

<b>PHA 5-Year and Annual Plan</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires 4/30/2011</b>
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<b>1.0</b>	<b>PHA Information</b> PHA Name: <u>Housing Authority of Maricopa County</u> PHA Code: <u>AZ009</u> PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input checked="" type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>07/01/2011</u>					
<b>2.0</b>	<b>Inventory</b> (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u>811</u> Number of HCV units: <u>1561</u>					
<b>3.0</b>	<b>Submission Type</b> <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only					
<b>4.0</b>	<b>PHA Consortia</b> <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)					
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program	
					PH	HCV
PHA 1:						
PHA 2:						
	PHA 3:					
<b>5.0</b>	<b>5-Year Plan.</b> Complete items 5.1 and 5.2 only at 5-Year Plan update.					
<b>5.1</b>	<b>Mission.</b> State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:					
<b>5.2</b>	<b>Goals and Objectives.</b> Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.					

**PHA Plan Update**

(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:

**Public Housing:**

- Modified the pet deposit to equal the amount of TTP, up to a maximum of \$150.00, at time pet agreement is signed.
- Increased security deposits by \$50 for each unit size.
- Wait list preferences are by date and time received only without local preferences.
- Re-occupancy policy as a result of demolition/disposition of units.

**Section 8:**

- Applying for Admission: Preference change to add a fourth (jurisdiction) preference to give priority to applicants who live in the Housing Authority of Maricopa County's jurisdiction at the time of application, or who move to the housing authority's jurisdiction before voucher issuance. Preference changes include the following: Jurisdiction (2 points), Elderly (1 point), Disabled (1 points), Veteran (1 point).
- Subsidy Standards: Clarified specific types of persons allowed to be added to the subsidized household, so that the unit is reserved for the "family" and not extended family/relatives.
- Owner or Family Debts: Clarified schedule of payments.
- Payment Standard Changes: Increased payment standard to 100% Fair Market Rent (FMR) for zero (studio) and one bedroom sizes, increased two bedroom to 96%, increased four bedroom to 94%, and increased five and six bedrooms to meet the 90% minimum due to an increase in the FMR for those two respective bedroom sizes.
- Determine Voucher Size: Revised occupancy standards to now reflect head of household and spouse/significant other will receive one bedroom, then one bedroom for every two persons.
- Project-Based Assistance Policy: This has been added as Section 21 of the Section 8 Admin Plan. (See attachment az009t03.

(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.

The Annual PHA Plan may be viewed at the following locations as well as on the web-site [www.maricopahousing.org](http://www.maricopahousing.org):  
2024 N. 7<sup>th</sup> Street, Phoenix AZ 1510 S. 19<sup>th</sup> Drive, Phoenix, AZ 710 W. 8<sup>th</sup> Avenue, Mesa, AZ 1103 N. 6<sup>th</sup> Street, #106, Avondale, AZ 12976 Cottonwood, Surprise, AZ

**PLAN ELEMENTS**

**1. ELIGIBILITY, SELECTION AND ADMISSIONS POLICIES, INCLUDING DECONCENTRATION AND WAIT LIST PROCEDURES**

Section 8: See attachment az009a03  
Public Housing: See attachment az009b03

**2. FINANCIAL RESOURCES**

See attachment az009c03

**3. RENT DETERMINATION**

See attachment az009d03

**4. OPERATIONS AND MANAGEMENT**

See attachment az009e03

**5. GRIEVANCE PROCEDURES**

Section 8:  
See attachment az009f03  
Public Housing:  
See attachment az009g03

**6. DESIGNATED HOUSING FOR ELDERLY AND DISABLED FAMILIES**

HAMC will not be designating any housing for Elderly or Disabled Families in the immediate future.

**7. COMMUNITY SERVICE AND SELF-SUFFICIENCY**

See attachment az00h03

**8. SAFETY AND CRIME PREVENTION**

Each Public Housing Property Manager has attended Crime Free Multi-Housing training provided by local police agencies. The trainings opened up communications with various municipalities in regards to receiving reports of criminal activities at the public housing sites thus allowing management to act appropriately with the affected households. We encourage all of our on-site staff to attend the crime free type of trainings.

Various police agencies have partnered with different sites in promoting block watch and crime prevention meetings with the residents. Direct e-mails from local enforcement agencies to the property management team has made it possible for them to act quickly to problems.

HAMC has a vehicle registration program whereby households must register their vehicle in order to park on the property. This has been beneficial in reducing unwanted elements on the site.

HAMC contracts with an independent company to perform nationwide criminal background checks on all applicants. Local courts and police agencies are checked in conjunction with tenant lease renewals.

HAMC replaced exterior building light fixtures at three sites to improve the lighting and energy efficiency. Perimeter block walls were added and improved at two locations. Landscape improvements at two sites improved the overall visibility at two locations. Continuation of these property improvements will be carried forward into the upcoming fiscal year.

**9. PETS**

See attachment az009i03

**10. CIVIL RIGHTS CERTIFICATION**

See attachment az009j03

6.0

	<p><b>11. FISCAL YEAR AUDIT</b> See attachment az009k03</p> <p><b>12. ASSET MANAGEMENT</b> See attachment az009l03</p> <p><b>13. VIOLENCE AGAINST WOMEN ACT (VAWA)</b> Section 8: See attachment az009m03 Public Housing: See attachment az009n03</p>
7.0	<p><b>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.</b> <i>Include statements related to these programs as applicable.</i></p> <p>a. <b>Hope VI or Mixed Finance Modernization of Development:</b> See attachment az009o03</p> <p>b. <b>Demolition and/or Disposition:</b> See attachment az009o03</p> <p>c. <b>Conversion of Public Housing:</b> The HAMC will develop a plan to utilize Replacement Housing Funds (RHF) to acquire, increase or develop more public housing units.</p> <p>d. <b>Homeownership:</b> N/A</p> <p>e. <b>Project-based Vouchers:</b> HAMC will explore implementing a project-based voucher program.</p>
8.1	<p><b>Capital Fund Program Annual Statement/Performance and Evaluation Report.</b> As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p> <p>The HAMC is exploring the use of Energy Performance Contracts to improve the operating performance of the public housing. The contract will provide an assessment of current utility usage and recommendations to improve/decrease utility consumption.</p> <p>See attachment az009p03</p>
8.2	<p><b>Capital Fund Program Five-Year Action Plan.</b> As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p> <p>See attachment az009q03</p>
8.3	<p><b>Capital Fund Financing Program (CFFP).</b></p> <p><input checked="" type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p> <p>The HAMC is exploring the use of CFFP to increase the amount of capital improvement funds to improve overall operations of the public housing. A plan will be developed and submitted to HUD for approval.</p>
9.0	<p><b>Housing Needs.</b> Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>There are currently 413 families on the section 8 wait List. HAMC will open the Wait List in March 2011 for a period of five days. Only mail in applications will be accepted. Based on current numbers and the situation of the economy, HAMC anticipates receiving between 3,000 and 4,000 applications during that week. HAMC has begun tracking all requests for housing assistance. Data will be compiled during the next 12 months. Public Housing wait lists continue to remain open. There are currently over 1400 applicants on the waiting list. 87% of all public housing applicants are 30% or below the median area income.</p>

9.1	<p><b>Strategy for Addressing Housing Needs.</b> Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. <b>Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</b></p> <p>In an effort to assist families in need, HAMC will review available funding notices from both public and private agencies to determine the feasibility of pursuing partnerships and/or grant-related projects to enhance available housing, either through additional vouchers, project-based voucher or other affordable housing programs.</p> <p>Section 8 will continue pulling from the Wait List to reissue vouchers as attrition occurs in effort to maximize the use of federal funds. The current Wait List of 413 is expected to be exhausted by April 30, 2011. Section 8 will open the Wait List March 7-11, 2011 to new applicants in order to keep a sufficient pool of applicants as vouchers become available for reissue.</p> <p>Public Housing</p> <table border="1"> <thead> <tr> <th>Unit Bedroom Size</th> <th>1</th> <th>2</th> <th>3</th> <th>4 and 5 bedroom combined</th> </tr> </thead> <tbody> <tr> <td>Percentage of units by size</td> <td>14 %</td> <td>39 %</td> <td>36 %</td> <td>11 %</td> </tr> <tr> <td>Percentage of Wait List by Unit size</td> <td>34 %</td> <td>32 %</td> <td>24 %</td> <td>10 %</td> </tr> <tr> <td>Variance = Supply vs. Demand +/-</td> <td>-20 %</td> <td>+ 7 %</td> <td>+ 12%</td> <td>+ 1 %</td> </tr> </tbody> </table> <p>The demand for one bedroom units is 20% higher than our one bedroom housing stock. HAMC recognizes this demand and will address the need for these units when developing a replacement housing plan.</p>	Unit Bedroom Size	1	2	3	4 and 5 bedroom combined	Percentage of units by size	14 %	39 %	36 %	11 %	Percentage of Wait List by Unit size	34 %	32 %	24 %	10 %	Variance = Supply vs. Demand +/-	-20 %	+ 7 %	+ 12%	+ 1 %
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<p><b>10.0</b></p>	<p><b>Additional Information.</b> Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>i. Contingent upon resources, partnerships, and authority, HAMC will explore preserving and/or developing affordable housing opportunities.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”</p> <p>The Housing Authority of Maricopa County (HAMC) after submitting its Annual Plan to HUD, may modify, amend or change any policy, rule, regulation or other aspect of its plan. If any modifications, amendments or changes in any policy, rule, regulation or other aspect of the plan are not inconsistent with the HAMC Mission Statement, its Goals and Objectives, or HUD regulations, then these shall not be deemed significant amendments or modifications to the Annual and 5-Year Plan. If new program activities are required or adopted to reflect changes in HUD regulations or as a result of national or local emergencies, these activities are exempted actions and will not be considered as Substantial Deviation from the 5-year Plan.</p>

<p><b>11.0</b></p>	<p><b>Required Submission for HUD Field Office Review.</b> In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. <b>Note:</b> Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights) See attachment az009r01</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only) See attachment az009r03</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only) See attachment az009r03</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only) See attachment az009r03</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only) N/A</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations. See attachment azs03</p> <p>(g) Challenged Elements None</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only) See attachment az009p03</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only) See attachment az009q03</p>
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## 6.0 (A) 1

### **HOUSING CHOICE VOUCHER (SECTION 8)**

#### **ELIGIBILITY FOR ADMISSION**

##### **GENERAL [24 CFR PART 5, SUBPARTS B, D & E; PART 982, SUBPART E]**

This Chapter defines both HUD and HAMC's criteria for admission and denial of admission to the program. The policy of HAMC is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply for housing assistance. HAMC staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the HAMC pertaining to their eligibility.

##### **ELIGIBILITY FACTORS**

HAMC will accept applications only from families whose head or spouse is at least 18 years of age or an emancipated minor.

To be eligible for participation in the Housing Choice Voucher Housing Assistance Program, an applicant must meet the following criteria established by HUD:

- An applicant must be a "family" or a single person household that is considered a "family"
- An applicant must be within the applicable Income Limits
- An applicant must furnish Social Security Numbers for all family members
- An applicant must furnish Declaration of Citizenship or Eligible Immigrant Status and at least one member of the applicant family must be either a U.S. citizen or have eligible immigration status.

##### **PLACEMENT ON WAITING LIST**

The Family's initial eligibility for placement on the waiting list will be made in accordance with the eligibility factors identified above. However, eligibility factors will not be verified before the family is placed on the waiting list. Placement on the waiting list will be based solely on the household's certification.

Reasons for denial of placement on the waiting list or denial of admission are addressed in the "Denial or Termination of Assistance" further in this Administrative Policy. These reasons for denial constitute additional admission criteria.

## **QUALIFYING HOUSEHOLD**

The applicant must qualify as a family as follows:

1. A *family with or without children*. Such a family is defined as a group of people that lives together in a family relationship.
  - a. Children temporarily absent from the home due to placement in foster care are considered family members.
  - b. Unborn children, in the situation of a pregnant female with no other household members, and children in the process of being adopted are considered family members for purposes of determining bedroom size, but are not considered family members for determining income limit.
2. An *elderly family*, which is a family whose head, spouse, or sole member is a person who is at least 62 years of age.
3. A *near-elderly family*, which is a family whose head, spouse, or sole member is a person who is at least 50 years of age but below 62 years of age.
4. A *disabled family*, which is a family whose head, spouse, or sole member is a person with disabilities.
5. A *displaced family* is a family in which each member, or whose sole member, has been displaced by government action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
6. A *remaining member of a tenant family*. Such remaining household members must have been listed on the most recent HUD 50058 and lease, must be of legal age and must be able to carry out the terms of the lease and family obligations
7. A *single person* who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.
8. A *live-in aid* is not a remaining family member.

(A household member for whom a subsidy was not paid because the household member did not have eligible citizenship status will not be considered a remaining household member).

## **HOUSEHOLD COMPOSITION**

### **A. Head of household**

The head of household is the adult member of the household who is designated by the family as “head”, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law.

## B. Co-head

The co-head of the household is any adult individual designated by the head of household, who is equally responsible for the lease with the Head of Household. A family may have a spouse or co-head, but not both. A co-head never qualifies as a dependent.

## C. Live-in attendants

A Family may include a live-in aide provided that such live-in aide:

- Is determined by HAMC to be essential to the care and well being of an elderly person, a near elderly person, or a person with disabilities,
- Is not obligated for the support of the person(s), and
- Would not be living in the unit except to provide care for the person(s).

The following distinct provisions apply to a live-in aide:

- Income of the live-in aide will not be counted for purposes of determining eligibility or amount of housing assistance.
- Live-in aides must meet citizenship or eligible immigration requirements.
- Live-in aides are not considered as a remaining member of the participant family and are therefore not entitled to any continued housing assistance if the household member they were aiding no longer participates in the program.

A Live-in Aide may only reside in the unit with the approval of the PHA. Written verification will be required from a medical provider with knowledge of the family member's needs. The verification provided must certify that a live-in aide is needed for the care of the family member as described above. Verification must include the hours the care will be provided.

At any time, the PHA will refuse to approve a particular person as a live-in aide or may withdraw such approval if:

- The person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- The person commits drug-related criminal activity or violent criminal activity; or
- The person currently owes rent or other amounts to the HAMC or to another PHA in connection with Housing Choice Voucher or public housing assistance under the 1937 Act.



**D. Split Households Prior to Voucher Issuance**

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and the new families both claim the same placement on the waiting list, and there is no court determination, HAMC will determine the family unit that retains custody of the children as the applicant family. If there are no children, HAMC will require the applicants to jointly agree in writing as to who is the continued applicant or solicit a court decision.

Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide appropriate documentation, they will be denied continued placement on the waiting list for failure to supply information requested by the PHA.

**E. Multi-generational Families**

Families applying for assistance, which consist of two or more generations living together, (such as a mother, and a daughter with her own children), will be treated as a single family unit and will be entitled to only one housing voucher for assistance.

**F. Joint Custody of Children**

Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively. Legal documentation must be provided by families who claim joint custody or temporary guardianship.

**INCOME LIMITS [24 CFR 982.201(B), 982.353]**

The following income limits apply to applicants for admission to the Housing Choice Voucher Housing Assistance Program:

- A. An applicant must be a very low-income family, which is defined as a family whose annual income does not exceed 50% of the area median income.
- B. Applicants in excess of the very low-income limits but within the low income limits (80% of the area median income) will only be admitted based on the following criteria:
  1. A low-income family that is continuously assisted under the 1937 Housing Act. An applicant is continuously assisted if the family has received assistance under any 1937 Housing Act program within 120 days of voucher issuance.
  2. A low-income family displaced by rental rehabilitation activity under 24CFR part 511.

3. A low-income non-purchasing family residing in a project subject to homeownership program under 24CFR 248.173.
  4. A low-income or moderate-income family that is displaced as a result of a prepayment of a mortgage or voluntary termination of mortgage insurance contracts under 24 CFR 248.165.
  5. A low-income family that qualifies for voucher assistance as a non-purchasing family residing in a project subject to a resident home ownership program.
- C. To determine if the family is income-eligible, HAMC will compare the Annual Income of the family to the applicable income limit for the family's size.
  - D. Families whose Annual Income exceeds the income limit will be denied admission and offered an informal review.
  - E. Families using portability must be within HAMC's applicable income limits if this will be family's initial lease up under the Housing Choice Voucher Program.
  - F. 75% of all newly admitted applicants must fall within 30% of the area median income.

