

# **PHA Plans**

## **Streamlined Annual Version**

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

OMB No. 2577-0226  
(exp. 08/31/2009)

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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937 that introduced 5-year and annual PHA Plans. The full PHA plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form allows eligible PHAs to make a streamlined annual Plan submission to HUD consistent with HUD's efforts to provide regulatory relief for certain types of PHAs. Public reporting burden for this information collection is estimated to average 11.7 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Act Notice.** The United States Department of Housing and Urban Development, Federal Housing Administration, is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Information in PHA plans is publicly available.

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# **Streamlined Annual PHA Plan for Fiscal Year: 2008**

## **PHA Name: City of Port Jervis - Community Development Agency**

**NOTE: This PHA Plan template (HUD-50075-SA) is to be completed in accordance with instructions contained in previous Notices PIH 99-33 (HA), 99-51 (HA), 2000-22 (HA), 2000-36 (HA), 2000-43 (HA), 2001-4 (HA), 2001-26 (HA), 2003-7 (HA), and any related notices HUD may subsequently issue.**

## Streamlined Annual PHA Plan Agency Identification

**PHA Name:** City of Port Jervis - Community Development Agency

**PHA Number:** NY-134

**PHA Fiscal Year Beginning:** October 1, 2008

**PHA Programs Administered:**

**Public Housing and Section 8**     
  **Section 8 Only**     
  **Public Housing Only**  
 Number of public housing units:                     
 Number of S8 units:                     
 Number of public housing units:  
 Number of S8 units:

**PHA Consortia: (check box if submitting a joint PHA Plan and complete table)**

Participating PHAs	PHA Code	Program(s) Included in the Consortium	Programs Not in the Consortium	# of Units Each Program
Participating PHA 1:				
Participating PHA 2:				
Participating PHA 3:				

**PHA Plan Contact Information:**

Name: Kathleen Hendrickson                      Phone: 845-858-4024  
 TDD:    Email (if available): pjcd@frontiernet.net

**Public Access to Information**

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

PHA's main administrative office     
  PHA's development management offices

**Display Locations For PHA Plans and Supporting Documents**

The PHA Plan revised policies or program changes (including attachments) are available for public review and inspection.     
 Yes     
 No.

If yes, select all that apply:

Main administrative office of the PHA  
 PHA development management offices  
 Main administrative office of the local, county or State government-Orange County CDA  
 Public library                     
 PHA website                     
 Other - Office of City Clerk

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)

**Streamlined Annual PHA Plan**  
**Fiscal Year 2008**  
[24 CFR Part 903.12(c)]

**Table of Contents**  
[24 CFR 903.7(r)]

Provide a table of contents for the Plan, including applicable additional requirements, and a list of supporting documents available for public inspection

**A. PHA PLAN COMPONENTS**

- 1. Site-Based Waiting List Policies  
**903.7(b)(2) Policies on Eligibility, Selection, and Admissions**
- 2. Capital Improvement Needs  
**903.7(g) Statement of Capital Improvements Needed**
- 3. Section 8(y) Homeownership  
**903.7(k)(1)(i) Statement of Homeownership Programs**
- 4. Project-Based Voucher Programs
- 5. PHA Statement of Consistency with Consolidated Plan. Complete only if PHA has changed any policies, programs, or plan components from its last Annual Plan.
- 6. Supporting Documents Available for Review
- 7. Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report
- 8. Capital Fund Program 5-Year Action Plan

**B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE**

**Form HUD-50076, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual Plan** identifying policies or programs the PHA has revised since submission of its last Annual Plan, and including Civil Rights certifications and assurances the changed policies were presented to the Resident Advisory Board for review and comment, approved by the PHA governing board, and made available for review and inspection at the PHA's principal office;

For PHAs Applying for Formula Capital Fund Program (CFP) Grants:

**Form HUD-50070, Certification for a Drug-Free Workplace;**

**Form HUD-50071, Certification of Payments to Influence Federal Transactions; and**

**Form SF-LLL & SF-LLL a, Disclosure of Lobbying Activities.**

**1. Site-Based Waiting Lists (Eligibility, Selection, Admissions Policies)**

[24 CFR Part 903.12(c), 903.7(b)(2)]

Exemptions: Section 8 only PHAs are not required to complete this component.

**A. Site-Based Waiting Lists-Previous Year**

1. Has the PHA operated one or more site-based waiting lists in the previous year? If yes, complete the following table; if not skip to B.

Site-Based Waiting Lists				
Development Information: (Name, number, location)	Date Initiated	Initial mix of Racial, Ethnic or Disability Demographics	Current mix of Racial, Ethnic or Disability Demographics since Initiation of SBWL	Percent change between initial and current mix of Racial, Ethnic, or Disability demographics

2. What is the number of site based waiting list developments to which families may apply at one time?
3. How many unit offers may an applicant turn down before being removed from the site-based waiting list?
4.  Yes  No: Is the PHA the subject of any pending fair housing complaint by HUD or any court order or settlement agreement? If yes, describe the order, agreement or complaint and describe how use of a site-based waiting list will not violate or be inconsistent with the order, agreement or complaint below:

**B. Site-Based Waiting Lists – Coming Year**

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 next component.

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)

## **2. Capital Improvement Needs**

[24 CFR Part 903.12 (c), 903.7 (g)]

Exemptions: Section 8 only PHAs are not required to complete this component.

### **A. Capital Fund Program**

1.  Yes  No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 7 and 8 of this template (Capital Fund Program tables). If no, skip to B.
2.  Yes  No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to service the debt. (Note that separate HUD approval is required for such financing activities.).

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

Applicability: 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.

1.  Yes  No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to #3; if yes, provide responses to the items on the chart located on the next page, copying and completing as many times as necessary).
2. Status of HOPE VI revitalization grant(s):

<b>HOPE VI Revitalization Grant Status</b>	
a. Development Name:	
b. Development Number:	
c. Status of Grant:	
<input type="checkbox"/>	Revitalization Plan under development
<input type="checkbox"/>	Revitalization Plan submitted, pending approval
<input type="checkbox"/>	Revitalization Plan approved
<input type="checkbox"/>	Activities pursuant to an approved Revitalization Plan underway

3.  Yes  No: Does the PHA expect to apply for a HOPE VI Revitalization grant in the Plan year?  
If yes, list development name(s) below:

4.  Yes  No: 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:

5.  Yes  No: 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:

**3. Section 8 Tenant Based Assistance--Section 8(y) Homeownership Program**  
(if applicable) [24 CFR Part 903.12(c), 903.7(k)(1)(i)]

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 the next component; if “yes”, complete each program description below (copy and complete questions for each program identified.)

2. Program Description:

a. Size of Program

Yes  No: Will the PHA limit the number of families participating in the Section 8 homeownership option?

If the answer to the question above was yes, what is the maximum number of participants this fiscal year?

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:

c. What actions will the PHA undertake to implement the program this year (list)?

3. Capacity of the PHA to Administer a Section 8 Homeownership Program:

The PHA has demonstrated its capacity to administer the program by (select all that apply):

- Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family's resources.
- Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
- Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below):
- Demonstrating that it has other relevant experience (list experience below):

#### **4. Use of the Project-Based Voucher Program**

##### **Intent to Use Project-Based Assistance**

Yes  No: Does the PHA plan to "project-base" any tenant-based Section 8 vouchers in the coming year? If the answer is "no," go to the next component. If yes, answer the following questions.

1.  Yes  No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option? If yes, check which circumstances apply:
  - low utilization rate for vouchers due to lack of suitable rental units
  - access to neighborhoods outside of high poverty areas
  - other (describe below):
2. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts):

#### **5. PHA Statement of Consistency with the Consolidated Plan**

[24 CFR Part 903.15]

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary) only if the PHA has provided a certification listing program or policy changes from its last Annual Plan submission.

1. Consolidated Plan jurisdiction: Orange County - Office of Community Development

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 on its waiting lists 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. (list below)
- Other: (list below)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

**Orange County Office of Community Development, administrator of the Orange County Consolidated Plan, receives a copy of the Port Jervis PHA Plan each year for review and verification of PHA Plan policies that are consistent with the County Consolidated Plan. Additionally, the City of Port Jervis is a member community of the Orange County HOME Program Consortium and a frequent partner and collaborator on other housing initiatives including the Orange County Continuum of Care System, Orange County Housing Consortium and, more recently, the Lead Based Paint Control Grant initiative which was filed with the U.S. Department of Housing & Urban Development in June 2006. Copies of the Orange County Consolidated Plan are available for public inspection at the Port Jervis Free Library. A copy of the Port Jervis PHA Five Year and Annual Plan is also maintained at the offices of Orange County Community Development located at 18 Seward Avenue, Middletown, New York.**



## **6. Supporting Documents Available for Review for Streamlined Annual PHA Plans**

PHAs are to 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.

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
<b>X</b>	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans;</i>	5 Year and Annual Plans
<b>X</b>	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Streamlined Annual Plan</i>	Streamlined Annual Plans
	<i>Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.</i>	5 Year and standard Annual Plans
<b>X</b>	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair 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.	5 Year and Annual Plans
<b>X</b>	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	5 Year and Annual Plan 2007 Housing Needs
	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
	Deconcentration Income Analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
<b>X</b>	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public housing rent determination policies, including the method for setting public housing flat rents. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
	Schedule of flat rents offered at each public housing development. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
	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
	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
		Sufficiency
<b>X</b>	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
<b>X</b>	Any policies governing any Section 8 special housing types <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
	Public housing grievance procedures <input type="checkbox"/> Check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
<b>X</b>	Section 8 informal review and hearing procedures. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
	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
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	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, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Setion _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
	Public Housing Community Service Policy/Programs <input type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
<b>X</b>	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Pet Policy
<b>X</b>	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)
	Consortium agreement(s) and for Consortium Joint PHA Plans <u>Only</u> : Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection.	Joint Annual PHA Plan for Consortia: Agency Identification and Annual Management and Operations

## 7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name:		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant:
<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				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)				
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

**7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor**

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name:			Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant:		
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
				Original	Revised	Funds Obligated	Funds Expended	

**7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor**

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

PHA Name:		Grant Type and Number Capital Fund Program No: Replacement Housing Factor No:					Federal FY of Grant:
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	

## 8. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>					
<b>Part I: Summary</b>					
PHA Name				<input type="checkbox"/> <b>Original 5-Year Plan</b> <input type="checkbox"/> <b>Revision No:</b>	
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2	Work Statement for Year 3	Work Statement for Year 4	Work Statement for Year 5
		FFY Grant: PHA FY:	FFY Grant: PHA FY:	FFY Grant: PHA FY:	FFY Grant: PHA FY:
	Annual Statement				
CFP Funds Listed for 5-year planning					
Replacement Housing Factor Funds					

**8. Capital Fund Program Five-Year Action Plan**

<b>Capital Fund Program Five-Year Action Plan</b>						
<b>Part II: Supporting Pages—Work Activities</b>						
Activities for Year 1	Activities for Year : ____ FFY Grant: PHA FY:			Activities for Year: ____ FFY Grant: PHA FY:		
	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>
<b>See</b>						
<b>Annual</b>						
<b>Statement</b>						
Total CFP Estimated Cost			\$			\$

