High rent burden

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans’ families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)

4. Relationship of preferences to income targeting requirements:

- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- The PHA-resident lease

- The PHA's Admissions and (Continued) Occupancy policy
- PHA briefing seminars or written materials
- Other source: **Family Obligations document; "One Strike" document**

b. How often must residents notify the PHA of changes in family composition?

(select all that apply)

- At an annual reexamination and lease renewal
- Any time family composition changes
- At family request for revision
- Other (list)

(6) Deconcentration and Income Mixing

a. Yes No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing? **(See attachment W)**

b. Yes No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

- Adoption of site based waiting lists
If selected, list targeted developments below:
- Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:
- Employing new admission preferences at targeted developments
If selected, list targeted developments below:
- Other:

d. Yes No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

- Additional affirmative marketing
- Actions to improve the marketability of certain developments
- Adoption or adjustment of ceiling rents for certain developments

- Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- Other:

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)

- Not applicable: results of analysis did not indicate a need for such efforts
- List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)

- Not applicable: results of analysis did not indicate a need for such efforts
- List (any applicable) developments below:

B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

(1) Eligibility

a. What is the extent of screening conducted by the PHA? (select all that apply)

- Criminal or drug-related activity only to the extent required by law or regulation
- Criminal and drug-related activity, more extensively than required by law or regulation
- More general screening than criminal and drug-related activity (list factors below)
- Other: **Income verification through a third party; credit history if fraud is suspected; sex offender history**

b. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

c. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

e. Indicate what kinds of information you share with prospective landlords? (select all that apply)

- Criminal or drug-related activity
- Other: **Rental history and related lease compliance**

(2) Waiting List Organization

a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)

- None
- Federal public housing
- Federal moderate rehabilitation
- Federal project-based certificate program
- Other federal or local program:
 1. **The Section 8 Community Investment demonstration program**
 2. **Designated housing for persons with disabilities (Special 200)**

b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)

- PHA main administrative office
- Other: **Central Waiting List Office**

(3) Search Time

a. Yes No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below: **Extensions beyond 120 days are given if the applicant demonstrates extensive but futile efforts to find a unit.**

(4) Admissions Preferences

a. Income targeting

Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

b. Preferences

1. Yes No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s): **Terminally ill; Victim/Witness Protection Program; Lottery Selections (if utilized).**

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

1 Date and Time

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 2** Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- 3** Veterans and veterans' families
- 1** Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)

Those previously enrolled in educational, training, or upward mobility programs

2 Victims of reprisals or hate crimes

Other preference(s): **Terminally Ill 2**

Victim/Witness Protection . . . 2

Lottery Selections (if utilized) 1

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

Date and time of application

Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for “residents who live and/or work in the jurisdiction” (select one)

This preference has previously been reviewed and approved by HUD

The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

The PHA applies preferences within income tiers

Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

The Section 8 Administrative Plan

Briefing sessions and written materials

Other (list below)

b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

Through published notices

Other: **Through direct service providers**

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

(1) Income Based Rent Policies

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one)

- The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

- The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- \$0
 \$1-\$25
 \$26-\$50

2. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below: **See HACCC Public Housing Manual, page 6-3; "Criteria for Hardship Exemptions".**

c. Rents set at less than 30% than adjusted income

1. Yes No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

For the earned income of a previously unemployed household member

For increases in earned income

Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

Fixed percentage (other than general rent-setting policy)

If yes, state percentage/s and circumstances below:

For household heads

For other family members

For transportation expenses

For the non-reimbursed medical expenses of non-disabled or non-elderly families

Other (describe below)

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

Yes for all developments

Yes but only for some developments

No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

For all developments

For all general occupancy developments (not elderly or disabled or elderly only)

For specified general occupancy developments

For certain parts of developments; e.g., the high-rise portion

For certain size units; e.g., larger bedroom sizes

Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

Market comparability study

Fair market rents (FMR)

95th percentile rents

75 percent of operating costs

- 100 percent of operating costs for general occupancy (family) developments
- Operating costs plus debt service
- The "rental value" of the unit
- Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)
- Never
 - At family option
 - Any time the family experiences an income increase
 - Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)_____
 - Other: **Any time the family experiences an income decrease or a change in family composition.**

- g. Yes No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)
- The section 8 rent reasonableness study of comparable housing
 - Survey of rents listed in local newspaper
 - Survey of similar unassisted units in the neighborhood
 - Other: **Age of housing stock, amenities, rental market and PUM formula**

B. Section 8 Tenant-Based Assistance

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

(1) Payment Standards

Describe the voucher payment standards and policies.

- a. What is the PHA's payment standard? (select the category that best describes your standard)
- At or above 90% but below 100% of FMR
 - 100% of FMR
 - Above 100% but at or below 110% of FMR
 - Above 110% of FMR (if HUD approved; describe circumstances below)

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
- The PHA has chosen to serve additional families by lowering the payment standard
- Reflects market or submarket
- Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- Reflects market or submarket
- To increase housing options for families
- Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- Annually
- Other: **As often as necessary to reflect changing market conditions**

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- Success rates of assisted families
- Rent burdens of assisted families
- Other: **Mix of market pressure, landlord participation, lease-up rate and the greatest number of households served**

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)

- \$0
- \$1-\$25
- \$26-\$50

b. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

- An organization chart showing the PHA's management structure and organization is attached.
- A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

List Federal programs administered by the PHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each. (Use "NA" to indicate that the PHA does not operate any of the programs listed below.)

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	1,168	151
Section 8 Vouchers	6,872	180
Section 8 Certificates	N/A	N/A
Section 8 Mod Rehab	N/A	N/A
Special Purpose Section 8 Certificates/Vouchers (list individually)	266	N/A
Public Housing Drug Elimination Program (PHDEP)	N/A	N/A
Other Federal Programs(list individually)	5	-0-

C. Management and Maintenance Policies

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

- (1) Public Housing Maintenance and Management: (list below)
- (2) Section 8 Management: (list below)

6. PHA Grievance Procedures [24 CFR Part 903.7 9 (f)]

Exemptions from component 6: High performing PHAs are not required to complete component 6. Section 8-Only PHAs are exempt from sub-component 6A.

A. Public Housing

1. Yes No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below: **See Attachment “P”, “Complaints, Grievances and Appeals”**

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

- PHA main administrative office
 PHA development management offices
 Other (list below)

B. Section 8 Tenant-Based Assistance

1. Yes No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below: **See Attachment “Q”, “Complaints and Appeals”**

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)

- PHA main administrative office
 Other: **Section 8 Housing Choice Voucher central office**

7. Capital Improvement Needs

[24 CFR Part 903.7 9 (g)]

Exemptions from Component 7: Section 8 only PHAs are not required to complete this component and may skip to Component 8.

A. Capital Fund Activities

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may skip to component 7B. All other PHAs must complete 7A as instructed.

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual

Statement tables provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD-52837.

Select one:

The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at **Attachment "E"**

-or-

The Capital Fund Program Annual Statement is provided below: (if selected, copy the CFP Annual Statement from the Table Library and insert here)

(2) Optional 5-Year Action Plan

Agencies are encouraged to include a 5-Year Action Plan covering capital work items. This statement can be completed by using the 5 Year Action Plan table provided in the table library at the end of the PHA Plan template **OR** by completing and attaching a properly updated HUD-52834.

a. Yes No: Is the PHA providing an optional 5-Year Action Plan for the Capital Fund? (if no, skip to sub-component 7B)

b. If yes to question a, select one:

The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state name)

-or-

The Capital Fund Program 5-Year Action Plan is provided below: (if selected, copy the CFP optional 5 Year Action Plan from the Table Library and insert here)

B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)

Applicability of sub-component 7B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

Yes No: a) Has the PHA received a HOPE VI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)
b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

1. Development name:
2. Development (project) number:
3. Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
- Revitalization Plan submitted, pending approval
- Revitalization Plan approved
- Activities pursuant to an approved Revitalization Plan underway

Yes No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?
If yes, list development name/s below:

Yes No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?
If yes, list developments or activities below: **It is dependent upon funding availability. Targeted site is CA011-009A.**

Yes No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
If yes, list developments or activities below: **It is dependent upon funding availability. Targeted site is CA011-009A.**

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

Applicability of component 8: Section 8 only PHAs are not required to complete this section.

1. Yes No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

Yes No: Has the PHA provided the activities description information in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)

Demolition/Disposition Activity Description
1a. Development name: Las Deltas

1b. Development (project) number: 11009A, 11009B
2. Activity type: Demolition <input checked="" type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or planned for submission: 04/30/05
5. Number of units affected: 87
6. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: 12/04 b. Projected end date of activity: 09/06

Demolition/Disposition Activity Description
1a. Development name: El Pueblo
1b. Development (project) number: 11005
2. Activity type: Demolition <input checked="" type="checkbox"/> Disposition <input checked="" type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>
4. Date application approved, submitted, or planned for submission: 03/31/05
5. Number of units affected: 176
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: 07/01/05 b. Projected end date of activity: 12/31/09

9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities

[24 CFR Part 903.7 9 (i)]

Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. Yes No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities

or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.

Designation of Public Housing Activity Description
1a. Development name: 1b. Development (project) number:
2. Designation type: Occupancy by only the elderly <input type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA’s Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission: <u>(DD/MM/YY)</u>
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

A. Assessments of Reasonable Revitalization Pursuant to section 202 of the HUD FY 1996 HUD Appropriations Act

1. Yes No: Have any of the PHA’s developments or portions of developments been identified by HUD or the PHA as covered

under section 202 of the HUD FY 1996 HUD Appropriations Act? (If “No”, skip to component 11; if “yes”, complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 11. If “No”, complete the Activity Description table below.

Conversion of Public Housing Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. What is the status of the required assessment?	<input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)	
4. Status of Conversion Plan (select the statement that best describes the current status)	<input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD-approved Conversion Plan underway
5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)	<input type="checkbox"/> Units addressed in a pending or approved demolition application (date submitted or approved:) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved:) <input type="checkbox"/> Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved:) <input type="checkbox"/> Requirements no longer applicable: vacancy rates are less than 10 percent <input type="checkbox"/> Requirements no longer applicable: site now has less than 300 units <input type="checkbox"/> Other: (describe below)

B. Reserved for Conversions pursuant to Section 22 of the U.S. Housing Act of 1937

C. Reserved for Conversions pursuant to Section 33 of the U.S. Housing Act of 1937

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

Exemptions from Component 11A: Section 8 only PHAs are not required to complete 11A.

1. Yes No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved HOPE I program (42 U.S.C. 1437aaa) or has the PHA applied or plan to apply to administer any homeownership programs under section 5(h), the HOPE I program, or section 32 of the U.S. Housing Act of 1937 (42 U.S.C. 1437z-4). (If “No”, skip to component 11B; if “yes”, complete one activity description for each applicable program/plan, unless eligible to complete a streamlined submission due to **small PHA** or **high performing PHA** status. PHAs completing streamlined submissions may skip to component 11B.)

2. Activity Description

- Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 12. If “No”, complete the Activity Description table below.)

Public Housing Homeownership Activity Description (Complete one for each development affected)
1a. Development name: Las Deltas
1b. Development (project) number: CA09A and CA09B
2. Federal Program authority: <input type="checkbox"/> HOPE I <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input checked="" type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one) <input type="checkbox"/> Approved; included in the PHA’s Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application
4. Date Homeownership Plan/Program planned for submission: 01/03/2005
5. Number of units affected: 90
6. Coverage of action: (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development

B. Section 8 Tenant Based Assistance – See Attachment S, Section 8 Homeownership Option Program

1. Yes No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If “No”, skip to component 12; if “yes”, describe each program using the table below (copy and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. **High performing PHAs** may skip to component 12.)

2. Program Description: **See Attachment S**

a. Size of Program

Yes No: Will the PHA limit the number of families participating in the section 8 homeownership option? **Yes, participation is limited to 1% of baseline voucher allocation.**

If the answer to the question above was yes, which statement best describes the number of participants? (select one)

- 25 or fewer participants
- 26 - 50 participants
- 51 to 100 participants
- more than 100 participants

b. PHA-established eligibility criteria

Yes No: Will the PHA’s program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?

If yes, list criteria below:

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (l)]

Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8-Only PHAs are not required to complete sub-component C.

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

Yes No: Has the PHA has entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

If yes, what was the date that agreement was signed? **03/20/01**

2. Other coordination efforts between the PHA and TANF agency (select all that apply)

- Client referrals
- Information sharing regarding mutual clients (for rent determinations and otherwise)
- Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
- Jointly administer programs
- Partner to administer a HUD Welfare-to-Work voucher program
- Joint administration of other demonstration program
- Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas? (select all that apply)

- Public housing rent determination policies
- Public housing admissions policies
- Section 8 admissions policies
- Preference in admission to section 8 for certain public housing families
- Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- Preference/eligibility for public housing homeownership option participation
- Preference/eligibility for section 8 homeownership option participation
- Other policies (list below)

b. Economic and Social self-sufficiency programs

- Yes No: Does the PHA coordinate, promote or provide any programs to enhance the economic and social self-sufficiency of residents? (If "yes", complete the following table; if "no" skip to sub-component 2, Family Self Sufficiency Programs. The position of the table may be altered to facilitate its use.)

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)
Rubicon, No. Richmond	10-15 day	Random	Las Deltas CA006	Public Housing
Tech Center, Pittsburg	75/day	Waiting List	El Pueblo, CA 005	Public Housing

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2004 Estimate)	Actual Number of Participants (As of: 09/30/04)
Public Housing		
Section 8	340	242

- b. Yes No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent FSS Action Plan address the steps the PHA plans to take to achieve at least the minimum program size?
If no, list steps the PHA will take below:

C. Welfare Benefit Reductions

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)

- Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
- Informing residents of new policy on admission and reexamination
- Actively notifying residents of new policy at times in addition to admission and reexamination.
- Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
- Establishing a protocol for exchange of information with all appropriate TANF agencies
- Other: (list below)

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

A. Need for measures to ensure the safety of public housing residents

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)

- High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
- Residents fearful for their safety and/or the safety of their children
- Observed lower-level crime, vandalism and/or graffiti
- People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- Other (describe below)

2. What information or data did the PHA use to determine the need for PHA actions to improve safety of residents (select all that apply).

- Safety and security survey of residents
- Analysis of crime statistics over time for crimes committed "in and around" public housing authority
- Analysis of cost trends over time for repair of vandalism and removal of graffiti
- Resident reports
- PHA employee reports
- Police reports
- Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- Other: **HUD Resident Surveys**

3. Which developments are most affected? **CA011-005; CA011-006; CA011-9A; CA011-09B; CA011-10**

B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year

1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply)

- Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- Crime Prevention Through Environmental Design
- Activities targeted to at-risk youth, adults, or seniors
- Volunteer Resident Patrol/Block Watchers Program: **Neighborhood Watch**
- Other: **Contracting with local law enforcement agencies**

2. Which developments are most affected? **CA011-005; CA011-006; CA011-9A; CA011-09B; CA011-10**

C. Coordination between PHA and the police

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- Police provide crime data to housing authority staff for analysis and action
- Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- Police regularly testify in and otherwise support eviction cases
- Police regularly meet with the PHA management and residents
- Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- Other activities (list below)

2. Which developments are most affected? **CA011-005; CA011-006; CA011-9A; CA011-09B; CA011-10**

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- Yes No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- Yes No: Has the PHA included the PHDEP Plan for FY 2005 in this PHA Plan?
- Yes No: This PHDEP Plan is an Attachment. (Attachment Filename: ____)

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

See Attachments N “Pet Policy Elderly/Disabled Projects”, and Attachment O, “Pet Policy General Occupancy (Family) Projects”

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations.

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. Yes No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?
(If no, skip to component 17.)
2. Yes No: Was the most recent fiscal audit submitted to HUD?
3. Yes No: Were there any findings as the result of that audit?
4. Yes No: If there were any findings, do any remain unresolved?
If yes, how many unresolved findings remain?
5. Yes No: Have responses to any unresolved findings been submitted to HUD?
If not, when are they due (state below)?

17. PHA Asset Management

[24 CFR Part 903.7 9 (q)]

Exemptions from component 17: Section 8 Only PHAs are not required to complete this component. High performing and small PHAs are not required to complete this component.

1. Yes No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock , including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?
2. What types of asset management activities will the PHA undertake? (select all that apply)
 - Not applicable
 - Private management
 - Development-based accounting
 - Comprehensive stock assessment
 - Other: (list below)

3. Yes No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

1. Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?
2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
- Attached at **Attachment G, Minutes of RAB Meeting, 10/21/04**
- Provided below:
3. In what manner did the PHA address those comments? (select all that apply)
- Considered comments, but determined that no changes to the PHA Plan were necessary.
- The PHA changed portions of the PHA Plan in response to comments
List changes below:
- Other: (list below)

B. Description of Election process for Residents on the PHA Board

1. Yes No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)
2. Yes No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process

- a. Nomination of candidates for place on the ballot: (select all that apply)
- Candidates were nominated by resident and assisted family organizations
- Candidates could be nominated by any adult recipient of PHA assistance
- Self-nomination: Candidates registered with the PHA and requested a place on ballot
- Other: (describe)
- b. Eligible candidates: (select one)
- Any recipient of PHA assistance
- Any head of household receiving PHA assistance

- Any adult recipient of PHA assistance
- Any adult member of a resident or assisted family organization
- Other (list)

c. Eligible voters: (select all that apply)

- All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
- Representatives of all PHA resident and assisted family organizations
- Other (list)

C. Statement of Consistency with the Consolidated Plan

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

1. Consolidated Plan jurisdiction: **Contra Costa County (excluding the city of Richmond)**

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
 - The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
 - The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
 - The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
 - Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan.
 - Full utilization of assisted housing programs**
 - Rental rehabilitation program**
 - Other: (list below)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments:
 - Coordination and consultation with planning process**
 - Partnership in housing activities**

D. Other Information Required by HUD

Use this section to provide any additional information requested by HUD.

In accordance with 24CFR903.21 and PIH Notice 99-51, the Housing Authority shall consider significant changes or substantial deviation/modifications to the Annual Plan to be defined as follows:

- **Changes to rent or admissions policies, or organization of the waiting list;**
- **Substantial additions of non-emergency work items not included in the current annual statement or changes in the use of Replacement Reserve Fund under the Capital Fund;**
- **Addition of new activities not included in the current Annual Plan;**
- **Any change with regard to demolition or disposition, designation homeownership program or conversion activities**

The Housing Authority shall exercise due diligence and the “reasonable or prudent person” concept when determining the materiality of significant or substantial deviation/modifications.