#### **MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 5.216, 5.218]**

Families are required to provide verification of Social Security Numbers for all household members prior to admission. This requirement also applies to persons joining the household after admission to the program. Failure to furnish verification of social security numbers is grounds for denial or termination of assistance.

Persons who disclose their Social Security Number but cannot provide verification must sign a certification and provide verification within 30 calendar days. Elderly persons must provide verification within 60 days.

#### **CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS [24 CFR 5.216, 5.218]**

In order to receive assistance, a household member must be a U.S. citizen or eligible immigrant under a Section 214 covered program as described by HUD. The status of each member of the household is considered individually before the family's status is defined as follows:

- **Mixed Families** - Families that include eligible and ineligible individuals are called "mixed." Assistance to such applicant families will not be granted unless verification of social security numbers and citizenship for all members is provided as required by HUD.
- **All Members Ineligible** - Applicant families that include no eligible members are not eligible for assistance. Such families will be denied admission.
- **Non-citizen Students**- Defined by HUD in the non-citizen regulations and not eligible for assistance.

Applicants are entitled to an informal hearing for denial of placement on the waiting list or denial of assistance if such denial is based on the immigration status criteria described above.

**OTHER CRITERIA FOR ADMISSIONS [24 CFR 982.552(b)]**

HAMC will apply the following additional criteria for admission to the program. Violation of any of the following will result in denial of admission.

- The family must not have violated any family obligation during a previous participation in the Housing Choice Voucher Program for three years prior to final eligibility determination.
- No family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program within the last three years for the first offence prior to final eligibility determination.
- The family must pay any outstanding debt owed to HAMC or another PHA in connection with Housing Choice Voucher or Public Housing assistance under the 1937 Act within 15 working days of HAMC's notice to repay.
- No member of the family may have engaged in drug related or violent criminal activity for three years prior to final eligibility determination.
  - To determine whether this has occurred, the HAMC will check criminal history for all adults in the household to determine whether any member of the family has been arrested and/or convicted of violent or drug-related criminal activity within three years prior to final eligibility determination.
- No family member may have been evicted from public housing for any reason during the last three years prior to final eligibility determination.
- No family member may have engaged in or threatened abusive or violent behavior toward HA personnel for three years prior to final eligibility determination.
- Persons evicted from other federally assisted housing because of an arrest and/or conviction for drug-related criminal activity are ineligible for admission to Housing Choice Voucher Programs for a three year period from the date of such eviction. After the three-year period, the person must certify they are no longer engaging in a drug-related criminal activity and demonstrate successful completion of a rehabilitation program approved by HAMC.

The applicant may not misrepresent the information on which eligibility or tenant rent is established. In addition to denial of admission, HAMC may refer the family file/record to the proper authorities for appropriate disposition.

**SCREENING FOR TENANCY SUITABILITY [24 CFR 982.307]**

HAMC will not screen the applicant household for family behavior or suitability of tenancy. At or before HAMC's approval of the tenancy, HAMC will inform the owner that screening and selection for tenancy is the responsibility of the owner. The owner is responsible for screening families based on their tenancy histories.

HAMC will advise and assist families if they feel that the screening criteria applied by an owner violates any basic Fair Housing Rights of the family. HAMC will make referrals to the local Fair Housing Agency and/or the appropriate HUD office.

**CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT**

Admission to the Housing Choice Voucher Program occurs at the time that an initial Housing Assistance Payments contract is executed with an owner for an eligible unit. Prior to that time, a family is considered an applicant. After execution of the HAP contract, a family is considered a participant. Therefore, changes that occur during the period between issuance of a voucher and lease up may affect the family's eligibility.

**INELIGIBLE FAMILIES**

Families who are determined to be ineligible will be notified in writing of the reason for this determination and given an opportunity to request an informal review (or an informal hearing if they were denied due to non-citizen status) as discussed further in this Administrative Policy.

## **APPLYING FOR ADMISSION**

### **OPENING AND CLOSING THE WAITING LIST**

The Housing Authority of Maricopa County will open the waiting list at periodic intervals as determined based on need to assure that an adequate pool of applicants is available to maintain full program utilization and assist the maximum number of families based on available program funding. When HAMC determines that the waiting list should be opened, a notice will be published in a local newspaper of general circulation and in any other suitable media. The notice will state the limitations on who may apply for any available slots and provide information on where, when and how families may apply for the program.

The PHA may choose to open the waiting list for a specific time period or to accept applications on certain days and times. The public notice will specify the time period in which applications will be accepted. Under no circumstances will applications be accepted when the waiting list is closed unless the public notice indicates that HAMC will continuously accept applications for specific identified preferences.

### **LOCAL PREFERENCES [CFR982.207]**

The Housing Authority of Maricopa County has the following local preferences for waiting list placement and selection. All preferences should be prioritized as follows.

1. Elderly or Disabled families where the Head, Spouse, or Co-Head are at least 62 years of age or older, or who are disabled as recognized by the Social Security Administration.
2. Veteran who has actively served in a branch of the United States Armed Services.
3. Arizona Resident.

Waiting list selection will be based on date and time of the application and then the preference(s) will be scored.

Priority weight for the local preferences will be as follows: *Top Priority* will be given to “Elderly or Disabled” applicants; *Second Priority* to “Veterans”, *Third Priority*, “Arizona Resident”.

### **PREFERENCE PRIORITY RANKING**

The HAMC will aggregate the local preferences in order to determine which applicants will receive priority admission to its Section 8 Housing Choice Voucher Program. The HAMC will utilize a point system for determining priority. The applicant with the highest point total will receive the highest priority. If more than one applicant has the same point total, the applicant with the oldest dated application will receive the highest priority. One point (a single point) will be assigned for each eligible local preference.

All assignment of points will be documented with the required certifications and verifications required by this policy and in the forms prescribed by the regulations.

All families in Preference Number 1 will be offered housing assistance before any families in Preferences Numbers 2 and 3; all Preference Number 2 families will be offered housing assistance before any families in Preferences Numbers 3.

Applicants who do not have any preferences will not be admitted over those who verify that they qualify for one or more preferences.

### **APPLICATION PROCESS**

Applicants will be placed on the waiting list based solely on the information provided in the application form. The application, including preference selection, will be completed and submitted to the HAMC and time/date stamped. A receipt will be sent along with a request for any further information required for verifications purposes.

### **APPLICANT STATUS WHILE ON WAITING LIST [CFR 982.204]**

If an applicant is determined to be ineligible based on the information provided on the application, HAMC will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal review.

Applicants are required to inform HAMC in writing of changes in address. Applicants are also required to respond to requests from HAMC to update information on their application and to determine their continued interest in assistance.

### **TIMING OF SELECTION [24 CFR 982.204]**

As vouchers are available, families will be selected from the waiting list strictly in the order of preferences as described above. At that time, any preference claimed by the applicant shall be verified.

Once the program reaches full utilization, HAMC will establish a group of applicants that will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verifications and vouchers will be issued to applicants who have completed the verification process first.

### **REQUIREMENT TO ATTEND ELIGIBILITY INTERVIEW**

HAMC will require the applicant household to attend an interview once they have been pulled from the waiting list. HAMC utilizes the full application interview to discuss the family's circumstances in detail, to clarify information, which has been provided by the family, and to

ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other PHA services or programs, which may be available.

All adult family members are required to attend the interview and sign the housing application. Exceptions may be made for students attending school out of state or for members for whom attendance would be a hardship unless such members are the head, spouse or co-head of the household.

Applicants who fail to appear and want to reschedule a missed appointment must make the request to reschedule no later than ten (10) days from the original appointment date. The request must be made to the staff person who scheduled the appointment. Failure to do so will result in rejection of the application.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to participate in the interview process, but only with permission of the person with a disability.

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal review.

All adult household members must sign the HUD Form 9886, Release of Information; the application form; the declarations and consents related to citizenship/immigration status; and any other documents required by HAMC. Applicants will be required to sign specific verification forms for information that is not covered by the HUD form 9886. Failure to sign any consent forms will be cause for denial of the application for failure to provide necessary certifications and release as required by the PHA.

If the PHA determines at or after the interview that additional information or document(s) are needed, the PHA will request the document(s) or information in writing. The family will be given ten (10) days to supply the information. If the information is not supplied in this time period, the PHA will provide the family a notification of denial for assistance.

### **VERIFICATION OF ELIGIBILITY [24 CFR 982.201(e)]**

Information provided by the applicant will be verified, using the verification procedures found further in this Plan. Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. Verifications may not be more than 60 days old at the time of issuance of the Voucher.

### **FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY [24 CFR 982.201]**

After the verification process is completed, the PHA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the PHA, and the current eligibility criteria in effect. If the family is determined to

be eligible, the PHA will mail a notification of eligibility. A briefing will be scheduled for the issuance of a voucher and the family's orientation to the housing program.

If the family is determined ineligible, the family will be notified in writing of the reason for the determination and given an opportunity to request an informal review (or an informal hearing if they were denied due to non-citizen status), per this Administrative Policy.



## **Managing the Waiting List**

### **GENERAL [24 CFR PART 5, SUBPART D; 982.54 (D)(1); 982.205, 982.206]**

Admission from the Waiting List: It is HAMC's objective to ensure that families are selected from the waiting list for admission to its programs, in accordance with the policies in this Administrative Policy.

### **WAITING LIST [24 CFR 982.204]**

Organization of the Waiting List: For each applicant, the following information will be collected and maintained.

- Applicant name, address and other contact information;
- Family unit size (number of bedrooms family qualifies for under PHA subsidy standards);
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household;
- Annual household income;
- Classification of Elderly/Disabled, if applicable; and
- Any other admission criteria needed to determine eligibility for special programs.

### **TARGETED FUNDING (24 CFR 982.203)**

Special programs have been developed under the Housing Choice Voucher Program to service certain family types or certain family situations. Most of these programs require that HAMC partner with a service agency in the community that provides supportive service to the particular family type. When HUD grants funding for these programs, families who meet the qualifications of the program and are referred through the partner agency will be placed on the regular waiting list with a designated code for each special program type. These families will then be selected in order from the waiting list.

HAMC will continue to receive referrals from partner agencies until all designated vouchers have been utilized. Upon 100% utilization, HAMC will request that the partner agencies suspend additional referrals until such time that any of the original designated vouchers are turned over and again become available for issuance to applicants. At that time, HAMC will contact the appropriate partner agency and advise them of the availability of the targeted voucher and a referral will be accepted accordingly.

The provisions for targeted funding identified herein apply to any future programs to be so designated by HUD.

## **Income Targeting**

Targeted funding will allow families to be selected from the waiting list within a specified category, or a designated program code. HAMC will continue to receive referrals of such families until all designated vouchers have been utilized. Upon 100% utilization, HAMC will request that the partner agencies suspend additional referrals until such time that any of the original designated vouchers are turned over and again become available for issuance to applicants.

The provisions for targeted funding identified herein apply to any future programs to be designated by HUD.

HAMC will maintain a single waiting list for admission to its Section 8 tenant-based assistance program.

Income targeting, in accordance with the Quality Housing and Work Responsibility Act of 1998, will ensure HAMC reserves a minimum of seventy-five percent (75%) of its Housing Choice Voucher Program new admissions for “extremely low income” households, whose income does not exceed 30 percent (30%) of the area median income.

## **REMOVAL FROM WAITING LIST AND PURGING [24 CFR 982.204(C)]**

The waiting list will be purged at least once a year to ensure that it remains current and accurate. A notice of continued interest will be mailed to all applicants requesting a response within ten (10) business days.

If an applicant fails to respond to a mailing, the applicant will be sent a second written notification and given ten (10) business days to contact the PHA. If they fail to respond within ten (10) business days, they will be removed from the waiting list. A letter will be mailed to the applicant confirming the family’s removal from the waiting list.

If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file.

If a letter is returned by the Post Office with a forwarding address, the application will be re-mailed, via Regular Mail, with a notice to respond within ten (10) business days. If there is still no response from an applicant this will result in the applicant’s removal from the waiting list without further notice.

However, if the applicant did not respond to HAMC’s request for information updates because of a family member’s disability, HAMC will reinstate the applicant in the family’s former position on the waiting list.

Neither family size, nor family unit size, will be a basis by which the applicant will be placed on the waiting list. Further, if there are not sufficient funds to admit a large family unit to the program, a smaller size family unit will not skip to the top of the waiting list. Instead, the family

at the top of the waiting list will be admitted when sufficient funds are available.

## **Item 6.1 Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures**

### **PUBLIC HOUSING**

#### **APPLYING FOR ASSISTANCE**

Any family that wishes to reside in public housing must apply for admission to the program [24 CFR 1.4(b) (2) (ii), 24 CFR 960.202(a) (2) (iv), and PH Occ. GB, p. 68]. HUD permits HAMC to determine the format and content of its applications, as well how such applications will be made available to interested families and how applications will be accepted by HAMC.

Applications will be accepted at the following locations:

1. Main Office - 2024 North 7<sup>th</sup> Street, Suite 101, Phoenix, AZ.
2. Central Phoenix - 1510 South 19<sup>th</sup> Drive, Phoenix, AZ.
3. Mesa - 710 West 8<sup>th</sup> Avenue, Mesa, AZ.
4. Avondale – 1103 N. 6<sup>th</sup> Street #106, Avondale, AZ
5. Surprise – 12976 Cottonwood, Surprise, AZ.

Hand or type written, or by internet when available.

The application process will involve two phases:

The first is the “application for admission”. This first phase is to determine the family’s eligibility for, and placement on, the waiting list. The application will be dated, time-stamped, and referred to the PHA’s office where tenant selection and assignment is processed.

The second phase is the “final determination of suitability for admission”. When the family reaches the top of the waiting list, the PHA ensures that verification of all HUD and PHA eligibility factors is current in order to determine the family’s eligibility for an offer of a suitable unit.

#### **“INITIAL” APPLICATION PROCESS**

The application is taken in person or by mail and the data is entered into the computer.

The purpose of the application is to permit the PHA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list.

The application will contain questions designed to obtain the following information:

1. Names of head and spouse
2. Names and ages of all members
3. Number of family members (used to estimate bedroom size needed)
4. Citizenship status
5. Street address and phone numbers
6. Mailing address (If PO Box or other permanent address)
7. Annual income
8. Source(s) of income received by household members to determine preference qualification
9. Information regarding request for reasonable accommodation or for accessible unit
10. Social Security Numbers
11. Race/ethnicity
12. Questions regarding previous participation in HUD programs
13. Arrest or convictions for drug-related and/or violent criminal acts

Submission of waiting list applications will not require interviews. Information on the application, except HUD’s Debts Owed to Public Housing Agencies and Terminations check and criminal background, will not be verified until the applicant has been selected for final eligibility determination.

Applicants must inform the PHA in writing, within ten (10) calendar days, of changes in family composition, income, and address. Applicants are also required to respond to requests from the PHA to update information on their application, or to determine their continued interest in assistance.

Failure to provide information or to respond to mailings (HAMC is not responsible for lost or misdirected mail) within 10 calendar days will result in the applicant being removed from the waiting list. (See Chapter on Complaints, Grievances, and Appeals).

#### Multiple Families in Same Household

When families apply that consist of two families living together (such as mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

#### NOTIFICATION OF APPLICANT STATUS

If after a review of the application the family is determined to be preliminarily eligible, they will be notified in writing (in an accessible format upon request, as a reasonable accommodation).

This written notification of preliminary eligibility will be mailed to the applicant by first class mail or distributed to the applicant in the manner requested as a specific accommodation.

If the family is determined to be ineligible based on the information provided in the application, the PHA will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal hearing. Persons with disabilities may request to have an advocate attend the informal hearing as an accommodation. See Chapter on "Complaints, Grievances and Appeals".

The PHA utilizes the eligibility interview to discuss the family's circumstances in greater detail, to clarify information which has been provided by the family, and to ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other PHA services or programs which may be available.

The head of household and the spouse/co-head will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/co-head may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to the PHA.

Exceptions may be made for students attending school out of state/or member for whom attendance would be a hardship.