**8. Capital Fund Program Five-Year Action Plan**

<b>Capital Fund Program Five-Year Action Plan</b>			<b>Capital Fund Program Five-Year Action Plan</b>		
<b>Part II: Supporting Pages—Work Activities</b>			<b>Part II: Supporting Pages—Work Activities</b>		
Activities for Year : ____ FFY Grant: PHA FY:			Activities for Year: ____ FFY Grant: PHA FY:		
<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>
Total CFP Estimated Cost		\$			\$



***PORT JERVIS COMMUNITY DEVELOPMENT AGENCY***

Exchange Plaza, 17-19 Sussex Street

P.O. Box 1002

Port Jervis, New York 12771

845-858-4024 / Voice

845-858-4027 / FAX

[pjcd@frontiernet.net](mailto:pjcda@frontiernet.net) / e-mail

***SECTION 8 HOUSING CHOICE VOUCHER PROGRAM***

***Comprehensive Administrative Management Plan***

**ADOPTED:** August 1, 1979

**REVISION NO. 9** July 10, 2008

**HUD APPROVAL:** Pending

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**Section 8 Housing Choice Voucher Program**

**Comprehensive Administrative Management Plan**

**I. STATEMENT OF OVERALL APPROACH AND STRATEGY**

Since 1979, the Port Jervis Community Development Agency (PJCD) has been serving as the local administrator of the City of Port Jervis Section 8 Housing Programs. As of July 1, 2003, PJCD administers the City's Section 8 Housing Choice Voucher in providing rental assistance to Very Low Income (less than 50% of Area Median - Orange County) families residing in the Port Jervis community. Currently, the City is assisting **211** Very Low Income families under Section 8 lease.

As an important component of its Section 8 Program, **40** Section 8 Housing Choice Vouchers are administered under the City of Port Jervis Family Self-Sufficiency (FS-S) Program. The FS-S program links the rent subsidies of Very Low Income (VLI) families with supportive services including job training, education, family/career counseling, parenting skills, child care, transportation and affordable access to health care services. The goals of the FS-S Program is to empower VLI families to achieve family stability and financial independence through housing assistance, as combined with support services. PJCD has prepared a Family Self-Sufficiency (FS-S) Program Action Plan which is included as **Exhibit B** under the PHA 5-Year/Annual Plan.

The Section 8 Program is consistent with the City's housing goals. The program also complements other City housing efforts including code enforcement, Community Development Block Grant (CDBG) funding, HOME Program and future housing rehabilitation and Section 8 programs which create affordable, decent, safe, and sanitary housing for the City's Low and Moderate (LMI) Income families, with priority afforded to our most vulnerable citizens, i.e., those with incomes less than 50% of the Orange County Area Median Income.

PJCD seeks to ensure, through this Comprehensive Administrative Management Plan, that VLI families will be financially able to move into or continue to live in decent, safe and sanitary housing with the assistance of the Section 8 Program. Moreover, the objective of assuring adequate housing conditions for families receiving Section 8 assistance addresses the needs of residents of the entire City by:

- increasing the supply of decent housing for VLI and extremely VLI families;
- providing rent subsidies making good housing affordable;
- assuring the deconcentration of housing for persons of Low (LI) and Very Low incomes (VLI);
- expanding housing choice among VLI tenant families, homeowners and first-time homebuyers; and
- promoting fair housing practices for the benefit of all citizens, with priority afforded to LMI and minority families who are the most likely citizens to experience exclusion from the private housing market.

Outreach methods developed by PJCD are utilized to inform and invite applicants from all segments of the community, specifically LMI families and persons who are generally

*priced out* of the private housing market and often fall victim to rent hardship during times of critical housing shortages.

The City also provides assistance to applicants by establishing contact with area property owners/managers, local Realtors, non-profit housing providers and other community-based organizations to identify available rental units.

PJCDA, on behalf of the City, operates the Section 8 Housing Program in accordance with applicable 24 CFR HUD regulations and in strict compliance with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act and the City of Port Jervis Fair Housing and Equal Housing Opportunity Plan (EHOP). Additionally, the City's Section 8 Housing Program complies with Section 3 of the Housing and Urban Development Act.

## ***II. ADMINISTRATION OF PROGRAM FUNCTIONS***

Section 8 Program functions performed by PJCDA are designed to:

- A. provide outreach to families and property owners/managers;
- B. determine eligibility, select families, provide assistance to families with special needs and conduct rulings for denying program admissions;
- C. verify income, assets, family composition, allowances, and other pertinent data to determine an applicant's total tenant payment (TTP);
- D. brief approved applicants on their rights and responsibilities as program participants and issue Section 8 Housing Choice Vouchers;
- E. determine the quality of housing selected by program participants;
- F. establish and maintain policies regarding Section 8 assistance in special housing types;
- G. establish procedures and policies for disapproval of owner participants;
- H. prepare and issue HUD Lease Addendums and Housing Voucher Contracts on behalf of participant families;
- I. process rent subsidy payments to owners of assisted units;
- J. follow a program of annual and interim evaluations and provide ongoing assistance to participant households regarding housing, educational, social, health and economic issues and make referrals to other social service agencies, as appropriate;
- K. review and approve annual rent adjustments based on tests of rent reasonableness;
- L. monitor the PHA's Housing Voucher Payment Standards to ensure they are at appropriate levels for participant families;
- M. terminate ineligible households not meeting eligibility criteria for continued program participation and/or due to non-compliance of HUD program regulations;

- N. establish reimbursement policies for overpayments made by PJCDA on behalf of participant families;
- O. render assistance to families relocating to other housing units within the City of Port Jervis and outside the City to other PHA jurisdictions in accordance with the provisions of portability;
- P. receive and act on complaints and appeals from participant households;
- Q. monitor and assess program performance;
- R. ensure compliance with fair housing and equal opportunity laws and provisions;
- S. achieving outstanding housing performance and goals

***III. SPECIAL PURPOSES FUNDING***

- A. Section 8 Funding
- B. Other Federal/State Programs

***IV. PROGRAM STAFFING AND POLICIES***

- A. Section 8 Staff and Job Responsibilities
- B. PJCDA Board of Directors and Program Oversight

## **A. OUTREACH TO FAMILIES & PROPERTY OWNERS/MANAGERS**

### **1. Outreach to Very Low Income Families**

A *Preliminary Application Form* and *Tenant Handbook* has been prepared to aid in the outreach to Very Low Income (VLI) families needing housing assistance and to brief families on the rules and regulations of program application, eligibility and participation. The application form is used to collect the necessary data pertaining to income, assets, family composition, and allowances and deductions for determining eligibility. The application form also contains other data that will determine a family's need for special assistance.

In accordance with HUD regulations, PJCDA will give priority to families and persons with total household incomes that are at or below 30% of Area Median Income. Furthermore, PJCDA will conduct special outreach and direct contacts to achieve a minimum 75% applicant pool of families having the greatest financial need, e.g., less than 30% of Orange County Median Income.

As an active member of the Orange County Housing Consortium, PJCDA maintains a network of social service agencies and housing providers to increase public awareness of the Section 8 Program and provide an ongoing referral system to continually attract the public's attention to the benefits of Section 8 housing assistance. The number and nature of the pre-applications received are monitored to ensure all VLI families are provided the opportunity to apply and a reasonable waiting list is maintained. PJCDA maintains an open application policy and will not close its waiting list to applicants at any time. However, in an effort to keep the waiting list active and current, PJCDA will *purge* the waitlist on a minimum annual basis.

PJCDA staff assist Section 8 applicant and participant families with finding and securing safe, decent and affordable housing, negotiating fair and reasonable rents, ensuring the removal of impediments for the benefit of handicapped/disabled renters and counseling families regarding their rights and responsibilities under Federal Fair Housing Law.

### **2. Outreach to Minority Residents in the Community**

One element of the monitoring process is to review the applications received to determine whether they are representative of the various ethnic and minority groups residing in the City of Port Jervis. Should minorities appear under-represented, special outreach methods are developed and implemented, i.e., additional contacts with area Realtors, housing and social service agencies, local church groups and other community-based organizations to broaden the PJCDA's outreach network, increase awareness among the City's minority population and encourage minority VLI families to apply. In providing assistance to non-English speaking members of the community, PJCDA employs a bilingual Section 8 staff person.

### **3. Outreach to Persons With Disabilities**

An important element of the PJCDA's outreach program is the promotion of housing choice for Section 8-assisted families with disabilities. Special efforts are made to assist disabled/handicapped families and persons in securing housing that is free of architectural barriers including units that are equipped with:



- Ramps, safety bars, ADA-compliant doors, kitchen and bath facilities
- Special devices for the hearing and/or sight impaired; and
- Safety mechanisms, e.g. intercom system, pull cords and other devices to aid frail elderly and wheelchair-dependent persons in the event of an emergency

PJCDA will link disabled/handicapped families with units that are specially--equipped to their needs through contacts with area property owners, managers, local Realtors, Office of the Aging, Western Orange County Independent Living Center, and other community-based organizations that may be aware of the availability of special housing to accommodate disabled/handicapped persons and families. PJCDA will also endeavor to place hearing and sight-impaired persons in units containing smoke-detector alarm devices which can alert these families for quick response of ingress and egress in the instances of a fire emergency.

In accordance with the City's Fair Housing and Equal Opportunity Plan, PJCDA targets its Section 8 Housing Program, services and activities to expand housing choice and promote fair housing practices for the benefit of all Port Jervis citizens, with priority afforded to Very Low Income persons, minority families, and persons with disabilities - all of whom represent the most likely segments of the local population to experience hardships in the private housing market.

The PJCDA's outreach program is adjusted, when necessary, to ensure a consistent flow of applications and to maintain a sufficient and adequate waitlist.

#### 4. **Outreach to Property Owners & Local Realtors**

PJCDA also maintains a vast network of investor owners and real estate brokers who list their rental units for occupancy by VLI tenant family participants of the City's Section 8 Program. Section 8 staff maintain close communications with area property owners/managers and Realtors to draw their attention to the Section 8 Program and solicit their participation. These contacts are made to brief owners and Realtors on the:

- functions of the Section 8 Program;
- benefits provided to owner participants;
- benefits and services provided to VLI families and;
- rights and responsibilities of owners as program participants.

Special efforts are also made to contact owners/managers and listing real estate agents of rental properties located outside the areas of low-income concentration to allow for economic integration of the Section 8 Program.

To intensify owner outreach, special summary handbooks, specifically addressed to owners, are distributed to area property owners and managers. In conjunction with tenant family briefings as discussed in ***Part E of this Plan***, the owner handbooks contain a special section covering Fair Housing Law and the penalties for violation.