Attachments

Use this section to provide any additional attachments referenced in the Plans.

Attachment A

**HOUSING AUTHORITY
of the
COUNTY OF CONTRA COSTA**

3133 Estudillo Street • P.O. Box 2759 • Martinez, California 94553
PHONE: (925) 372-7400 FAX (925) 372-0236

**MEMBERS OF THE
GOVERNING BOARD OF COMMISSIONERS**

District 1

John Gioia, Vice Chair
11780 San Pablo Avenue, Suite D
El Cerrito, CA 94530

District 2

Gayle B. Uilkema, Chair
651 Pine Street, Room 108A
Martinez, CA 94553

District 3

Millie Greenberg
309 Diablo Road
Danville, CA 94526

District 4

Mark DeSaulnier
2425 Bisso Lane, Suite 110
Concord, CA 94520

District 5

Federal D. Glover
315 East Leland Road
Pittsburg, CA 94565

Diana Tenes
3160 Oak Road, #203
Walnut Creek, CA 94597

Attachment B

**HOUSING AUTHORITY
of the
COUNTY OF CONTRA COSTA**

3133 Estudillo Street • P.O. Box 2759 • Martinez, California 94553
PHONE: (925) 372-7400 FAX (925) 372-0236

MEMBERS OF ADVISORY HOUSING COMMISSION

Alfred W. Fleck, Jr., Chair
174 Marcus Avenue
Richmond, CA 94801-1704

Richard Lujan
3810 Crestview Drive
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312-1 Atlas
Hercules, CA 94547

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HOUSING AUTHORITY of the COUNTY OF CONTRA COSTA

3133 Estudillo Street • P.O. Box 2759 • Martinez, California 94553
PHONE: (925) 372-7400 FAX (925) 372-0236

Statement of Progress in Meeting the 5-year Plan Mission and Goals

The Housing Authority of the County of Contra Costa (HACCC) in its efforts to increase the availability of decent safe and affordable housing in a good state of repair (DSA/GR) has implemented or accomplished the following:

- The HACCC has developed a five-year action plan to increase the available housing in the Bay Point Community of the county by developing available land and leveraging available funds. The new development will be known as De Anza Gardens (a tax credit property), consisting of 180 units.

In addition to the above, the HACCC has also implemented or initiated the following activities to meet its 5 year goals:

- A strategic planning meeting for the upcoming fiscal year has been scheduled for February 2005 to assess the HACCC goals, accomplishments and activities. This meeting includes HACCC management staff and advisory board members.
- Maintains a landlord newsletter to develop better communications between Section 8 property owners and the HACCC.
- Increased security at HACCC targeted public housing complexes by continuing communications and cooperation with local law enforcement agencies. This was accomplished through the renewal of security service agreements and purchasing direct voice communication devices between management staff and local sheriffs at three public housing complexes. The HACCC has rehabilitated one targeted public housing office to increase security and safety of staff and restricting public access to staff areas. Staff has installed surveillance security devices at select sites to protect staff, tenants, and buildings. Other remedies to diminish crime at its public housing locations include a Neighborhood Watch and Block Captains programs.
- The HACCC is currently operating a recreational facility for the youths at the Las Deltas Public Housing complex in North Richmond. This program will be re-evaluated periodically for other funding sources, since Congress has stopped grant funding the Public Housing Drug Elimination Program.
- The Housing Authority of the County of Contra Costa also partners with the Department of Justice with limited funding for “Camp DEFY” (Drug Education For Youth), a mentoring and higher education program for the youth of Las Deltas in North Richmond, Bayo Vista in Rodeo, and in El Pueblo in Pittsburg, CA.

- The HACCC Family Self-Sufficiency (FSS) increased enrollment in the program from 260 participants in October 2003 to approximately 320 participants by November 1, 2004, and to 350 at the start of FY 2005. Since January 1, 2002 there have been 23 graduates from the FSS Program.

FY 2001/02 – 2004/5

**Contra Costa
Consolidated Plan
April 2000**

**City of Antioch
California**

Concord

**The Seal of
Contra Costa County California**

Pittsburg

City of Walnut Creek

Annual Statement/Performance and Evaluation Report					
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary					
PHA Name: Housing Authority of the County of Contra Costa		Grant Type and Number Capital Fund Program Grant No: CA39P01150105 Replacement Housing Factor Grant No:			Federal FY of Grant: 2005
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	175,000			
3	1408 Management Improvements Soft Costs	355,000			
	Management Improvements Hard Costs	84,000			
4	1410 Administration	244,000			
5	1411 Audit	2,000			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	70,225			
8	1440 Site Acquisition				
9	1450 Site Improvement	160,000			
10	1460 Dwelling Structures	1,013,000			
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures	210,000			
13	1475 Nondwelling Equipment	25,000			
14	1485 Demolition	10,000			
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs	45,000			
18	1499 Development Activities				
19	1502 Contingency	52,000			
20	Amount of Annual Grant: (sum of lines 2-19)	2,445,225			
	Amount of line 20 Related to LBP Activities	-0-			
	Amount of line 20 Related to Section 504 compliance	70,000			
	Amount of line 20 Related to Security –Soft Costs	244,000			
	Amount of Line 20 Related to Security-- Hard Costs	-0-			
	Amount of line 20 Related to Energy Conservation Measures	572,000			
	Collateralization Expenses or Debt Service	-0-			

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of the County of Contra Costa		Grant Type and Number Capital Fund Program Grant No: CA39P01150105 Replacement Housing Factor Grant No:				Federal FY of Grant: 2005		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost	Status of Work
HA- Wide	Operations		1406		175,000			
	Resident Services		1408		136,000			
	Asst. Dir. Facilities Management		1408		39,000			
	Agency-wide Security		1408		180,000			
	Computer Hardware/Communications		1408		84,000			
	Administration		1410		244,000			
	Audit		1411		2,000			
	Project Management, Planning Costs		1430		70,225			
CA011001/ Alhambra Terrace	Landscape Improvements		1450		50,000			
	Office/Maintenance Improvements		1470		130,000			
CA011003/ Bridgemont	Landscape Improvements		1450		60,000			
CA011006/ Las Deltas	Parking & Fencing Improvements		1450		30,000			
	Unit Interior Modernization		1460		600,000			
	Select Unit Demolition		1485		10,000			
CA011010/ Bayo Vista	Maint. Building Improvements		1470		10,000			
	Unit Interior Modernization		1460		403,000			
CA045001/ Vista del Camino	Replace Address Signage		1460		10,000			
	Landscape Improvements		1450		20,000			
HA - Wide	Accessibility Improvements		1470		70,000			
	Maintenance Truck		1475		25,000			
	Relocation Costs		1495.1		45,000			
	Contingency		1502		52,000			
	Grant Total				2,445,225			

Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part III: Implementation Schedule

PHA Name: Housing Authority of the County of Contra Costa		Grant Type and Number Capital Fund Program No: CA39P01150105 Replacement Housing Factor No:					Federal FY of Grant: 2005	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates	
	Original	Revised	Actual	Original	Revised	Actual		
HA – Wide	12/31/08			12/31/10				
CA011001/ Alhambra Terrace	12/31/08			12/31/10				
CA011003/ Bridgemont	12/31/08			12/31/10				
CA011006/ Las Deltas	12/31/08			12/31/10				
CA011010/ Bayo Vista	12/31/08			12/31/10				
CA045001/ Vista del Camino	12/31/08			12/31/10				

Capital Fund Program Five-Year Action Plan

Part I: Summary

PHA Name: Housing Authority of the County of Contra Costa

Original 5-Year Plan

Revision No:

Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: 2006 PHA FY: 2006	Work Statement for Year 3 FFY Grant: 2007 PHA FY: 2007	Work Statement for Year 4 FFY Grant: 2008 PHA FY: 2008	Work Statement for Year 5 FFY Grant: 2009 PHA FY: 2009
	Annual Statement				
CA011001/Alhambra Terrace					
CA011003/Bridgemont					80,000
CA011004/Los Nogales				75,000	
CA011005/El Pueblo					
CA011006/Las Deltas		100,000		100,000	
CA011008/Los Arboles			90,000		
CA011009A/Las Deltas Annex 1					
CA011009B/Las Deltas Annex 2					
CA0110010/Bayo Vista		900,000	900,000	900,000	900,000
CA0110011/Hacienda					
CA0110012/Casa de Manana					
CA0110013/Casa Serena			85,000		
CA0110015/Elder Winds					
CA045001/Vista del Camino					95,000
CA045002/Kidd Manor		75,000			
Relocation		100,000	100,000	100,000	100,000
Contingency		52,000	52,000	52,000	52,000
Total Work Items		1,227,000	1,227,000	1,227,000	1,227,000
Operations		175,000	175,000	175,000	175,000
Mgmt. Improvements		417,000	417,000	417,000	417,000
Administration		208,000	208,000	208,000	208,000
Audit		2,000	2,000	2,000	2,000
Fees & Costs		60,610	60,610	60,610	60,610
Total CFP Funds (Est.)		2,089,610	2,089,610	2,089,610	2,089,610

Capital Fund Program Five-Year Action Plan
Part II: Supporting Pages—Work Activities

Development Number/Name/HA-Wide	Activities for Year 1 FFY 2005	Activities for Year 2 FFY 2006	Activities for Year 3 FFY 2007	Activities for Year 4 FFY 2008	Activities for Year 5 FFY 2009
CA011001/ Alhambra Terrace	(SEE				
CA011002/ Los Medanos	ANNUAL				
CA011003/ Bridgemont	PLAN)				Repaint Unit Exteriors
CA011004/ Los Nogales				Repaint Unit Exteriors	
CA011005/ El Pueblo					
CA011006/ Las Deltas		Unit Interior Modernization		Unit Interior Modernization	
CA011008/ Los Arboles			Repaint Unit Exteriors		
CA011009A/ Las Deltas Annex 1					
CA011009B/ Las Deltas Annex 2					
CA0110010/ Bayo Vista		Remodel Select Units	Remodel Select Units	Remodel Select Units	Remodel Select Units
CA0110011/ Hacienda					
CA0110012/ Casa de Manana					
CA0110013/ Casa Serena			Exterior Repairs		
CA0110015/ Elder Winds					
CA045001/ Vista del Camino					Utility Line Repairs
CA045002/ Kidd Manor		Repair Parking and Landscape			
Total Physical Improvements		1,075,000	1,075,000	1,075,000	1,075,000

**HOUSING AUTHORITY
of the
COUNTY OF CONTRA COSTA**

3133 Estudillo Street P. O. Box 2759 Martinez, CA 94553

Telephone (925) 372-7400 Fax (925) 372-3206

RESIDENT ADVISORY BOARD MEMBERS

2005

Gloria Martin

El Pueblo Resident Council
52 Treatro Ave., #261
Pittsburg, CA 94565

Deborah Drake

Bayo Vista Resident Council
23 California Street
Rodeo, CA 94572

Dianne Angle, RAB President

Elder Winds Resident Council
2100 Buchanan Rd., #A216
Antioch, CA 94509

Wendell Booth

Elder Winds Resident Council
2100 Buchanan Road, #A104
Antioch, CA 94509

Mary Dempsey

Elder Winds
2100 Buchanan Road, #B314
Antioch, CA 94509

Geneva Green

Elder Winds Resident Council
2100 Buchanan Road, #C504
Antioch, CA 94509

Ben Laskari

Casa Serena Resident Council
1045 Clearland Drive
Bay Point, CA 94565

Shirley Marion

Casa Serena Resident Council
1055 Clearland Drive
Bay Point, CA 94565

Lucretia Wallace

El Pueblo Resident Council
190 Corte Maria, #368
Pittsburg, CA 94565

Kay Smith

Bayo Vista Resident Council
23 California Street
Rodeo, CA 94572

Genieva Gray

Elder Winds Resident Council
2100 Buchanan Rd., #A102
Antioch, CA 94509

Lillie Bairos

Bayo Vista Resident Council
107 California Street
Rodeo, CA 94572

Tena Sloan, Section 8 Rep.

608 West 11th Street
Antioch, CA 94509

Melvin Jackson

El Pueblo Resident Council
160 Corte Maria, #365
Pittsburg, CA 94565

**HOUSING AUTHORITY
OF THE
COUNTY OF CONTRA COSTA**



RESIDENT ADVISORY BOARD

**Thursday, October 21, 2004
6:00 P.M.
Large Conference Room**

A G E N D A

- 1. Welcome**
- 2. Approve Minutes of the last meeting**
- 3. Discussion of the proposed FY 2005 Annual Plan**
- 4. Approval of the proposed 2005 Annual Plan**

3133 ESTUDILLO STREET • P. O. BOX 2759 • CALIFORNIA 94553 • PHONE (925) 957-8000 • FAX (925) 372-0236
www.contracostahousing.org

**HOUSING AUTHORITY
OF THE
COUNTY OF CONTRA COSTA**



**MINUTES
RESIDENT ADVISORY BOARD
Thursday, October 21, 2004
6:00 p.m.**

Attendees: Dianne Angle, RAB President; Mary Dempsey, Elder Winds; Wendell Booth Elder Winds Resident Council; Tena Sloan, Section 8 Representative; Behram Laskari, Casa Serena Resident Council; Shirley Marion, Casa Serena Resident Council; Gloria Martin, El Pueblo Resident Council; Kay Smith, Bayo Vista Resident Council; Lillie Bairos, Bayo Vista Resident Council; Deborah Drake, Bayo Vista Resident Council; Ralph Rosario, Director, of Managed Housing Programs, HACCC; Robert Moore, HACCC Technical Officer; Mary F. Granacha, Secretary Housing Operations, HACCC.

The meeting was called to order at 6:00 p.m. by the President, Dianne Angle. She explained that Geneva Green, the RAB Secretary-Treasurer, is on vacation until the end of the month.

The minutes of the last meeting on June 10, 2004 were approved as written.

Mr. Rosario introduced the FY 2005 Annual Plan, and stated that this year the filing will include a newly revised Five Year Plan for FY 2005 – 2009. The required templates for these two plans were not available as of this meeting, so a draft of the plan could not be distributed. Mr. Rosario went over the revisions to be made, one by one. Copies of the plans will be distributed with copies of these minutes.

M/S/P to approve the draft Annual Plan for FY 2005, and the Five Year Plan.

The Public Hearing meeting is scheduled on December 16, 2004, at 6:00 p.m., and is open for comments from the public. The RAB members are welcome to attend.

Mr. Rosario introduced Robert Moore, Technical Officer, who went over the new draft Capital Fund Program for FY 2005 and the Five Year Plan period. He explained that this is the primary tool used for remodeling and construction in the Housing Authority. Mr. Moore then explained, item by item, the anticipated distribution of the budget monies. For instance, there have been roof leaks at the central office, which is part of the Alhambra Terrace development. Allocations change as needs arise, or emergencies occur.

Mr. Laskari called attention to roof leaks at the Casa Serena site, and Mr. Moore promised that he will have those roofs examined.

M/S/P to approve the draft Capital Fund Program for FY 2005.

Discussion followed regarding the October 1, 2003 reinstatement of the Community Service Requirement Program for all non-exempt residents of public housing. Each non-exempt adult family member between the ages of 18 and 62 must contribute eight hours per month of community service. This requirement is a part of the Lease, and in order to obtain a lease renewal on the expiration date of the current lease, residents must be in compliance and able to prove to their Housing Manager that 96 hours of community service was performed in the previous 12 months time. Those persons not in compliance may be terminated from housing unless they sign an agreement to double the hours required for the next 12 months renewal period. This will be the only extension allowed.

Mr. Rosario spoke about the effect of budget cuts on the agency, and on the people who work here. Premiums on medical plans are still rising, premiums on disability insurance are still rising, and employees of the Housing Authority are getting hit hard financially, but still getting the work done.

Ms. Angle spoke about the fact that the RAB members must try to represent the agency to the residents, as well as vice versa.

Mr. Rosario spoke about outstanding charges on the books that need to be paid, but which (in and of themselves) will not cause anyone to be evicted.

Ms. Angle suggested that people carefully read through the annual plan when they receive it, and then also consider the fact that it has been two years since the election of RAB officers. The office of Vice President remains unfilled. Elections of officers for the RAB should be held at least every three years. Ms. Angle said she would like to continue as President, but that of course other nominations are welcome. We need more than four complexes to be represented in the RAB.

Discussion followed regarding the promised stipend for attending quarterly RAB meetings.

M/S/P that drivers will receive \$50 per quarter for driving to the meeting, and other actual members who attend will get paid \$25 per quarter.

Mary Frances passed around the appropriate voucher forms for people to complete.

It was suggested that for the next meeting of the RAB on December 16 at 4:00 p.m. that all participants bring dishes for a potluck dinner.

Ms. Angle adjourned the meeting at 7:45 p.m.

Respectfully submitted,

/s/ Mary F. Granacha

Mary F. Granacha
Secretary Housing Operations

**HOUSING AUTHORITY
of the
COUNTY OF CONTRA COSTA**



A G E N D A

PUBLIC HEARING

Thursday, December 16, 2004

5:00 P.M.

. Attendees: **Ralph Rosario**, Director of Managed Housing Programs, HACC; **Dianne Angle**, RAB President and Elder Winds Resident; **Gloria Martin**, El Pueblo Resident Council; **Melvin Jackson** ; El Pueblo Resident Council; **Wendell Booth**, Elder Winds Resident Council; **Geneva Green**, Elder Winds Resident Council; **Mary Dempsey** Elder Winds Resident Council; **Kay Smith**, Bayo Vista Resident Council; **Lillie Bairos**, Bayo Vista Resident Council; **Deborah Drake**, Bayo Vista Resident Council; **Shirley Marion**, Casa de Serena Resident Council; **Behran Laskari**, Casa Serena Resident Council; **Tena Sloan**, Section 8 Participant; **Terrance Brake**, Housing Manager, HACCC; **RosaLinda Morales**, Housing Manager, HACCC; **Jodi Pineda**, Housing Manager, HACCC; **Colleen L. Morillo**, Development Department Secretary, HACCC

Dianne Angle called the meeting to order and inquired about the October 21st meeting the minutes.