If an applicant fails to appear for their interview without prior approval of the PHA, a second interview will then be scheduled. If an applicant fails to appear for a rescheduled appointment, the application will be denied unless they can provide acceptable documentation to the PHA that an emergency prevented them from calling.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide some information, but only with permission of the person with a disability.

If an application is denied due to failure to attend the interview, the applicant will be notified in writing and offered an opportunity to request an informal hearing (see Chapter on Complaints, Grievances and Appeals).

All household members (at least 18 years of age) and older, must sign form HUD-9886, "Release of Information", the declarations and consents related to citizenship/immigration status and any other documents required by the PHA.

Applicants will be required to sign specific verification forms for information that is not covered by the HUD-9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and releases as required by the PHA.

Information provided by the applicant will be verified, including information related to family composition, income, allowances and deductions, assets, eligible immigration status, full time student status and other factors related to preferences, eligibility and rent calculation.

If the PHA determines at or after the interview that additional information or document(s) are needed, the PHA will request the document(s) or information in writing.

The family will be given ten (10) calendar days to supply the information.

If the information is not supplied in this time period, the PHA will provide the family a notification of denial for assistance. (See Chapter on Complaints, Grievances and Appeals).

#### PROCESSING APPLICATIONS

The following items *may* be verified to determine qualification for waitlist placement to the PHA's housing:

1. Annual Income
2. Debts owed to or termination by HAMC or another assisted housing program
3. Citizenship or eligible immigration status
4. Criminal History Report

The following items will be verified to determine qualification for admission to the PHA's housing:

1. Family composition and type (elderly/non/elderly)
2. Annual Income
3. Assets and Asset Income
4. Deductions from Annual Income
5. Social Security Numbers of all family members
6. Information used in applicant screening
7. Citizenship or eligible immigration status
8. Criminal History Report

#### NOTIFICATION OF FINAL DETERMINATION

After the verification process is completed, the PHA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the PHA, and the tenant suitability determination (see Chapter on Eligibility for Admission).

Because HUD can make changes in rules or regulations and family circumstances may have changed during the review process that affect an applicant's eligibility, it is necessary to make final eligibility determination.

The household is not actually eligible for a unit offer until a final determination has been made, even though they may have been preliminarily determined eligible and may have been listed on the waiting list.

Any time after final eligibility determination, applicants must report changes, in writing, within ten (10) calendar days of the change. If the family did not report the change within the required time frame, the family may be determined ineligible and offered an opportunity for informal hearing.

#### ACCESSIBILITY OF THE APPLICATION PROCESS

HAMC must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard HAMC application process.

HAMC must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or HAMC must provide an alternate approach that provides equal access to the application process. Chapter 2 provides a full discussion of HAMC's policies related to providing reasonable accommodations for people with disabilities.

HAMC is required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on HAMC's policies related to ensuring access to people with limited English proficiency (LEP).

#### PLACEMENT ON THE WAITING LIST

HAMC must review each completed application received and make a preliminary assessment of the family's eligibility. HAMC must place on the waiting list families for whom the list is open unless HAMC determines the family to be ineligible. Where the family is determined to be ineligible, HAMC must notify the family in writing [24 CFR 960.208(a); PH Occ. GB, p. 41]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

If HAMC can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, HAMC will send written notification of the ineligibility determination within 10 calendar days of receiving a completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so (see Chapter 13).

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. A final determination of eligibility and qualification for preferences will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to HAMC preference(s) and the date and time their complete application is received by HAMC.

HAMC will assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards (see Chapter 5). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to HAMC standards and local codes). However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition.

#### ORGANIZATION OF THE WAITING LIST

The PHA will administer its waiting list as required by 24 CFR Part 945 and Part 960, Subparts A and B. The waiting list will be maintained in accordance with the following guidelines:

1. The application will be a permanent file.
2. All applicants in the pool will be maintained by date, time sequence, preferences and bedroom size.
3. All applicants must meet applicable income eligibility requirements as established by HUD.

#### OPENING AND CLOSING THE WAITING LIST

The PHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part. The PHA may open or close the list by local preference category.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit and the ability of the PHA to house an applicant in an appropriate unit within a reasonable period of time.

When the PHA opens the waiting list, the PHA will advertise through public notice and in the following newspapers, minority publications and media entities location(s), and program(s) for which applications are being accepted in the local paper of record, "minority" newspapers, and other media and organizations including:

1. Arizona Republic Newspaper, Surprise Newspaper, West Valley View Newspaper, The Tribune Newspaper

The notice will contain:

- The dates, times, and the locations where families may apply
- The name of the program(s) for which applications will be taken
- Limitations, if any, on who may apply

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the PHA address and telephone number, and referral to resources to obtain information concerning how to submit an application, information on eligibility requirements and the availability of local preferences.

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline.

FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]

HAMC should conduct outreach as necessary to ensure that HAMC has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that HAMC is affirmatively furthering fair housing and complying with the Fair Housing Act.

Because HUD requires HAMC to serve a specified percentage of extremely low income families, HAMC may need to conduct special outreach to ensure that an adequate number of such families apply for public housing.

HAMC outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

HAMC outreach efforts must be designed to inform qualified families about the availability of units under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

HAMC will monitor the characteristics of the population being served and the characteristics of the population as a whole in HAMC's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

#### REPORTING CHANGES IN FAMILY CIRCUMSTANCES

While the family is on the waiting list, the family must inform HAMC immediately of changes in family size or composition, preference status, or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

#### UPDATING THE WAITING LIST



HUD requires HAMC to establish policies to use when removing applicant names from the waiting list [24 CFR 960.202(a) (2) (iv)].

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to HAMC's request for information or updates because of the family member's disability, HAMC must, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 8.4(a), 24 CFR 100.204(a), and PH Occ. GB, p. 39 and 40]. See Chapter 2 for further information regarding reasonable accommodations.

The waiting list will be updated by mail as needed to ensure that all applicants and applicant information is current and timely. The mailing will also be used as a confirmation of continued interest.

If an applicant fails to respond within ten (10) calendar days s/he will be removed from the waiting list. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice and the sealed envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply with the proscribed period; or the failure to respond was due to a medical emergency, death in the family, or a natural disaster.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

Applicants are notified with confirmation of HAMC's receipt of their application that they are responsible for notifying the PHA within ten (10) calendar days, if they have a change of address.

#### SELECTION METHOD

The PHA's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the ACOP.

#### Local Preferences [24 CFR 960.206]

Local preferences will be used to select families from the waiting list.

The PHA has selected the following system to apply local preferences.

- All preferences will be weighted as priority one (1) and will be organized by date and time as established by the date of the application.
- Single applicants will be treated as any other eligible family on the PHA waiting list.

#### Income Targeting Requirement [24 CFR 960.202(b)]

The PHA will monitor its admissions to ensure that at least 40 percent (40%) of families admitted to public housing in each fiscal year shall have incomes that do not exceed thirty percent (30%) of area median income of the PHA's jurisdiction. Hereafter, families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families".

The PHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that admissions of extremely low income families to the PHA's voucher program during a PHA fiscal year exceeds the 75 percent minimum targeting requirement for the PHA's Section 8 Voucher Program. This fungibility provision discretion by the PHA is also reflected in the PHA's Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:

1. The number of units equal to 10 percent (10%) of the number of newly available vouchers in the fiscal year; or

2. The number of public housing units that 1) are in public housing projects located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

#### The Fungibility Floor

Regardless of the above two amounts, in a fiscal year, at least 30% of the PHA's admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the PHA's overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the PHA is anticipated to fall short of its 40% goal for new admissions to public housing.

#### Low Income Family Admissions

Once the PHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the PHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

#### Mixed Population Developments [24 CFR 960.407]

A mixed population development is a public housing development or portion of a development that was reserved for elderly families and disabled families at its inception (and has retained that character) or HAMC at some point after its inception obtained HUD approval to give preference in tenant selection for all units in the development (or portion of a development) to elderly and disabled families [24 CFR 960.102]. Elderly family means a family whose head, spouse, co-head, or sole member is a person who is at least 62 years of age. Disabled family means a family whose head, spouse, co-head, or sole member is a person with disabilities [24 CFR 5.403]. HAMC must give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. HAMC may not establish a limit on the number of elderly or disabled families that may occupy a mixed population development. In selecting elderly and disabled families to fill these units, HAMC must first offer the units that have accessibility features for families that include a person with a disability and require the accessibility features of such units. HAMC may not discriminate against elderly or disabled families that include children (Fair Housing Amendments Act of 1988).

#### Units Designated for Elderly or Disabled Families [24 CFR 945]

HAMC may designate projects or portions of a public housing project specifically for elderly or disabled families. HAMC must have a HUD-approved allocation plan before the designation may take place.

Among the designated developments, HAMC must also apply any preferences that it has established. If there are not enough elderly families to occupy the units in a designated elderly development, HAMC may allow near-elderly families to occupy the units [24 CFR 945.303(c) (1)]. Near-elderly family means a family whose head, spouse, or co-head is at least 50 years old, but is less than 62 [24 CFR 5.403].

If there are an insufficient number of elderly families and near-elderly families for the units in a development designated for elderly families, HAMC must make available to all other families any unit that is ready for re-rental and has been vacant for more than 90 consecutive days [24 CFR 945.303(c)(2)].

The decision of any disabled family or elderly family not to occupy or accept occupancy in designated housing shall not have an adverse affect on their admission or continued occupancy in public housing or their position on or placement on the waiting list. However, this protection does not apply to any family who refuses to occupy or accept occupancy in designated housing because of the race, color, religion, sex, disability, familial status, or national origin of the occupants of the designated housing or the surrounding area [24 CFR 945.303(d)(1) and (2)].

This protection does apply to an elderly family or disabled family that declines to accept occupancy, respectively, in a designated project for elderly families or for disabled families, and requests occupancy in a general occupancy project or in a mixed population project [24 CFR 945.303(d)(3)].

#### De-concentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]

HAMC's admission policy must be designed to provide for de-concentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of HAMC's de-concentration policies must be included in its annual plan [24 CFR 903.7(b)].

HAMC's de-concentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c) (5)].

Developments subject to the de-concentration requirement are referred to as 'covered developments' and include general occupancy (family) public housing developments. The following developments are not subject to de-concentration and income mixing requirements: developments operated by a PHA with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by a PHA with only one general occupancy development; developments approved for demolition or for conversion to tenant-based public housing; and developments approved for a mixed-finance plan using HOPE VI or public housing funds [24 CFR 903.2(b)].

Order of Selection [24 CFR 960.206(e)]

Local preferences will be used to select families from the waiting list.

The PHA has selected the following system to apply local preferences.

- All preferences will be weighted as priority one (1) and will be organized by date and time as established by the date of the application.
- Single applicants will be treated as any other eligible family on the PHA waiting list.

#### NOTIFICATION OF SELECTION

When the family has been selected from the waiting list, HAMC must notify the family.

HAMC will notify the family by first class mail when it is selected from the waiting list.

The notice will inform the family of the following:

Date, time, and location of the scheduled application interview

Who is required to attend the interview

Documents that must be provided at the interview to document the legal identity of all household members, including information about what constitutes acceptable documentation, eligibility for a preference, if applicable and other information that should be brought to the interview

If a notification letter is returned to HAMC with no forwarding address, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents HAMC from making an eligibility determination; therefore no informal review will be offered.

#### THE APPLICATION INTERVIEW

HUD recommends that HAMC obtain the information and documentation needed to make an eligibility determination through a private interview. Being invited to attend an interview does not constitute admission to the program.

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability [24 CFR 8.4(a) and 24 CFR 100.204(a)].

Families selected from the waiting list are required to participate in an eligibility interview.

The head of household, spouse, co-head and all adult members are required to attend the interview together.

The interview will be conducted only if all adult members provide appropriate documentation of legal identity (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.

If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for a preference (see Chapter 7). If the family is verified as eligible for the preference, HAMC will proceed with the interview. If HAMC determines the family is not eligible for the preference, the interview will not proceed and the family will be placed back on the waiting list according to the date and time of their application.

The family must provide the information necessary to establish the family's eligibility, including suitability, and to determine the appropriate amount of rent the family will pay. The family must also complete required forms, provide required signatures, and submit required documentation. If any materials are missing, HAMC will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 calendar days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible non-citizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial.

An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

Interviews will be conducted in English. For limited English proficient (LEP) applicants, HAMC will provide translation services in accordance with HAMC's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact HAMC in advance of the interview to schedule a new appointment. Applicants who fail to attend two scheduled interviews without HAMC approval will have their applications made inactive based on the family's failure to supply information needed to determine eligibility. Such failure to act on the part of the applicant prevents HAMC from making an eligibility determination; therefore HAMC will not offer an informal review.

#### FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]

HAMC must verify all information provided by the family (see Chapter 7). Based on verified information related to the eligibility requirements, including HAMC suitability standards, HAMC must make a final determination of eligibility (see Chapter 2).

When a determination is made that a family is eligible and satisfies all requirements for admission, including tenant selection criteria, the applicant must be notified of the approximate date of occupancy insofar as that date can be reasonably determined [24 CFR 960.208(b)].

HAMC will notify a family in writing of their eligibility within 10 calendar days of the determination and will provide the approximate date of occupancy insofar as that date can be reasonably determined.

HAMC must promptly notify any family determined to be ineligible for admission of the basis for such determination, and must provide the applicant upon request, within a reasonable time after the determination is made, with an opportunity for an informal review on such determination [24 CFR 960.208(a)].

If HAMC determines that the family is ineligible, HAMC will send written notification of the ineligibility determination within 10 calendar days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (see Chapter 14).

If HAMC uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before the HAMC can move to deny the application. See Section 2-III.F. for HAMC's policy regarding such circumstances.

#### DETERMINING UNIT SIZE

In selecting a family to occupy a particular unit, HAMC may match characteristics of the family with the type of unit available, for example, number of bedrooms [24 CFR 960.206(c)].

HUD does not specify the number of persons who may live in public housing units of various sizes. HAMC is permitted to develop appropriate occupancy standards as long as the standards do not have the effect of discriminating against families with children [PH Occ. GB, p. 62].

Although HAMC does determine the size of unit the family qualifies for under the occupancy standards, HAMC does not determine who shares a bedroom/sleeping room.

HAMC's occupancy standards for determining unit size must be applied in a manner consistent with fair housing requirements.

The PHA does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom. The PHA's Occupancy Guidelines standards for determining unit size shall be applied in a manner consistent with Fair Housing guidelines.

For occupancy standards, an adult is a person 18 years or older.

All guidelines in this section relate to the number of bedrooms in the unit. Dwelling units will be so assigned that:

Generally the PHA will assign units so that it will not be required for persons of different generations or of the opposite gender (other than spouses (including significant others)), or otherwise unrelated adults to occupy the same bedroom. Children of the opposite gender under five (5) years of age may occupy the same bedroom.

Foster children will be included in determining unit size only if they will be in the unit for more than six (6) months.

Live-in attendants will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.

Space will not be provided for a family member who will be absent 6 months or more per year and is not a student.

Single person families shall be allocated to a one bedroom.

HAMC will reference the following standards in determining the appropriate unit bedroom size for a family:

BEDROOM SIZE	MINIMUM NUMBER OF PERSONS	MAXIMUM NUMBER OF PERSONS
1	1	2
2	2	4
3	3	6
4	4	8
5	6	10

#### EXCEPTIONS TO OCCUPANCY STANDARDS

##### Types of Exceptions

HAMC will consider granting exceptions to the occupancy standards at the family's request if HAMC determines the exception is justified by the relationship, age, sex, health or disability of family members, or other personal circumstances. For example, an exception may be granted if a larger bedroom size is needed for medical equipment due to its size and/or function, or as a reasonable accommodation for a person with disabilities.

When evaluating exception requests HAMC will consider the size and configuration of the unit. In no case will HAMC grant an exception that is in violation of local housing or occupancy codes, regulations or laws.

Requests from applicants to be placed on the waiting list for a unit size smaller than designated by the occupancy standards will be approved as long as the unit is not overcrowded according to local code, and the family agrees not to request a transfer for a period of two years from the date of admission, unless they have a subsequent change in family size or composition.

In cases such as those above, a family that voluntarily accepts a unit that is smaller than what the family is eligible for will be required to sign a statement stating that unless there is an increase in family size the family agrees that they are not eligible for transfer to a larger unit for at least one (1) year.