Owners are advised that screening and selection of Section 8 tenants is the responsibility of the owner and PJCDA cannot offer assistance regarding the suitability of Section 8 families as prospective tenants. However, owners can request from PJCDA the family's current address and documented information pertaining to prior landlords

and past tenancies under the Section 8 Program and this information will be furnished to prospective owner participants, on request. Furthermore, families will be advised of PJCDA sharing this information with prospective owner participants.

Additionally, investors owners and rental property managers are encouraged to participate in all programs of PJCDA including: (a) Section 8; (b) Small Cities CDBG; (c) HOME; (d) Rural Development 504; and (e) the FmHA-515 program to increase the availability of safe, decent and affordable housing for lower income tenant families.

## **B. DETERMINE ELIGIBILITY AND SELECT FAMILIES**

As previously noted, preliminary applications are used to collect the information necessary to determine a family's eligibility for housing assistance under the Section 8 Housing Program. Preliminary applications are made available at the offices of PJCDA or mailed directly to applicants, on request. Upon receipt, preliminary applications are date/time stamped and allocated a number to record and establish the order of all incoming applications. Section 8 staff also review the information contained in all applications and make final rulings on income eligibility in accordance with HUD regulations. Applications are then logged, as appropriate, and entered into the PHA Application/Waitlist Software Program. PJCDA also maintains an archive record log of applications received for Section 8 assistance.

All applicants receive written notification of their eligibility. Eligible families are placed on the active waiting list on a first-come, first-serve basis. Special preference is allotted to persons and families with reported incomes at or below 30% of Orange County Area Median Income (extremely Low Income). Special notation is also made to identify the type of household, i.e., elderly, disabled, handicapped and family. Ineligible households are also advised, in writing, stating the reason(s) for their ineligibility and notifying them of their right to appeal PJCDA's decision through the process of an Informal Review.

All eligible families are contacted, in writing, at the time a Section 8 Housing Choice Voucher becomes available and PJCDA reaches their name on the active waiting list. Families with income less than 30% of Area Median Income are given priority. To ensure applicant information contained in the PJCDA's records is current, applicants are briefed to report any changes in address and/or telephone number to safeguard their active status on the waiting list. Families are also briefed to report any changes in income, assets and family composition. Should an applicant family fail to respond within the prescribed time period, the application will be placed in PJCDA's inactive files. Once an application is ranked *inactive* the family loses their original place on the waiting list and must re-apply to the program and be placed back on the waitlist for housing assistance.

### **1. Family Income and Eligibility**

In accordance with HUD program regulations as stipulated in Handbook 7420.7, families and persons applying for Section 8 assistance must meet the income eligibility criteria at the time of application. Gross annual income for the entire household must be at or below the most recently published HUD Very Low Income (VLI) guidelines, i.e., 50% and 30% of Orange County Area Median Income. Moreover, families with gross annual incomes at or below 30% of Area Median Income will receive priority on the PJCDA's

waiting list to achieve a minimum 75% of its annual enrollment for families having the greatest need, i.e., *extremely low income* families.

Eligible allowances and approved deductions will only be applied after the applicant family meets the VLI income guidelines based on the annual gross income for the total number of household members.

When determining household *type*, the following definitions will be applied in accordance with HUD regulations:

- a. **Elderly Family** where the head of household, spouse or co-head of household is at least sixty-two (62) years of age, handicapped or disabled;
- b. **Handicapped Persons** having a physical or mental impairment which is: (i) expected to be of long-continued and indefinite duration; (ii) substantially impedes the person's ability to live independently and/or; (iii) would be improved by more suitable housing conditions. Any family member who is handicapped qualifies the family as a *handicapped* family;
- c. **Disabled Persons** having a disability as specified in Section 223 of the Social Security Act (42 U.S.C. 423) or in Section 102 (b)(5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970 (42 U.S.C. 6001 (7)). Any family member who is disabled qualifies that family as a *disabled* family.
- d. ***Section 223 of the Social Security Act defines disability.***
  - the inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve (12) months; or
  - the case of an individual who has attained the age of 55 and is blind (as defined in Section 416(i)(I) of this title) and, by reason of such blindness, is unable to engage in substantial gainful activity requiring skills or abilities comparable to those of gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time.
- e. ***Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act*** defines disability as: "a disability attributable to mental retardation, cerebral palsy, epilepsy or another neurological condition of an individual found by the Secretary of Health, Education, and Welfare to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age twenty-two (22), which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.
- f. **Displaced Persons** are persons who have been displaced due to a government action or where the dwelling unit has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal

disaster relief laws. This includes fire, flood, other natural disaster and a condemnation/violation order issued by the City Building Department.

- g. **Remaining Member of a Tenant Family** is a family member of an assisted tenant family who remains in the unit when other members of the family have moved out (with the exception of live-in aides). PJCDA reserves the right to determine what family members receive continued housing assistance in the event of a family break-up.
- h. **Live-In Aides** are persons who reside with a disabled and/or handicapped person and meet the following criteria:
  - is determined to be essential to the care and well-being of the person;
  - is not obligated for the person's support;
  - would not be living in the assisted unit except to provide necessary support and care giving services
- i. **Single Persons** are Very Low Income individuals, living alone, who do not meet the HUD definition of Elderly, Handicapped, Disabled or Live-in Aide.

**NOTE:** Single persons who are pregnant or in the process of securing legal custody of minor dependent(s) under eighteen (18) years of age are eligible as families, providing the minor children are part of the household at the time of program enrollment.

- j. **Near-Elderly Persons** are defined as Very Low Income individuals, living alone, who are at least fifty (50) years of age but less than sixty-two (62) years old.
- k. **Family** is defined as a minimum of two (2) individuals living in the same household regardless of blood relation or marriage. A family qualifies for Section 8 assistance if the combined household income is at or below the HUD Very Low Income guidelines for the household size.

## **2. Tenant Selection and Case Management Services**

Eligible households are contacted for enrollment on a first-come, first-serve basis in accordance with the date and time the application was received by PJCDA. As previously mentioned, families with incomes at or below 30% of AMI will be contacted before all other eligible VLI families on the waiting list. The PJCDA Section 8 office will maintain an accurate and current waiting list and families will be contacted for enrollment based on the established waitlist order.

PJCDA will provide guidance and counseling to families facing rent hardship and/or extenuating circumstances, which impede their ability to secure or continue living in safe, decent and sanitary housing, including:

- intensive outreach to property owners and Realtors listing available rental units with PJCDA and;
- referrals to other housing providers and human service agencies to link the family to necessary support services.

Families requiring intensive case management services include:

- a. Families currently living in substandard housing;
- b. Families involuntarily displaced under the following conditions:
  - a natural disaster, i.e. fire, flood, etc., that has resulted in extensive damage to or has destroyed the rental unit causing it to be uninhabitable or substandard;
  - an action by an agency of the United States, State/ or Local government in connection with code enforcement, public improvement or development;
  - an action by a property owner which results in the applicant having to vacate the rental unit. Such action must be beyond the applicant's ability to control or prevent and where the applicant has met all previously imposed conditions of occupancy.
- c. Homeless families with no permanent domicile who are living in temporary housing, e.g., emergency shelter, hotel, motel, etc., where the family lacks a fixed, regular and adequate nighttime residence;
- d. Families who are victims of domestic violence and/or abuse where actual or threatened physical violence is directed against one (1) or more of the applicant's family members by a spouse or other member of the household and/or where the applicant lives in a rental unit with an individual who engages in such violence.

### **3. Denials for Program Admission**

PJCDA maintains policies regarding families who are denied admission to the Section 8 Program. PJCDA reserves the right to deny admission to applicant families who:

- owe monies to PJCDA due to program fraud and abuse or other violations of the Section 8 Program which has caused an overpayment of the family's Housing Assistance Payment (HAP) by PJCDA;
- are evicted from Public Housing or other federal/state assisted housing program;
- fail to sign and submit program participation forms including consent/authorization to release information or other documentation as required to determine a family's eligibility;
- have committed fraud, bribery, drug-related activity or other corrupt criminal act in connection with a federally-assisted housing program;
- have a recent criminal record that is discovered when the PJCDA conducts its criminal history background checks as part of the program enrollment process
- are found subject to a lifetime sex offender registration required under a state sex offender registration program; and
- where there is a reasonable cause to believe that a member of the Section 8-assisted household has a pattern of substance abuse, e.g. drugs or alcohol, which interferes with the health, safety and/or right to peaceful enjoyment of the premises by other residents living in or near the Section 8-assisted family.

Applicant families will be notified of their denial for Section 8 program admission, in writing, stating the reasons for denial and advising of the family's right to be granted an Informal Hearing. In all instances of denials for program admission, families are entitled to an Informal Hearing of the PJCDA finding and will be assisted in filing a written request for a review of the PHA's determination. Informal Hearings pertinent to Section 8 Program admission denials will conform to the policies and procedures as outlined in more detail under *Part O of this Plan*.

**C. VERIFICATION OF INCOME AND DETERMINATION OF TOTAL TENANT PAYMENT (TTP)**

In accordance with the procedures and priorities as outlined in *Part B of this Plan*, eligible families are contacted for enrollment and issued Section 8 Housing Choice Vouchers depending on program availability.

As part of the enrollment process, Section 8 staff request appropriate documentation as verification of family composition, income, assets, and allowances/deductions. Verifications include third-party written verification as provided by employers and other agencies, i.e., Department of Social Services, Social Security Administration, etc., as appropriate. Other acceptable means of verification include official documents pertaining to income and assets, i.e., IRS tax forms, W-2 forms, bank statements, passbooks and 1099 forms. At present, PJCDA uses the Enterprise Income Verification (EIV) System for verifying employment and social security. This system is accessed through a HUD secured database. Information contained in the EIV system may be viewed with Section 8 tenant families only. At no time will the information be released to the family or any other party.

For families choosing to remain in their current unit while receiving Section 8 assistance, PJCDA staff also verify the family's residency, current rent, utility costs and payment of a security deposit, if applicable. Once all verifications have been obtained, the family's Total Tenant Payment (TTP) will be determined and the Section 8 Housing Choice Voucher is readied for issue. When computing a family's TTP, PJCDA will establish a minimum rent of \$25.00.

Section 214 of the Housing & Community Development Act of 1980, as amended, prohibits Section 8 rental assistance for persons who are not U.S. citizens, nationals or possess eligible immigration status. As such, applicant families must also provide PJCDA with evidence of required eligible status per the following:

- signed declaration of U.S. citizenship (by birth or naturalization); or
- signed declaration of eligible immigration status.
- For non-citizens, 62 years of age and older, proof of age is also required.

As required by HUD, all non-U.S. citizen applicants must be verified through the U.S. Department of Homeland Security prior to program enrollment. Tenant families must provide all documentation requested for verification of income, assets and family composition in a timely manner. Furthermore, any and all information relative to a family's eligibility must be disclosed. Failure to disclose appropriate information and/or providing false information to PJCDA constitutes program fraud and will cause denial and/or termination of housing assistance.