She notated some misspellings of tenants names and commented that she had spoken to Mary Frances Granacha, Housing Operations Secretary, regarding that issue. Ms. Granacha told her she would make the necessary corrections.

Ben moved to approve the revised October 21st meeting minutes and Mary seconded the motion. It was unanimously approved.

A discussion ensued on the Annual Plan. Ralph Rosario pointed out that technically nothing has changed but that the only reision would be in El Pueblo. He further explained that the Housing Authority is now communicating with the City of Pittsburg. The City wants to build single family homes, residential townhouses and commercial properties on the 15 acres of the El Pueblo Development. It entails tearing down the 176 units at El Pueblo. In turn, they want to give us approximately 6.5 acres in the city across from Church of the Good Shepard on Harbor Street in Pittsburg for us to build an 80 unit development of affordable housing, utilizing other rental property and or Affordable Tax Credit. We would be looking at five years time from demolition to construction.

Mr. Rosario further explained that HUD, most likely, will no longer be building public housing units and has a plan of disposing all of the existing public housing by year 2011. He said that at any time you can go to the website www.hud.gov and learn all about HUD's future plans.

Minutes
RAB Meeting
December 16, 2004

He said that future funding from HUD will be diminishing and that smaller Housing Authorities would be taking it hard. He noted that this agency is pretty sound and that we have managed our money well and are always looking for innovative ways to increase/sustain funds to assist our existing housing developments. Right now we are not accepting any applications for housing except for Seniors.

Mr. Rosario continued by explaining that just as we did for Los Medanos we would be doing it for El Pueblo. Our employees would be working with Consumer Credit Counseling or other similar agencies to assist the El Pueblo residents in cleaning up their credit history, if needed. If we begin early enough we could acquire a positive outcome when a credit check is made for obtaining housing with a voucher. A Housing Choice Voucher allows you the opportunity to go anywhere, it is portable, but certain restrictions may apply. Mr. Rosario explained that if something negative pops up on the background check, it could put the tenant's ability to locate housing with a voucher in jeopardy. We want all residents to be successful in finding a new place to live. Our employees will get the residents in touch with the right agencies should they need assistance.

Mr. Rosario stressed that all of these upcoming plans for El Pueblo are in the negotiating stage. He said the Housing Authority is still talking with the City and no final decisions have been made. We want to call a Town Hall meeting in the next two months to calm their fears. He said they would have to seek out a large meeting place considering all the people that could potentially attend. With this whole project, we are still looking at a couple of years.

Mr. Rosario also announced that Terrance Brake, the Housing Manager for the Pittsburg area is leaving our agency. His last day of service will be January 7, 2005.

Ben made a motion to approve the Annual Plan and Five Year Plan as a body of paperwork. Mary seconded the motion and the vote was unanimous.

There being nothing further to discuss the meeting was adjourned at 5:45 p.m.

**PUBLIC NOTICE
HOUSING AUTHORITY
OF THE
COUNTY OF
CONTRA COSTA**

The Housing Authority of the
County of Contra Costa
is conducting a
Public Hearing for its
FY 2005 Annual Plan.

Public Hearing Location:
3133 Estudillo Street
Martinez, CA 94553
Date: Thurs. Dec. 16, 2004
Time: 6:00 pm
Copies of plan available
at following locations:

WEST COUNTY
No. Richmond Housing
Authority Office
1601 N. Jade Street
No. Richmond, CA 94801

Rodeo Housing
Authority Office
2 California Street
Rodeo, CA 94572

CENTRAL COUNTY
Martinez Housing
Authority Office
3133 Estudillo Street
Martinez, CA 94553

Section 8 Housing
Choice Voucher Office
1805 Arnold Drive
Martinez, CA 94553

EAST COUNTY
El Pueblo Housing
Authority Office
875 El Pueblo Ave.
Pittsburg, CA 94565

Oakley Housing
Authority Office
990 A Rosemary Lane
Oakley, CA 94561

Minutes
PUBLIC HEARING
December 16, 2004

6:00 p.m.

2005 PHA Annual Plan & Five Year Plan (2005 – 2009)

Attendees: **Ralph Rosario**, Director of Managed Housing Programs, HACC; **Dianne Angle**, RAB President and Elder Winds Resident; **Gloria Martin**, El Pueblo Resident Council; **Melvin Jackson** ; El Pueblo Resident Council; **Wendell Booth**, Elder Winds Resident Council; **Geneva Green**, Elder Winds Resident Council; **Mary Dempsey** Elder Winds Resident Council; **Kay Smith**, Bayo Vista Resident Council; **Lillie Bairos**, Bayo Vista Resident Council; **Deborah Drake**, Bayo Vista Resident Council; **Shirley Marion**, Casa de Serena Resident Council; **Behran Laskari**, Casa Serena Resident Council; **Tena Sloan**, Section 8 Participant; **Terrance Brake**, Housing Manager, HACCC; **Rosalinda Morales**, Housing Manager, HACCC; **Jodi Pineda**, Housing Manager, HACCC; **Robert Moore**, Housing Technical Officer, HACCC; **Colleen L. Morillo**, Development Department Secretary, HACCC

Mr. Robert Moore opened the meeting by asking if anyone had any questions regarding the PHA Annual Plan or the Five Year Plan.

In reviewing the Annual Plan, Diane Angle requested that come next year could the RAB be given a small cheat sheet which has a glossary of all the developments, with their names and development number along with a master list of acronyms. It would make reading and understanding the Annual Plan relatively easy. She did, however, inquire about the difference in the total in the two pages of the Capital Fund Program chart. Upon reviewing the pages, Mr. Moore thanked her for her thoroughness and assured her that it was a typo. He said the two figures should be the same and it would be revised.

Mr. Rosario asked if anyone present had other questions regarding the Annual Plan or the Five Year Plan.

Lily Bairos inquired when we were going to start the Senior Plan at Bayo Vista.

Mr. Moore said that they want that work to be Phase IV on Trigger Court. He further stated that at this time he was unsure as to when that would be happening. He also said that we could vary from that and complete the work sooner, so there are a lot of possibilities.

Mr. Moore explained that the new fencing at Elder Winds is in the works and the job would be completed this winter. Questions ensued on the alarm system at Elder Winds and they were informed that any questions, concerns, complaints on the alarm system or maintenance personnel should be directed to Cynthia Simpson (925) 957-8040.

There being no further business to discuss, the meeting was adjourned at 6:09 p.m.

Attachment J.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

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

I, James Kennedy, the Deputy Director of Redevelopment, certify that the Five Year and Annual PHA Plan for the Housing Authority of the County of Contra Costa is consistent with the Consolidated Plan of the Contra Costa Consortium prepared pursuant to 24 CFR Part 91.


Signed / Dated by Appropriate State or Local Official

Date: 10/25/04

Certification by State and Local Official of PHA Plans Consistency with the Consolidated Plan to Accompany the HUD 50075
OMB Approval No. 2577-0256
Expires 03/31/2003
(759)
Page 1 of 1

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:
Board Resolution to Accompany the *Standard Annual, Standard 5-Year/Annual, and
Streamlined 5-Year/Annual PHA Plans***

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official (where it is a Board of Commissioners), I approve the submission of the 2005 Standard Annual, Standard 5-Year/Annual, or Streamlined 5-Year/Annual PHA Plan for the PHA fiscal year beginning 2005, herewith referred to as "the Plan", of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof.

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assigned by the PHA, consulted with this Board or Boards in developing the Plan, and announced the recommendations of the Board or Boards (24 CFR 903.131). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice for a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting those analyses and actions.
7. The PHA Plan that includes a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PHA Notice 99-2);
 - The system of site-based waiting lists provides the full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting lists are consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as modified by 24 CFR part 903.131(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low-Income Persons, and with its implementing regulation at 24 CFR Part 155.
11. The PHA has complied with the Plan a certification with regard to a drug-free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA has submitted with the Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 34.


13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 24 CFR 55.20 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 55.
19. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Civil Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

Housing Authority of the County of Contra Costa
PHA Name

CA 011 _____
PHA Number/HA Code

- Standard PHA Plan for Fiscal Year: 2005
- Standard Five-Year PHA Plan for Fiscal Years 2005 - 2009, including Annual Plan for FY 2005
- Streamlined Five-Year PHA Plan for Fiscal Years 20__ - 20__, including Annual Plan for FY 20__

I hereby certify that all the information stated herein, as well as any information provided in the attachments herewith, is true and correct. Warning: HUD will prosecute false claims and statements. Cooperation may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1006, 1012; 31 U.S.C. 4229, 3820)

Name of Authorized Official	Title
Robert McEwan	Executive Director
Signature	Date
X 	March 16, 2005

HOUSING AUTHORITY
of the
COUNTY OF CONTRA COSTA
3133 Estudillo Street P. O. Box 2759 Martinez, CA 94553
Telephone (925) 372-7400 Fax (925) 372-0236

Attachment K. Law Enforcement Letters of Support

- K.1. Office of the Sheriff of the County of Contra Costa**
- K.2. City of Martinez Police Department**
- K.3. City of Antioch Police Department**
- K.4. Pittsburg Police Department**
- K.5. City of Oakley Police Department**
- K.6. City of Brentwood Police Department**



November 1, 2004

Mr. Ralph Rosario
Director of Affordable Housing Programs
Housing Authority of Contra Costa County
3133 Estudillo Street
Martinez, California 94553

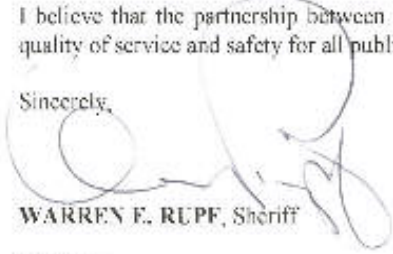
Dear Mr. Rosario:

This letter will confirm our continuing partnership with the Housing Authority of Contra Costa County. Historically, our successful collaboration has demonstrated significant improvement in public safety.

Exchange of crime related information between our deputies and the housing managers at Housing Authority developments has enhanced the capabilities of both departments to reduce crime and increase residential security. The cooperative system of tracking and reporting illegal criminal activity minimizes crime in public housing developments and assist the Housing Authority in identifying those families that are involved in illegal criminal activity. With this process in place, the Housing Authority has been able to successfully initiate and execute evictions in the public housing developments and continue to provide safe, decent, and sanitary housing conditions.

I believe that the partnership between our agencies will continue to ensure the highest quality of service and safety for all public housing residents in Contra Costa County

Sincerely,


WARREN E. RUPP, Sheriff

WER:mw

Post Office Box 391 • Martinez, California 94553-0039
(925) 335-1500

"Community Policing Since 1850...."

Attachment K.2.



City of Martinez

525 Henrieta Street, Martinez, CA 94553-2394

Police Department

(925) 372-3445
FAX (925) 228-3753

OFFICE OF THE CHIEF

DAVID J. CUTAIA

COMMITTED TO PROTECTING AND SERVING OUR COMMUNITY

October 20, 2004

Ralph Rosario, Director
Affordable Housing Programs
Contra Costa County
Housing Authority
3133 Estudillo Street
Martinez, CA 94553

Dear Mr. Rosario:

The purpose of this letter is to confirm the partnership which exists between the Martinez Police Department and the Housing Authority of Contra Costa County. This successful partnership has existed for many years.

Crime-related problems at Housing Authority developments are tracked and reported daily by our officers to the housing manager. The housing manager, in turn, reports any suspected illegal criminal activity to our officers. This cooperative system for tracking and reporting illegal criminal activity was designed to minimize and rid crime off the public housing developments and to assist the Housing Authority in identifying those families that are involved in illegal criminal activity. This process has enabled the Housing Authority to successfully initiate and carry out evictions in the public housing developments in an effort to continue to provide safe, decent and sanitary housing conditions.

It is my belief that this partnership and effort will continue to enhance the quality of life for all public housing residents in Contra Costa County.

Sincerely,

David J. Cutaia
Chief of Police

DJC:mer

For Emergency and Traffic Information: Dial 911

Attachment K.3.

Police Department
300 L Street, Antioch, CA 94509-1100



MARK A. MOCZULSKI
Chief of Police
(925) 779-6900

October 21, 2004

Ralph Rosario, Director of
Affordable Housing Programs
Contra Costa Housing Authority
3133 Estudillo Street
Martinez, CA 94553

Dear Mr. Rosario:

This letter will confirm our association with the Housing Authority of Contra Costa County. This successful partnership has been in existence for the past few years.

The tracking of crime-related problems at the Housing Authority developments is reported by our officers to the housing manager, or the housing manager reports to the officers when an incident is suspected or occurs which involves illegal criminal activity.

This cooperative system for tracking and reporting illegal criminal activity was designed to minimize and eliminate crime at the public housing developments and to assist the Housing Authority in identifying those families that are involved in illegal criminal activity. With this process in place, the Housing Authority has been able to successfully initiate and carry out evictions in the public housing developments and continue to provide safe, decent and sanitary housing conditions.

I believe this partnership and effort will continue to contribute to enhancing the quality of life for all public housing residents in Contra Costa County.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Moczulski".

MARK A. MOCZULSKI
Chief of Police

MAM:dkw



Pittsburg Police Department

Aaron L. Baker
Chief of Police

October 27, 2004

Robert McEwan
Executive Director
Contra Costa Housing Authority
P.O. Box 2759
Martinez, CA 94553

Dear Mr. McEwan:

Please accept this letter as a confirmation of our successful partnership with the Housing Authority of Contra Costa County.

Crime related problems at the El Pueblo Housing Authority development are tracked and reported daily by police officers to the housing manager. Or, when an incident is suspected or occurs that involves illegal criminal activity, the housing manager will report this information to the police officer.

This tracking system and reporting of illegal criminal activity was designed to minimize and rid crime from the public housing development and to assist the Housing Authority in identifying those families that are involved in illegal criminal activity. This process has enabled the Housing Authority to successfully initiate and carry out evictions in the public housing development and continue to provide safe, decent and sanitary housing conditions.

It is my belief that this partnership will continue to enhance the quality of life for all public housing residents in the City of Pittsburg.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron L. Baker".

Aaron L. Baker
Chief of Police

ALB:dp

65 Civic Avenue • Pittsburg, California 94565

OAKLEY POLICE DEPARTMENT



October 26, 2004

Mr. Robert McEwan, Executive Director
Housing Authority of the
County of Contra Costa
P.O. Box 2759
Martinez, CA 94553

Dear Mr. McEwan:

This letter will confirm our continued working relationship with the Housing Authority of the County of Contra Costa. This successful partnership has been in existence for the past several years.

The tracking of crime related problems at the Housing Authority developments is reported by our officers to the housing manager, or the housing manager reports to the officers when an incident is suspected or occurs that involves illegal criminal activity.

This cooperative system for tracking and reporting illegal criminal activity was designed to minimize and rid crime off the Public Housing developments and to assist the Housing Authority in identifying those families that are involved in illegal criminal activity. With this process in place, the Housing Authority has been able to successfully initiate and carry out evictions in the Public Housing developments and continue to provide safe, decent and sanitary housing conditions.

I believe our relationship will continue to contribute to enhancing the quality of life for all Public Housing residents in Contra Costa County.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon E. Cox". The signature is fluid and cursive.

Jon E. Cox
Chief of Police

CITY OF OAKLEY POLICE DEPARTMENT, 210 O'HARA AVE., 3639 MAIN ST. (MAILING), OAKLEY, CA 94561
(925) 625-6700 FAX: (925) 625-1479



October 20, 2004

Mr. Robert McEwan, Executive Director
Housing Authority of the County of Contra Costa
P. O. Box 3759
Martinez, CA 94553

Dear Mr. McEwan:

The purpose of this letter is to serve as confirmation of our continued working relationship with the Housing Authority of the County of Contra Costa. This successful partnership has been in existence for several years.

The tracking of crime related problems at the Housing Authority developments is reported by our officers to the housing manager, or the housing manager reports to the officers when an incident is suspected or occurs that involves illegal criminal activity.

This cooperative system of tracking and reporting illegal criminal activity was designed to minimize and rid crime from the Public Housing developments, and to assist the Housing Authority in identifying those families that are involved in illegal criminal activity. With this process in place, the Housing Authority has been able to successfully initiate and carry out evictions in the Public Housing developments and continue to provide safe, decent and sanitary housing conditions.

I believe our relationship will continue to contribute to a better quality of life for residents of Public Housing in Brentwood.

Sincerely,


Michael R. Davies
Chief of Police

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**PHA Certifications of Compliance with the PHA Plans
and Related
Regulations Board Resolution to Accompany the PHA Plans
Resolution No. 5059**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year Plan and Annual Plan for PHA fiscal year beginning 2005, hereinafter referred to as the Plan of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any Plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
7. The PHA Plan includes a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PHH Notice 99-2);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA has submitted with the Plan a certification with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.

12. The PHA has submitted with the Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.
13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 75.
19. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and attachments at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

HOUSING AUTHORITY OF THE
COUNTY OF CONTRA COSTA
PHA Name

CA011
PHA Number

Wayne B. Williams Date: *2/15/05*
Signed/Typed by PHA Board Chair or other authorized PHA official
PHA Certification of Compliance with the PHA Plans and Related Regulations

PASSED AND ADOPTED ON FEBRUARY 15, 2005
by the following vote of the Commissioners.

- AYES: GIOTA, UULKEMA, PIEPHO, DESAULNIER, GLOVER
- NOES: NONE
- ABSENT: NONE
- ABSTAIN: NONE

THEREBY CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF AN
ACTION TAKEN AND ENTERED ON THE
MINUTES OF THE BOARD OF
COMMISSIONERS ON THE DATE SHOWN.

ATTESTED FEBRUARY 15, 2005
JOHN SWEETEN, CLERK OF
THE BOARD OF COMMISSIONERS
AND COUNTY ADMINISTRATOR

BY *K. Sullivan*

Housing Choice Voucher Program Project-Based Assistance Agency Plan Attachment



Background

As a result of the fiscal year 2001 HUD Appropriations Act, new regulations were issued incorporating the Project-Based Assistance requirements into the merged voucher program. These new regulations were published in the Federal Register on January 16, 2001, and allow the Housing Authority of the County of Contra Costa (HACCC) to enter into a housing assistance payments (HAP) contract to provide project-based assistance only if the HAP contract is consistent with the Public Housing Authority (PHA) Plan (42 U.S.C. 1437c-1, implemented at 24 CFR part 903). HUD defines “consistency with the PHA Plan” as a demonstration by the PHA that circumstances exist that indicate that project basing of the units, rather than tenant-basing of the same subsidy assistance, is an appropriate option.