To prevent vacancies, HAMC may provide an applicant family with a larger unit than the occupancy standards permit. However, in these cases the family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is an appropriate size unit available for the family to transfer to.

#### Processing of Exceptions

All requests for exceptions to the occupancy standards must be submitted in writing.

In the case of a request for exception as a reasonable accommodation, HAMC will encourage the resident to make the request in writing. However, HAMC will consider the exception request any time the resident indicates that an accommodation is needed whether or not a formal written request is submitted.

Requests for a larger size unit must explain the need or justification for the larger size unit, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source, unless the disability and the disability-related request for accommodation is readily apparent or otherwise known.

HAMC will notify the family of its decision within 10 calendar days of receiving the family's request.

#### NUMBER OF OFFERS 24 CFR 1.4(b) (2) (ii); 24 CFR 960.208

The first qualified applicant in sequence on the waiting list will be made an offer of a unit of the appropriate size. If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy. If the offer is rejected, the applicant will be offered the next suitable unit (second offer) that becomes available, whether it is at the same location as the first offer or at another location.

The PHA will maintain a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

When an applicant rejects (2) unit offers, the PHA will relocate the applicant's name to the bottom of the waiting list or withdraw at applicant request.

#### TIME LIMIT FOR UNIT OFFER ACCEPTANCE OR REFUSAL

Applicants must accept (within 48 hours) a unit when offered or risk losing the unit to another applicant.

#### REFUSALS OF UNIT OFFERS

##### Good Cause for Unit Refusal

An elderly or disabled family may decline an offer for an accessible unit. Such a refusal must not adversely affect the family's position on or placement on the public housing waiting list [24 CFR 945.303(d)].

Applicants may refuse to accept a unit offer for "*good cause*." *Good cause* includes situations in which an applicant is willing to move but is unable to do so at the time of the unit offer, or the applicant demonstrates that acceptance of the offer would cause undue hardship not related to considerations of the applicant's race, color, national origin, etc. [PH Occ GB, p. 104]. Examples of good cause for refusal of a unit offer include, but are not limited to, the following:

- Inaccessibility to source of employment, education, or job training, children's day care, or educational program for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities

- The family demonstrates to HAMC's satisfaction that accepting the offer will place a family member's life, health or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law

enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption

A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member

The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move

In the case of a unit refusal for good cause the applicant will not be removed from the waiting list as described later in this section. The applicant will remain at the top of the waiting list until the family receives an offer for which they do not have good cause to refuse.

HAMC will require documentation of good cause for unit refusals.

#### Unit Refusal Without Good Cause

When an applicant rejects the final unit offer without good cause, HAMC will remove the applicant's name from the waiting list and send notice to the family of such removal. The notice will inform the family of their right to request an informal review and the process for doing so (see Chapter 13).

The applicant may reapply for assistance if the waiting list is open. If the waiting list is not open, the applicant must wait to reapply until HAMC opens the waiting list.

#### ACCESSIBLE UNITS [24 CFR 8.27]

HAMC must adopt suitable means to assure that information regarding the availability of accessible units reaches eligible individuals with disabilities, and take reasonable non-discriminatory steps to maximize the utilization of such units by eligible individuals whose disability requires the accessibility features of a particular unit.

When an accessible unit becomes vacant, before offering such units to a non-disabled applicant HAMC must offer such units:

- First, to a current resident of another unit of the same development, or other public housing development under HAMC's control, who has a disability that requires the special features of the vacant unit and is occupying a unit not having such features, or if no such occupant exists, then
- Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible unit to an applicant not having a disability requiring the accessibility features of the unit, HAMC may require the applicant to agree (and may incorporate this agreement in the lease) to move to a non-accessible unit when available.

Families requiring an accessible unit may be over-housed in such a unit if there are no resident or applicant families of the appropriate size who also require the accessible features of the unit.

When there are no resident or applicant families requiring the accessible features of the unit, including families who would be over-housed, HAMC will offer the unit to a non-disabled applicant.

When offering an accessible unit to a non-disabled applicant, HAMC will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the non-disabled family. This requirement will be a provision of the lease agreement.

#### RE-OCCUPANCY POLICY FOR PLANNED OR DESIGNATED DEMOLITION/DISPOSITION UNITS.

When applicable, HAMC may implement a re-occupancy policy for units being planned or designated for demolition or disposition.

HAMC will provide applicants selected from the wait list, notification of the proposed or approved action for disposal or demolition of the units by signing a Relocation Addendum. All households that move into a designated unit (or property so designated) will have all the rights and assistance afforded them under the approved Relocation Plan.



## **Item 6.2 – Financial Resources 2011**

### Public Housing Operating Fund:

\$ 3,100,000 - Operating Subsidy

\$ 1,466,027 - Tenant Rent

\$4,566,027 will be used to maintain the public housing units to keep them safe and secure. This amount will also be used to help carry out the administration functions on the day to day basis.

### Public Housing Capital Fund:

\$1,238,885	(Appx.) 2011
\$1,122,739	AZ20P009501-10
\$768,373	AZ20P009501-09
<u>\$40,000</u>	<u>AZ20P009501-08</u>
\$3,169,997	Total CFP Grants

Total to be used for Modernization to 10 Sites per plan.

### Replacement Housing Fund:

AZ20R009501-04	\$265,507
AZ20R009501-05	\$64,549
AZ20R009501-06	\$80,141
AZ20R009501-07	\$79,851
AZ20R009501-09	\$4,086
AZ20R009501-10	\$4,071
AZ20R009502-06	\$134,528
AZ20R009502-07	\$97,771
AZ20R009502-08	\$180,047
AZ20R009502-09	\$112,621
AZ20R009502-10	\$45,620
AZ20R009504-09	\$30,932
<hr/>	
Total	\$1,027,724

These funds are going to be used in combination with the Homeownership sale proceeds and private loans to purchase foreclosed and undervalued multi family properties in Maricopa County.

### Restricted Net Assets from Sale Proceeds

\$ 1,105,855 funds from sale of properties to be used in unison with RHF funding to create additional public housing units.

Annual Contributions for Section 8 Tenant – Based Assistance:

\$11,464,841- Funding is used to help subsidize tenant rent for a baseline of 1561 vouchers

FSS Family Self Sufficiency – Public Housing:

\$69,000 - Funding to be used for a coordinator position to continue the Public Housing Family Self Sufficiency program.

FSS Family Self Sufficiency – Section 8:

\$60,000 - Funding to be used to fund a coordinator to continue the outreach to Section 8 families regarding the FSS program.

Other Federal Funds:

\$250,000 – Choice Neighborhoods Planning – This funding allows for the planning and evaluation need for one of the Housing Authorities most distressed properties. The evaluations will be contracted to an architectural firm.

\$240,000 – Resident Opportunity and Self Sufficiency – If awarded, this funding will be used to hire a coordinator to assess and implement the needs of the residents among public housing. Help the family reach a goal to be able to move toward economic and self sufficiency.

Item 6b.3 Rent Determination – A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.

#### Public Housing:

Public Housing uses an income-based rent calculation to determine each family's total tenant payment (TTP). Then, if the family is occupying a unit that has tenant paid utilities, the utility allowance is subtracted from the TTP. The result of this calculation, if a positive number, is the tenant rent. If the TTP is less than the utility allowance, the result of this calculation is a negative number, and is called the utility reimbursement, is paid directly to the family.

HUD regulations specify the formula for calculating the total tenant payment (TTP) for a tenant family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- A. 30% of the family's monthly adjusted gross income
- B. 10 % of the family's monthly gross income
- C. A minimum rent of \$50.00. (HAMC has the authority to suspend and exempt families from the minimum rent when a financial hardship exists.)

In addition, HAMC offers each family a choice of paying a flat rent or the income based rent at move in and at each annual recertification. A household choosing a flat rent will complete a full re-certification once every three years.

All Public Housing residents are required to report changes in income (and family composition) at the time the change occurs and an interim certification will be conducted. Interim certifications will also be conducted upon request by the resident. Changes that will decrease the tenant rents will go into effect on the first of the month following the verification of the change and those changes creating an increase in the tenant's rent will go into effect on the first of the month following a 30 day notice of increase.

#### Section 8

Section 8 utilizes the income-based HCV calculation to determine the Total Tenant Payment (TTP), Housing Assistance Payment (HAP), and Tenant Rent. If the Total HAP exceeds the Total Rent to Owner, the participant will receive a utility reimbursement check.

TTP is the higher of 30% of the family's monthly adjusted income or 10% of the family's monthly gross income. Section 8 adopted a \$50 minimum rent, which can be suspended (and repaid) due to family hardship.

Families are required to report all changes of income within 10 working days on a change report form. In situations where the change would result in an increased Tenant Rent, the family will have a minimum 30-day notice of the change to be effective on the 1<sup>st</sup> of the second month following the notification. If a change results in a decreased Tenant Rent, the change will be effective the 1<sup>st</sup> of the following month. If a family reports a decrease of income on the 1<sup>st</sup> day of the month, it will be effective the following month.

Item 6.4 – Operation and Management -- A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.

The management of the PHA and programs is under new leadership with the recruitment and selection of a new Executive Director (ED) who started in December of 2010. The priority for the new ED is to improve the overall operations, management and direction of the Housing Authority's programs. The housing authority has a new Board of Commissioners who will adopt policies and procedures that strengthen the overall operations of the PHA. The Maricopa County Board of Supervisors on December 13, 2010 through Board Resolution has taken oversight of the PHA and appointed themselves as the Board of Commissioners (BOC). Through IGA the roles and responsibilities have been defined. The IGA includes the creation of a Housing Committee to provide recommendations to the BOC on PHA programs. The IGA requires the PHA to conform with County policies where feasible and not in conflict with HUD regulation/requirements. The review, revision and adopting of policies/procedures has started. The IGA with the County will provide direct access to County departments such as Human Resources, Procurement/Contracting, Finance, Facilities, Environmental Services, Office of Budget & Management, GIS Mapping, Legal, County Manager and other departments. This alignment will provide a strong infrastructure of support for the PHA to operate at the highest potential.

The goal for each HAMC managed property is to:

Maintain the property in excellent condition

Keep expenses within the operating budget

Explore opportunities for revenue growth or expense reduction

Assess and address capital needs proactively

Comply with all Federal, State, and local laws and regulations

Provide excellent customer service to all residents.

HAMC emphasizes the importance of maintaining control of the maintenance work by performing scheduled routine and preventive work. By doing so, the Authority will decrease on-demand work and maintain the property in a manner that will keep and attract good tenants.

The work priority system ensures that the most important maintenance work is done at a time it can be performed most cost-effectively. Minimizing vacancy loss is part of the cost-effectiveness calculation. The maintenance priorities of HAMC are the following:

Emergency Repairs

Resident Requests

Unit Turnover

Inspections

Miscellaneous

Emergency repairs are repair needs which threaten the life, health, or safety of a resident and need to be responded to within 24 hours.

Resident requests are very important to HAMC as residents can be the eyes and ears for the staff, informing them of smaller problems before they become larger problems. Providing excellent customer service will improve the living quality for the residents.

The maintenance procedure for reoccupying vacant units relies on the prompt notification by management of the vacancy, fast and accurate inspection of the unit, ready availability of workers and materials, and good communication with those responsible for leasing the unit. The Housing Manager has the authority to create special teams for vacancy turnaround or to hire contractors

when it is necessary to meet the required Authority goals as established by the current PHAS indicators.

HAMC conducts different types of inspections throughout the year. The purpose of inspections is to ensure housing is decent, safe, sanitary, and in good repair for residents by identifying necessary corrections before problems become severe, dangerous or costly. There are basically two types of inspections, annual and on-going.

Annual inspections are completed every year for all apartments. These inspections are often combined with housekeeping inspections and may be done by management, maintenance or both. Deficiencies are corrected either at the time of inspection or through the written work order system.

On-going inspections include preventative maintenance, vacancies, move in and move out inspections, property inspections and any other special inspection.

Preventative maintenance inspections are part of the planned or scheduled maintenance program of HAMC. The purpose of the scheduled maintenance program is to allow the Authority to anticipate maintenance requirements and make sure the Authority can address them in the most cost-effective manner. The preventative maintenance program focuses on the major systems that keep the properties operating. These systems include heating and cooling, electrical, life safety and plumbing. Routine inspections of grounds, common areas and other equipment are included.

Vacancy inspections are made to insure the unit repairs are in compliance to the Uniform Physical Condition Standards set by HUD.

Move in inspections are completed by staff and new resident. The resident is required to sign the inspection form certifying the condition of the unit at move-in.

Move out inspections are conducted at the time the resident vacates the units. Residents are encouraged to attend this inspection. The move in inspection is compared to the move out inspection in order to assess any damages that can be charged to the vacating tenant.

Miscellaneous inspections are any other inspections not categorized above. These can include quality control inspections, HUD inspections, lease enforcement and contract maintenance work completion.

HAMC makes every effort to provide a healthy and pest-free environment for its residents.

Special attention is paid to cockroaches as this is the most common infestation. Generally, HAMC provides for quarterly pest control. However, special circumstances may occur that may require more frequent treatments. These situations are handled on a case by case basis and may include resident housekeeping training in addition to additional pest control treatments.

Bed bugs are treated with equal importance. Eradication entails specific treatments that must be followed closely and with the cooperation of the resident. Residents are also counseled on preventative measures.

HAMC contracts with a licensed extermination company to perform pest control services.

Resident cooperation with the extermination plan is essential. All apartments in a building must be treated for the plan to be effective. Residents are given information about the extermination program and housekeeping standards at the time of move-in. All residents are informed at least 48 hours in advance of the treatment. The notification is in writing and includes instructions that describe how to prepare the unit for treatment if necessary.

In order to allow its staff members to perform to the best of their abilities, HAMC recognizes the importance of providing the staff with opportunities to refine technical skills, increase and expand craft skills, and learn new procedures.

## **SECTION 8 GRIEVANCE POLICY**

### **INFORMAL REVIEW FOR APPLICANTS [24 CFR 982.54(D)(12), 982.554]**

Reviews are provided for applicants who are denied assistance before the effective date of the HAP contract. The exception is that when an applicant is denied assistance for citizenship or eligible immigrant status, the applicant is entitled to an informal hearing.

When the PHA determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

- The reason(s) they are ineligible;
- The procedure for requesting a review if the applicant does not agree with the decision; a
- The time limit for requesting a review.

When denying admission for criminal activity as shown by a criminal record, the PHA will provide the subject of the record with information on where to obtain a copy of the criminal record upon which the decision to deny was based. In no instance will HAMC provide a copy of any criminal record to a third party including the applicant/participant to whom it pertains.

The PHA must provide applicants with the opportunity for an informal review of decisions denying the following actions:

- Listing on or removal from the waiting list;
- Issuance of a voucher;
- Participation in the program; and,
- Assistance under portability procedures.

Informal reviews are not required and will not be provided for established policies and procedures and PHA determinations such as:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- A determination of the family unit size under the PHA subsidy standards
- Refusal to extend or suspend a voucher
- A PHA determination not to grant approval of the tenancy
- Determination that unit is not in compliance with HQS
- Determination that unit is not in accordance with HQS due to family size or composition

## **INFORMAL REVIEWS FOR APPLICANTS**

- A. A request for an informal review must be received in writing by the close of the business day, no later than 10 business days from the date of the PHA's notification of denial of assistance. The informal review will be scheduled within 15 business days from the date the request is received.
- B. All reviews will be conducted by the HCV Program Manager, or designee. The informal review will not be conducted by the person who did rendered the original decision.
- C. The applicant will be given the option of presenting oral or written objections to the decision. Both the PHA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.
- D. A notice of the review findings will be provided in writing to the applicant within 10 days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision.
- E. All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

## **INFORMAL HEARING FOR PARTICIPANTS [24 CFR 982.555(A-F), 982.54(D)(13)]**

Hearings are only available to program participants. Participants are households in which a HAP contract has been executed. Prior to execution of the HAP contract, all households are considered applicants and are only entitled to a review as described above.

Hearing procedures will be provided to families in the briefing packet at the time of issuance of the voucher.