## **D. BRIEFING OF HOUSEHOLDS AND PROGRAM ENROLLMENT**

### **1. Enrollment Interview Process**

During the enrollment interview, Section 8 staff will brief families on their rights and responsibilities as Section 8 program participants. The enrollment interview is conducted at the offices of PJCDA. However, home visits are arranged for those families, i.e., frail elderly, disabled or handicapped, who are unable to attend an on-site interview. The family briefing will include the following:

- Income eligibility, eligible allowances and/or deductions and determination of the family's TTP;
- Terms and conditions of the HUD Lease Addendum;
- HUD Housing Quality Standards (HQS) for assisted units including the regulations governing lead-based paint abatement and asbestos hazards;
- Searching for suitable housing, HUD occupancy standards, review of HUD utility allowances and Housing Choice Voucher Payment Standards;
- Fair housing and discrimination and the procedure for filing complaints;
- Family moves and the HUD regulations governing portability of Section 8 rental subsidy assistance;
- Program requirements regarding annual and interim recertifications, initial, annual and complaint HQS inspections, reporting changes in income, assets and household composition to PJCDA, and the regulations regarding program termination.

As previously mentioned, when briefing families, a Section 8 Tenant Handbook is distributed along with relevant documents pertaining to tenancy, housing search, rent and utility costs. The Tenant Handbook also includes a briefing on fair housing and discrimination, utility allowances, terms and conditions of a lease agreement and compliance of HUD housing quality standards (with emphasis on lead-based paint hazards). Participating families are expected to secure housing on their own. However, where possible, assistance is rendered by Section 8 staff, especially in the case of elderly, disabled, and/or handicapped persons who may experience difficulties travelling to/from prospective rental units. Furthermore, non-English speaking families are also provided assistance to avoid misunderstandings and/or potential discriminatory practices resulting from language barriers.

## **2. Issuance/Extension of the Section 8 Housing Choice Voucher**

Once the family is admitted to the Program and issued their Section 8 Housing Choice Voucher, they are given a maximum sixty (60) days to select the housing unit they wish to live in while receiving Section 8 assistance. For the purposes of meeting this requirement, the family must produce a ***Request for Tenancy Approval***, executed on or before the expiration date, as satisfactory compliance. The tenant family may choose to remain in their current rental unit or move to another rental unit. An extension of the family's Housing Choice Voucher may be granted up to a maximum of 60 additional days, at the discretion of PJCDA. However, extensions will only be considered where the family files with PJCDA a ***Housing Search Progress Report*** and is experiencing difficulties in their search for housing, i.e., death or illness in the family, hard-to-house families and/or families with disabled/handicapped members. Furthermore, PJCDA will request proof of a family's housing search efforts.

Family participants must request extensions of their Housing Choice Voucher, in writing, to PJCDA. However, families will not be granted an extension that exceeds the maximum *120 days* except in instances where additional time is necessary to accommodate a household with disabled and/or handicapped members. For families with disabled/handicapped members, PJCDA will allow a maximum of *150 days* to secure a suitable housing unit.

Once the family has made their decision regarding the housing unit they wish to live in while receiving Section 8 assistance, PJCDA will execute a Housing Voucher Contract on the tenant family's behalf providing the:

- landlord/property owner agrees to participate in the Section 8 Program and receive housing assistance payments on behalf of the family;
- rental unit complies with HUD requirements of housing quality and occupancy standards;
- gross rent for the Section 8 assisted unit meets the test of rent reasonableness based on comparable rents for similar units in the private rental market.

Since the Section 8 Housing Choice Voucher Program does not impose maximum rent guidelines, participating families are briefed regarding the applicable subsidy level (Voucher Payment Standard) the PHA will pay on their behalf. As such, families may choose a housing unit where the gross rent exceeds the Applicable Payment Standard, however, Section 8 staff will counsel participant households on selecting rental units within their affordability range. In accordance with HUD regulations, Housing Choice Voucher families may not select a rental unit where the gross rent will cause the family to pay an amount greater than 40% of their monthly adjusted income and PJCDA will deny approval of housing units where the gross rent causes the family to pay a tenant rent in excess of 40% of their monthly income.

## **3. Housing Voucher Subsidy/Payment Standards**

The family's Section 8 Housing Choice Voucher will indicate the appropriate size rental unit, i.e., number of bedrooms, based on the number of family members in the Section 8 household. This is the size unit the family should be looking for when selecting the



housing they wish to live in while receiving Section 8 assistance. The applicable Housing Voucher Subsidy Standard (maximum rent assistance to be paid on the family's behalf) will be based on the family's appropriate unit size. Families may choose to select a larger rental unit providing the family's tenant rent does not exceed 40% of their monthly adjusted income. However, families will be denied approval of a smaller rental unit if HUD occupancy standards are violated due to overcrowded living conditions.

## **E. HOUSING QUALITY & OCCUPANCY STANDARDS**

### **1. Housing Quality Standards (HQS) Inspections**

The Section 8 family should inspect the proposed housing unit first to ensure that it meets the size and needs of the household. As part of the family briefing, the HUD pamphlet *A Good Place To Live* will be included in the family's enrollment packet and reviewed so that families understand what to look for and the requirements of housing quality and occupancy standards pertinent to the Section 8-assisted unit.

A HUD Housing Quality Standards (HQS) inspection is then conducted by the Section 8 Housing Inspector to ensure compliance with decent, safe and sanitary standards and HUD occupancy requirements. The Section 8 Inspector also maintains close liaison with the City Building Official regarding local housing code violations, particularly serious deficiencies which pose safety and/or health hazards to the Section 8 family. All Section 8-assisted units must be free of any lead-based paint and asbestos hazards in strict accordance with HUD regulations. Furthermore, all assisted units must comply with New York State Fire Safety Code requirements per the following:

- Each unit must have a working smoke-alarm detecting device on each level and be located inside all sleeping rooms
- Each unit must contain a working and visible carbon monoxide detector
- Each unit must have a safe, working heating system and PJCDA will require heating systems be serviced on an annual basis. Proof of service must be provided to the Section 8 Inspector

Providing the unit is ready and available for inspection, all initial inspections are conducted in a timely manner to avoid delay in the commencement of housing assistance. Inspections must be performed within fifteen (15) days following the receipt of the *Request for Tenancy Approval*. Owners and families are notified, in writing, of repairs necessary to comply with HUD HQS. Furthermore, repairs must be completed within thirty (30) days of the executed Request for Tenancy Approval. At no time will housing assistance payments be paid for any time period in which the rental unit is not in compliance with HUD Housing Quality Standards (HQS).

Annual inspections are also conducted (within a year of the last annual inspection) to ensure assisted units remain in compliance with HUD HQS. At the request of an owner participant and/or Section 8 family, interim or special inspections may be requested to identify and remedy HQS deficiencies which occur during the lease period or to cite damages as caused by the tenant family.

## **2. Lead-Based Paint Hazards & Abatement**

As part of their briefing packet, all family participants will be issued a ***Protect Your Family from Lead in Your Home*** brochure and other lead-based paint hazard information for all units constructed prior to 1978. Prior to the execution of a Housing Voucher Contract and approval of the Lease and its Addendum, PJCDA must be advised of any potential lead-based paint hazards which may exist in the proposed Section 8-assisted unit. In the instances of lead-based paint hazards, PJCDA will collect the names and addresses of all children who may have been affected, i.e., health screenings indicating elevated blood levels. Moreover, inspection reports will be maintained in the PJCDA files for a minimum three (3) year period and/or indefinitely for cases where chewable surfaces in the unit required testing. Owner certifications must also be executed and maintained in the tenant file, as appropriate.

In accordance with New York State code requirements, HUD regulations, and U.S. EPA standards, CDBG-assisted rehabilitation activities, administered by PJCDA, also include an intensive program of testing and abatement for lead-based paint hazards, particularly for units that are rehabilitated for occupancy by Section 8-assisted families with children six (6) years of age and younger. As more fully described under ***Appendix A***, PJCDA has adopted a comprehensive Lead-Based Paint Plan that is used as a guideline for all Section 8 housing quality standards inspections to ensure that all Section 8 leased units are free of lead-based paint hazards.

In the furthering the goals of the PJCDA Lead-Based Paint Plan, PJCDA has partnered with the Orange County Office of Community Development (OCCDA) for participation in the Lead Safe Orange (LSO) program, with funding assistance of a \$2.8M HUD Lead-Based Paint Control Grant. This Grant Initiative, awarded to Orange County, provides funds to carry out a comprehensive lead remediation and public health outreach program that is concentrated in the County's cities where the majority of the older, pre-1978 housing is located. PJCDA will utilize this program for identification, assessment and remediation of lead-based paint hazards during the course of its Section 8 Program housing inspections and evaluation of housing rehabilitation units.

## **3. HUD Occupancy Standards**

Section 8-assisted units must also meet HUD occupancy standards, as determined by the number of household members who will occupy the unit. As part of their briefing, families will be provided a guideline for minimum and maximum occupancy ranges based on the number of bedroom/sleeping rooms contained in the rental unit. PJCDA reserves the right to deny approval of a unit due to overcrowding living conditions.

## **F. SECTION 8-ASSISTED HOUSING TYPES**

Generally, all privately owned rental housing units will be approved for assistance under the Section 8 Housing Program providing:

- the owner and family abides by all terms and conditions of the Lease, HUD Lease Addendum and HAP Contract
- the rental unit meets program requirements for HUD housing quality and occupancy standards
- the rent is determined to be reasonable

- there does not exist a conflict of interest regarding the owner, family and/or housing unit.

The types of housing assisted under the Section 8 program include:

- Single and Two-Family homes
- Multi-family apartments (3+ units in a building)
- Garden apartments
- Hi-rise and elevator buildings
- Row-type housing
- Townhouse units
- Condominium units

As previously mentioned, the size of the assisted unit (e.g. number of bedrooms) will coincide with the family's Section 8 Housing Choice Voucher and comply with HUD occupancy standards and Housing Voucher subsidy (payment) standards.

## 1. **Special Housing Types**

In addition to the housing types mentioned above, PJCDA may also approve the following other special types of housing in meeting the affordable housing needs of Section 8-assisted families:

- Shared housing
- Group homes (particularly for families with special needs, e.g., disabled/handicapped, seniors, and family victims of domestic violence)
- Single Room Occupancy (SRO) units
- Congregate housing

In the instances where families are assisted in special housing types, the following requirements must be met in accordance with HUD regulations:

- a. Separate leases and contracts must be issued for each assisted family and/or person;
- b. HUD housing quality and occupancy standards application to the special housing will also apply;
- c. Applicable Housing Voucher Payment Standards and HUD utility allowances will be used;
- d. Approved rents will be based on the *pro-rata share* of the total gross rent in accordance with the special housing type; and
- e. Approved rents must also meet the test of rent reasonableness.

To qualify for Section 8-assistance, Group Homes must be certified, licensed or similarly approved by the appropriate State agency.

Due to the prohibition of manufactured housing (e.g. mobile homes) in the City of Port Jervis, PJCDA will not approve this type of housing for Section 8 assistance to comply with City of Port Jervis Housing Codes and Ordinances.