PHA Plan

HUD's initial guidance published 1-16-01 specifies that PHAs that wish to use the project-based voucher options must attach a statement to the PHA Plan template. 66 Fed. Reg. 3608.

- The statement must include the projected number of project-based units and general locations, and,
- How project-basing would be consistent with the PHA plan

The PHA has determined, on the basis of established criteria, that this attachment does not indicate a “significant amendment or modification” to the Agency Plan.

The Projected Number of Project-Based Units

Under the new regulations, the HACCC has the option to convert up to 20% of our tenant-based voucher allocation to project-based assistance. With the HACCC's present portfolio size of 6,781 tenant-based units, 20% would equate to 1,356 units. However, given the funding reductions for CY 2005, The HACCC does not intend to set aside Project-Based Vouchers for fiscal year 2005/06.

PET POLICY – ELDERLY/DISABLED PROJECTS
[24 CFR Part 5, Subpart C]
INTRODUCTION

PHAs have discretion to decide whether or not to develop policies pertaining to the keeping of pets in public housing units. This Chapter explains the PHA's policies on the keeping of pets and any criteria or standards pertaining to the policy for elderly/disabled projects. The rules adopted are reasonably related to the legitimate interest of this PHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the PHA.

The purpose of this policy is to establish the PHA's policy and procedures for ownership of pets in elderly and disabled units and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

The PHA chooses not to publish rules governing the keeping of common household pets. Residents will comply with the dwelling lease, which requires that no animals or pets of any kind are permitted on the premises without prior written approval of the PHA. This does not apply to animals that are used to assist persons with disabilities.

- Nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them.

A. ANIMALS THAT ASSIST PERSONS WITH DISABILITIES

Pet rules will not be applied to animals that assist persons with disabilities. To be excluded from the pet policy, the resident/pet owner must certify:

- That there is a person with disabilities in the household;
- That the animal has been trained to assist with the specified disability.

MANAGEMENT APPROVAL OF PETS

All pets must be approved in advance by the PHA management. The pet owner must submit and enter into a Pet Agreement with the PHA.

REGISTRATION OF PETS

Pets must be registered with the PHA before they are brought onto the premises. Registration includes certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law, and that the pet has no communicable disease(s) and is pest-free.

- Residents must submit a fully completed Authorization (or Pet Ownership form before the PHA will review and approve or disapprove the request to have a pet.

- Registration must be renewed and will be coordinated with the annual recertification date and proof of license and inoculation will be submitted at least 30 days prior to annual reexamination.
- Dogs and cats must be spayed or neutered.
- Execution of a Pet Agreement with the PHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet will be required.
- Registration must be renewed and will be coordinated with the annual recertification date.
- Approval for the keeping of a pet shall not be extended pending the completion of these requirements.

REFUSAL TO REGISTER PETS

The PHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the PHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.

The PHA will refuse to register a pet if:

- The pet is not a *common household pet* as defined in this policy;
- Keeping the pet would violate any House Pet Rules;
- The pet owner fails to provide complete pet registration information, or fails to update the **registration annually**;
- The PHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

The notice of refusal may be combined with a notice of a pet violation. A resident who cares for another resident's pet must notify the PHA and agree to abide by all of the pet rules in writing.

B. STANDARDS FOR PETS

Pet rules will not be applied to animals that assist persons with disabilities.

PERSONS WITH DISABILITIES

The resident/pet owner will be required to qualify animals (for exclusion from the pet policy) that assist persons with disabilities. To be excluded from the pet policy, the resident/pet owner must certify:

- That there is a person with disabilities in the household;
- That the animal has been trained to assist with the specified disability; and
- That the animal actually assists the person with the disability.

TYPES OF PETS ALLOWED

No types of pets other than the following may be kept by a resident. Tenants are not permitted to have more than one *type* of pet.

1. Dogs

- Maximum number: 1
- Maximum adult weight: 25 pounds

- Must be housebroken
- Must be spayed or neutered
- Must have all required inoculations
- Must be licensed as specified now or in the future by State law and local ordinance

2. **Cats**

- Maximum number: 2
- Must be spayed or neutered
- Must have all required inoculations
- Must be trained to use a litter box or other waste receptacle
- Must be licensed as specified now or in the future by State law or local ordinance

3. **Birds**

- Maximum number: 2
- Must be enclosed in a cage at all times

4. **Fish**

Maximum aquarium size: 25 gallons, must be maintained on an approved stand

C. PETS TEMPORARILY ON THE PREMISES

- Pets that are not owned by a tenant will not be allowed.
- Residents are prohibited from feeding or harboring stray animals.
- This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the PHA.
- State or local laws governing pets temporarily in dwelling accommodations shall prevail.

D. DESIGNATION OF PET/NO-PET AREAS

The following areas are designated no-pet areas: With the exception of assistive animals, no pets shall be allowed in the community room, community room kitchen, laundry rooms, public bathrooms, lobby, hallways, or offices of any of the Housing Authority properties.

E. ADDITIONAL FEES AND DEPOSITS FOR PETS

Tenants with animals must pay a pet deposit. The resident/pet owner shall be required to pay a refundable deposit for the purpose of defraying all reasonable costs directly attributable to the presence of a dog or cat. An initial payment of \$50 on or prior to the date the pet is properly registered and brought into the apartment, and;

- The PHA reserves the right to change or increase the required deposit by amendment to these rules.
- The PHA will refund the Pet Deposit to the tenant, less any damage caused by the pet to the dwelling unit, upon removal of the pet or the owner from the unit.
- The PHA will return the Pet Deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.
- The PHA will provide the tenant or designee identified above with a written list of any charges against the pet deposit. If the tenant disagrees with the amount charged to the pet deposit, the PHA will provide a meeting to discuss the charges.

All reasonable expenses incurred by the PHA as a result of damages directly attributable to the presence of the pet in the project will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit;
- Fumigation of the dwelling unit;
- Common areas of the project.

Pet Deposits are not a part of rent payable by the resident.

F. ALTERATIONS TO UNIT

Residents/pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal. Installation of pet doors is prohibited.

G. PET WASTE REMOVAL CHARGE

A separate pet waste removal charge per occurrence will be assessed against the resident for violations of the pet policy. Pet deposit and pet waste removal charges are not part of rent payable by the resident.

All reasonable expenses incurred by the PHA as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

- The cost of repairs and replacements to the dwelling unit;
- Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge. If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount that exceeds the pet deposit. The pet deposit will be refunded when the resident moves out or no longer has a pet on the premises, whichever occurs first. The expense of flea de-infestation shall be the responsibility of the resident.

H. PET AREA RESTRICTIONS

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash no more than 6 feet in length or carried and under the control of the resident or other responsible individual at all times. Residents/Pet Owners are not permitted to exercise pets or permit pets to deposit waste on project premises.

I. NOISE

Pet owners must agree to control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

J. CLEANLINESS REQUIREMENTS

Litter Box Requirements. All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

- Litter shall not be disposed of by being flushed through a toilet.
- Litter boxes shall be stored inside the resident's dwelling unit.
- Removal of Waste from Other Locations.
- The Resident/Pet Owner shall be responsible for the removal of waste by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

Any unit occupied by a dog or cat, will be fumigated at the time the unit is vacated. The resident/pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

K. PET CARE

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 24 hours. All residents/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet. Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

L. RESPONSIBLE PARTIES

The resident/pet owner will be required to designate two responsible parties for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

M. INSPECTIONS

The PHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed. The PHA may enter and inspect the unit only if a written complaint is received alleging that the conduct or condition of the pet in the unit constitutes a nuisance or threat to the health or safety of the other occupants or other persons in the community under applicable State or local law.

N. PET POLICY VIOLATION NOTICE

If a determination is made on objective facts supported by written statements, that a resident/pet owner has violated the Pet Policy, written notice will be served. The Notice will contain a brief statement of the factual basis for the determination and the section of the Pet Policy that were violated. The notice will also state:

- That the resident/pet owner has 10 days from the effective date of the service of notice to correct the violation or make written request for a meeting to discuss the violation;
- That the resident pet owner is entitled to be accompanied by another person of his or her choice at the meeting; and
- That the resident/pet owner's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to terminate the pet owner's tenancy.

If the pet owner requests a meeting within the 10 day period, the meeting will be scheduled no later than 5 calendar days before the effective date of service of the notice, unless the pet owner agrees to a later date in writing.

O. NOTICE FOR PET REMOVAL

If the resident/pet owner and the PHA are unable to resolve the violation at the meeting or the pet owner fails to correct the violation in the time period allotted by the PHA, the PHA may serve notice to remove the pet. The Notice shall contain:

- A brief statement of the factual basis for the PHA's determination of the section of the Pet Policy that has been violated;
- The requirement that the resident /pet owner must remove the pet within 30 days of the notice; and

- A statement that failure to remove the pet may result in the initiation of termination of tenancy procedures.

P. TERMINATION OF TENANCY

The PHA may initiate procedures for termination of tenancy based on a violation of the Pet Policy if:

- The pet owner has failed to remove the pet or correct the violation of the Pet Policy within the time period specified; and
- The Pet Policy violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

Q. PET REMOVAL

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the Responsible Party designated by the resident/pet owner. Includes pets that are poorly cared for or have been left unattended for over 24 hours.

If the responsible party is unwilling or unable to care for the pet, or if the PHA, after reasonable efforts, cannot contact the responsible party, the PHA may contact the appropriate State or local agency and request the removal of the pet. If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

R. EMERGENCIES

The PHA will take all necessary steps to insure that pets that become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate State or local entity authorized to remove such animals. If it is necessary for the PHA to place the pet in a shelter facility, the cost will be the responsibility of the tenant/pet owner.

PET POLICY – GENERAL OCCUPANCY (FAMILY) PROJECTS

[24 CFR Part 960, Subpart G]

INTRODUCTION

This Chapter explains the PHA's policies on the keeping of pets in general occupancy projects and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of this PHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the PHA.

The purpose of this policy is to establish the PHA's policy and procedures for ownership of pets in general occupancy (family) projects and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

This policy does not apply to animals that are used to assist, support or provide service to persons with disabilities, or to service animals that visit public housing developments.

A. ANIMALS THAT ASSIST, SUPPORT OR PROVIDE SERVICE TO PERSONS WITH DISABILITIES

The resident/pet owner will be required to qualify animals (for exclusion from the pet policy) that assist, support or provide service to persons with disabilities.

Pet rules will not be applied to animals that assist, support or provide service to persons with disabilities. This exclusion applies to both service animals and companion animals as reasonable accommodation for persons with disabilities. This exclusion applies to such animals that reside in public housing and that visit these developments.

B. STANDARDS FOR PETS – TYPES OF PETS ALLOWED

No types of pets other than the following may be kept by a resident. The following types and qualifications are consistent with applicable State and local law.

Dogs

- Maximum number: 1
- Maximum adult weight: 25 pounds
- Must be spayed or neutered
- Must have all required inoculations
- Must be licensed as specified now or in the future by State law and local ordinance
- Any litter resulting from the pet must be removed immediately from the unit

Cats

- Maximum number: 2
- Must be spayed or neutered
- Must have all required inoculations
- Must be trained to use a litter box or other waste receptacle

- Must be licensed as specified now or in the future by State law or local ordinance
- Any litter resulting from the pet must be removed from the unit immediately

3. **Birds**

- Maximum number 2
- Must be enclosed in a cage at all times

4. **Fish**

Maximum aquarium size is 25 gallons, and it must be maintained on an approved stand

The following are NOT considered "common household pets":

- Domesticated dogs that exceed 25 pounds. (Animals certified to assist persons with disabilities are exempt from this weight limitation).
- Vicious or intimidating pets. Dog breeds including Pit Bull/Rottweiler/Chow/Boxer/Doberman/Dalmatian/German Shepherd and any attack dogs are considered vicious or intimidating breeds are not allowed.
- Animals that would be allowed to produce offspring for sale.
- Wild, feral, or any other animals that are not amenable to routine human handling.
- Any poisonous animals of any kind.
- Fish in aquariums exceeding 25 gallons in capacity.
- Non-human primates.

Animals whose climatological needs cannot be met in the unaltered environment of the individual dwelling unit.

- Pot-bellied pigs.
- Ferrets or other animals whose natural protective mechanisms pose a risk of serious bites and/or lacerations to small children.
- Hedgehogs or other animals whose protective instincts and natural body armor produce a risk of serious puncture injuries to children.
- Chicks, turtles, or other animals that pose a significant risk of salmonella infection to those who handle them.
- Pigeons, doves, mynahs, psittacines, and birds of other species that are hosts to the organisms that cause psittacosis in humans.
- Snakes or other kinds of reptiles.

C. REGISTRATION OF PETS

Pets must be registered with the PHA before they are brought onto the premises. Residents must submit a fully completed Authorization for Pet Ownership form before the Housing Authority will review and approve or disapprove the request to have a pet. Registration includes certificate signed by a licensed veterinarian or State/local authority that the pet:

- Has received all inoculations required by State or local law
- has no communicable disease(s) (and) is pest-free.

Registration must be renewed and will be coordinated with the annual reexamination date. Proof of license and inoculation will be submitted at least 30 days prior to annual re-examination. Each pet owner must provide two color photographs of their pet(s).

Approval for the keeping of a pet shall not be extended pending the completion of these requirements.

REFUSAL TO REGISTER PETS

If the PHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial. The notification will be served in accordance with HUD notice requirements.

The PHA will refuse to register a pet if:

- The pet is not a “common household pet” as defined in this policy;
- The pet owner fails to provide complete pet registration information;
- The pet owner fails to update the registration annually;
- The PHA reasonably determines that the pet owner is unable to keep the pet in compliance with the Pet Policy and other lease obligations. The pet’s temperament and behavior may be considered as a factor in determining the pet owner’s ability to comply with the provisions of the lease.
- The notice of refusal may be combined with a notice of pet violation.

D. AUTHORIZATION FOR PET OWNERSHIP FORM

The Resident will certify, by signing the Authorization Pet Ownership form that the Resident will adhere to the following rules:

- Agree that the resident is responsible and liable for all damages caused by their pet(s).
- All complaints of cruelty and all dog bites will be referred to animal control or applicable agency for investigation and enforcement.
- All common household pets are to be fed inside the apartment. Feeding is not allowed on porches, sidewalks, patios or other outside areas.
- No animals may be tethered or chained outside or inside the dwelling unit.
- When outside the dwelling unit, all pets must be on a leash no more than 6 feet in length or in an animal transport enclosure and under the control of a responsible individual.
- All fecal matter deposited by the pet(s) must be promptly and completely removed from any common area. Failure to do so will result in a Pet Waste Removal charge. All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin. Litter shall not be disposed of by being flushed through a toilet.
- Litter boxes shall be stored inside the resident’s dwelling unit or in animal enclosures maintained within dwelling units AND must be removed and/or replaced regularly. Failure to do so will result in a Pet Waste Removal charge.

The Resident/Pet Owner shall be responsible for the removal of waste from any area by placing it in a sealed plastic bag and disposing of it in an outside trash bin immediately.

Pet owners must take precautions to eliminate pet odors:

- Mandatory implementation of effective flea control by measures that produce no toxic hazard to children who may come into contact with treated animals.

- Management has the right to enter dwelling unit when there is evidence that an animal left alone is in danger or distress, or is creating a nuisance.
- The right of management to seek impoundment and sheltering of any animal found to be maintained in violation of housing rules, pending resolution of any dispute regarding such violation, at owner's expense.
- The resident shall be responsible for any impoundment fees, and the PHA accepts no responsibility for pets so removed.
- Failure to abide by any animal-related requirement or restriction constitutes a violation of the "Resident Obligations" in the resident's Lease Agreement.
- Residents will prevent disturbances by their pets that interfere with the quiet enjoyment of the premises of other residents in their units or in common areas. This includes, but is not limited to, loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.
- Residents/pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal. Installation of pet doors is prohibited.

E. DESIGNATION OF PET-FREE AREAS

The following areas are designated as no-pet areas:

- PHA management offices
- PHA community centers
- PHA recreation center areas

F. PETS TEMPORARILY ON THE PREMISES

- All animals and/or pets not owned by residents, except for service animals, are excluded from the premises.
- Residents are prohibited from feeding or harboring stray animals.
- This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the PHA.
- State or local laws governing pets temporarily in dwelling accommodations shall prevail.

G. DEPOSITS FOR PETS

Tenants with animals must pay a pet deposit of \$150 for the purpose of defraying all reasonable costs directly attributable to the presence of a particular pet. The resident will be responsible for all reasonable expenses directly related to the presence of the animal or pet on the premises, including the cost of repairs and replacement in the apartment, and the cost of animal care facilities if needed. These charges are due and payable within 30 days of written notification. An initial payment of \$50 on or prior to the date the PHA and Resident enter into a Pet Agreement, and; two monthly payments will be paid in an amount not less than \$50 per month until the specified deposit has been paid.

The PHA reserves the right to change or increase the required deposit by amendment to these rules. The PHA will refund the Pet Deposit to the tenant, less any damage caused by the pet to the dwelling unit, within a reasonable time after the tenant moves or upon removal of the pet from the unit. The PHA will return the Pet Deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.

The PHA will provide the tenant or designee identified above with a written list of any charges against the pet deposit. If the tenant disagrees with the amount charged to the pet deposit, the PHA will provide a meeting to discuss the charges. All reasonable expenses incurred by the PHA as a result of damages directly attributable to the presence of the pet in the project will be the responsibility of the resident, including, but not limited to:

- The cost of repairs and replacements to the resident's dwelling unit;
- Fumigation of the dwelling unit;
- Common areas of the project if applicable.

The expense of flea de-infestation shall be the responsibility of the resident. If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge. If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount that exceeds the pet deposit. Pet Deposits are not a part of rent payable by the resident.