HAMC will provide participants with prompt notice of determinations, which will include:

- The proposed action or decision of the PHA;
- The date the proposed action or decision will take place;
- The family's right to an explanation of the basis for the PHA's decision.
- The procedures for requesting a hearing if the family disputes the action or decision;
- The time limit for requesting the hearing.

When terminating assistance for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the tenant/participant with a copy of the criminal record upon which the decision to terminate was based, if requested.

HAMC will provide participants with the opportunity for an informal hearing for decisions related to any of the following determinations. The opportunity for an informal hearing will be provided before termination of assistance.



- Determination of the family's annual or adjusted income and the computation of the housing assistance payment;
- Determination to terminate assistance for any reason.

Informal hearings are not required for established policies and procedures and PHA determinations such as:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- Establishment of the PHA schedule of utility allowances for families in the program
- A PHA determination not to approve an extension or suspension of a voucher term
- A PHA determination not to approve a unit or lease
- A PHA determination that an assisted unit is not in compliance with HQS (PHA must provide hearing for family breach of HQS because that is a family obligation determination)
- A PHA determination that the unit is not in accordance with HQS because of the family size
- A PHA determination to exercise or not exercise any right or remedy against the owner under a HAP contract

### **NOTIFICATION OF INFORMAL HEARING**

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

When the PHA receives a request for an informal hearing, a hearing shall be scheduled within 14 business days. The notification of hearing will contain:

- The date and time of the hearing;
- The location where the hearing will be held;
- The family's right to bring evidence, witnesses, legal or other representation at the family's expense;
- The right to view any documents or evidence in the possession of the PHA upon which the PHA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing.
- A notice to the family that the PHA will request a copy of any documents or evidence the family will use at the hearing.

Requests for documents or evidence must be received by HAMC no later than 2 days before the scheduled hearing date.

## **INFORMAL HEARING PROCEDURES**

After a hearing date is confirmed, the family may request to reschedule only upon showing "good cause," which is defined as an unavoidable conflict, which seriously affects the health, safety or welfare of the family. If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, the family must contact the PHA within 24 hours (or one business day) to reschedule. The PHA will reschedule the hearing only if the family can show good cause for the failure to appear.

Families have the right to:

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

If the family requests copies of documents relevant to the hearing, the PHA will make the copies for the family and assess a charge of \$.25 per copy. In no case will the family, or their designee, be allowed to remove the file from the PHA's office.

In addition to other rights contained in this Chapter, the PHA has a right to:

- Present evidence and any information pertinent to the issue of the hearing;
- Be notified if the family intends to be represented by legal counsel, advocate, or another party;
- Examine and copy any documents to be used by the family prior to the hearing;
- Have its attorney present; and
- Have staff persons and other witnesses familiar with the case present.

HAMC may elect to utilize a "pool" of hearing officers based on the needs of the housing agency and it is at the PHA's discretion as to whom to appoint as a hearing officer for a specific case. A hearing officer will be appointed based on the following criteria: The hearing officer must (1) have a general understanding of the Section 8 Program, (2) not be directly affected by the decision, (3) not have a prior professional or any type of current or prior relationship with the participant, (4) not be the person who made or approved the decision, (5) not be a subordinate of the person who made or approved the decision, and (6) not be the supervisor of the person who made or approved the decision.

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

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations. If the participant requesting the hearing, or their legal counsel, does not request a review of the evidence or copies of the evidence, the PHA may use the evidence in the informal hearing as long as the termination letter stated the family has a right to view the evidence and provides the procedures for doing so.

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

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

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

A notice of the hearing findings shall be provided in writing to the PHA and the family within 10 business days and shall include:

- A clear summary of the decision and reasons for the decision;
- If the decision involves money owed, the amount owed;
- The date the decision goes into effect.

The PHA is not bound by hearing decisions:

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

The PHA shall send a letter to the participant if it determines the PHA is not bound by the Hearing Officer's determination within 10 business days after the notice of hearing findings. The letter shall include the PHA's reasons for the decision.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

**MITIGATING CIRCUMSTANCES FOR INDIVIDUALS WITH DISABILITIES [24 CFR 982.204, 982.552(C)]**

When applicants are denied placement on the waiting list, or the PHA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process. Such circumstances shall be considered when making the final determination of the review or hearing.

Item 6.5 Grievance Procedures – A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.

#### INFORMAL REVIEW PROCESS [24 CFR 960.208(a) and PH Occ. GB, p. 58]

Informal reviews are provided for public housing applicants. An applicant is someone who has applied for admission to the public housing program, but is not yet a tenant in the program. Informal reviews are intended to provide a means for an applicant to dispute a determination of ineligibility for admission to a project [24 CFR 960.208(a)]. Applicants to public housing are not entitled to the same process afforded tenants in the HAMC grievance procedure [24 CFR 966.53(a) and PH Occ. GB, p. 58].

Informal reviews provide the applicant a means to hear the details of the reasons for rejection, and an opportunity to present evidence to the contrary if available, and to claim mitigating circumstances if possible.

#### Use of Informal Review Process

While HAMC must offer the opportunity of an informal review to applicants who have been determined as ineligible for admission, HAMC could make the informal review process available to applicants who wish to dispute other HAMC actions that adversely affect them.

HAMC will only offer informal reviews to applicants for the purpose of disputing denials of admission.

#### Notice of Denial [24 CFR 960.208(a)]

HAMC must give an applicant prompt notice of a decision denying eligibility for admission. The notice must contain a brief statement of the reasons for HAMC decision, and must also state that the applicant may request an informal review to dispute the decision. The notice must describe how to obtain the informal review.

Prior to notification of denial based on information obtained from criminal or sex offender registration records, the family, in some cases, must be given the opportunity to dispute the information in those records which would be the basis of the denial. See Section 2-III.F. for details concerning this requirement.

#### Scheduling an Informal Review

A request for an informal review must be made in writing and delivered to HAMC either in person or by first class mail, by the close of the business day, no later than 10 calendar days from the date of HAMC's notification of denial of admission.

HAMC must schedule and send written notice of the informal review within 10 business days of the family's request.

#### Conducting an Informal Review [PH Occ. GB, p. 58]

The informal review will be conducted by a person other than the one who made the decision under review, or a subordinate of this person.

The applicant will be provided an opportunity to present written objections to the decision of HAMC.

The person conducting the informal review will make a recommendation to HAMC, but HAMC is responsible for making the final decision as to whether admission should be granted or denied.

#### Informal Hearing Decision [PH Occ. GB, p. 58]

HAMC will notify the applicant of HAMC's final decision, including a brief statement of the reasons for the final decision.

In rendering a decision, HAMC may evaluate the following matters:

Whether or not the grounds for denial were stated factually in the notice

The validity of grounds for denial of admission. If the grounds for denial are not specified in the regulations or in HAMC policy, then the decision to deny assistance will be overturned. See Chapter 2 for a detailed discussion of the grounds for applicant denial.

The validity of the evidence. HAMC will evaluate whether the facts presented prove the grounds for denial of admission. If the facts prove that there are grounds for denial, and the denial is required by HUD, HAMC will uphold the decision to deny admission.

If the facts prove the grounds for denial, and the denial is discretionary, HAMC may consider the recommendation of the person conducting the informal review in making the final decision whether to deny admission.

HAMC will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed, with return receipt requested, within 10 business days of the informal review, to the applicant and his or her representative, if any.

If the informal review decision overturns the denial, processing for admission will resume.

#### Reasonable Accommodation for Persons with Disabilities [24 CFR 966.7]

Persons with disabilities may request reasonable accommodations to participate in the informal review process and HAMC must consider such accommodations. HAMC must also consider reasonable accommodation requests pertaining to the reasons for denial if related to the person's disability. See Chapter 1 for more detail pertaining to reasonable accommodation requests.

#### HEARING AND APPEAL PROVISIONS FOR NON-CITIZENS [24 CFR 5.514]

Denial or termination of assistance based on immigration status is subject to special hearing and notice rules. These special hearings are referred to in the regulations as informal hearings, but the requirements for such hearings are different from the informal hearings used to deny applicants for reasons other than immigration status.

Assistance to a family may not be delayed, denied, or terminated on the basis of immigration status at any time prior to a decision under the United States Citizenship and Immigration Services (USCIS) appeal process. Assistance to a family may not be terminated or denied while HAMC hearing is pending, but assistance to an applicant may be delayed pending the completion of the informal hearing.

A decision against a family member, issued in accordance with the USCIS appeal process or HAMC informal hearing process, does not preclude the family from exercising the right, that may otherwise be available, to seek redress directly through judicial procedures.

#### Notice of Denial or Termination of Assistance [24 CFR 5.514(d)]

The notice of denial or termination of assistance for non-citizens must advise the family of any of the following that apply:

- That financial assistance will be denied or terminated, and provide a brief explanation of the reasons for the proposed denial or termination of assistance.
- The family may be eligible for pro-ration of assistance.

- In the case of a tenant, the criteria and procedures for obtaining relief under the provisions for preservation of families [24 CFR 5.514 and 5.518].
  - That the family has a right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or explanation in support of the appeal.
  - That the family has a right to request an informal hearing with HAMC either upon completion of the USCIS appeal or in lieu of the USCIS appeal.
  - For applicants, assistance may not be delayed until the conclusion of the USCIS appeal process, but assistance may be delayed during the period of the informal hearing process.
- United States Citizenship and Immigration Services Appeal Process [24 CFR 5.514(e)]

When HAMC receives notification that the USCIS secondary verification failed to confirm eligible immigration status, HAMC must notify the family of the results of the USCIS verification. The family will have 30 days from the date of the notification to request an appeal of the USCIS results. The request for appeal must be made by the family in writing directly to the USCIS. The family must provide HAMC with a copy of the written request for appeal and proof of mailing.

HAMC will notify the family in writing of the results of the USCIS secondary verification within 10 business days of receiving the results.

The family must provide HAMC with a copy of the written request for appeal and proof of mailing within 10 business days of sending the request to the USCIS.

The family must forward to the designated USCIS office any additional documentation or written explanation in support of the appeal. This material must include a copy of the USCIS document verification request (used to process the secondary request) or such other form specified by the USCIS, and a letter indicating that the family is requesting an appeal of the USCIS immigration status verification results.

The USCIS will notify the family, with a copy to HAMC, of its decision. When the USCIS notifies HAMC of the decision, HAMC must notify the family of its right to request an informal hearing.

HAMC will send written notice to the family of its right to request an informal hearing within 10 business days of receiving notice of the USCIS decision regarding the family's immigration status.

Informal Hearing Procedures for Applicants [24 CFR 5.514(f)]

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, an applicant family may request that HAMC provide a hearing. The request for a hearing must be made either within 30 days of receipt of HAMC notice of denial, or within 30 days of receipt of the USCIS appeal decision.

The informal hearing procedures for applicant families are described below.

#### *Informal Hearing Officer*

HAMC must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision.

#### *Evidence*

The family must be provided the opportunity to examine and copy at the family's expense, at a reasonable time in advance of the hearing, any documents in the possession of HAMC pertaining to the family's eligibility status, or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

The family will be allowed to copy any documents related to the hearing at a cost of \$.25 per page. The family must request discovery of HAMC documents no later than 12:00 p.m. two business days prior to the hearing.

The family must be provided the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The family must also be provided the opportunity to refute evidence relied upon by HAMC, and to confront and cross-examine all witnesses on whose testimony or information HAMC relies.

#### *Representation and Interpretive Services*

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or HAMC, as may be agreed upon by the two parties. If the family does not arrange for their own interpreter, HAMC is still obligated to provide oral translation services in accordance with its LEP Plan.

#### *Recording of the Hearing*

The family is entitled to have the hearing recorded by audiotape. HAMC may, but is not required to provide a transcript of the hearing.

HAMC will not provide a transcript of an audio taped informal hearing.

#### *Hearing Decision*

HAMC must provide the family with a written notice of the final decision, based solely on the facts presented at the hearing, within 14 calendar days of the date of the informal hearing. The notice must state the basis for the decision.

#### *Retention of Documents [24 CFR 5.514(h)]*

HAMC must retain for a minimum of 3 years the following documents that may have been submitted to HAMC by the family, or provided to HAMC as part of the USCIS appeal or HAMC informal hearing process:

- The application for assistance
- The form completed by the family for income re-certification
- Photocopies of any original documents, including original USCIS documents
- The signed verification consent form
- The USCIS verification results
- The request for a USCIS appeal
- The final USCIS determination



- The request for an informal hearing
- The final informal hearing decision

Informal Hearing Procedures for Residents [24 CFR 5.514(f)]

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, a resident family may request that HAMC provide a hearing. The request for a hearing must be made either within 30 days of receipt of HAMC notice of termination, or within 30 days of receipt of the USCIS appeal decision.

The informal hearing procedures for resident families whose tenancy is being terminated based on immigration status is the same as for any grievance under the grievance procedures for resident families found in Part III below.

## GRIEVANCE PROCEDURES FOR PUBLIC HOUSING RESIDENTS

### REQUIREMENTS [24 CFR 966.52]

HAMC must have a grievance procedure in place through which residents of public housing are provided an opportunity to grieve any HAMC action or failure to act involving the lease or HAMC policies which adversely affect their rights, duties, welfare, or status.

HAMC grievance procedure must be included in, or incorporated by reference in, the lease.

HAMC grievance procedure will be incorporated by reference in the tenant lease.

HAMC must provide at least 30 days notice to tenants and resident organizations setting forth proposed changes in HAMC grievance procedure, and providing an opportunity to present written comments. Comments submitted must be considered by HAMC before adoption of any grievance procedure changes by HAMC.

Residents and resident organizations will have 30 calendar days from the date they are notified by HAMC of any proposed changes in HAMC grievance procedure, to submit written comments to HAMC.

HAMC must furnish a copy of the grievance procedure to each tenant and to resident organizations.

### DEFINITIONS [24 CFR 966.53; 24 CFR 966.51(a) (2) (i)]

There are several terms used by HUD with regard to public housing grievance procedures, which take on specific meanings different from their common usage. These terms are as follows:

- Grievance – any dispute which a tenant may have with respect to HAMC action or failure to act in accordance with the individual tenant’s lease or HAMC regulations which adversely affect the individual tenant’s rights, duties, welfare or status
- Complainant – any tenant whose grievance is presented to HAMC or at the project management office
- Due Process Determination – a determination by HUD that law of the jurisdiction requires that the tenant must be given the opportunity for a hearing in court which provides the basic elements of due process before eviction from the dwelling unit
- Elements of Due Process – an eviction action or a termination of tenancy in a state or local court in which the following procedural safeguards are required:
  - Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction
  - Right of the tenant to be represented by counsel

- Opportunity for the tenant to refute the evidence presented by HAMC including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have
- A decision on the merits
- Hearing Officer/Panel – a person/panel selected in accordance with HUD regulations to hear grievances and render a decision with respect thereto
- Tenant – the adult person (or persons) (other than a live-in aide)
  - Who resides in the unit, and who executed the lease with HAMC as lessee of the dwelling unit, or, if no such person now resides in the unit,
  - Who resides in the unit, and who is the remaining head of household of the tenant family residing in the dwelling unit
- Resident Organization – includes a resident management corporation

#### APPLICABILITY [24 CFR 966.51]

Potential grievances could address most aspects of HAMC's operation. However, there are some situations for which the grievance procedure is not applicable.

The grievance procedure is applicable only to individual tenant issues relating to HAMC. It is not applicable to disputes between tenants not involving HAMC. Class grievances are not subject to the grievance procedure and the grievance procedure is not to be used as a forum for initiating or negotiating policy changes of HAMC.

If HUD has issued a due process determination, HAMC may exclude from HAMC grievance procedure for any grievance concerning a termination of tenancy or eviction that involves:

- Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises of other residents or employees of HAMC
- Any violent or drug-related criminal activity on or off such premises
- Any criminal activity that resulted in felony arrest or conviction of a household member

HAMC must grant opportunity for grievance hearings for all lease terminations, regardless of cause, but may use expedited grievance procedures, as described in Section 13-III.E. below, to deal with the first two of the above three categories of lease terminations.

See Chapter 12 for related policies on the content of termination notices.

#### INFORMAL SETTLEMENT OF GRIEVANCE [24 CFR 966.54]

HUD regulations state that any grievance must be personally presented, either orally or in writing, to HAMC office so that the grievance may be discussed informally and settled without a hearing.