## 2. **Prohibition Against Duplicate Subsidies**

Families will be denied participation in the Section 8 Housing Choice Voucher program if they choose to live in a housing unit subsidized under another local, State or Federal program or if they are receiving benefits under another tenant-based assistance program including:

- Units located within the jurisdiction of a Public or Indian Housing Authority
- Section 236 units
- Section 202 or 811 supportive housing for the elderly and disabled persons
- Rental assistance programs under the FmHA 521 Act 1919
- Section 101 subsidized units
- Rental assistance programs under the former Section 23 Act of 1937
- Section 162 assistance program (e.g. Section 202 non-elderly housing for persons with disabilities)
- Any other local or State rent subsidy program

- Other Section 8 programs, e.g., Section 8 New Construction, Section 8 Substantial Rehabilitation and/or Section 8 Moderate Rehabilitation program units
- Any other duplicative program assisted with Federal, State or local housing subsidies, as determined by HUD.

Housing units assisted under the Low Income Housing Tax Credit (LIHTC) program and families receiving a *shelter allowance* payment through the Department of Social Services (e.g. public assistance families and persons) are eligible for Section 8 tenant-based assistance under the Housing Choice Voucher Program.

**G. DISAPPROVAL OF OWNER PARTICIPANTS**

In accordance with HUD regulations, PJCDA will not approve an owner for participation in the Section 8 Program under the following conditions:

1. the unit owner is a relative of the Section 8-assisted family including parents, children, grandparents, grandchildren or siblings unless the assisted unit is required for reasonable accommodation of a disabled/handicapped member of the Section 8 family;
2. there exists a pending Federal action or other government-instituted administrative or judicial action against the owner for violations connected with Fair Housing and/or Federal Equal Opportunity (FEO) laws, rules and regulations;
3. a court or administrative agency has cited the owner for violation of Fair Housing or other FEO requirements;
4. the owner has been cited for violations under a previous or existing Section 8 Housing Voucher Contract;
5. the owner has committed fraud, bribery or other corrupt/criminal act connected with any federally-assisted housing program;
6. the owner has engaged in the sale, use or possession of illegal substances or has been involved in a drug-related or violent criminal activity;
7. where the owner has a history or practice of non-compliance with housing quality standards under the Section 8 program or housing standards for project-based assistance under any federally-assisted housing program;
8. the owner has a history or practice of renting units which fail Federal, State or local housing codes;
9. the owner is delinquent on Federal, State or local real property taxes, fines and/or assessments;
10. the owner owes monies to the PHA and fails to enter into agreement for repayment and/or is in default of a repayment agreement;

11. PJCDA is notified that the owner participant is debarred, suspended or subject to limited denial of participation in accordance with the regulations contained in 24 CFR Part 24;
12. the owner has a history or practice of failing to terminate the tenancy of families assisted under the Section 8 or other federally-assisted housing program for the following activities:
  - a. threats or interference with the rights to peaceful enjoyment and comfort by residents of the leased premises or neighbors residing in the immediate vicinity of the Section 8-assisted family
  - b. threats to the health, safety and/or welfare of the other residents, employees of the owner or PJCDA, or other members engaged in the management of the assisted housing
  - c. drug-related criminal activity or violent criminal activity

These activities apply to all members of the assisted household, guests or other person(s) under the control of any member of the assisted household.

**H. REVIEW OF LEASES, EXECUTION OF HUD LEASE ADDENDUMS AND HOUSING VOUCHER CONTRACTS & RENT REASONABLENESS**

**1. Leases/Addendums/Contracts**

Once a rental unit has been selected by the family, inspected and approved by PJCDA, staff will review the proposed lease agreement between the property owner and tenant family for required and prohibitive provisions. In addition, a HUD Lease Addendum will be executed which, in essence, governs the family's tenancy. In most cases, the lease agreement between the owner and tenant family will be a standard New York State Residential Lease adopted by the New York State Department of Housing & Community Renewal (DHCR) and used by most state/local agencies administering the Section 8 Housing Programs. However, owner participants are encouraged to use their own lease format providing it conforms to State and local laws.

The HUD Lease Addendum used is the most recent document issued and approved by the U.S. Department of Housing & Urban Development (HUD). At the time the Lease and its Addendum are prepared and executed, the owner participant and PJCDA enter into a Housing Voucher Contract for a term that will run concurrent with the term of the Lease Agreement and its Addendum. For new lease agreements and contracts, PJCDA requires a minimum one (1) year initial lease term. Furthermore, for all lease agreements (DHCR format or owner standard lease), PJCDA will require a minimum of the following information:

- Name of the Tenant Family and Owner Participant
- Address of the Section 8-assisted unit
- Breakdown of utilities and appliances as supplied by the owner and/or tenant-furnished
- Lease term including the initial period and provisions for the lease renewal.

## **2. Rent Reasonableness**

Prior to approving the family's Lease and Contract, PJCDA will review the rent requested by an owner for fair market comparability and reasonableness based on neighborhood private market rents charged for similar units and previous rents charged by the landlord for the same unit. PJCDA reserves the right to decline a Lease/Contract where the gross rent does not meet the test of rent reasonableness.

In performing the rent comparability analysis, PJCDA will check published listings of available rentals in the community. PJCDA will also contact local Realtors for updated information on current private market rents and exchange information with other rental property managers to determine if the rent charged by the Section 8 owner participant is fair and reasonable. PJCDA will also maintain a *Record Log of Comparable Rents* and update the data for use when conducting the rent reasonableness test for all initial contract rents as well as rent increases requested for Section 8-assisted units. A record of comparable rents will also be maintained in the PJCDA's Section 8 program database.

## **3. Security Deposits**

Owner participants are entitled to collect a security deposit from a Section 8-assisted tenant family limited to the amount equal to security deposits collected on behalf of tenants living in unassisted, private market rent units. At all times, Section 8 owner participants must adhere to prevailing market rates when collecting security deposits from Section 8-assisted families. Generally, owners will collect an amount equal to one (1) month's rent, however they can charge more since there is no maximum restriction on security deposits. Owners may use the security deposit as reimbursement for damages to the rental unit, unpaid tenant rent or other amounts owed under the lease in accordance with New York State and local laws. The security deposit may only be used after the tenant family has vacated the unit and cannot be applied towards any amounts owed under the lease during the family's leased tenancy.

In the instances where an owner will retain all or a portion of the family's security deposit, the owner must:

- provide the tenant family with a written list of the items and amounts charged against the security deposit
- promptly refund any unused portion or balance of the security deposit after appropriate deductions

Should the security deposit be insufficient to cover amounts owed, the owner may seek to collect the remaining balance from the family either through a voluntary agreement with the tenant family or by instituting a court action against the tenant in accordance with State and local laws.

## **1. HOUSING ASSISTANCE PAYMENTS**

Section 8 staff is responsible for processing and issuing monthly housing assistance payments to owner participants. In accordance with HUD regulations, Section 8 staff prepare a monthly HAP payment statement which will accompany each check and ensure that all payments are made in an accurate and timely manner. In accordance

with the executed Housing Voucher Contract, HAP payments are issued and mailed to owner participants no later than the 5th day of each month.

PJCDA maintains HUD-approved audit and control practices regarding the use and disbursement of all Section 8 program funds. At the end of each calendar year, owner participants are issued 1099 forms indicating the total amount of HAP Payments (in excess of \$600.00) issued during the preceding year. These 1099 forms are prepared and issued in accordance with HUD regulations as part of the PJCDA's accounting and audit procedures. Monthly housing assistance payments to owner participants are computer-generated using the HUD-approved *Happy* software system.

If an owner breaches or otherwise violates the terms and conditions of the Housing Voucher Contract, including non-compliance with maintaining the Section 8-assisted unit per HUD housing quality standards, PJCDA reserves the right to abate and/or terminate housing assistance payments. In such instances, the family cannot be required to pay the HAP to the owner direct. Moreover, should HAP payments be abated for 180 days, the Housing Voucher Contract will automatically be terminated by PJCDA.

**J. ANNUAL/INTERIM REVIEWS AND ONGOING ASSISTANCE TO PARTICIPANT HOUSEHOLDS**

**1. Annual & Interim Recertification**

At the time of initial enrollment, Section 8 staff prepare an archive file for each participant family and establishes a chronological system indicating the requirement for a minimum annual recertification of the family's composition, income, assets, and allowable deductions. PJCDA also maintains a computer database of tenant, owner, unit and project data using the HUD-approved *Happy* software. The software program is updated periodically to reflect changes in HUD program regulations.

Annual recertification is used to determine a family's continued eligibility for housing assistance and is based on the tenant family's annual anniversary date of program enrollment. Interim recertifications are conducted, when necessary, to reflect significant changes in household composition, income, assets, and allowances that occur prior to an annual recertification. Should a Section 8-assisted family move in the middle of a lease term, the new lease/contract date represents the family's new annual recertification date.

Section 8 staff is responsible for familiarizing themselves with all participant households and providing assistance to Section 8 families with housing as well as non-housing issues. Staff will observe and document a family's special needs and make referrals to other appropriate agencies in seeking solutions to social, educational, economic, health and employment related matters.

Participant families will be notified, in writing, 90-120 days prior to their annual anniversary date of the need for an annual recertification. During this process, all family income, assets, composition and allowances/deductions will be reevaluated and updated, as necessary, to determine if any changes should be made to the family's portion of the rent. Only bona-fide third-party documentation will be accepted as verification of all income, assets, family composition and eligible allowances. An annual



HUD housing quality standards inspection of the Section 8-assisted unit will also be performed as part of the annual review process.

Section 8 participant families must cooperate fully in the recertification process. This includes timely response to interview letters and scheduling of appointments, full disclosure of all family, income and assets information and cooperation in the annual HUD HQS inspection process.

Additionally, Section 8 owner participants must also cooperate in a timely manner with regards to the annual recertification process. For owners who have executed a year-to-year lease with the Section 8-assisted tenant family, the owner must produce a new lease at least sixty (60) days prior to the family's annual recertification date and indicate any increases in rent at the time the new lease is presented to PJCDA.

Should a family fail to respond, unduly delay the process and/or refuse to provide all relevant information for continued eligibility, PJCDA reserves the right to terminate the family's housing assistance, with thirty (30) days advance written notice.

## **2. Family Break-Ups, Split Households & Other Changes in Family Composition**

Should a Section 8-assisted family experience a break-up during the course of tenancy, PJCDA will continue uninterrupted housing assistance on behalf of the family members who remain in the assisted unit. However, PJCDA will conduct an evaluation of the family circumstances regarding the break-up and render a determination of continued housing assistance in the best interests of family stability based on the following criteria:

- a. Families with minor dependent children will receive priority and the Section 8 Housing Choice Voucher will be retained by the parent or guardian granted custodial rights
- b. Elderly, disabled, handicapped or family members with an illness will also be given special consideration in the PHA's decision
- c. Family members forced to flee their unit due to actual or threatened domestic violence or abuse will retain the family's Section 8 Housing Choice Voucher and be given assistance in the search for a new rental unit
- d. Where a family member is reported as having moved from the Section 8-assisted unit, proof of the family member's new residence, i.e., copy of utility bill, lease, telephone bill, etc., will be the only acceptable means of verification.