H. ADDITIONAL PET FEES

The PHA will charge a non-refundable nominal fee of \$100 for each household with a pet. This fee will be used at the time of move-out to cover the cost of spraying the vacated unit for any pet related insect infestation. The PHA reserves the right to change or increase the required deposit by amendment to these rules.

I. PET WASTE REMOVAL CHARGE

A separate pet waste removal charge per occurrence will be assessed against the resident for violations of the pet policy. Pet waste removal charges are not part of rent payable by the resident.

J. PET AREA RESTRICTIONS

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash no more than 6 feet in length or carried and under the control of the resident or other responsible individual at all times. A common household pet must be effectively restrained and under the control of a responsible person when passing through a common area, from the street to the apartment, etc.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building. Residents/Pet Owners are not permitted to exercise pets or permit pets to deposit waste on project premises.

K. CLEANLINESS REQUIREMENTS – LITTER BOX REQUIREMENTS

All animal waste or the litter from litter boxes shall be picked up/emptied daily by the pet owner, disposed of in heavy, sealed plastic trash bags, and placed in a trash container immediately. Litter shall not be disposed of by being flushed through a toilet. * Litter boxes shall be stored inside the resident's dwelling unit.

L. PET CARE

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 24 hours. All residents/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet(s).

Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

M. RESPONSIBLE PARTIES (EMERGENCY CAREGIVER)

The resident/pet owner will be required to designate one responsible party for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

N. INSPECTIONS

The PHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed. The PHA may enter and inspect the unit only if a written complaint is received alleging that the conduct or condition of the pet(s) in the unit is a violation, or constitutes a nuisance or threat to the health or safety of the other occupants or other persons in the community under applicable State or local law.

O. PET POLICY VIOLATION NOTICE

The authorization for a common household pet may be revoked at any time subject to the Housing Authority's grievance procedure if the pet becomes destructive or a nuisance to others, or if the tenant fails to comply with this policy.

Residents who violate these rules are subject to:

- Mandatory removal of the pet from the premises within 30 days of notice by the Housing Authority; or if for a threat to health and safety, removal within 24 hours of notice.
- Lease termination proceedings.

If a determination is made on objective facts supported by written statements, that a resident/pet owner has violated the Pet Policy, written notice will be served. The Notice will contain a brief statement of the factual basis for the determination and the pet rule(s) that were violated. The notice will also state:

- That the resident/pet owner has 10 days from the effective date of the service of notice to correct the violation or make written request for a meeting to discuss the violation;
- That the resident pet owner is entitled to be accompanied by another person of his or her choice at the meeting; and
- That the resident/pet owner's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to terminate the pet owner's tenancy.

If the pet owner requests a meeting within the 10 day period, the meeting will be scheduled no later than 5 calendar days before the effective date of service of the notice, unless the pet owner agrees in writing to a later date.

P. NOTICE FOR PET REMOVAL

If the resident/pet owner and the PHA are unable to resolve the violation at the meeting or the pet owner fails to correct the violation in the time period allotted by the PHA, the PHA may serve notice to remove the pet.

The Notice shall contain:

- A brief statement of the factual basis for the PHA's determination of the Pet Rule that has been violated;
- The requirement that the resident/ pet owner must remove the pet within 30 days of the notice; and
- A statement that failure to remove the pet may result in the initiation of termination of tenancy procedures.

Q. TERMINATION OF TENANCY

The PHA may initiate procedures for termination of tenancy based on a pet rule violation if:

- The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and
- The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

R. PET REMOVAL

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the Responsible Party designated by the resident/pet owner. This includes pets that are poorly cared for or have been left unattended for over 24 hours. If the responsible party is unwilling or unable to care for the pet, or if the PHA, after reasonable efforts cannot contact the responsible party, the PHA may contact the appropriate State or local agency and request the removal of the pet. If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

S. EMERGENCIES

The PHA will take all necessary steps to ensure that pets that become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate State or local entity authorized to remove such animals. If it is necessary for the PHA to place the pet in a shelter facility, the cost will be the responsibility of the tenant/pet owner. This Pet Policy will be incorporated by reference into the Dwelling Lease signed by the resident, and therefore, violation of the above Policy will be grounds for termination of the lease.

COMPLAINTS, GRIEVANCES AND APPEALS

[24 CFR Part 966 Subpart B]

INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the PHA. This Chapter describes the policies to be used when families disagree with a PHA decision. It is the policy of the PHA to ensure that all families have the benefit of all protections due to them under the law.

Grievances shall be handled in accordance with the PHA's approved Grievance Procedures. The written grievance procedure is incorporated into this document by reference and is the guideline to be used for grievances and appeals.

A. COMPLAINTS

The PHA will respond promptly to all complaints. Each complaint regarding physical condition of the units may be reported by phone to the Housing Manager or his/her office. Anonymous complaints are checked whenever possible. The PHA does not require that complaints be put in writing.

Complaints from families: If a family disagrees with an action or inaction of the PHA, complaints will be referred to the Housing Manager. Complaints regarding physical condition of the units may be reported by phone to the Housing Manager on his/her office.

Complaints from staff: If a staff person reports a family is violating or has violated a lease provision, or is not complying with program rules, the complaints will be referred to the Housing Manager.

Complaints from the general public: Complaints or referrals from persons in the community in regard to the PHA or a family will be referred to the Housing Manager.

B. APPEALS BY APPLICANTS

Applicants who are determined ineligible, who do not meet the PHA's admission standards, or where the PHA does not have an appropriate size and type of unit in its inventory, will be given written notification promptly, including the reason for the determination. Ineligible applicants will be promptly provided with a letter detailing their individual status, stating the reason for their ineligibility, and offering them an opportunity for an informal hearing.

Applicants must submit their request for an informal hearing in writing to the PHA within 10 working days from the date of the notification of their ineligibility. If the applicant requests an informal hearing, the PHA will provide an informal hearing within 10 working days of receiving the request. The PHA will notify the applicant of the place, date, and time. Informal hearings will be conducted by an impartial hearing officer. The person who is designated as the hearing officer **cannot** be the person who made the determination of ineligibility or a subordinate of that person. The applicant may bring to the hearing any documentation or evidence s/he wishes and the evidence along with the data compiled by the PHA will be considered by the hearing officer.

The hearing officer will make a determination based upon the merits of the evidence presented by both sides. Within 10 working days of the date of the hearing, the hearing officer will mail a written decision to the applicant and place a copy of the decision in the applicant's file. The grievance procedures for Public Housing tenants do not apply to PHA determinations that affect applicants.

C. APPEALS BY TENANTS

Grievances or appeals concerning the obligations of the tenant or the PHA under the provisions of the lease shall be processed and resolved in accordance with the Grievance Procedure of the PHA, which is in effect at the time such grievance or appeal arises. (See the PHA's Grievance Procedure contained in this chapter.)

D. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS"

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal. Assistance to a family may not be terminated or denied while the PHA hearing is pending, but assistance to an applicant may be delayed pending the PHA hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the PHA notifies the applicant or tenant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the PHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the PHA a copy of the appeal and proof of mailing, or the PHA may proceed to deny or terminate. The time period to request an appeal may be extended by the PHA for good cause. The request for a PHA hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in the "Grievance Procedures" section of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the PHA will:

- Deny the applicant family.
- Terminate the participant.

If there are eligible members in the family, the PHA will offer to prorate assistance or give the family the option to remove the ineligible members. All other complaints related to eligible citizen/immigrant status:

- If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible.
- If all family members fail to provide, the family will be denied or terminated for failure to provide. Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising

their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of Tenant Rent and Total Tenant Payment.

- Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

E. GRIEVANCE PROCEDURES

Definitions

Grievance: Any dispute which a tenant may have with respect to a Housing Authority action or failure to act in accordance with the individual tenant's lease or PHA regulations that adversely affect the individual tenant's rights, duties, welfare, or status.

Complainant: Any tenant whose grievance is presented to the PHA or at the site/management office informally or as part of the informal hearing process.

Hearing Officer/Hearing Panel: A person or persons selected in accordance with this grievance procedure to hear grievances and render a decision with respect thereto.

Tenant: A lessee or the remaining head of household of any tenant family residing in housing accommodations owned or leased by the PHA.

Elements of Due Process: An eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required:

- Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction;
- Opportunity for the tenant to examine all relevant documents, records, and regulations of the PHA prior to the trial for the purpose of preparing a defense;
- Right of the tenant to be represented by counsel;
- Opportunity for the tenant to refute the evidence presented by the PHA including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have;
- A decision on the merits of the case.

Applicability: This Grievance Procedure applies to all individual grievances, except any grievance concerning a termination of tenancy or eviction that involves:

- Any activity, not just criminal activity, that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or PHA employees, or
- Any drug-related criminal activity *on or off such premises*.

Pre-Hearing Procedures - Informal Conference Procedures

Any grievance shall be presented orally or in writing to the PHA office or to the housing management office that sent the notice on which the grievance is based. Written grievances must be signed by the complainant. The grievance must be presented within 10 working days. It may be simply stated, but shall specify:

- The particular grounds upon which it is based,
- The action requested; and
- The name, address, and telephone number of the complainant, and similar information about the complainant's representative, if any.
- The purpose of the initial discussion is to discuss and to resolve the grievance without the necessity of a formal hearing.

Within five working days, a summary of this discussion will be given to the complainant by a PHA representative. One copy will be filed in the tenant's file. The summary will include: names of participants, the date of the meeting, the nature of the proposed disposition, and the specific reasons for the disposition. The summary will also specify the steps by which a formal hearing can be obtained.

Dissatisfaction with Informal Conference

If the complainant is dissatisfied with the proposed disposition of the grievance, s/he shall submit a written request for a hearing within 10 working days of the date of the summary of the informal meeting. The request for a hearing must be presented to the PHA's central office. The request must specify the reason for the grievance request and the relief sought.

Failure to Request a Formal Hearing

If the complainant does not request a formal hearing within 10 working days, s/he waives his/her right to a hearing, and the PHA's proposed disposition of the grievance will become final. This section in no way constitutes a waiver of the complainant's right to contest the PHA's disposition in an appropriate judicial proceeding.

Right to a Hearing

After exhausting the informal conference procedures outlined above, a complainant shall be entitled to a hearing before a hearing officer. The Tenant must attend the hearing. If rescheduling of the hearing is necessary, the hearing must be rescheduled at least 72 hours in advance of the scheduled hearing time. If the complainant fails to appear within 15 minutes of the scheduled time, the complainant waives their right to a hearing.

The PHA will provide reasonable accommodation for persons with disabilities to participate in the hearing. The PHA must be notified within 5 days of the scheduled time if special accommodations are required.

Selection of Hearing Officer

A grievance hearing shall be conducted by an impartial person or persons appointed by the PHA other than the person who made or approved the PHA action under review, or a subordinate of such person.

Procedures to Obtain a Hearing -Informal Prerequisite

All grievances must be informally presented as a prerequisite to a formal hearing. The hearing officer may waive the prerequisite informal conference if, and only if, the complainant can show good cause why s/he failed to proceed informally.

Hearing Procedures

The hearing shall be held before a hearing officer. The complainant shall be afforded a fair hearing and be provided the basic safeguards of due process to include:

- The opportunity to examine and to copy before the hearing, at the expense of the complainant, all documents, records and regulations of the PHA that are relevant to the hearing with at least a 24 hour notice to the Housing Manager prior to the hearing. Any document not so made available after request by the complainant may not be relied upon by the PHA at the hearing.

- The PHA shall also have the opportunity to examine and to copy at the expense of the PHA all documents, records and statements that the family plans to submit during the hearing to refute the PHA's inaction or proposed action. Any documents not so made available to the PHA may not be relied upon at the hearing.
- The right to a private hearing unless otherwise requested by the complainant.
- The right to be represented by counsel or other person chosen as a representative.
- The right to present evidence and arguments in support of the complaint, to controvert evidence presented by the PHA, and to confront and cross-examine all witnesses upon whose testimony or information the PHA relies, limited to the issues for which the complainant has received the opportunity for a formal hearing; and
- The right to a decision based solely and exclusively upon the facts presented at the hearing.
- If the hearing officer determines that the issue has been previously decided in another proceeding, a decision may be rendered without proceeding with the hearing.
- If the complainant or PHA fails to appear at the scheduled hearing, the hearing officer may:
 - a. postpone the hearing for a period not to exceed 5 days, or
 - b. make a determination that the party has waived his/her right to a hearing.

Such a determination in no way waives the complainant's right to appropriate judicial proceedings in another forum. At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter the PHA must sustain the burden of justifying the PHA action or failure to act against which the complaint is directed.

F. HEARINGS

Informal: Oral and documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings; The hearing shall be conducted by a hearing officer.

Formal: The hearing officer shall require the PHA, complainant, counsel, and other participants and spectators to conduct themselves in an orderly manner. The failure to comply with the directions of the hearing official/panel to maintain order will result in the exclusion from the proceedings, or a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate. The PHA arranges, in advance, in writing, for a transcript or audiotape of the hearing. Any interested party may purchase a copy of such transcript.

Decisions of the Hearing Officer/Panel: The hearing officer shall give the PHA and the complainant a written decision, including the reasons for the decision, within 10 working days following the hearing. The PHA will place one copy in the tenant files. The written decision will be sent to the address provided at the hearing. The decision of the hearing officer shall be binding on the PHA which shall take all actions necessary to carry out the decision, unless the complainant requests Board action within 10 working days prior to the next Board meeting. The PHA Commissioners' decision will be mailed to the complainant within 10 days following the Board meeting, and so notifies the complainant that:

- The grievance does not concern the PHA action or failure to act in accordance with or involving the complainant's lease or PHA regulations which adversely affect the complainant's rights, duties, welfare or status;

- The decision of the hearing officer is contrary to applicable Federal, State, or local law, HUD regulations or requirements of the Annual Contributions Contract between HUD and the PHA.

A decision by the hearing officer or PHA Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or part shall not constitute a waiver of, nor affect in any manner whatever, the rights of the complainant to a trial or judicial review in any proceedings which may thereafter be brought in the matter.

Housing Authority Eviction Actions: If a tenant has requested a hearing in accordance with these duly adopted Grievance Procedures on a complaint involving a PHA notice of termination of tenancy, and the hearing officer upholds the PHA action, the PHA shall not commence an eviction action until it has served a notice to vacate on the tenant. In no event shall the notice to vacate be issued prior to the decision of the hearing office. Such notice to vacate must be in writing and specify that if the tenant fails to quit the premises within the applicable statutory period, or on the termination date as stated in the notice of termination, whichever is later, appropriate action will be brought against the complainant.

COMPLAINTS AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the HA. This Chapter describes the policies, procedures and standards to be used when families disagree with an HA decision. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the HA to ensure that all families have the benefit of all protections due to them under the law.

It should be noted that participants have more extensive hearing rights than do applicants. **"Participant"** is defined by the regulations to mean: "A family that has been admitted to the HA program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the HA for the family (first day of initial lease term)."

Whereas an **Applicant** need only be given an **informal review**, a participant is entitled to a **hearing** upon termination of assistance. The regulations governing a participant's hearing rights are set forth in 24 CFR982.555.

A. COMPLAINTS TO THE HA

The HA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be reviewed and responded to in a timely fashion. Generally, the Housing manager will follow up with most of the complaints. Upon resolution of the complaint, it will then be forwarded to the department director. Depending on the nature of the complaint, follow up will be conducted by the Development Department, Fiscal Department or Housing Operations Department.

Categories of Complaints

1. Complaints from families: if a family disagrees with an action or inaction of the HA or owner. Complaints from families will be referred to the Housing Manager for each area site.
2. Complaints from Owners: if an owner disagrees with an action or inaction of the HA or a family. Complaints from owners will be referred to the Housing Manager for each area site.

3. Complaints from staff: if a staff person reports an owner or family either violating or not complying with program rules. Complaints will be referred to the Housing Manager for each area office.
4. Complaints from the general public: Complaints or referrals from persons in the community in regard to the HA, a family or an owner. Complaints from families will be referred to the Housing Manager for each area site.

B. GROUNDS FOR DENIAL

Preference Denials: When the HA denies a preference to an applicant, the family will be notified in writing of the specific reason for the denial and offered the opportunity for a meeting with HA staff to discuss the reasons for the denial and to dispute the HA's decision. The person who conducts the meeting must be any officer or employee of the HA, including the person who made the decision. (See Federal Register Vol. 60, No. 127, 7/3/96, p. 34,690).

Grounds for Denial of Assistance: The grounds for denial of assistance are set forth at 24 CFR 982.552 (b). "Denial for drug-related or violent criminal activity" and "violent criminal activity" are further described at 24 CFR 982.553. In addition, from the Housing Opportunity Program Extension Act of 1996: drug or alcohol abuse has amended the U.S. Code to require Housing Authorities to establish standards for occupancy in public housing dwelling units and assistance under Section 8 that require the denial of assistance to persons who are illegally using controlled substances or whose illegal use of a controlled substance or whose abuse of alcohol is determined by the HA to interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.

HA's are permitted to take rehabilitation efforts into consideration in determining whether to deny or terminate assistance on this ground. A copy of the relevant portions of the Extension Act is attached.

C. INFORMAL REVIEW PROCEDURES FOR APPLICANTS [24 CFR 982.54 (d) (12), 982.554]

Reviews are provided for applicants who are denied assistance before the effective date of the HAP Contract. The exception is that when an applicant is denied assistance for citizen or eligible immigrant status, the applicant is entitled to an informal hearing. When the HA determines that an applicant is ineligible for the program, the family must be notified of the ineligibility in writing. The notice must contain:

1. The reason(s) it is ineligible,
2. The procedure for requesting a review if the applicant does not agree with the decision, and,
3. The time limit for requesting a review.

The HA must provide applicants with the opportunity for an Informal Review of decisions denying:

1. Qualification for preference
2. Listing on the HA's waiting list
3. Issuance of a Voucher
4. Participation in the program

Informal Reviews are not required for established policies and procedures and HA determinations such as:

1. Discretionary administrative determinations by the HA;
2. General policy issues or class grievances;
3. A determination of the family unit size under the HA subsidy standards;
4. Refusal to extend or suspend a Voucher;
5. Disapproval of lease;
6. Determination that unit is not in compliance with HQS;
7. Determination that unit is not in accordance with HQS due to family size or composition;

Procedure for Review: A request for an Informal Review must be received in writing by the close of the business day, no later than 10 (ten) days from the date of the HA's notification of denial of assistance. The informal review will be scheduled within 15 (fifteen) days from the date the request is received. The Informal Review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person. The Review may be conducted by:

1. A staff person who is at the Housing Manager level or above;
2. A commissioner;
3. An individual from outside the HA who is knowledgeable regarding HUD Section 8 regulations.