HAMC will accept requests for an informal settlement of a grievance in writing, to HAMC office within 5 calendar days of the grievable event. Within 14 calendar days of receipt of the request HAMC will arrange a meeting with the tenant at a mutually agreeable time and confirm such meeting in writing to the tenant.

If a tenant fails to attend the scheduled meeting without prior notice, HAMC will not reschedule the appointment only if the tenant can show good cause for failing to appear, or if it is needed as a reasonable accommodation for a person with disabilities.

Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

HUD regulations require that a summary of such discussion will be prepared within a reasonable time and one copy will be given to the tenant and one retained in HAMC's tenant file.

The summary must specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore, and will specify the procedures by which a hearing may be obtained if the complainant is not satisfied.

HAMC will prepare a summary of the informal settlement within 5 calendar days; one copy to be mailed to the tenant and one copy to be retained in HAMC's tenant file.

#### PROCEDURES TO OBTAIN A HEARING [24 CFR 966.55]

##### Requests for Hearing and Failure to Request [24 CFR 966.55(a), (c), and (d)]

All grievances must be presented in accordance with the informal procedures prescribed above as a condition prior to a grievance hearing. However, if the complainant can show good cause for failure to proceed with the informal settlement process to the hearing officer/panel, the hearing officer/panel may waive this provision [24 CFR 966.55(d)].

The complainant must submit the request in writing for a grievance hearing within a reasonable time after receipt of the summary of informal discussion [24 CFR 966.55(a)]. The request must specify the reasons for the grievance and the action or relief sought.

The resident must submit a written request for a grievance hearing to HAMC within 5 calendar days of the tenant's receipt of the summary of the informal settlement.

If the complainant does not request a hearing, HAMC's disposition of the grievance under the informal settlement process will become final. However, failure to request a hearing does not constitute a waiver by the complainant of the right to contest HAMC's action in disposing of the complaint in an appropriate judicial proceeding [24 CFR 966.55(c)].

##### Escrow Deposits [24 CFR 966.55(e)]

Before a hearing is scheduled in any grievance involving the amount of rent that HAMC claims is due, the family must pay an escrow deposit to HAMC. When a family is required to make an escrow deposit, the amount is the amount of rent HAMC states is due and payable as of the first of the month proceeding the month in which the family's act or failure to act took place. After the first deposit the family must deposit the same amount monthly until the family's complaint is resolved by decision of the hearing officer/panel.

HAMC must waive the requirement for an escrow deposit where the family has requested a financial hardship exemption from minimum rent requirements or is grieving the effect of welfare benefits reduction in calculation of family income [24 CFR 5.630(b)(3)].

Unless HAMC waives the requirement, the family's failure to make the escrow deposit will terminate the grievance procedure. A family's failure to pay the escrow deposit does not waive the family's right to contest HAMC's disposition of the grievance in any appropriate judicial proceeding.

HAMC will not waive the escrow requirement for grievances involving rent amounts except where required to do so by regulation.

#### Scheduling of Hearings [24 CFR 966.55(f)]

If the complainant has complied with all requirements for requesting a hearing as described above, a hearing must be scheduled by the hearing officer/panel promptly for a time and place reasonably convenient to both the complainant and HAMC. A written notification specifying the time, place and the procedures governing the hearing must be delivered to the complainant and appropriate HAMC official.

Within 14 calendar days of receiving a written request for a hearing, a hearing officer will be contacted to schedule the hearing and a written notice of the hearing sent to the complainant.

HAMC may wish to permit the tenant to request to reschedule a hearing for good cause.

The tenant may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety, or welfare of the family. Requests to reschedule a hearing must be made in writing two business days prior to the hearing date. At its discretion, HAMC may request documentation of the "good cause" prior to rescheduling the hearing.

Expedited Grievance Procedure [24 CFR 966.55(g)] : HAMC does not offer expedited grievances for any grievance concerning a termination of tenancy or eviction.

#### SELECTION OF HEARING OFFICER [24 CFR 966.55(b)]

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

HAMC must determine the methodology for appointment of the hearing officer and it must be stated in the grievance procedure.

#### PROCEDURES GOVERNING THE HEARING [24 CFR 966.56]

##### Rights of Complainant [24 CFR 966.56(b)]

The complainant will be afforded a fair hearing. This includes:

- The opportunity to examine before the grievance hearing any HAMC documents, including records and regulations that are directly relevant to the hearing. The tenant must be allowed to copy any such document at the tenant's expense. If HAMC does not make the document available for examination upon request by the complainant, HAMC may not rely on such document at the grievance hearing.

The tenant will be allowed to copy any documents related to the hearing at a cost of \$.25 per page. The family must request discovery of HAMC documents no later than 12:00 p.m. two business days prior to the hearing.

- The right to be represented by counsel or other person chosen as the tenant's representative and to have such person makes statements on the tenant's behalf.

Hearings may be attended by the following applicable persons:

- HAMC representative(s) and any witnesses for HAMC
- The tenant and any witnesses for the tenant
- The tenant's counsel or other representative
- Any other person approved by HAMC as a reasonable accommodation for a person with a disability

- The right to a private hearing unless the complainant requests a public hearing.
- The right to present evidence and arguments in support of the tenant's complaint, to controvert evidence relied on by HAMC or project management, and to confront and cross-examine all witnesses upon whose testimony or information HAMC or project management relies.
- A decision based solely and exclusively upon the facts presented at the hearing.

Decision without Hearing [24 CFR 966.56(c)]

The hearing officer/panel may render a decision without proceeding with the hearing if the hearing officer/panel determines that the issue has been previously decided in another proceeding.

Failure to Appear [24 CFR 966.56(d)]

If the complainant or HAMC fails to appear at a scheduled hearing, the hearing officer/panel may make a determination to postpone the hearing for not to exceed five calendar days or may make a determination that the party has waived his/her right to a hearing. Both the complainant and the HAMC must be notified of the determination by the hearing officer/panel: Provided, That a determination that the complainant has waived his/her right to a hearing will not constitute a waiver of any right the complainant may have to contest the HAMC's disposition of the grievance in an appropriate judicial proceeding.

There may be times when a complainant does not appear due to unforeseen circumstances which are out of their control and are no fault of their own.

If the tenant does not appear at the scheduled time of the hearing, the hearing officer will wait up to 15 minutes. If the tenant appears within 15 minutes of the scheduled time, the hearing will be held. If the tenant does not arrive within 15 minutes of the scheduled time, they will be considered to have failed to appear.

If the tenant fails to appear and was unable to reschedule the hearing in advance, the tenant must contact HAMC within 24 hours of the scheduled hearing date, excluding weekends and holidays. The hearing officer may reschedule the hearing only if the tenant can show good cause for the failure to appear, or it is needed as a reasonable accommodation for a person with disabilities.

"Good cause" is defined as an unavoidable conflict which seriously affects the health, safety, or welfare of the family.

General Procedures [24 CFR 966.56(e), (f), and (g)]

At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter HAMC must sustain the burden of justifying HAMC action or failure to act against which the complaint is directed [24 CFR 966.56(e)].

The hearing must be conducted informally by the hearing officer/panel. HAMC and the tenant must be given the opportunity to present oral or documentary evidence pertinent to the facts and issues raised by the complaint and question any witnesses. In general, all evidence is admissible and may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings [24 CFR 966.56(f)].

Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence.

Oral evidence: the testimony of witnesses

Documentary evidence: a writing which is relevant to the case, for example, a letter written to HAMC. Writings include all forms of recorded communication or representation, including letters, emails, words, pictures, sounds, videotapes or symbols or combinations thereof.

Demonstrative evidence: Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.

Real evidence: A tangible item relating directly to the case.

*Hearsay Evidence* is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter. Even though evidence, including hearsay, is generally admissible, hearsay evidence alone cannot be used as the sole basis for the hearing officer's decision.

If the HAMC fails to comply with the discovery requirements (providing the tenant with the opportunity to examine HAMC documents prior to the grievance hearing), the hearing officer will refuse to admit such evidence.

Other than the failure of HAMC to comply with discovery requirements, the hearing officer has the authority to overrule any objections to evidence.

The hearing officer/panel must require HAMC, the complainant, counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the hearing officer/panel to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate [24 CFR 966.56(f)].

The complainant or HAMC may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript [24 CFR 966.56(g)].

If the complainant would like HAMC to record the proceedings by audiotape, the request must be made to HAMC by 12:00 p.m. two business days prior to the hearing.

HAMC will consider that an audio tape recording of the proceedings is a transcript.

#### Accommodations of Persons with Disabilities [24 CFR 966.56(h)]

HAMC must provide reasonable accommodation for persons with disabilities to participate in the hearing. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants.

If the tenant is visually impaired, any notice to the tenant which is required in the grievance process must be in an accessible format.

See Chapter 1 for a thorough discussion of HAMC's responsibilities pertaining to reasonable accommodation.

#### DECISION OF THE HEARING OFFICER [24 CFR 966.57]

The hearing officer must issue a written decision, stating the reasons for the decision, within a reasonable time after the hearing. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing. A copy of the decision must be sent to the tenant and HAMC. HAMC must retain a copy of the decision in the tenant's folder. A copy of the decision, with all names and identifying references deleted, must also be maintained on file by HAMC and made available for inspection by a prospective complainant, his/her representative, or the hearing officer/panel [24 CFR 966.57(a)].

In rendering a decision, the hearing officer will consider the following matters:

**HAMC Notice to the Family:** The hearing officer will determine if the reasons for HAMC's decision are factually stated in the notice.

**Discovery:** The hearing officer will determine if the family was given the opportunity to examine any relevant documents in accordance with HAMC policy.

**HAMC Evidence to Support the HAMC Decision:** The evidence consists of the facts presented. Evidence is not conclusion and it is not argument. The hearing officer will evaluate the facts to determine if they support HAMC's conclusion.

**Validity of Grounds for Termination of Tenancy (when applicable):** The hearing officer will determine if the termination of tenancy is for one of the grounds specified in the HUD regulations and HAMC policies. If the grounds for termination are not specified in the regulations or in compliance with HAMC policies, then the decision of HAMC will be overturned.

The hearing officer will issue a written decision to the family and HAMC no later than 10 business days after the hearing. The report will contain the following information:

Hearing information:

Name of the complainant

Date, time and place of the hearing

Name of the hearing officer

Name of HAMC representative(s)

Name of family representative (if any)

Names of witnesses (if any)

**Background:** A brief, impartial statement of the reason for the hearing and the date(s) on which the informal settlement was held, who held it, and a summary of the results of the informal settlement. Also includes the date the complainant requested the grievance hearing.

**Summary of the Evidence:** The hearing officer will summarize the testimony of each witness and identify any documents that a witness produced in support of his/her testimony and that are admitted into evidence.

**Findings of Fact:** The hearing officer will include all findings of fact, based on a preponderance of the evidence. *Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

**Conclusions:** The hearing officer will render a conclusion derived from the facts that were found to be true by a preponderance of the evidence. The conclusion will result in a determination of whether these facts uphold HAMC's decision.

**Order:** The hearing report will include a statement of whether HAMC's decision is upheld or overturned. If it is overturned, the hearing officer will instruct HAMC to change the decision in accordance with the hearing officer's determination. In the case of termination of tenancy, the hearing officer will instruct HAMC to restore the family's status.

Procedures for Further Hearing

The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of HAMC will take effect and another hearing will not be granted.

Final Decision [24 CFR 966.57(b)]

A decision by the hearing officer/panel in favor of the PHA or which denies the relief requested by the tenant in whole or part shall not constitute a waiver of, nor affect in any manner whatever, the rights of the tenant to a trial or judicial review in any proceedings which may thereafter be brought in the matter [24 CFR 966.57(c)].



Item 6b.7 – Community Service & Self Sufficiency – A description of: (1) programs relating to services and amenities provided or offered to assisted families; (2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency or assisted families, including programs under Section 3 and FSS. (3) How the PHA will comply with the requirements of community service and treat of income changes resulting from the welfare program requirements.

HAMC supports an FSS program for both Section 8 and Public Housing. Partnerships with local non-profit agencies, Maricopa County Human Services Department, local CAP offices and Arizona Department of Economic Services support our clients with basic needs, workforce development and career goals. Goal setting is a part of the FSS program requirement. Residents and clients have been able to improve their credit scores, obtain GED certificates, attend college, earn workforce/technology certificates, increase wage based incomes and reduce reliance on welfare assistance.

The HAMC continues to work with various social service agencies to provide job training and skills such as, Arizona Call A Teen and Goodwill Industries. Each HAMC office has informational handouts and referrals to help the residents find resources based on their needs.

HAMC posts job openings and requests for bids at all public housing office. Contract procurement encourages Section 3 participation and has a separate tabbed section in the procurement contract solicitation package. Each public housing site office also displays the HUD published brochure “Section 3 Economic Opportunity, A Piece of the American Dream” to create awareness and encourage participation of our residents, vendors and community partners visiting our offices.

HAMC has adopted the following Community Service Requirement and Policy:

#### **PART I: COMMUNITY SERVICE REQUIREMENT**

Each adult resident of HAMC, who is not exempt, must [24 CFR 960.603(a)]:

- Contribute 8 hours per month of community service; or
- Participate in an economic self-sufficiency program (as defined in the regulations) for 8 hours per month; or
- Perform 8 hours per month of combined activities (community service and economic self-sufficiency programs).

An individual may not skip a month and then double up the following month, unless special circumstances warrant it. HAMC will make the determination of whether to permit a deviation from the schedule.

Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify HAMC in writing immediately. HAMC will review the request and notify the individual, in writing, of its determination within 10 calendar days. HAMC may require those individuals to provide documentation to support their claim.

#### **Definitions**

##### ***Exempt Individual [24 CFR 960.601(b)]***

An *exempt individual* is an adult who:

- Is age 62 years or older;
- Is blind or disabled (as defined under section 216[i][I] or 1614 of the Social Security Act), and who certifies that because of this disability they are unable to comply with the service provisions;
- Is a primary caretaker of such an individual;
- Is engaged in work activities;
  - HAMC will consider 25 hours per week as the minimum number of hours needed to qualify for a work activity exemption.
  - HAMC will consider the spouse of a working adult to be exempt if there are pre-school children in the household.
- Meets the requirements for being exempted from having to engage in a work activity under the State Program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program; or
- Is a member of a family receiving assistance, benefits or services under a State Program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the PHA is located, including a State-administered Welfare-To-Work Program, and has not been found by the State or other administering entity to be in noncompliance with such program.

***Community Service [PH Occ. GB, p. 174]***

*Community service* is volunteer work which includes, but is not limited to:

- Work at a local institution including but not limited to: school, child care center, hospital, hospice, recreation center, senior center, adult day care center, homeless shelter, indigent feeding program, cooperative food bank, etc.
- Work with a nonprofit organization that serves HAMC residents or their children such as: Boy Scouts, Girl Scouts, Boys or Girls Clubs, 4-H programs, PAL, Garden Center, community clean-up programs, beautification programs, other youth or senior organizations
- Work at HAMC to help improve physical conditions
- Work at HAMC to help with children's programs
- Work at HAMC to help with senior programs
- Helping neighborhood groups with special projects
- Working through a resident organization to help other residents with problems, serving as an officer in a resident organization, serving on the resident advisory board

NOTE: Political activity is excluded for purposes of eligible community service activities.

***Economic Self-Sufficiency Program [24 CFR 5.603(b)]***

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

These economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeships

(formal or informal), or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

***Work Activities [42 U.S.C. 607(d)]***

As it relates to an exemption from the community service requirement, *work activities* means:

- Unsubsidized employment
- Subsidized private sector employment
- Subsidized public sector employment
- Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available
- On-the-job training
- Job search and job readiness assistance
- Community service programs
- Vocational educational training (not to exceed 12 months with respect to any individual)
- Job skills training directly related to employment
- Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency
- Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate

**Notification Requirements [24 CFR 960.605(c)(2)]**

HAMC must give each family a written description of the community service requirement, the process for claiming status as an exempt person, and the process for HAMC verification of exempt status. HAMC must also notify the family of its determination identifying the family members who are subject to the service requirement, and the family members who are exempt.