In the case where a disposition of property and/or custody is determined by a court action, e.g., divorce or legal separation, PJCDA will abide by the court's decision as stipulated in the judicial decree and comply with a court Order of Protection on behalf of family victims of domestic violence. Furthermore, PJCDA will adhere to the provisions of the Violence against Women Act (VAWA) and the companion Justice Department Reauthorization Act of 2005, including the submission of HUD Form 50066, to ensure that housing assistance will continue for the benefit of the protected family members

### **3. Temporary Absences from the Section 8-assisted Unit**

PJCDA will continue uninterrupted housing assistance payments in the instance of a family absence from the Section 8-assisted unit providing the period away from the unit does not to exceed 180 consecutive days. The following circumstances constitute an *approved* family absence from the unit:

- Vacation and long-term visits (beyond 30 days)
- Medical leave, hospitalization or medical stays in a treatment facility
- Incarceration
- Medical/family leave to care for another family member or relative living outside the Section 8-assisted unit.

Families and persons who will be absent from the Section 8-assisted unit must notify PJCDA, in writing, stating the reason for the absence and the length of time they plan to be away. Furthermore, they must contact PJCDA immediately upon their return to the Section 8-assisted unit. Should the family be absent beyond the 180-day maximum leave, the Housing Voucher Contract will be terminated and both the family and owner will be advised of the PHA action by written notice.

### **K. RENT ADJUSTMENTS**

Owners may request increases in the contract rent on an annual basis. Since Applicable Payment Standards may not necessarily increase to absorb the additional rent requested, owner participants must discuss and negotiate the proposed rent increase with the tenant family direct to assure it is within their affordability range. Tenant families must be provided a minimum 60-day advance written notice of all rent increases, with a copy furnished to PJCDA. This also includes Section 8 owners who execute a new lease at the time of recertification. PJCDA and the tenant family must be provided with the new lease, indicating the new contract rent, no later than sixty (60) days prior to the annual recertification date. Where possible, rent increases should coincide with the tenant's annual recertification date.

Rent increases are reviewed by Section 8 staff, tested for rent reasonableness and will be granted based on increases in real property taxes, tax assessments, utilities and other related costs. The cost of capital improvements made to the rental property does not constitute a justification for an annual rent adjustment. PJCDA reserves the right to deny a rent increase based on factors of rent reasonableness.

### **L. REVIEW OF HOUSING VOUCHER PAYMENT STANDARDS**

Payment Standards are used to determine the monthly housing assistance payment to be paid by PJCDA to an owner. The *Applicable Payment Standard* or APS represents the maximum monthly subsidy payment made on the family's behalf. The Payment Standard is the lower of the applicable Payment Standard for the family's Housing Choice Voucher or size of the dwelling unit to be occupied by the family.

#### **1. Applicable Payment Standard Schedules**

PJCDA has established an Applicable Payment Standard scheduled according to the PHA's jurisdiction, e.g., Orange County Fair Market Rent (FMR) are - Newburgh PMSA.

Payment Standard amounts are adopted for each unit size based on the number of bedrooms applicable to the family including: (a) 0-bedroom; (b) one-bedroom; (c) two-bedroom, (d) three bedroom; (e) four-bedroom; and (f) Five + bedrooms.

Applicable Payment Standards adopted by PJCDA shall fall within the prescribed 90% to 110% of the published FMR for the appropriate unit size. PJCDA reserves the right to establish a higher scheduled, if necessary, to provide reasonable accommodation for a Section 8-assisted family with disabled/handicapped members. APS amounts higher than the allowable range must be pre-approved by the HUD Public Housing Field Office. For approval, PJCDA must provide the Field Office with program justification for the higher amounts.

## **2. Reviews and Changes to Applicable Payment Standards**

PJCDA monitors its Applicable Payment Standard levels on a minimum annual basis in accordance with the following criteria:

- a. Review of individual family APS levels to ensure families are not paying an amount greater than 40% of their monthly adjusted income based on *inadequate* Payment Standards;
- b. Continual monitoring of APS levels at the time of the family's annual and/or interim recertification.

Only when Applicable Payment Standards fall below 90% of the FMR and/or levels are insufficient to meet the family rent subsidy needs will PJCDA adjust its APS levels. Moreover, newly adjusted APS levels will be published and appropriate briefing packets and handbooks will be revised to reflect the new amounts.

## **M. TERMINATIONS**

Owners are briefed to notify PJCDA, in writing, of their intent to evict a Section 8 family or otherwise terminate a Lease Agreement and discontinue the Housing Voucher Contract on behalf of the Section 8 family. The PJCDA must also be notified of any sale, bank foreclosure or transfer of ownership of a property under Housing Voucher Contract and Lease Agreement which could ultimately affect the Section 8 tenant's current and future occupancy of the assisted unit.

Termination of tenancy by an owner may only be done in accordance with the terms and conditions of the Housing Voucher Contract and HUD Lease Addendum that governs the family's tenancy. In the case of an eviction, the landlord must initiate a court action in accordance with New York State Real Property Law to remove the family from the leased premises.

PJCDA maintains a policy of "zero" tolerance for fraud and program abuse committed by a Section 8-assisted family and documented instances will cause immediate termination of a family Section 8 assistance. For participant households terminated due to program abuse and/or fraudulent action committed during the course of tenancy and program participation, Section 8 staff must document the termination and maintain records for program purposes. In these instances, families are advised, in writing, of the reasons for termination and afforded the opportunity to appeal the PHA decision and be granted an Informal Hearing. Further, owners are also notified, in writing, of the date of termination and issuance of the final housing assistance payment.

In the instances when a family is terminated due to program fraud or abuse, their record will be shared amongst other PHAs through a database and/or reciprocal agreements (oral and written) with other participating PHA jurisdictions.

Families terminated due to ineligibility for continued rent subsidy, (total tenant payment is equal to or greater than the gross rent), are provided a minimum thirty (30) day advance notice of termination of rent subsidy payments. Families are further briefed that the Section 8 Housing Choice Voucher will remain open for a six (6) month period following the date of termination. If, at anytime during the six (6) month nonpayment period, the family experiences a change in income, assets, family composition or allowances which adversely affects their ability to make rent payments on their own, they may request an interim evaluation of the new data to determine if housing assistance payments should be reinstated. However, if there are no changes reported during the 6-month period, the family's program participation will be terminated in accordance with HUD regulations. To reinstate rental assistance after program termination, the family must reapply to the Program and wait their turn for another Section 8 Housing Choice Voucher to receive Section 8 assistance.

In all instances of family terminations, eligible households on the PJCDA active waiting list are contacted to fill the vacancies left by families who are terminated or voluntarily move off the Section 8 Program.

#### **N. REIMBURSEMENT FOR PHA OVERPAYMENTS**

PJCDA maintains a strict policy of reimbursement for any overpayment of housing assistance payments made on behalf of a Section 8-assisted family. Should a family fail to report income, assets or change in household composition that resulted in a reduced housing assistance payment, the amount of overpayment must be reimbursed to PJCDA in order to remain eligible for continued Section 8 assistance. The family must enter into an Agreement for the Reimbursement of Section 8 Funds for the repayment of funds and this agreement will be enforced throughout the family tenancy until all overpaid funds have been sufficiently reimbursed to PJCDA. Failure to honor the agreement will cause immediate termination of the family's Section 8 assistance.

PJCDA will endeavor to negotiate a fair and reasonable payment amount which will not cause undue rent hardship and families will be briefed on their responsibility to honor the obligations of the agreement and remit payments to PJCDA in a timely manner or face program termination. In accordance with the terms of the agreement, a failure to remit a payment to PJCDA within thirty (30) days of the due date will cause termination of the family's housing assistance and subject the family to further legal action.

#### **O. FAMILY MOVES AND PORTABILITY**

As previously mentioned, participating families must notify PJCDA of their intention to move within the City of Port Jervis or outside to another PHA jurisdiction in accordance with the portability features of the Section 8 Program. Families are briefed to provide the owner and PJCDA with a minimum thirty (30) days advance written notice of their intent to vacate the unit, dated from the first of the month. For example, if a family makes a decision to move on January 1, the 30-day notice must arrive at the landlord and PHA's location on or before December 1st of the preceding month.

PJCDA reserves the right to restrict family moves to no more than one (1) for each 12-month lease period. PJCDA may allow a move prior to the lease renewal due to extenuating circumstances, i.e., medical reasons, domestic violence, or other circumstance beyond the tenant family's ability to control or prevent. All amounts due and owing a landlord must be fully paid prior to a tenant family moving to a new unit while receiving Section 8 assistance. PJCDA reserves the right to deny a new contract/lease unless all outstanding tenant rent is paid to the family's current landlord.

**1. Family Moves within PJCDA Jurisdiction**

For families who move within the City of Port Jervis, efforts are made to contact the new property owner and invite his/her participation in the program, inspect and approve the new unit, and execute a Housing Voucher Contract, Lease Agreement and HUD Lease Addendum, all within a reasonable time frame to ensure uninterrupted housing assistance.

**2. Portability Outside PJCDA Jurisdiction**

For families who elect to move outside the City of Port Jervis, Section 8 staff endeavor to assist the family in its relocation efforts, i.e., communicate with the other receiving PHA to arrange transfer of the Section 8 Housing Choice Voucher for use under the other PHA Program. Portability rules, as mandated by HUD, are an integral part of family briefings as more fully described in ***Part E of this Plan***. Under portability rules, the following can occur:

- a. the Section 8 family must select a jurisdiction that operates a tenant-based program
- b. should the Section 8 family reside outside the PJCDA jurisdiction at the time of application, they must be under lease for a minimum 12-month period prior to approving a request for portability outside the City of Port Jervis
- c. if the Section 8 family is a resident of the City of Port Jervis at the time they are contacted for enrollment, the 12-month lease requirement is waived and the family may exercise their option of portability to any other jurisdiction. However, to be admitted to another PHA's program, the family must qualify under the HUD income guidelines applicable to the receiving PHA's jurisdiction.
- d. the housing unit selected in the other PHA jurisdiction must represent permanent housing, i.e., temporary housing such as motels, hotels, or homeless shelters, will not be considered as meeting the test of domicile for the purposes of portability;
- e. the Section 8 family can be absorbed in the receiving PHA's program whereby PJCDA will retain its Housing Choice Voucher for reissue to another eligible family on its waiting list;
- f. the Section 8 family can move to a jurisdiction that declines to absorb the PJCDA family. In these instances, the receiving PHA will assist the family and administer the PJCDA's (initial PHA) Housing Choice Voucher on behalf of the family. The receiving PHA will bill PJCDA for its applicable HAP payment and 80% of the

PJCDA administrative fee. The initial PHA (PJCDA) will retain 20% of its applicable administrative fee.

- g. Should the tenant family move to a jurisdiction that does not absorb them, the receiving PHA cannot bill for more than the PJCDA's Applicable Payment Standard. Should the Applicable Payment Standard for the receiving PHA be greater, PJCDA reserves the right to deny the portability move.