The applicant will be given the option of presenting oral or written objections to the decision. Both the HA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them, at their own expense. The review may be conducted by mail and/or telephone if acceptable to both parties.

A Notice of the Review findings will be provided in writing to the applicant within 10 (ten) days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision. All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

D. INFORMAL HEARING PROCEDURES
[24 CFR 982.555 (a-f), 982.54(d)(13)]

The HA will provide a copy of the hearing procedures in the family briefing packet.

When the HA makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The HA will give the family prompt notice of such determinations which will include:

1. The proposed action or decision of the HA, which must be in writing stating that the applicant/participant has ten calendar days by which to respond;
2. The date the proposed action or decision will take place;
3. The family's right to an explanation of the basis for the HA's decision.
4. The procedures for requesting a hearing if the family disputes the action or decision;
5. The time limit for requesting the hearing.

To whom the hearing request should be addressed; A copy of the HA's Hearing Procedures.

The HA must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following HA determinations:

1. Determination of the family's annual or adjusted income and the computation of the housing assistance payment;
2. Appropriate utility allowance used from schedule;
3. Family unit size determination under HA subsidy standards;
4. Determination that family is under occupied in its current unit and a request for exception is denied;
5. Determination to terminate assistance for any reason;

6. Determination to terminate a family's FSS Contract, withhold supportive services, or propose forfeiture of the family's escrow account;
7. Determination to pay an owner claim for damages, unpaid rent or vacancy loss.

The HA must always provide the opportunity for an informal hearing before termination of assistance. Informal Hearings are not required for established policies and procedures and HA determinations such as:

1. Discretionary administrative determinations by the HA;
2. General policy issues or class grievances;
3. Establishment of the HA schedule of utility allowances for families in the program;
4. An HA determination not to approve an extension or suspension of a voucher term;
5. An HA determination not to approve a unit or lease;
6. An HA determination that an assisted unit is not in compliance with HQS (HA must provide hearing for family breach of HQS because that is a family obligation determination);
7. An HA determination that the unit is not in accordance with HQS because of the family size;
8. An HA determination to exercise or not exercise any right or remedy against the owner under a HAP contract.

Notification of Hearing

It is the HA's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, the HA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the HA receives a request for an informal hearing, a hearing shall be scheduled within 15 (fifteen) days. The notification of hearing will contain:

1. The date and time of the hearing;

2. The location where the hearing will be held;
3. The family's right to bring evidence, witnesses, legal or other representation, at the family's expense;
4. The right to view any documents or evidence in the possession of the HA upon which the HA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing.

The HA's Hearing Procedures

After a hearing date is set, the family may request to reschedule only upon showing "good cause," which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

If the family does not appear at the scheduled time, and did not make arrangements in advance to reschedule, the HA will automatically deny the appeal unless the family contacts the HA within 48 hours (excluding weekends and HA holidays) and presents evidence of extenuating circumstances. The HA may reschedule a second hearing date if the evidence is determined credible and the circumstances surrounding the failure to appear are acceptable.

Families have the right to:

1. Present written or oral objections to the HA's determination.
2. Examine the documents in the file which are the basis for the HA's action, and all documents submitted to the Hearing Officer;
3. Copy any relevant documents, at their prepaid expense;
4. Present any information or witnesses pertinent to the issue of the hearing;
5. Request that HA staff be available or present at the hearing to answer questions pertinent to the case; and
6. Be represented by legal counsel, advocate, or other designated representative, at their own expense.

If the family requests copies of documents relevant to the hearing, the HA may make the copies for the family and assess a reasonable charge per copy. In no case will the family be allowed to remove the file from the HA's office.

The Informal Hearing shall be conducted by the Hearing Officer appointed by the HA who is neither the person who made or approved the decision, nor a subordinate of that person. The HA appoints hearing officers who:

1. Are HA commissioners/ HA management;
2. Are managers from other departments in the government of the jurisdiction;
3. Are managers from other HAs;
4. Are professional mediators or arbitrators.
5. Are otherwise qualified to serve.

The hearing shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations. The family may request in writing an audio recording of the hearing, if desired, at least 5 (five) days prior to the hearing date.

The Hearing Officer may ask the family for additional information and/or might adjourn the Hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of the HA shall take effect and another hearing will not be granted.

The Hearing Officer will determine whether the action, inaction or decision of the HA is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the Hearing Findings shall be provided in writing to the HA and the family within 10 (ten) days and shall include:

1. A clear summary of the decision and reasons for the decision;
2. If the decision involves money owed, the amount owed; and

3. The date the decision goes into effect.

The HA is not bound by hearing decisions:

1. Which concern matters in which the HA is not required to provide an opportunity for a hearing;
2. Which conflict with or contradict to HUD regulations or requirements;
3. Which conflict with or contradict Federal, State or local laws; or
4. Which exceed the authority of the person conducting the hearing.

The HA shall send a letter to the participant within 10 (ten) days if it determines the HA is not bound by the Hearing Officer's determination. The letter shall include the HA's reasons for the decision. All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS"

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the HA hearing is pending but assistance to an applicant may be delayed pending the HA hearing.

INS Determination of Ineligibility: If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the HA notifies the applicant or participant within ten days of his/her right to appeal to the INS within thirty days or to request an informal hearing with the HA, either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, it must give the HA a copy of the appeal and proof of mailing or the HA may proceed to deny or terminate. The time period to request an appeal may be extended by the HA for good cause upon the family's request.

The request for an HA hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice. Verification of the date notice was received may be required by the HA.

After receipt of a request for an informal hearing, the hearing is conducted as described in section D of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the HA will take one of the following actions:

1. Deny the applicant family;
2. Defer termination if the family is a participant and qualifies for deferral;
3. Terminate the participant if the family does not qualify for deferral.
4. If there are eligible members in the family, the HA will offer to prorate assistance or give the family the option to remove the ineligible members.
5. All other complaints related to eligible citizen/immigrant status.

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

Participants whose termination is carried out after temporary deferral may not request a hearing, since they had an opportunity for a hearing prior to the termination.

Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of Tenant Rent and Total Tenant Payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

F. MITIGATING CIRCUMSTANCES FOR APPLICANTS or PARTICIPANTS WITH DISABILITIES

When applicants are denied placement on the waiting list, or the HA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.

Examples of mitigating circumstances include:

- a) A person with a cognitive disorder may not have understood the requirement to report increases in income,
- b) A person may not understand the need to make regular repayments on a promissory note,
- c) Minor criminal records for public drunkenness may be due to medication;
- d) Prior incarcerations for being disorderly may be emotional disorder.

COMMUNITY SERVICE
[24 CFR Part 960 Subpart F and 24 CFR 903.7(I)]
INTRODUCTION

A. REQUIREMENT

In order to be eligible for continued occupancy, each adult family member 18 to 62 must

- (1) contribute eight hours per month of community service (not including political activities) or
- (2) participate in an economic self-sufficiency program, or
- (3) perform eight hours per month of combined activities as previously described unless the adult family is exempt from this requirement.

B. COMMUNITY SERVICE REQUIREMENT REINSTATEMENT

According to the Veteran Affairs and Urban Development Independent Agencies Appropriation Act (HUD/VA Act), 2002, the Housing Authority of the County of Contra Costa temporarily suspended the community service requirement provision. The HUD/VA Act of 2003, signed on February 21, 2003, reinstated this provision by not extending section 432 of the 2002 HUD/VA Act. HUD Notice PIH 2003-17 provides instructions for reinstating the community service requirement for FY 2003 to all leases entered into on and after October 1, 2002. In order to obtain a lease renewal on the expiration of the current lease, residents must be in compliance both with any delinquent community service requirements and current requirements.

C. EXEMPTIONS

The following adult family members of tenant families are exempt from these requirements:

- Family members who are 62 or older
- Family members who are blind or disabled as defined under 216 (I)(1) or 1614 of the Social Security Act (42 U.S.C. 416(I)(1)) and who certify that because of this disability she or he is unable to comply with the community service requirements.
- Family members who are the primary caregiver for someone who is blind or disabled as set forth in second paragraph above.
- Family members engaged in work activity.
- Family members who are exempt from work activity under Part A Title IV of the Social Security Act or under any other state welfare program, including welfare-to-work and who are in compliance with the program.

During the year residents are permitted to change exemption status if they find work or start a training program.

- Individuals participating in self-sufficiency activities that are designated to encourage, assist, train or facilitate economic independence.

- Individuals enrolled in a recognizable educational institution that leads to obtaining a degree or vocational certification.
- Duly elected resident council officers volunteering at least 8 hours a month to serve their community's membership.

D. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by HUD as: "Any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families."

These economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

In addition to the HUD definition above, the Housing Authority definition includes any of the following:

1. Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan.
2. Other activities as approved by the Housing Authority on a case-by-case basis.

The Housing Authority will give residents the greatest choice possible in identifying community service opportunities. The Housing Authority will consider a broad range of self-sufficiency opportunities.

E. ANNUAL DETERMINATIONS

For each public housing resident subject to the requirement of community service, the PHA shall, at least 30 days before the expiration of each lease term, review and determine the compliance of the resident with the community service requirement. Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

The PHA will verify compliance annually. If qualifying activities are administered by an organization other than the PHA, the PHA will obtain verification of family compliance from such third parties. Family members will not be permitted to self-certify that they have complied with community service requirements.

F. NONCOMPLIANCE

If the PHA determines that a resident subject to the community service requirement has not complied with the requirement, the PHA shall notify the resident of such noncompliance, and that:

- The determination of noncompliance is subject to the administrative grievance procedure under the PHA's Grievance Procedures; and

- Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and,
- The PHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the PHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.
- The head of household and the noncompliant adult must sign the agreement to cure.

Ineligibility for Occupancy for Noncompliance: The Housing Authority shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

G. PHA RESPONSIBILITY

The Housing Authority will ensure that all community service programs are accessible for persons with disabilities.

The Housing Authority will ensure that:

- The conditions under which the work is to be performed are not hazardous;
- The work is not labor that would be performed by the Housing Authority's employees responsible for essential maintenance and property services; or
- The work is not otherwise unacceptable.

H. HACCC IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT

- The Housing Authority's Community Service program is described in the PHA Plan.
- The Housing Authority will administer its own community service program with cooperative relationships with other entities.
- The Housing Authority will provide to residents a brochure of community service and volunteer opportunities available throughout the community.

SECTION 8 HOME OWNERSHIP OPTION PROGRAM

1. GENERAL PROVISIONS. [24 CFR 982.625]

The Section 8 Home Ownership Program of the Housing Authority of the County of Contra Costa (HACCC) permits eligible participants in the Section 8 housing choice voucher program, including participants with portable vouchers, the option of purchasing a home with their Section 8 assistance rather than renting. **The home ownership option is limited to one percent (1%) of the total Section 8 voucher program administered by the HACCC in any fiscal year, provided that disabled families shall not be subject to the 1% limit.** The home ownership option will only be eligible to Housing Choice Voucher participants who are enrolled in the Family Self Sufficiency (FSS) program. Eligible applicants for the Section 8 home ownership program must have completed an initial Section 8 lease term, may not owe the HACCC or any other Housing Authority an outstanding debt, and must meet the eligibility criteria set forth herein.

2. FAMILY ELIGIBILITY REQUIREMENTS. [24 CFR 982.627]

Participation in the Section 8 home ownership program is voluntary. The family must be eligible for the Housing Choice Voucher program. The additional eligibility requirements for participation in the HACCC's Section 8 home ownership program include that the family must:

- (a) Qualify as a first-time homeowner, or may be a co-operative member.;
- (b) with the exception of elderly and disabled households, meet the Federal minimum wage requirement. Unless the family is elderly or disabled, income from welfare assistance will not be counted towards this requirement.
- (c) With the exception of elderly and disabled households, meet the requisite employment criteria;
- (d) Have completed an initial HAP & lease term no less than 9-months in the Section 8 housing choice voucher program;
- (e) Have fully repaid any outstanding debt owed to the HACCC or any other Housing Authority;
- (f) Have not defaulted on a mortgage securing debt to purchase a home under the home ownership option; and
- (g) Not have any member who has a present ownership interest in a residence at the commencement of home ownership assistance.

A. First-Time Homeowner

Each Section 8 family, except families with a disabled member, must be a first-time homeowner as defined by HUD. A "first-time homeowner" means that no member of the household has had an ownership interest in any residence during the three years preceding commencement of home ownership assistance. However, a single parent or displaced homemaker who, while married, owned a home with a spouse (or resided in a home owned by a spouse) is considered a "first-time homeowner" for purposes of the Section 8 homeownership option; and the right to purchase title to a residence under a lease-purchase agreement is not considered an "ownership interest". ***A member of a cooperative (as defined in § 982.4) also qualifies as a "first time homeowner".***

B. Minimum Income Requirement

1) Amount of Income.

With the time the family begins receiving homeownership assistance, the head of household, spouse, and/or other adult household members who will own the home, must have a gross annual income at least equal to the Federal minimum hourly wage multiplied by 2000 hours.

(2) Exclusion of Welfare Assistance Income.

With the exception of elderly and disabled families, the HACCC will disregard any "welfare assistance" income in determining whether the family meets the minimum income requirement. Welfare assistance includes assistance from Temporary Assistance for Needy Families ("TANF"); Supplemental Security Income ("SSI") that is subject to an income eligibility test; food stamps; general assistance; or other welfare assistance specified by HUD. The disregard of welfare assistance income under this section affects the determination of minimum monthly income in determining initial qualification for the home ownership program. It does not affect the determination of income-eligibility for admission to the Section 8 housing choice voucher program, calculation of the family's total tenant payment, or calculation of the amount of home ownership assistance payments.

C. Employment History

With the exception of disabled and elderly households, each family must demonstrate that one or more adult members of the family who will own the home at commencement of home ownership assistance is employed full-time (an average of 30 hours per week) and has been so continuously employed for one year prior to execution of the sales agreement. In order to reasonably accommodate a family's participation in the program, the HACCC will exempt families that include a person with disabilities from this requirement. HUD regulations define "full time" employment as not less than 30 hours per week. A family will be considered to have been continuously employed even if that family member has experienced a break in employment, provided that the break in employment;

(1) Did not exceed 30 calendar days

(2) Did not occur within the 6-month period immediately prior to the family's request to utilize the homeownership option; and

(3) Has been the only break in employment within the past calendar months.

D. Completion of Initial Lease Term

New participants in the Section 8 housing choice voucher program shall be ineligible for participation in the Section 8 home ownership program until completion of an initial Section 8 lease term of no less than 9 months and the participant's first annual recertification in the Section 8 housing choice voucher program. Nothing in this provision will preclude Section 8 participants

that have completed an initial lease term in another jurisdiction from participating in the Section 8 home ownership program. However, the family must provide certification from issuing jurisdiction that they meet the “additional eligibility factors requirements” specified in this chapter.

E. Repayment of Any Housing Authority Debts

Participants in the Section 8 housing choice voucher program shall be ineligible for participation in the Section 8 home ownership program in the event any debt or portion of a debt remains owed to the HACCC or any other Housing Authority. Nothing in this provision will preclude Section 8 participants that have fully repaid such debt(s) from participating in the Section 8 home ownership program.

F. Additional Eligibility Factors

(1) Elderly and Disabled Households.

Elderly and disabled families are exempt from the employment requirements set forth in Section 2.C above. In the case of an elderly or disabled family, the HACCC will consider income from all sources, including welfare assistance in evaluating whether the household meets the minimum income required to purchase a home through the Section 8 home ownership program.

(2) Preference for Participation in FSS Program.

Applicants for the home ownership program are required to participate in the HACCC’s Family Self Sufficiency (FSS) program in order to participate in the home ownership program. **However, in the event the applications for home ownership assistance exceed one percent (1%) of the HACCC’s total voucher program in any fiscal year, FSS participants shall have a preference for participation in the home ownership program. Participants in an Individual Development Account (IDA) program administered by an agency other than the HACCC also will receive a preference for home ownership assistance in the event applicants for home ownership assistance exceed the 1% limitation.**

(3) Prior Mortgage Defaults.

If a head of household, spouse, or other adult household member who will execute the contract of sale, mortgage and loan documents has previously defaulted on a mortgage obtained through the Section 8 home ownership program, the family will be ineligible to participate in the home ownership program.

3. FAMILY PARTICIPATION REQUIREMENTS

Once a family is determined to be eligible to participate in the program, it must comply with the following additional requirements:

- (A) complete a home ownership counseling program approved by the HACCC prior to commencement of home ownership assistance;
- (B) within a specified time, locate the home it proposes to purchase;
- (C) submit a sales agreement containing specific components to the HACCC for approval;
- (D) allow the HACCC to inspect the proposed home ownership dwelling to assure that the dwelling meets appropriate housing quality standards;
- (E) obtain an independent inspection covering major building systems;
- (F) **obtain HACCC approval of the proposed mortgage (which must comply with generally accepted mortgage underwriting requirements); and**
- (G) **enter into a written agreement with the HACCC to comply with all of its obligations under the Section 8 program.**

A. Home Ownership Counseling [24 CFR 982.630]

A family's participation in the home ownership program is conditioned on the family attending and successfully completing a home ownership and housing counseling program provided or approved by the HACCC prior to commencement of home ownership assistance. **The home ownership and counseling program will cover home maintenance (including care of the grounds); budgeting and money management; credit counseling; negotiating purchase price; securing mortgage financing; finding a home; and the advantages of purchasing and locating homes in areas that do not have a high concentration of low-income families; information about state and Federal truth-in-lending laws, and how to avoid loans with oppressive terms and conditions** *Note: § 982.620(b) provides "suggested topics" for the PHA required pre-assistance counseling program --- which are, for the most part, included here. HACCC omitted suggested topics regarding fair housing, RESPA obligations and predatory lending issues. These topics should also be included in the homeownership counseling program.* The counseling agency providing the counseling program shall either be approved by HUD or the program shall be consistent with the home ownership counseling provided under HUD's Housing Counseling program.