HAMC will provide the family with a copy of the Community Service Policy found in Exhibit 15 - 1 of this chapter, at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

On an annual basis, approximately 60 days prior to the lease renewal, HAMC will notify the head of household in writing of the family members who have failed to meet their community service obligations. If the family is in the first year of the community service requirement HAMC will offer the family an opportunity to meet their obligation. If the family is in the second year of the community service requirement the notice will be a termination of the lease.

**DETERMINATION OF EXEMPTION STATUS AND COMPLIANCE [24 CFR 960.605(c)(3)]**

HAMC must review and verify family compliance with service requirements at least before the end of each month. The policy for documentation and verification of compliance with community service requirements may be found at Section 15 - I.D., Documentation and Verification.

Where the lease term does not coincide with the effective date of the annual re-certification, HAMC will change the effective date of the annual re-certification to coincide with the lease term. In making this change, HAMC will ensure that the annual re-certification is conducted within 12 months of the last annual re-certification.

## **Annual Determination**

### ***Determination of Exemption Status***

An exempt individual is excused from the community service requirement [24 CFR 960.603(a)].

At least ninety (90) days prior to lease renewal, HAMC will review and verify the exemption status of all adult family members. This verification will only be done on an annual basis unless the family reports a change or HAMC has reason to believe that an individual's exemption status has changed. For individuals who are exempt because they are 62 years of age and older, verification of exemption status will be done only at the initial examination.

Upon completion of the verification process, HAMC will notify the family of its determination in accordance with the policy in Section 15 - I.B., Notification Requirements.

### ***Determination of Compliance***

HAMC must review resident family compliance with service requirements at least ninety (90) days before the end of the twelve month lease term [24 CFR 960.605(c)(3)]. As part of this review, HAMC must verify that any family member that is not exempt from the community service requirement has met their service obligation.

Approximately ninety (90) days prior to the end of the lease term, HAMC will provide written notice informing the head of any documentation needed to verify family members who have complied with the service requirement. The family will have ten (10) calendar days to submit HAMC required documentation form(s).

If the family fails to submit the required documentation within the required timeframe, or HAMC approved extension, the subject family members will be considered noncompliant with community service requirements, and notices of noncompliance will be issued pursuant to the policies in Section 15 - I.E., Noncompliance.

## **Change in Status Between Annual Determinations**

### **Exempt to Non-Exempt Status**

If an exempt individual becomes non-exempt during the twelve (12) month lease term, it is the family's responsibility to report this change to HAMC immediately.

HAMC will provide written notice of the effective date of the requirement, a list of agencies in the community that provide volunteer and/or training opportunities, as well as a documentation form on which the family member may record the activities performed and number of hours contributed.

The effective date of the community service requirement will be the first of the month following thirty (30) days notice.

### Non-Exempt to Exempt Status

If a non-exempt person becomes exempt during the twelve (12) month lease term, it is the family's responsibility to report this change to HAMC immediately. Any claim of exemption will be verified by HAMC in accordance with the policy at 15 - I.D., Documentation and Verification of Exemption Status.

HAMC will provide the family written notice that the family member is no longer subject to the community service requirement, if HAMC is able to verify the exemption.

The exemption will be effective immediately.

### **DOCUMENTATION AND VERIFICATION [24 CFR 960.605(c)(4)]**

HAMC must retain reasonable documentation of service requirement performance or exemption in participant files.

#### **Documentation and Verification of Exemption Status**

All family members who claim they are exempt from the community service requirement will be required to sign the community service exemption certification form found in Exhibit 15 - 3. HAMC will provide a completed copy to the family and will keep a copy in the tenant file.

HAMC will verify that an individual is exempt from the community service requirement by following the verification hierarchy and documentation requirements in Chapter 7.

HAMC makes the final determination whether or not to grant an exemption from the community service requirement. If a resident does not agree with HAMC's determination, they can dispute the decision through HAMC's grievance procedures (see Chapter 12).

#### **Documentation and Verification of Compliance**

If qualifying community service activities are administered by an organization other than HAMC, a family member who is required to perform community service must provide HAMC with a (Exhibit 15 - 4) completed by the organization timesheet, that the family member has performed the qualifying activities [24 CFR 960.607].

If anyone in the family is subject to the community service requirement, HAMC will provide the family with a community service timesheet at admission or when a family member becomes subject to the community service requirement during the lease term, or upon request by the family.

Each individual who is subject to the requirement will be required to return a completed timesheet for their community service or self-sufficiency activities and the number of hours contributed monthly. The timesheet will also include places for signatures and phone numbers of supervisors, instructors, and counselors certifying to the number of hours contributed.

If HAMC has reasonable cause to believe that the timesheet provided by the family is false or fraudulent, HAMC has the right to require third-party verification.

HAMC will randomly verify family's community service obligations.

## **NONCOMPLIANCE**

### **Initial Noncompliance**

The lease specifies it is renewed automatically for all purposes, unless the family fails to comply with the community service requirement. Violation of the community service requirement is grounds for non-renewal of the lease at the end of the twelve (12) month lease term, but not for termination of tenancy during the course of the twelve (12) month lease term [24 CFR 960.603(b)].

If the tenant or another family member has violated the community service requirement, HAMC may not renew the lease upon expiration of the twelve (12) month term of the lease, unless the tenant and any other non-compliant family member enter into a written agreement with HAMC. Under this agreement the tenant or non-compliant family member must agree to cure the non-compliance by completing the additional hours of community service or economic self-sufficiency needed to make up the total number of hours required, over the twelve (12) month term of the new lease. In addition, all other members of the family who are subject to the community service requirement must be currently complying with the community service requirement or must no longer be residing in the unit [24 CFR 960.607(c)].

### ***Notice of Initial Non-compliance [24 CFR 960.607(b)]***

If HAMC determines that there is a family member who is required to perform community service requirement, but who has failed to comply with this obligation (non-compliant resident), HAMC must notify the tenant of this determination.

The notice to the tenant must briefly describe the non-compliance. The notice must state that HAMC will not renew the lease at the end of the twelve (12) month lease term unless the tenant, and any other non-compliant resident, enter into a written agreement with HAMC to cure the non-compliance, or the family provides written assurance satisfactory to HAMC that the tenant or other non-compliant resident no longer resides in the unit.

The notice must also state that the tenant may request a grievance hearing on HAMC's determination, in accordance with HAMC's grievance procedures, and that the tenant may exercise any available judicial remedy to seek timely redress for HAMC's non-renewal of the lease because of HAMC's determination.

The notice of initial non-compliance will be sent at least ninety (90) days prior to the end of the lease term.

The family will have ten (10) calendar days from the date of the notice of non-compliance to enter into a written agreement to cure the non-compliance over the twelve (12) month term of the new lease, provide documentation that the non-compliant resident no longer resides in the unit, or to request a grievance hearing.

If the family reports that a non-compliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before HAMC will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the family member that previously resided with them.

If the family does not request a grievance hearing, or does not take either corrective action required by the notice of non-compliance within the required ten (10) calendar day timeframe, HAMC will terminate tenancy in accordance with the policies in Chapter 12.

#### **Continued Non-compliance [24 CFR 960.607(b)]**

If, after the twelve (12) month cure period, the family member is still not compliant, HAMC must terminate tenancy of the entire family, according to HAMC's lease, unless the family provides documentation that the non-compliant resident no longer resides in the unit.

Notices of continued non-compliance will be sent at least ninety (90) days prior to the end of the lease term and will also serve as the family's termination notice. The notice will meet the requirements for termination notices described in Chapter 12.

The family will have ten (10) calendar days from the date of the notice of non-compliance to provide documentation that the non-compliant resident no longer resides in the unit, or to request a grievance hearing.

If the family reports that a non-compliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before HAMC will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the non-compliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required ten (10) calendar day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

## **PART II: IMPLEMENTATION OF COMMUNITY SERVICE**

HAMC may not substitute any community service or self-sufficiency activities performed by residents for work ordinarily performed by HAMC employees, or replace a job at any location where residents perform activities to satisfy the service requirement [24 CFR 960.609].

HAMC will notify its insurance company if residents will be performing community service at HAMC. In addition, HAMC will ensure that the conditions under which the work is to be performed are not hazardous.

If a disabled resident certifies that they are able to perform community service, HAMC will ensure that requests for reasonable accommodation are handled in accordance with the policies in Chapter 1 Section C.

### **HAMC Program Design**

HAMC may administer qualifying community service or economic self-sufficiency activities directly, or may make community service activities available through a contractor, or through partnerships with qualified organizations, including resident organizations, and community agencies or institutions [24 CFR 960.605(b)].

HAMC will attempt to provide the broadest choice possible to residents as they choose community service activities.

HAMC's goal is to design a service program that gives residents viable opportunities to become involved in the community and to gain competencies and skills. HAMC will work with resident organizations and community organizations to design, implement, assess and recalibrate its community service program.

HAMC will make every effort to identify volunteer opportunities throughout the community, especially those in proximity to public housing developments. To the greatest extent possible, HAMC will provide names and contacts at agencies that can provide opportunities for residents, including persons with disabilities, to fulfill their community service obligations.

Any written agreements or partnerships with contractors and/or qualified organizations, including resident organizations, are described in HAMC Plan.

HAMC will provide in-house opportunities for volunteer work or self-sufficiency programs when possible.

<b>EXHIBIT 15 - 1: COMMUNITY SERVICE AND SELF-SUFFICIENCY POLICY &amp; LEASE ADDENDUM</b>
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#### **A. Background**

The Quality Housing and Work Responsibility Act of 1998 requires that all non-exempt (see definitions) public housing adult residents (18 or older) contribute eight (8) hours per month of community service (volunteer work) or participate in eight (8) hours of training, counseling, classes or other activities that help an individual toward self-sufficiency and economic independence. This is a requirement of the public housing lease.

#### **B. Definitions**

**Community Service** – volunteer work that includes, but is not limited to:

- Work at a local institution, including but not limited to: school, child care center, hospital, hospice, recreation center, senior center, adult day care center, homeless shelter, indigent feeding program, cooperative food bank, etc.
- Work with a nonprofit organization such as: Parks and Recreation, United Way, Red Cross, Volunteers of America, Boy Scouts, Girl Scouts, Boys or Girls Clubs, 4-H Program, PAL, Garden Center, community clean-up programs, beautification programs, other counseling, aid, youth or senior organizations
- Work at the housing authority to help with litter control
- Work at the housing authority to help with children's programs
- Work at the housing authority to help with senior programs
- Helping neighborhood groups with special projects
- Working through a resident organization to help other residents with problems
- Serving as an officer in a resident organization
- Serving on the Resident Advisory Board

**NOTE:** Political activity is excluded.

**Self-Sufficiency Activities** – activities that include, but are not limited to:



- Job readiness programs
- Job training programs
- GED classes
- Substance abuse or mental health counseling
- English proficiency or literacy (reading) classes
- Apprenticeships
- Budgeting and credit counseling
- Any kind of class that helps a person toward economic independence
- Student status at any school, college or vocation school

**Exempt Adult** – an adult member of the family who meets any of the following criteria:

- Is 62 years of age or older
- Is blind or a person with disabilities (as defined under section 216[i][I] or 1614 of the Social Security Act), and who certifies that because of this disability he or she is unable to comply with the service provisions, or is the primary caretaker of such an individuals
- Is working at least 25 hours per week
- Meets the requirements for being exempted from having to engage in a work activity under TANF or any other State welfare program including a State-administered welfare-to-work program
- Is a member of a family receiving assistance, benefits or services under TANF or any other State welfare program and has not been found to be in noncompliance with such program
- Raising young (pre-school) children at home where spouse is working at least 25 hours per week

### **C. Requirements of the Program**

1. The eight (8) hours per month may be either volunteer work or self-sufficiency program activity, or a combination of the two.
2. At least eight (8) hours of activity must be performed each month. An individual may not skip a month and then double up the following month, unless special circumstances warrant special consideration. The housing authority will make the determination of whether to allow or disallow a deviation from the schedule based on a family's written request.
3. Family obligation:
  - At lease execution, all adult members (18 or older) of a public housing resident family must:
    - Sign a certification that they have received and read this policy and understand that if they are not exempt, failure to comply with the community service requirement will result in a nonrenewal of their lease; and
    - Declare if they are exempt. If exempt, they must complete the Exemption Form (Exhibit 11-3) and provide documentation of the exemption.
  - Upon written notice from the PHA, non-exempt family members must present complete documentation of activities performed during the applicable lease term. This documentation will include places for signatures of supervisors, instructors, or counselors, certifying to the number of

hours contributed.

- If a family member is found to be noncompliant at the end of the 12-month lease term, he or she, and the head of household, will be required to sign an agreement with the housing authority to make up the deficient hours over the next twelve (12) month period, as a condition of continued occupancy.
4. Change in exempt status:
- If, during the twelve (12) month lease period, a non-exempt person becomes exempt, it is his or her responsibility to report this to the PHA and provide documentation of exempt status.
  - If, during the twelve (12) month lease period, an exempt person becomes non-exempt, it is his or her responsibility to report this to the PHA. Upon receipt of this information the PHA will provide the person with the appropriate documentation form(s) and a list of agencies in the community that provide volunteer and/or training opportunities.

#### **D. Authority Obligation**

1. To the greatest extent possible and practicable, the HAMC will:
  - Provide names and contacts at agencies that can provide opportunities for residents, including residents with disabilities, to fulfill their community service obligations.
  - Provide in-house opportunities for volunteer work or self-sufficiency activities.
2. HAMC will provide the family with a copy of this policy, and all applicable exemption verification forms and community service timesheet forms, at lease-up or when a family member becomes subject to the community service requirement during the lease term, and at any time upon the family's request.
3. Although exempt family members will be required to submit documentation to support their exemption, HAMC will verify the exemption status in accordance with its verification policies. HAMC will make the final determination as to whether or not a family member is exempt from the community service requirement. Residents may use the HAMC's grievance procedure if they disagree with the HAMC's determination.
4. Noncompliance of family member:
  - At least ninety (90) days prior to the end of the twelve (12) month lease term, HAMC will begin reviewing the exempt or non-exempt status and compliance of family members;
  - If, at the end of the initial twelve (12) month lease term under which a family member is subject to the community service requirement, HAMC finds the family member to be noncompliant, HAMC will not renew the lease unless:
    - The head of household and any other noncompliant resident enter into a written agreement with HAMC, to make up the deficient hours over the next twelve (12) month period; or
    - The family provides written documentation satisfactory to the HAMC that the noncompliant family member no longer resides in the unit.
  - If, at the end of the next twelve (12) month lease term, the family member is still not compliant, a thirty (30) day notice to terminate the lease will be issued and the entire family will have to vacate, unless the family provides written documentation satisfactory to HAMC that the noncompliant family member no longer resides in the unit;
  - The family may use HAMC's grievance procedure to dispute the lease termination.

All adult family members must sign and date below, certifying that they have read and received a copy of this Community Service and Self-Sufficiency Policy.

\_\_\_\_\_  
Resident

\_\_\_\_\_  
Date

\_\_\_\_\_  
Resident

\_\_\_\_\_  
Date

\_\_\_\_\_  
Resident

\_\_\_\_\_  
Date

\_\_\_\_\_  
Resident

\_\_\_\_\_  
Date

\_\_\_\_\_  
HAMC Staff

\_\_\_\_\_  
Date

Item 9 – Pets: A Statement describing the PHA’s policies and requirements pertaining to the ownership of pets in public housing.

HAMC pet policy is comprised of four parts.

- 1) Assistance Animals, 2) Pet Policies For All Developments, 3) Pet Deposits and Fees in Elderly/Disabled Developments and 4) Pet Deposits and Fees in General Occupancy Developments.

**Assistance Animals** that are needed as a reasonable accommodation for person with disabilities are not considered pets and thus, are not subject to HAMC’s pet policies.

**The Pet Policies for All Developments** requires all pets be registered and licensed before being brought onto the premises, requires all dogs and cats be spayed or neutered at the time of registration or within 30 days of reaching 6 months of age, limits the number and type of pets allowed and defines the responsibilities of the pet owner.

Upon providing required documentation and HAMC approval, a Pet Lease Addendum must be signed. The Pet Lease Addendum is the resident’s certification that he or she has received a copy of HAMC’s pet policy and applicable house rules, that he or she has read the policies and/or rules, understands them, and agrees to comply with them.