For ease of administrative and accounting procedures, PJCDA will maintain a policy of tenant family program absorption for all Section 8-assisted families who move into PJCDA's jurisdiction. However, should program availability be limited for absorption, PJCDA reserves the right to administer another PHA's Housing Choice Voucher and opt for portability billing.

***P. COMPLAINTS AND APPEALS***

PJCDA conducts its programs in accordance with Federal Fair Housing Law and Equal Housing Opportunity and is the appointed Fair Housing Office for the City of Port Jervis. The City's Fair Housing Plan (revised and adopted by the City of Port Jervis Common Council on April 25, 1988) also assures the compliance of Federal Laws and Executive Orders in the administration of all housing programs and activities relating to housing and community development.

Complaints from Section 8 households alleging discrimination are referred to PJCDA for investigation, negotiation and filing, if necessary, with the FHEO and HUD Regional Counsel for prosecution. As part of the enrollment briefings outlined in ***Part E of this Plan***, families are also notified to file all discrimination complaints with the U.S. Department of Housing & Urban Development (HUD), Fair Housing Division, by completing and submitting a Housing Discrimination Complaint form. PJCDA will assist families in this process.

Complaints/appeals from households resulting from a PJCDA eligibility finding, termination or other PHA decision/action will be granted the rights of the appeal process. Families are notified, in writing, of their right to appeal and have the PJCDA decision reviewed in person with the family at a scheduled meeting. If Section 8 staff are unable to resolve the matter to the family's satisfaction, PJCDA will assist the family in filing a written request for an Informal Hearing to mediate the matter. Families requesting an Informal Hearing must do so, in writing, within ten (10) days following the PJCDA's written notice of termination or other action.

A Hearing Officer will preside over the Informal Hearing. The Officer will not be a member of PJCDA staff and will not have been involved in the initial decision and/or finding rendered by PJCDA. The Hearing Officer or Arbitrator will render a decision, taking into account:

- all documentation contained in the tenant family's file;
- testimony of the Section 8 family;
- applicable HUD program regulations; and
- PJCDA Administrative Plan policies.

A written confirmation of the decision will be provided to the family within thirty (30) days following the date of the Informal Hearing. The decision handed down following the Informal Hearing will be the final decision in the case.

**Q. MONITOR AND ASSESS PROGRAM PERFORMANCE**

Section 8 staff continually monitor the number of applications received, Housing Choice Vouchers issued and Housing Choice Voucher contracts executed on behalf of participant households. Internal logs and records are maintained for program tracking purposes and program performance is reported to the HUD Public Housing Division through the MTCS and SEMAP reporting systems. A computer database and digital records are also facilitated by PJCDA to reinforce the accurate and efficient administration of the Section 8 program and delivery of program services. Should the mix and/or number of applications be inadequate, PJCDA's outreach program is adjusted. Further, should participant families experience difficulties in locating suitable housing, appropriate measures are taken to improve program lease up, i.e., intensify owner outreach to identify additional rental units and contact with area Realtors regarding unadvertised listings for vacant units. Since the City of Port Jervis is experiencing a severe rental housing shortage, available units are limited.

PJCDA takes advantage of formal training sessions to keep abreast of changes in HUD program regulations and policies. Furthermore, all relevant documentation used for program administration is reviewed for current data and information. As such, PJCDA will review the contents of its Comprehensive Administrative Plan, on an annual basis, to ensure that the policies and procedures contained herein, are current, accurate and in strict compliance with all HUD regulations.

**R. FAIR HOUSING & EQUAL OPPORTUNITY**

The City of Port Jervis conducts its business and administers all local, state and federally-assisted programs in strict accordance with Federal Fair Housing Law and Equal Housing Opportunity for the benefit of all Port Jervis citizens. On April 25, 1988, the City re-adopted its Fair Housing Plan, approved by City Common Council, to ensure the long-term objective of allowing any person in the City to obtain the housing of their choice within his/her economic means regardless of race, color, religion, sex, national origin, marital or familial status or physical handicap. A copy of the City's Fair Housing Plan is included in the PHA 5-Year/Annual Plan under ***Exhibit C***.

The short-term objective of the Plan represent an ongoing educational and referral process among the City's housing providers to achieve the long term goals of increased housing choice and opportunity for all City residents, with special assistance provided to Low and Moderate Income residents, minority families and disabled/handicapped residents who represent the most vulnerable citizens in the City's housing market. In addition to the City's Fair Housing Plan, PJCDA has also adopted a Fair Housing & Equal Opportunity (FHEO) Plan, (***Exhibit D of the PHA 5-Year/Annual Plan***), revised July 12, 2006, to ensure the fair treatment of all family participants in the City's Section 8 housing program.

The City has appointed the PJCDA Director as the Fair Housing Officer responsible for enforcement of the provisions of the City's Fair Housing Plan and PJCDA's Fair Housing & Equal Opportunity Plan. These provisions include outreach to the City's Low/Mod and

minority community, liaison with local lenders and Realtors, and resolution of fair housing complaints as filed with PJCDA on behalf of families and persons who experience actual or threatened discrimination due to unfair housing practices.

### **S. OUTSTANDING HOUSING PERFORMANCE**

The City of Port Jervis continues to maintain a record of high housing performance with a solid commitment to our low and moderate income residents, minority families and disabled/handicapped residents of the community. In accordance with the City's Fair Housing & Equal Opportunity Plans, the City targets its programs, services and activities to expand housing choice among tenants, homeowners and first-time homebuyers through the promotion of fair housing practices for the benefit of all citizens, with priority afforded to Low/Mod and minority families who are the most likely group to experience exclusion in the private housing market.

#### **1. Economic Integration of Assisted Housing for Low and Moderate Income Residents**

Based on the 2000 U.S. Census Data, the percent of Low and Moderate Income (LMI) population for the City of Port Jervis is **64.3%**, with **17.5%** persons and **14.2%** families living below the U.S. Poverty Level in 1999. The City's subsidized housing sites are dispersed among the three (3) census tracts of the City. The Port Jervis Public Housing Authority has two (2) sites including: (a) fifty (50) units at Hillside Terrace located in Tract 22; and (b) twenty-five (25) family units at Minisink Park in Census Tract 23. Located on the outskirts of the City's Central Business District (CBD) in Census Tract 22, is Machackemach Village with fifty (50) units of subsidized housing (Section 8 New Construction) for seniors, disabled and handicapped persons. Port Jervis Townhouses, a FmHA 515-subsidized townhouse complex, provides forty (40) rental housing units for Low and Moderate income families in Census Tract 21, adjacent to privately-owned, market-rate garden apartments. With the assistance of FY2000 Small Cities CDBG funding, Water's Edge Senior Campus was constructed providing an additional 160 units of affordable senior housing located at the conjoining of Census Tracts 22 and 23 in the southern end of the City's commercial district.

Of the City's **211** leased, Section 8-assisted units, **58 (28%)** are located in Census Tract 21, **132 (63%)** are in Census Tract 22 and **17 (8%)** are in Census Tract 23, mirroring the overall population breakdowns for each Census Tract. This equitable distribution of Section 8 residency within the City clearly evidences our ability to promote housing choice and economic integration of the City's Very Low Income families.

#### **2. Deconcentration of Assisted Housing for Minority Residents**

The 2000 U.S. Census also reports a **14.2%** minority population in the City of Port Jervis. Minority residents are also dispersed among all three (3) of the City's Census Tracts, in close proportion to the total minority population for the City at-large, i.e., **16.1%** in Census Tract 21, **22.2%** in Census Tract 22 and **13.4%** in Tract 23, as well as non-minority populations for each Census Tract. Of important note is the higher than average percent of minority families residing in Census Tract 21, which has the lowest percentage of Low and Moderate income residents. Minority residents receiving Section 8 assistance account for **12%** of the City's total program participants.



3. **Provision of Assisted Housing & Public Facilities for Disabled/Handicapped Residents**

An important element of the City's CDBG-assisted programs is the incorporation of handicapped-accessibility improvements for the removal of architectural barriers which impede access to housing and public facilities by the City's handicapped and disabled citizens whom represent **23%** of the total population.. With the use of CDBG funds, leveraged with other public/private investment, nearly 30% of the City's rehabilitation activities have improved handicapped-accessibility throughout the City including: (a) ADA-approved elevators in multi-use structures for access to the second and third floor housing units; (b) installation of ramps and safety bars in individual housing units; (c) specially-equipped devices for the sight and hearing impaired in handicapped-accessible units; and (d) approximately 200 curb cuts/ramps as constructed throughout the City to promote handicapped-access for the City's public facilities.

Of the 211 leased families participating in the Section 8 Housing Choice Voucher program, **136 or approximately 65%** represent disabled/handicapped households.

### III. **SPECIAL PURPOSES FUNDING**

#### A. **SECTION 8 FUNDING**

Since inception of the City's Section 8 Program in 1979, PJCDA has successfully secured funding for a total of 327 units to assist Very Low Income families living in the City of Port Jervis. However, due to substantial budget cutbacks, PJCDA has been unable to maintain 100% lease up of the 327 units. As a result, PJCDA will maximize its funding sources when it achieves 230 leased units.

During FY1998, PJCDA received an allocation of fifteen (15) Section 8 Certificates (later converted to Housing Choice Vouchers) dedicated to Very Low Income persons with disabilities. This special purposes funding has allow PJCDA to target needed housing assistance for the City's disabled, handicapped and frail elderly persons who experience greater hardships in the private rental housing marketplace. Rent subsidies will expand housing choice for these individuals and enable persons with disabilities to secure safe, decent and sanitary housing at affordable rents.

As an integral part of the City's Section 8 Housing Choice Voucher Program, PJCDA also administers a Family Self-Sufficiency (FS-S) Program of forty (40) units. This program helps to empower Very Low Income families to access other critical services including job training, education, child care, transportation, affordable health care, family counseling, parenting skills and gainful employment. Administered by PJCDA, the City's FS-S Program assists Very Low Income families to achieve stability and financial independence through a combination of housing assistance and support services.

#### B. **OTHER FEDERAL AND STATE ASSISTED HOUSING PROGRAMS**

In addition to the City's Section 8 Housing Choice Voucher Program, PJCDA administers several other state and federally-assisted programs for the benefit of the City's Low and Moderate Income (LMI) citizens. The goals of the City's housing programs is to improve the City's existing housing stock, create new affordable housing and expand housing choice and opportunities for all residents, with priority afforded to LMI persons and families. Other programs administered by PJCDA include:

1. HUD-funded HOME program (as an active member of the Orange County HOME Program Consortium);
2. Small Cities Community Development Block Grant (CDBG) Program, administered by the NYS Governor's Office;
3. Programs funded through the USDA Rural Development, i.e., 504 housing rehabilitation program

In recognizing the need to expand housing opportunities for LMI and first-time homebuyers, PJCDA has prepared a comprehensive Affordable Homeownership Plan and invited the Regional Economic Community Action Program (RECAP) to partner with PJCDA for a community-based homeownership program. RECAP, an Orange County not-for-profit Agency, is an experienced housing provider offering downpayment assistance and housing counseling services for LMI, first-time homebuyers.