The HACCC may require families to participate in a HACCC-approved home ownership counseling program on a continuing basis.

B. Search and Purchasing requirements [24 CFR 982.629].

(1) Locating A Home

The family's deadline date for locating a home to purchase will be 120 days from the date the family's eligibility for homeownership option is determined. A home shall be considered located if the family submits a proposed sales agreement with the requisite components to the HACCC. For good cause, HACCC may extend a Section 8 family's time to locate the home for additional thirty (30) day increments not to exceed 180 days. During a Section 8 participant's search for a home to

purchase, their Section 8 rental assistance shall continue pursuant to the Administrative Plan. If a Section 8 participant family is unable to locate a home within the time approved by the HACCC, their Section 8 rental assistance through the Section 8 housing choice voucher program shall continue.

(2) Eligible Units [24 CFR 982.628].

The unit must meet HUD's "Eligible Housing" requirements. The unit may not be any of the following:

- (a) A public Housing or Indian housing unit;
- (b) A unit receiving section 8 project based assistance;
- (c) A nursing home, board and care home, or a facility providing continual psychiatric, medical or nursing services;
- (d) A college or other school dormitory;
- (e) On the grounds of penal, reformatory, medical, mental, or similar public or private assistance.

A family approved for Section 8 home ownership assistance may purchase the following type of homes within the County of Contra Costa: a new or existing home, a single-family home, a condominium, a home in a planned use development, a cooperative, a loft or live/work unit, or a manufactured home to be situated on a privately owned lot or on a leased pad in a mobile home park. The home must be in existence or under construction at the time HACCC determines the family eligible for home ownership assistance [to purchase the unit (§ 982.628(a)(2)]. The family also may purchase a home in a jurisdiction other than the County of Contra Costa, provided the Housing Authority in the receiving jurisdiction operates a Section 8 home ownership program for which the Section 8 home ownership applicant qualifies or authorizes the HACCC to administer the home ownership assistance in their jurisdiction. In the former case, a family's participation in the Section 8 home ownership program will be subject to the Section 8 home ownership program and policies of the receiving jurisdiction.

(3) Purchasing a Home.

Once a home is located and a sales agreement approved by the HACCC is signed by the family, the family shall have up to 45 calendar days to obtain financing. The HACCC's Executive Director or his/her designees may extend this period up to 90 days from the date of sales purchase agreement.

HACCC will require periodic reports on the family's progress in finding and purchasing a home. Such reports will be provided by the family at interval to be determined by the Housing Services Counselor.

(4) Failure to Complete Purchase.

If a Section 8 participant is unable to purchase the home within the maximum time permitted by HACCC, HACCC shall continue the family's participation in the Section 8 housing choice voucher program. The family may not re-apply for the Section 8 home ownership program until

they have completed an additional year of participation in the Section 8 housing choice voucher program following the initial determination of their eligibility for the home ownership option.

C. Sales Agreement

Prior to execution of the offer to purchase or sales agreement, the financing terms must be provided by the family to the HACCC for approval. The sales agreement must provide for inspection by the HACCC and the independent inspection referred to in Section 3 (E) and **must state that the purchaser is not obligated to purchase unless such inspections are satisfactory to the HACCC.** The contract also must provide that the purchaser is not obligated to pay for any necessary repairs **without approval by the HACCC.** **The sales agreement must provide that the purchaser is not obligated to purchase if the mortgage financing terms are not approved by the HACCC pursuant to Section 3(F).** The sales agreement must also contain a seller certification that the seller is not debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

D. Independent Initial Inspection Conducted. [24 CFR982.631]

To assure the home complies with the housing quality standards of the Section 8 program, home ownership assistance payments may not commence until the HACCC first inspects the home. An independent inspection of existing homes covering major building systems also must be completed by a professional selected by the family **and approved by the HACCC.** The HACCC will not pay for the independent inspection. The independent inspection report must be provided to the HACCC. **The HACCC may disapprove the unit due to information contained in the report or for failure to meet federal housing quality standards.**

E. Financing Requirements. [24 CFR 982. 632]

The proposed financing terms must be submitted to and approved by the HACCC prior to close of escrow. The HACCC shall determine the affordability of the family's proposed financing. In making such determination, HACCC may take into account other family expenses, including but not limited to child care, unreimbursed medical expenses, education and training expenses and the like. Certain types of financing, including but not limited to, balloon payment mortgages, unless convertible to a variable rate mortgage, are prohibited and will not be approved by the HACCC. Seller-financing mortgages shall be considered by the HACCC on a case-by-case basis. If a mortgage is not FHA-insured, the HACCC will require the lender to comply with generally accepted mortgage underwriting standards consistent with those of HUD/ FHA, Ginnie Mae, Fannie Mae, Freddie Mac, California Housing Finance Agency (CHFA), USDA Rural Housing Services, the Federal Home Loan Bank, or other private lending institution.

F. COMPLIANCE WITH FAMILY OBLIGATIONS

A family must agree, in writing, to comply with all family obligations under the Section 8 program and the HACCC's home ownership policies. These obligations include

- (1) **attending ongoing home ownership counseling, if required by the HACCC;**
- (2) complying with the mortgage terms;
- (3) not selling or transferring the home to anyone other than a member of the assisted family who resides in the home while receiving home ownership assistance;

- (4) not refinancing or adding debt secured by the home without prior approval by the HACCC;
- (5) not obtaining a present ownership interest in another residence while receiving home ownership assistance; and
- (6) supplying all required information to the HACCC, including but not limited to annual verification of household income, notice of change in home ownership expenses, notice of move-out, and notice of mortgage default; the HACCC's Home Ownership Family Obligation policies and other certifications as requested by the Housing Authority..

G. COMPLIANCE LIEN

Upon purchase of a home, the family must execute documentation as required by HUD and the HACCC, consistent with State and local law, securing the right of the HACCC to recapture the home ownership assistance. The lien securing the recapture of home ownership subsidy may be subordinated to a refinanced mortgage.

[Note: Moving to another home in the same PHA jurisdiction, as well as buying another home in another PHA jurisdiction, is permitted with continued use of homeownership assistance. See §§ 982.636 & 637.]

4. AMOUNT OF ASSISTANCE.

The amount of the monthly assistance payment will be based on three factors: the voucher payment standard for which the family is eligible; the monthly home ownership expense; and the family's household income. The HACCC will pay the lower of either the payment standard minus the total family contribution (TFC) or the family's monthly home ownership expenses minus the TFC. The Section 8 family will pay the difference.

A. Determining the Payment Standard.

The voucher payment standard is the fixed amount the HACCC annually establishes as the "fair market" rent for a unit of a particular size located within the HACCC jurisdiction. In the home ownership program, the initial payment standard will be the lower of either (1) the payment standard for which the family is eligible based on family size; or (2) the payment standard which is applicable to the size of the home the family decides to purchase. The payment standard for subsequent years will be based on the higher of: (1) the payment standard in effect at commencement of the home ownership assistance; or (2) the payment standard in effect at the most recent regular reexamination of the family's income and size. The initial payment standard, for purposes of this comparison, shall not be adjusted even if there is a subsequent decrease in family size. HACCC has approved payment standards up to 120% for certain specified localities within its jurisdiction.

B. Determining the Monthly Home Ownership Expense. [24 CFR 982.635]

Monthly home ownership expense includes all of the following: principal and interest on the initial mortgage and any mortgage insurance premium (MIP) incurred to finance the purchase and any refinancing of such debt; real estate taxes and public assessments; homeowner's insurance; maintenance expenses per HACCC allowance; costs of major repairs and replacements per HACCC allowance (replacement reserves); utility allowance per HACCC's schedule of utility allowances; principal and interest on mortgage debt incurred to finance major repairs,

replacements or improvements for the home including changes needed to make the home accessible; and homeowner association dues, fees or regular charges assessed, if any. Home ownership expenses for a cooperative member may only include HACCC approved amounts for the cooperative charge under the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home; principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such debt; home insurance; the allowances for maintenance expenses, major repairs and replacements and utilities; and principal and interest on debt incurred to finance major repairs, replacements, or improvements, including changes needed to make the home accessible.

C. Determining the Total Family Contribution

The TFC is that portion of the home ownership expense that the family must pay. It is generally 30% percent of the family's adjusted income, plus any gap between the payment standard and the actual housing cost. All family income (including public assistance) will be counted to determine the family's adjusted monthly income for purposes of determining the amount of assistance.

D. Payment to Family or Lender

The HACCC will provide the lender with notice of the amount of the housing assistance payment prior to close of escrow and will pay the HACCC's contribution towards the family's homeowner expense directly to the family, unless otherwise required by the lender. The family will be responsible to submit the entire mortgage payment to the lender unless the lender requires direct payment of the HACCC's contribution.

5. TERMINATION OF SECTION 8 HOME OWNERSHIP ASSISTANCE [24 CFR 982.638]

A. Grounds for Termination of Home Ownership Assistance

(1) Failure to Comply with Family Obligations Under Section 8 Program or the Home Ownership Policies of the HACCC

A family's home ownership assistance may be terminated if the family fails to comply with its obligations under the Section 8 program, HACCC home ownership policies, or if the family defaults on the mortgage. **If required, the family must attend and complete ongoing home ownership and housing counseling classes.** The family must comply with the terms of any mortgage incurred to purchase and/or refinance the home. The family must provide HACCC with written notice of any sale or transfer of any interest in the home; any plan to move out of the home prior to the move; the family's household income and home ownership expenses on an annual basis; any notice of mortgage default received by the family; and any other notices which may be required pursuant to HACCC home ownership policies. Except as otherwise provided in this Section, the family may not convey or transfer the home to any entity or person other than a member of the assisted family while receiving home ownership assistance.

(2) Occupancy of Home.

Home ownership assistance will only be provided while the family resides in the home. If the family moves out of the home, HACCC will not continue home ownership assistance commencing with the month after the family moves out. **Neither the family nor the lender is obligated to reimburse the HACCC for home ownership assistance paid for the month the family moves out.**

(3) Changes in Income Eligibility.

A family's home ownership assistance may be changed in the month following annual recertification of the household income, but **participation in the Section 8 Home Ownership program shall continue until such time as the assistance payment amounts to \$0 for a period of six (6) consecutive months.**

(4) Maximum Term of Home Ownership Assistance. [24 CFR 982.634]

Notwithstanding the provisions of Section 5(A), subparagraphs 1 through 3, except for disabled and elderly families, a family may receive Section 8 home ownership assistance for not longer than ten (10) years from the date of close of escrow unless the initial mortgage incurred to finance purchase of the home has a term that is 20 years or longer, in which case the maximum term is 15 years. Families that qualify as elderly at the commencement of home ownership assistance are not subject to a maximum term limitation. Families that qualify as disabled families at the commencement of home ownership assistance or at any time during the provision of home ownership assistance are not subject to a maximum term limitation. If a disabled family or elderly family ceases to qualify as disabled or elderly, the appropriate maximum term becomes applicable from the date home ownership assistance commenced; provided, however, that such family shall be eligible for at least six additional months of home ownership assistance after the maximum term becomes applicable. The time limit applies to any member of the household who has an ownership interest in the unit during any time that home ownership payments are made, or is a spouse of any member of the household who has an ownership interest.

B. Denial or Termination of Home Ownership Assistance. [24 CFR 982.638]

A participant in the Section 8 Home Ownership program shall be entitled to the same termination notice and informal hearing procedures as set forth in the Administrative Plan of the HACCC for the Section 8 housing choice voucher program. However, the provisions of CFR 982. 551 (c) through (j) are not applicable to homeownership.

6. CONTINUED PARTICIPATION IN SECTION 8 HOUSING CHOICE VOUCHER PROGRAM.

A. Default on FHA-Insured Mortgage

If the family defaults on an FHA-insured mortgage, the HACCC may permit the family to move with continued Section 8 housing choice rental assistance if the family demonstrates that it has (a)

conveyed title to the home to HUD or its designee, as required by HUD; and (b) moved from the home within the period established or approved by HUD.

B. Default on non-FHA-Insured Mortgage

If the family defaults on a mortgage that is not FHA-insured, the HACCC may permit the family to move with continued Section 8 housing choice voucher rental assistance if the family demonstrates that it has (a) conveyed title to the home to the lender, to the HACCC or to its designee, as may be permitted or required by the lender; and (b) moved from the home within the period established or approved by the lender and/or the HACCC

7. HACCC ADMINISTRATIVE FEE.

For each month that home ownership assistance is paid by the HACCC on behalf of the family, HACCC shall be paid the ongoing administrative fee described in 24 C.F.R. §982.152(b).

8. WAIVER OR MODIFICATION OF HOME OWNERSHIP POLICIES.

The Executive Director or his/her designee of the HACCC shall have the discretion to waive or modify any provision of the Section 8 home ownership program or policies not governed by statute or regulation for good cause or to comply with changes in HUD regulations, directives, and the Housing Authority goals.

CHAPTER 18

PUBLIC HOUSING HOMEOWNERSHIP PROGRAM

A. GENERAL PROVISIONS (24 CFR 906)

The Public Housing Home Ownership Program of the Housing Authority of the County of Contra Costa ("HACCC") makes available for purchase by low income families for use as their principal residences public housing dwelling units, public housing developments, and other housing units or developments owned, assisted or operated, or otherwise acquired by the PHA for sale under a homeownership program in connection with the use of assistance provided under the 1937 Act (1937 Act funds).

B. ELIGIBLE PURCHASERS (24 CFR 906.11)

Entities that purchase units from PHA for resale to low-income families (purchase and resale entities or PREs) and low-income families are eligible to purchase properties made available for sale under a PHA homeownership program. **HACCC has the option to consider selling property to PREs. It may also exercise its option to sell property directly only to eligible purchasers.**

C. RIGHT OF FIRST REFUSAL (24 CFR 906.13)

- (a) HACCC shall initially offer the unit to the resident occupying the unit, if any, notwithstanding the requirements of 906.15(a) and 906.15(c).
- (b) This program does not require the HACCC, when selling a unit that is non-public housing unit, to offer the unit for sale first to the current resident of the unit.

D. FAMILY ELIGIBILITY REQUIREMENTS (24 CFR 906.15)

- (a) Low-income requirement. Except in the case of a PHA's offer of first refusal to a resident occupying the unit under 906.13, a family purchasing a property under a PHA homeownership program must be a low-income family, as defined in section 3 of the 1937 Act (42 U.S.C. 1437a), at the time the contract to purchase the property is executed.
- (b) Principal residence requirement. The dwelling unit sold to an eligible family must be used as the principal residence of the family.
- (c) Financial capacity requirement. Eligibility must be limited to families who are capable of assuming the financial obligations of homeownership, under minimum income standards for affordability, taking into account the unavailability of public housing operating subsidies and modernization funds after conveyance of the property by the HACCC. The homeownership program may take account any available subsidy from other sources. Under this affordability standard, an applicant must also meet the following requirements:

(1) **Cost/income ratio** on an average monthly estimate, the amount of the applicant's payments for mortgage principal and interest, plus insurance, real estate taxes, utilities, maintenance and other regularly recurring homeownership costs (such as condominium, cooperative, or other homeownership association fees) will not exceed the sum of:

- (i) 35 percent of the applicant's adjusted income as defined in 24 CFR part 913; and
- (ii) Any subsidy that will be available for such payments:

(2) **Down payment requirement** Each family purchasing housing under this program must provide a down payment in connection with any loan for acquisition of the housing, in an amount determined by the PHA or PRE. The family may be able to use grant amounts, gifts from relatives, contributions from private sources, and other similar amounts in making the down payment.

(3) The family must use its own resources other than grants, gifts, contributions, or similar amounts, to contribute an amount of the down payment that is not less than one percent (1%) of the purchase price of the housing.

(d) Other requirements.

- (i) Employment or participation in employment counseling or training activities
- (ii) Criminal activity check
- (iii) Participation in homeownership counseling programs
- (iv) Evidence of regular income

E. FIRST TIME HOME OWNER REQUIREMENT

(a) Each public housing family, except families with a disabled member, must be a first-time homeowner as defined by HUD. A "first-time homeowner" means that no member of the household has had an ownership interest in any residence during the three years preceding commencement of home ownership assistance. However, a single parent or displaced homemaker who, while married, owned a home with a spouse (or resided in a home owned by a spouse) is considered a "first-time homeowner" for purposes of the public housing homeownership option; and the right to purchase title to a residence under a lease-purchase agreement is not considered an "ownership interest." *A member of a cooperative (as defined in § 982.4) also qualifies as a "first time homeowner".*

(b). Minimum Income Requirement.

(1) Amount of Income. (42 U.S.C. 1437a)

Applicant must be a low-income family as defined in 42 U.S.C. 1437a. The families' incomes do not exceed 80 percent of the average median income for the County of Contra Costa (subject to change in accordance with HUD income limits)

(2) Exclusion of Welfare Assistance Income.

With the exception of elderly and disabled families, the HACCC will disregard any "welfare assistance" income in determining whether the family meets the minimum income requirement. Welfare assistance includes assistance from Temporary Assistance for Needy Families ("TANF"); Supplemental Security Income ("SSI") that is subject to an income eligibility test; food stamps; general assistance; or other welfare assistance specified by HUD. The disregard of welfare assistance income under this section affects the determination of minimum monthly income in determining initial qualification for the home ownership program

(c) Employment History.

With the exception of disabled and elderly households, each family must demonstrate that one or more adult members of the family who will own the home at commencement of home ownership assistance is employed full-time (an average of 30 hours per week) and has been so continuously employed for one year prior to execution of the sales agreement. In order to reasonably accommodate a family's participation in the program, HACCC will exempt families that include a person with disabilities from this requirement. HUD regulations define "full time" employment as not less 30 hours per week. A family will be considered to have been continuously employed even if that family member has experienced a break in employment, provided that the break in employment;

(1) Did not exceed 30 calendar days

(2) Did not occur within the 6-month period immediately prior to the family's request to utilize the homeownership option; and

(3) Has been the only break in employment within the past calendar months.

(d). Repayment of Any Housing Authority Debts.

Participants in the public housing program shall be ineligible for participation in the public housing home ownership program in the event any debt or portion of a debt remains owed to the HACCC or any other Housing Authority. Nothing in this provision will preclude public housing participants that have fully repaid such debt(s) from participating in the public housing home ownership program.

(e). Additional Eligibility Factors.

(1) Elderly and Disabled Households.

Elderly and disabled families are exempt from the employment requirements set forth in Section 2. C. above. In the case of an elderly or disabled family, the HACCC will consider income from all sources, including welfare assistance in evaluating whether the household meets the minimum income required to purchase a home through the public housing home ownership program.

(2) Participation in FSS Program.

Applicants for the public housing home ownership program who participate in the HACCC's Family Self Sufficiency ("FSS") program will be given priority.

(3) Prior Mortgage Defaults.

If a head of household, spouse, or other adult household member who will execute the contract of sale, mortgage and loan documents has previously defaulted on a mortgage obtained through the public housing home ownership program or any public home ownership programs, the family will be ineligible to participate in the public housing home ownership program.

F. FAMILY PARTICIPATION REQUIREMENTS.

Once a family is determined to be eligible to participate in the program, it must comply with the following additional requirements:

- (A) complete a home ownership counseling program approved by the HACCC prior to commencement of homeownership assistance;
- (B) within a specified time, locate the home it proposes to purchase;
- (C) submit a sales agreement containing specific components to the HACCC for approval;
- (D) allow the HACCC to inspect the proposed home ownership dwelling to assure that the dwelling meets appropriate housing quality standards;
- (E) obtain HACCC approval of the proposed mortgage (which must comply with generally accepted mortgage underwriting requirements); and**
- (G) enter into a written agreement with the HACCC to comply with all of its obligations under the public housing program.**

A. Homeownership Counseling [24 CFR 982.630].

A family's participation in the home ownership program is conditioned on the family attending and successfully completing a home ownership and housing counseling program provided or approved by the HACCC prior to submission of application for purchase of a public housing unit. **The homeownership and counseling program will cover home maintenance (including care of the grounds); budgeting and money management; credit counseling; negotiating purchase price; securing mortgage financing; finding a home; and the advantages of purchasing and locating homes in areas that do not have a high concentration of low-income families; information about state and Federal truth-in-lending laws, and how to avoid loans with oppressive terms and conditions** *Note: § 982.620(b) provides "suggested topics" for the PHA required pre-assistance counseling program --- which are, for the most part, included here. HACCC omitted suggested topics regarding fair housing, RESPA obligations and predatory lending issues. These topics should also be included in the homeownership counseling program.* The counseling agency providing the counseling program shall either be approved by HUD or the program shall be consistent with the home ownership counseling provided under HUD's Housing Counseling program.

The HACCC may require families to participate in a HACCC-approved homeownership counseling program on a continuing basis.

A family approved for Public Housing home ownership assistance may only purchase a public housing development the HACCC offers for sale for purchase for use as their principal residence. The family may not purchase a home in a jurisdiction other than the County of Contra Costa

(1) Purchasing a Home.

Once a home is offered for sale by the HACCC and a sales agreement approved by the HACCC is signed by the family, the family shall have up to 45 calendar days to obtain financing. The HACCC's Executive Director or his/her designees may extend this period up to 90 days from the date of sales purchase agreement.

HACCC will require periodic reports on the family's progress in finding and purchasing a home. Such reports will be provided by the family at interval to be determined by the Housing Services Counselor.

(2) Failure to Complete Purchase.

If a public housing participant is unable to purchase the home within the maximum time permitted by HACCC, HACCC shall continue the family's participation in the public housing program. The family may not re-apply for the public housing home ownership program until they have completed an additional year of participation in the public housing program following the initial determination of their eligibility for the home ownership option.

B. Sales Agreement.

Prior to execution of the offer to purchase or sales agreement, the financing terms must be provided by the family to the HACCC **for approval**. The sales agreement must provide for inspection by the HACCC. **The sales agreement must provide that the purchaser is not obligated to purchase if the mortgage financing terms are not approved by the HACCC.**

C. Financing Requirements. [24 CFR 982. 632]

The proposed financing terms must be submitted to and approved by the HACCC prior to close of escrow. HACCC shall determine the affordability of the family's proposed financing. In making such determination, HACCC may take into account other family expenses, including but not limited to child care, unreimbursed medical expenses, education and training expenses and the like. Certain types of financing, including but not limited to, balloon payment mortgages, unless convertible to a variable rate mortgage, are prohibited and will not be approved by the HACCC.

In house HACCC-financing mortgages may be considered by the HACCC on a case by case basis. If a mortgage is not FHA-insured, HACCC will require the lender to comply with generally accepted mortgage underwriting standards consistent with those of HUD/ FHA, Ginnie Mae,

Fannie Mae, Freddie Mac, California Housing Finance Agency (CHFA), USDA Rural Housing Services, the Federal Home Loan Bank, or other private lending institution.

D. Compliance With Family Obligations.

A family must agree, in writing, to comply with all family obligations under the public housing program and HACCC's home ownership policies. These obligations include (1) **attending ongoing homeownership counseling, if required by the HACCC**; (2) complying with the mortgage terms; (3) cannot sell or transfer the home to anyone other than to an eligible family who qualifies under the public housing homeownership program and approved by HACCC; (4) cannot refinance or add debt secured by the home; (5) cannot obtain a present ownership interest in another residence and also participating in a public home ownership assistance; and (6) must supply all required information to the HACCC, including but not limited to annual verification of household income, notice of change in home ownership expenses, notice of move-out, and notice of mortgage default. HACCC's Homeownership Family Obligation policies and other certifications as requested by the HACCC.

G. RESTRICTION ON SALE OF A PUBLIC HOUSING UNIT

Purchaser may not sell a public housing unit unless it is only sold to a buyer who meets all the eligibility requirements established by HACCC and have resided on the property for at least five (5) years.

H. RECAPTURE OF NET PROCEEDS ON THE SALE OF PROPERTY [24 CFR 906.27]

The following rules apply to recapture of net proceeds on the sale of property.

- (a) Net proceeds means the financial gain on resale received by the seller after satisfying all amounts owing under mortgages, paying closing costs, and receiving an amount equal to the down payment (made from the seller's own funds) and principal payments on the mortgage.
- (b) Gain from appreciation means the financial gain on resale attributable solely to the home's appreciation in value over time and not attributable to government provided assistance or any below market financing provided under 24 CFR 906.29.
- (c) The gain from appreciation and assistance to recapture are not limited to the following:
 - (i) The aggregate amount of assistance provided under the homeownership program.
 - (ii) The contribution of equity by the purchasing family.
 - (iii) The period of time elapsed between purchase by the homebuyer under the homeownership program and resale by the homebuyer.
 - (iv) The reason for resale.
 - (v) Any improvements made by the purchasing family under the homeownership program.
 - (vi) Any appreciation in the value of the property.
 - (vii) Any other factors that the HACCC considers appropriate in making the recapture determination.

(d) HACCC will enforce its recapture policy through an appropriate form of title restriction.

I. BELOW MARKET SALES AND FINANCING [24 CFR 906.29]

Below market purchase prices or below market financing to enable below market purchases or a combination of the two methods may be made available to eligible buyers. Discounted purchase prices may be determined on a unit by unit basis, based on the particular purchaser's ability to pay, or may be determined by any other fair and reasonable method (e.g. uniform prices for a group of comparable dwellings, within a range of affordability by potential purchases). Below market financing may include any lawful type of public or private financing, including but not limited to purchase money mortgages, non cash second mortgages, promissory notes, guarantees of mortgage loans from other lenders, shared equity, or lease-purchase arrangements. **HACCC depending on market conditions may elect to offer below market sales and financing or market sales and financing to eligible purchasers only.**

J. TITLE RESTRICTION & ENCUMBRANCES (24 CFR 906.9)

(a) If property is subject to indebtedness under the Annual Contribution Contract (ACC), title to property is subject to the encumbrance based on the amount of the indebtedness.

(b) Upon sale of a public housing unit to a public housing tenant or eligible family, or to a PRE operating the units as non-public housing, in accordance with the HUD approved homeownership program, HUD will execute a release of the title restrictions prescribed by the ACC.

K. PROTECTIONS AVAILABLE TO NON-PURCHASING PUBLIC HOUSING RESIDENTS

(a) If a public housing resident does not exercise the right of first refusal under 24 CFR 906.13 and the HACCC determines to move the tenant for the purpose of transferring possession of the unit, the HACCC will provide notice 90 days before the date the resident is displaced, and may not displace the resident, except as stated in paragraph (a) (1) of this section, for the full 90 day period, the HACCC:

(1) Will notify the resident residing in the unit 90 days prior to the displacement date, except in cases of imminent threat to health or safety that:

- (i) The public housing unit will be sold.
- (ii) The transfer of possession of the unit will not occur until the resident is relocated.
- (iii) Each resident displaced by such action will be offered comparable housing

(2) Provide for the payment of the actual costs and reasonable relocation expenses of the resident to be displaced.

(3) Ensure that the resident is offered comparable housing.

(4) Provide counseling for displaced residents regarding their rights to comparable housing, including their rights under the Fair Housing Act to choice of a unit on a nondiscriminatory basis, without regard to race, color, religion, national origin, disability, age, sex, or familial status.

(5) HACCC will not transfer possession of the unit until the resident is relocated.

(c) For purposes of this section, the term “comparable housing” means housing:

(1) That meets housing quality standards.

(2) That is located in an area that is generally not less desirable than the displaced resident’s original development

(3) Which may include:

(i) Tenant based assistance (tenant based assistance will only be provided upon the relocation of the resident to the comparable housing)

(ii) Project based assistance

(iii) Occupancy in a unit owned, operated, or assisted by the HACCC at a rental rate, paid by the resident that is comparable to the rental rate applicable to the unit from which the resident is vacating.

L. OWNERSHIP INTERESTS THAT MAY BE CONVEYED TO A PURCHASER

The homeownership program may provide for sale to the purchasing family of any ownership interest that the HACCC considers appropriate under the homeownership program, including but not limited to:

(a) Ownership in fee simple

(b) A condominium interest

(c) A shared appreciation interest with a HACCC provided financing

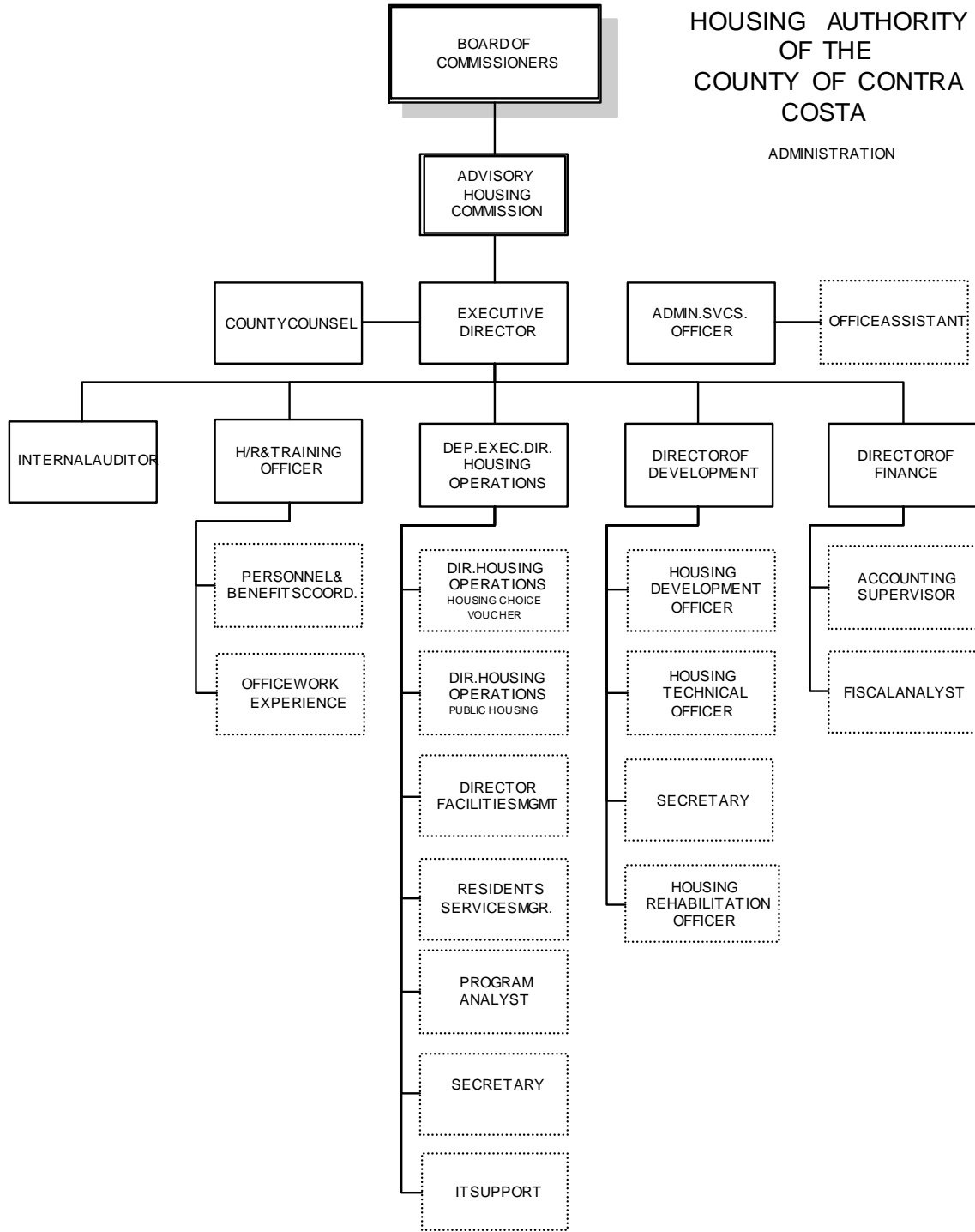
(d) A leasehold under a bona fide lease purchase agreement.

M. WAIVER OR MODIFICATION OF HOME OWNERSHIP POLICIES.

The Executive Director or his/her designee of the HACCC shall have the discretion to waive or modify any provision of the Public Housing Homeownership Program or policies not governed by statute or regulation for good cause or to comply with changes in HUD regulations, directives ,and the Housing Authority goals.

HOUSING AUTHORITY
OF THE
COUNTY OF CONTRA
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ADMINISTRATION



Attachment V

HUD has five allowable deductions from Annual Income:

1. Dependent Allowance: \$480 each for family members (other than the head or spouse) who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. Elderly/Disabled Allowance: \$400 per family for families whose head or spouse is 62 or over or disabled.
3. Allowable Medical Expenses: Deducted for all family members of an eligible elderly/disabled family.
4. Child Care Expenses: Deducted for the care of children under 13 when child care is necessary to allow an adult member to work, attend school, or actively seek employment. If other adult members of the household are unemployed, and are not enrolled in a training program, documentation will be required in order to exclude them as a caregiver.
5. Allowable Disability Assistance Expenses: Deducted for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work.

B. MINIMUM RENT [24 CFR 5.616]

"Minimum rent" is \$50. Minimum rent refers to the Total Tenant Payment and includes the combined amount a family pays towards rent and/or utilities when it is applied.

Hardship Requests for an Exception to Minimum Rent

The HA recognizes that in some circumstances even the minimum rent may create a financial hardship for families. The HA will review all relevant circumstances brought to the HA's attention regarding financial hardship as it applies to the minimum rent. The following section states the HA's procedures and policies in regard to minimum rent financial hardship as set forth by the Quality Housing and Work Responsibility Act of 1998. HUD has defined circumstances under which a hardship could be claimed.

Criteria for Hardship Exception

In order for a family to qualify for a hardship exception the family's circumstances must fall under one of the following HUD hardship criteria:

- The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance;
- The family would be evicted as a result of the imposition of the minimum rent requirement;
- The income of the family has decreased because of changed circumstances, including:
 - (i) Loss of employment

- (2) Death in the family
- (3) Other circumstances as determined by the HA or HUD

C. HA NOTIFICATION TO FAMILIES OF RIGHT TO HARDSHIP EXCEPTION

The HA will notify all families subject to minimum rents of their right to request a minimum rent hardship exception. "Subject to minimum rent" means the minimum rent was the greatest figure in the calculation of the greatest of 30% of monthly adjusted income, 10% of monthly income, minimum rent or welfare rent. The HA notification will advise families that hardship exception determinations are subject to HA review and hearing procedures. The HA will review all family requests for exception from the minimum rent due to financial hardships. All requests for minimum rent hardship exceptions are required to be in writing.

"Suspension" means that the HA must not use the minimum rent calculation until the HA has made this decision. The HA will request documentation as proof of financial hardship.

The HA will use its standard verification procedures to verify circumstances which have resulted in financial hardship. Requests for minimum rent exception must include a statement of the family hardship that qualifies the family for an exception.

D. SUSPENSION OF MINIMUM RENT

The HA will grant the minimum rent exception to all families who request it, effective the first of the following month. The minimum rent will be suspended until the HA determines whether the hardship is:

- Covered by statute
- Temporary or long term

During the minimum rent suspension period, the family will not be required to pay a minimum rent and the housing assistance payment will be increased accordingly.

If the HA determines that the minimum rent is not covered by statute, the HA will impose a minimum rent including payment for minimum rent from the time of suspension.

E. TEMPORARY HARDSHIP

If the HA determines that the hardship is temporary, a minimum rent will not be imposed for a period of up to 90 days from the date of the family's request. At the end of the temporary suspension period, a minimum rent will be imposed retroactively to the time of suspension. The HA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period. (See "Owner and Family Debts to the HA", Chapter 17 for Repayment Agreement policy).

F. LONG TERM DURATION HARDSHIP [24 CFR 5.616(c)(3)]

If the HA determines that there is a qualifying long-term financial hardship, the HA must exempt the family from the minimum rent requirements. The HA will reimburse the family for any minimum rent charges which took effect after October 21, 1998, that qualified for one of the mandatory exceptions.

Attachment W.

DECONCENTRATION OF POVERTY AND INCOME MIXING

The HACCC has (3) general occupancy, family public housing developments covered by the deconcentration rule. These covered developments are within the Established Income Range from 85 – 115 percent of the average incomes of all such developments. The HACCC will analyze developments on a regular basis according to the deconcentration rule.

End