## **IV. PROGRAM STAFFING AND ADMINISTRATION**

### **A. SECTION 8 PROGRAM STAFFING & JOB RESPONSIBILITIES**

Staffing for the City of Port Jervis Section 8 Programs includes the following personnel:

1. **Director** of the Port Jervis Community Development Agency is responsible for the overall supervision of programs and provides technical guidance to staff members.
2. **Housing Program Administrator** of the Port Jervis Community Development Agency is the principal staff person responsible for day-to-day management of program activities and functions as set forth in this Plan.
3. **Family Self-Sufficiency Coordinator** assists the Housing Program Administrator with the development, implementation, and on-going activities of the Family Self-Sufficiency Program and performs case management duties for the Section 8 Housing Choice Voucher Program.
4. **Rehabilitation Specialist** conducts the Section 8 housing inspections and assists in the compliance of HUD Housing Quality Standards for Section 8-assisted units.
5. **Economic Development Specialist/Bookkeeper** handles the bookkeeping, general accounting functions and preparation of financial statements/reports in accordance with program requirements. This staff person also assists with application intake and casework duties.
6. **Secretary/Receptionist** assists the Housing Program Administrator and Family Self-Sufficiency Coordinator with reception and administrative duties connected with the Section 8 Housing Programs.

The ***PJCDA Director*** provides overall supervision and support to staff, secures approval of ACC contracts, monitors program operations, prepares budgets and requisitions, writes, monitors and amends the Comprehensive Administrative Plan and PHA 5-Year Plan, seeks new funding sources through grant writing, provides advice and direction to the Housing Program Administrator and maintains communications with the PJCDA Board of Directors, City Mayor, and City Common Council on program development and activities.

The ***Housing Program Administrator*** administers the day-to-day activities of the Section 8 program including program enrollment, monitoring of the waitlist, tracking of program lease up and administrative fees, issuance of Section 8 Housing Choice Vouchers, preparation of HUD reports, contacts with area property owners, tenant groups, and coordination of the program's outreach efforts.

With the assistance of the Family Self-Sufficiency Coordinator, the ***Housing Program Administrator*** handles application/waitlist/preference procedures, determinations of family eligibility, leasing, execution of HAP contracts, and the dissemination of information pertaining to program requirements and activities.

The ***Family Self-Sufficiency Coordinator*** handles the daily functions of the FS-S Program including enrollment, family briefings, annual/interim recertifications, income verifications, calculations of total tenant payment (TTP), processing and issuing of Housing Assistance Payments (HAPs) to owner participants, maintaining program logs and records, certifying rent reasonableness, providing on-going assistance to participant households, and referrals to other social service agencies. The Family Self-Sufficiency Coordinator also performs case management duties and functions under the Section 8 Housing Choice Voucher Program.

The ***Rehabilitation Specialist*** assists in the inspection process of all leased units for compliance of HUD HQS and occupancy standards. The Rehabilitation Specialist files reports of unit deficiencies with owner participants, conducts re-inspections and special inspections as requested by tenant families and owners, and maintains communications with the City Building Official relating to unit deficiencies which pose a health/safety hazard to Section 8 tenant occupants. The Rehabilitation Specialist also monitors housing units for lead-based paint and asbestos hazards to ensure the Section 8 assisted units are in strict compliance with program requirements.

The ***Economic Development Specialist*** is responsible for maintaining Section 8 program accounting journals including cash disbursements and receipts, handling monthly bank reconciliations, tracking of wire transfer of funds from HUD, liaison with area banks bearing program accounts, and the preparation of monthly financial statements/reports for the PJCDA Board of Directors. The ED Specialist also assists with case management functions of the Section 8 program, assisting the Family Self-Sufficiency Coordinator and Housing Program Administrator.

The ***Secretary/Receptionist*** assists the Housing Program Administrator and Family Self-Sufficiency Coordinator with collection of data, scheduling of client interviews and HUD HQS inspections, preparation of letters, correspondence and reports and general administrative/reception duties, as directed by the principal staff persons of the Section 8 Housing Programs.

In addition to salaried and contract staff, PJCDA also retains the services of an accountant who will update and transfer the program journals to the General Ledger, prepare 1099 forms for owner participants, prepare and issue Year-End Financial Statements as required by HUD, prepare and file the required GAAP reports and provide assistance to Section 8 staff during audits. PJCDA also retains the services of an attorney who will offer legal counsel/advice, as and when needed for program administration and activities.

#### **B. PROGRAM ADMINISTRATION**

The cost for the PJCDA Section 8 Housing Program staff and administration is covered by fees earned based on the number of units leased up for the Program, i.e., number of eligible families under lease and receiving rent subsidies. Administrative fees earned are computed on a monthly basis and used to cover eligible and approved program delivery and operating costs including:

- a. staff salaries and benefits;
- b. equipment and maintenance;
- c. sundries (office supplies, postage, etc.);

- d. accounting and audit costs;
- e. legal expenses;
- f. other housing program costs in support of the Section 8 Program including related housing activities and support services.

All program administrative expenses must be pre-approved by the PJCDA Director. Further, any single purpose/item expense which exceeds \$100.00 must receive prior approval by the PJCDA Board of Directors.

**C. PJCDA BOARD OF DIRECTORS, AGENCY POLICIES & PROGRAM OVERSIGHT**

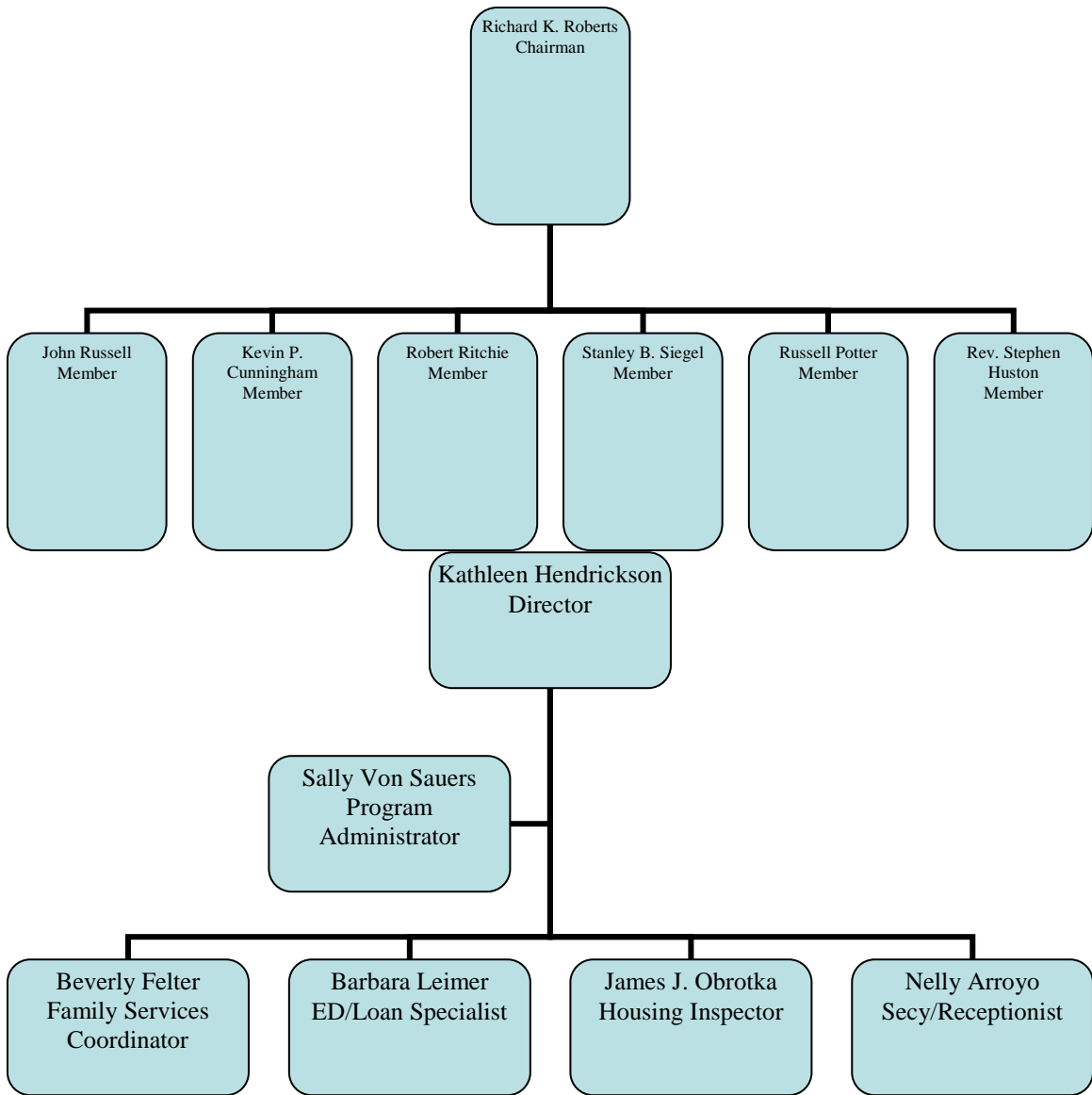
PJCDA is governed by a 7-member Board of Directors, appointed by the City Mayor, who volunteer their time and service to the Agency. The PJCDA Board of Directors directs policy, approves budgets and expenses, and is responsible for Section 8 Program oversight including fiscal management, policy decisions, adherence to HUD regulations, and technical guidance to the PJCDA Director and Agency staff.

Each calendar year, the PJCDA Director prepares an annual Administrative Budget for the Section 8 Housing Program which runs concurrent with the federal fiscal year of the Program, e.g., October 1 to September 30th. The Budget is reviewed and approved by the PJCDA Board of Directors and periodically reviewed by the PJCDA Director to track administrative fees earned and expenses incurred to ensure all program expenditures are within budget limitations.

Administrative fees earned in excess of program expenditures during any given fiscal year of the PJCDA is credited to the Operating Reserve Account in accordance with HUD program regulations. This account is monitored and updated annually by the PJCDA accountant, following preparation of the Year-End Financial Statements.

Operating Reserve funds may be expended for eligible Section 8 Program costs and PJCDA housing purposes, only after all current fiscal year administrative fees have been exhausted. Further, the PJCDA Board of Directors must grant written prior approval for any monies to be expended from the Operating Reserve Account.

In accordance with the provision of the Single Audit Act, the Section 8 Program is audited on an annual basis by an independent accounting firm selected by the City of Port Jervis in accordance with federal procurement requirements. A comprehensive audit report is prepared and submitted to the U.S. Department of Housing and Urban Development, citing any audit findings or concerns. PJCDA must respond in a timely manner to any and all audit findings and remedial actions must be taken and documented to HUD, as appropriate.



**City of Port Jervis  
Port Jervis Community Development Agency  
PHA Management Organization Chart**