**The Pet Deposit for ALL Developments** Pet owners are required to pay a pet deposit in addition to any other required deposits. The amount of the pet deposit is equal to the total tenant payment (TTP) at the time the pet agreement is signed, up to a maximum of \$150.00.

HAMC does not require a non-refundable fee.

**RESOLUTION 11-035**

**RESOLUTION APPROVING SUBMISSION OF REVISION #3 OF THE PUBLIC HOUSING AGENCY (PHA) ANNUAL PLAN FOR FISCAL YEAR 2011-2012 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**

**WHEREAS**, the Board of Commissioners of the Housing Authority of Maricopa County is required by the U.S. Department of Housing and Urban Development to certify, by resolution, that the Board has reviewed and approves the submittal of the PHA Plan for the Housing Authority for FY beginning July 2010; and

**WHEREAS**, revision #2 of the Annual Plan was submitted with Resolution 11-023 and approved by the Board on June 22, 2011 and submitted to HUD on June 27, 2011; and

**WHEREAS**, HUD has requested additional additions to the Annual Plan, which have been completed;

**NOW THEREFORE:**

**BE IT RESOLVED**, that the Board of Commissioners of the Housing Authority of Maricopa County hereby adopts Resolution No. 11-035, approving submission of revision #3 of the PHA Annual Plan for Fiscal Year 2011-2012 to the U.S. Department of Housing and Urban Development (HUD).

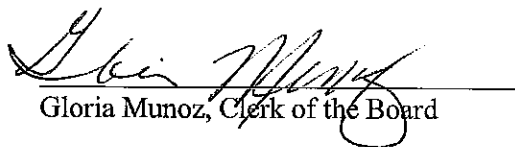
Dated this 14<sup>th</sup> day of September, 2011.

Housing Authority of Maricopa County

ATTEST:



Andrew Kunasek, Chairman

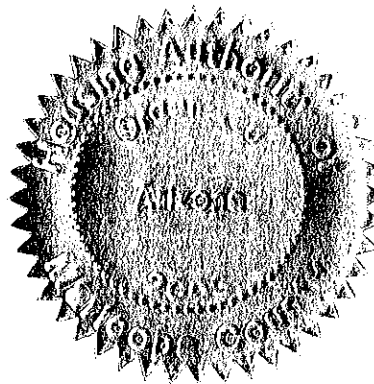


Gloria Munoz, Clerk of the Board

Approved As To Form



Attorney for Housing Authority





# Maricopa County

ANDY KUNASEK, CHAIRMAN  
Board of Supervisors, District 3

301 West Jefferson Street  
10th Floor  
Phoenix, AZ 85003-2143  
Phone: 602-506-7562  
Fax: 602-506-6362  
www.maricopa.gov

## SUPPLEMENT TO RESOLUTION Public Housing Agency Annual Plan for Fiscal year 2011-12 (the "Agreement/Assurance")

Maricopa County hereby makes this supplement to the enclosed Agreement/Assurance with Board of Commissioners of the Housing Authority of Maricopa County, subject to Title VI.

Maricopa County is an applicant/participant in the Agreement/Assurance. Maricopa County is a political subdivision of the State of Arizona and is governed by a Board of Supervisors (the "Board"). The Board consists of five (5) elected persons (see A.R.S. § 11-211). The Board may only exercise its legislative or executive powers, including the power to contract or supervise the disbursement of public money, when acting as a public body (see A.R.S. §§ 11-214 and 251). The Maricopa County Sheriff's Office ("MCSO") is an elected agency of Maricopa County.

As such, the Board has directed me, its Chairman, to make the following disclosure in association with and/or as required by the Agreement/Assurance.

The Board would like to make you aware of a lawsuit that was filed by the U.S. Department of Justice ("DOJ") against Maricopa County and the MCSO. The suit was filed in Arizona District Court on September 2, 2010. See Arizona District Court Case No. 2:10-cv-01878-GMS. In its Complaint the DOJ asserts that certain actions by MCSO violate the assurances of compliance with Title VI. Maricopa County is working to understand the circumstances surrounding the lawsuit and any potential impact the allegations may have on other grants received from the US Government.

We are hopeful that the suit will be resolved quickly without any negative impact on Maricopa County, the grant funds it receives, and specifically, the Agreement/Assurance. Please contact Maricopa County's Policy and Compliance Counsel, Rebekah Francis, with any questions you may have on this issue. She can be reached at (602) 506-8973.

Regards,

A handwritten signature in black ink, appearing to read "Andy Kunasek".

Andy Kunasek  
Chairman, Maricopa County Board of Supervisors

Resolution 11-014, April 13, 2011

Resolution 11-023, June 22, 2011

Resolution 11-035 September 14, 2011

**Civil Rights Certification**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/2011

**Civil Rights Certification****Annual Certification and Board Resolution**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioner, I approve the submission of the Plan for the PHA of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

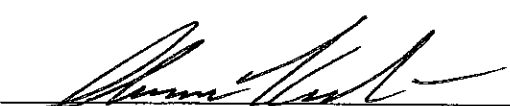
The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing.

Housing Authority of Maricopa County

AZ009

PHA Name

PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)			
Name of Authorized Official	Andrew Kunasek	Title	Chairman , Board of Commissioners
Signature		Date	April 13, 2011

<b>PHA Certifications of Compliance with PHA Plans and Related Regulations</b>	<b>U.S. Department of Housing and Urban Development</b> Office of Public and Indian Housing Expires 4/30/2011
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**PHA Certifications of Compliance with the PHA Plans and Related Regulations:  
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or  Annual PHA Plan for the PHA fiscal year beginning 7/11, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.



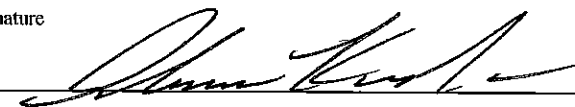
12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
  - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

Housing Authority of Maricopa County AZ009  
 PHA Name PHA Number/HA Code

5-Year PHA Plan for Fiscal Years 20   - 20  

X Annual PHA Plan for Fiscal Years 20 11 - 20 12

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official  Andrew Kunasek	Title  Chairman, Board of Supervisors
Signature 	Date  April 13, 2011

**6.11- Fiscal Year Audit**

The following are the 2010 Audit findings due to the HUD Management review performed onsite in March of 2010 and remotely through July 30, 2010.

A corrective action plan is in place and is being distributed to the local HUD office in phases of completion for approval. The corrective action plan is scheduled to be completed in December 2011.

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2013

Section I: Summary of Auditor's Results:

FINANCIAL STATEMENTS

Type of auditor's report issued	Unqualified
Internal Control over financial reporting:	
Are material weaknesses identified?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are significant deficiencies that are not considered to be material weaknesses identified?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None Reported
Is noncompliance that could have a material effect on the financial statements identified?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

FEDERAL AWARDS

Internal control over major programs:	
Are material weaknesses identified?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are significant deficiencies that are not considered to be material weaknesses identified?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None Reported

Type of report issued on compliance with requirements applicable to each major program:	Unqualified
Are there any audit findings that are required to be reported in accordance with Section 510(a) of CMB Circular A-133?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Identification of major programs:

<u>Name of Federal Program</u>	<u>SFOA No.</u>
Public Housing Program	14.053a
Section 8 Housing Choice Voucher Program	14.071
Capital Fund Program	14.072
Capital Fund Program - Recovery Act Funded	14.085
Community Development Block Grant	14.210

Dollar threshold used to distinguish between type A and type B programs:	\$690,047
Is the auditor certified as a low risk auditor?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

Section II: Financial Statement Findings:

Prior Year Findings and Questioned Costs

None

Current Year Findings and Questioned Costs

None

Section III: Federal Awards Findings & Questioned Costs:

Prior Year Findings and Questioned Costs

Finding 09-01 – Unauthorized Use of HUD Program Funds

Public Housing – CFDA No. 14.852a Grant period – year ended June 30, 2006

Condition & Cause:

During fiscal year 2009, the Authority's Public Housing/Capital Fund programs advanced \$257,578 to other federal award programs within the Authority (this calculation includes the change in the Public Housing program inter-program receivable balance due from the Capital Fund Program). As of June 30, 2009, the Section 81 housing Choice Voucher program reported an inter-program payable balance of \$384,591, an increase of \$544,772 from June 30, 2008. As of June 30, 2009 the Section 81 housing Choice Voucher program did not have funds available to reimburse the Public Housing program.

Current Year Status:

In accordance with the Authority's Reply and Corrective Action Plan specified in the June 30, 2006 Audit Finding 09-01, the Section 8 Housing Choice Voucher Program has reimbursed the Public Housing program for the advances identified. As of June 30, 2010, the Public Housing inter-program receivable balance consisted primarily of a receivable due from the Capital Fund – February Advances program, a reimbursement program. This Finding is not resolved in the current year.

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

Section III: Federal Awards Findings & Questioned Costs - Continued:

Current Year Findings and Questioned Costs

Finding 10-01: HUD Management and Financial Review

Public Housing – CEQA No. 14,853a, Section 8 Housing Choice Voucher Program – CEQA No. 14,871,  
Capital Fund Program – CEQA No. 14,872, Community Development Block Grant – CEQA No. 14,218,  
Grants for Jobs – year ended June 30, 2010

Criteria:

The Code of Federal Regulations, 48 CFR Circular A-87, the HUD Handbook and the Annual Contributions Contract (ACC) provide guidelines for the allowable uses of HUD funds and the administration and management of public housing activities.

Condition, Cause and Effect:

From March of 2010 through July of 2010, HUD conducted a Management and Financial review of the Authority's financial management, and administration and governance over operations. The Review resulted in the following findings:

- 1) Management of the Housing Choice Voucher Program
  - a. The Authority failed to bill and collect funds owed to them by other Housing Authorities in a timely manner during fiscal year 2009.
  - b. The decision to designate \$365,771 as Bad Debt Expense had an adverse effect on the Financial Data Schedule (FDS) HOV program Administrative Fee Equity computation (fiscal year ended 6/30/2009).
  - c. During fiscal year 2009, HAWC increased the number of housing choice vouchers beyond that ability to fund the increase, resulting in a HAP net asset deficit of \$88,809.
  - d. There was a significant difference between HAP expense reported in Voucher Management System (VMS) and HAP expense reported in the general ledger for fiscal year 2009.
  - e. Income Statement accounts in the general ledger were not closed out at the end of the fiscal year ending 6/30/2009.
- 2) Misuse of Program Funds via the Housing Authority Credit Card
  - a. During fiscal years 2009 and 2010, the Authority paid for unrelated meals and social activities totaling \$4,225.
  - b. HAWC credit card was used for frequent small purchases without obtaining prior approval.
  - c. HAWC does not have a written policy for credit card use.

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2013

Section III: Federal Awards Findings & Questioned Costs - Continued:

Current Year Findings and Questioned Costs - Continued:

Finding 10-01 - HUD Management and Financial Review - Continued:

- 3) **HAMC Expenditures of HUD Program Funds on Consultant Contracts Violated 2 CFR Part 225 (DAR Greater A-87) Cost Allowability Requirements and the Annual Cost/Value Contract (ADC)**
  - a. HAMC expenditures from HUD Low-Income Public Housing funds for consultant contracts with Bliton and Associates were for services that were not necessary and at prices that were not established as reasonable.
- 4) **Severance Pay to Executive Director Did Not Meet Cost Allowability Requirements in 2 CFR Part 225 (DAR Greater A-87)**
  - a. Upon the former Executive Director's resignation, HAMC paid him severance pay equal to three months salary without a policy or contractual obligation that would support a severance payment of this amount.
- 5) **The former Executive Director Violated Federal Procurement Requirements and HAMC Policy by Hiring Family members for Repair Jobs**
  - a. The former Executive Director contracted his brother and his son to perform various repair jobs totaling \$6,000.
- 6) **Cost Allocations of Indirect Overhead Were Not Properly Distributed to All Programs**
  - a. Expenditures for salaries and benefits of central office staff were not allocated to the Public Housing Authority subset of the Neighborhood Stabilization Program (NSP/CDBG) contract.
- 7) **HAMC Did Not Have Executed General Depository Agreements**
  - a. HAMC did not have executed General Depository Agreements (Form HUD-6198A) for program bank accounts.
- 8) **The HAMC Failed to Adequately Manage Cash Reserves to Maximize Interest Income During Fiscal Year 2009**
  - a. HAMC lost the opportunity to earn interest income in the amount of at least \$30,000 during fiscal year 2009.

HOUSING AUTHORITY OF  
YAVAPAI COUNTY

SCENARIO OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

Section III: Federal Awards Findings & Questioned Costs - Continued:

Current Year Findings and Questioned Costs - Continued:

Findings 10-01 - HUD Management and Financial Review - Continued:

- 9) Conflict of Interest Violation
- a. In April of 2008, the then Interim Executive Director (also a principal of World Class Services) signed two agreements with the Authority, to provide services as their Government Relations Representation on the Veteran Housing Project and Neighborhood Stabilization Program (NSP/ODSG). The Interim Executive Director's employment contract terminated on September 21, 2008 and he was prohibited by the Annual Contribution Contract from signing a contract with the Authority for one year or after September 2009. In addition, the Interim Executive Director signed the newly hired Executive Director's Employment Agreement and Performance Management Plan on August 28, 2008. The newly hired Executive Director listed the previous Interim Executive Director as a consultant less than a year later, violating conflict of interest requirements. As a result, the Authority misappropriated funds in the amount of \$40,353 (NSP/ODSG, Public Housing and OSGG).
- 10) Failure to Properly Exercise Authority Over the Executive Director Position
- a. The Interim Executive Director signed the newly hired Executive Director's Employment Agreement and Performance Management Plan on August 28, 2008. In February of 2010, the newly appointed Acting Executive Director signed the outgoing Executive Director's Administrative Leave disciplinary action notice. The signing of the documents referenced breaches the possible evidence of lying, terminating and the division of authority between the Board and the Executive Director.
- 11) Failure to Arbitrarily Determine the Performance Evaluation of the Executive Director
- a. Two of the Executive Director's performance evaluation goals, related to securing development deals & raised financing, and securing non HUD funds, were determined to have been met by the Board without supporting documentation that the goals were met. This resulted in the Board improperly regarding the completion of goal attainment in basic fundamental duties, responsibilities and management.
- 12) Failure to Use Written Performance Standards for Classified Employees; Failure to Enforce Standard Evaluation Forms are Used; Failure to Ensure Management's Timely Completion and Appropriate Filing of all Required Evaluations for Classified Employees
- 13) Failure to Monitor and Enforce Cell Phone Policy
- a. HAMS is making inappropriate payments to the cell phone company with federal funds for the excessive charges by the employees.

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

**Section III: Federal Awards Findings & Questioned Costs - Continued:**

**Current Year Findings and Questioned Costs - Continued:**

**Finding 19-06 – HUD Management and Financial Review – Continued:**

- 14) Inconsistent Record Keeping of Employee Files
- 15) Agency's Exception Rule on Hiring a Relative of an Employee in Violation of ACC Control of Interest Requirements
- a. The Authority's Personnel Policy of 6/07/09 has an exception to the hiring of relatives if a prospective employee has "experience, expertise or skills that would benefit HAMC..." This exception violates the ACC Control of Interest requirements, resulting in nepotism and an uncomfortable work environment for other employees.
- 16) HAMC Failed to Regularly Review and Maintain Adequate Files on Employee Driving Records
- a. Personnel files do not provide evidence that the Authority is periodically or annually checking driving records of employees as required, which may cause employees to drive HAMC vehicles with suspended licenses or active driving citations.
- 17) Inconsistent Implementation of Disciplinary Actions
- a. Personnel files reviewed revealed the Authority is inconsistent when issuing and implementing the disciplinary progressive steps. Unequal dissemination of reprimands may cause a negative work environment.
- 18) Failure to Maintain Adequate File Documentation for Administrative Leave Notification
- a. Two employees were on Administrative Leave without sufficient information in their personnel files to justify the action of removing the employees from the workplace pending an investigation. The lack of clarity in management's written transmission of the Administrative Leaves may cause the employees to misinterpret the circumstances of the actions.
- 19) Failure to Follow Disciplinary Action Requirements and Employees' Rights to Appeal
- a. The Executive Director imposed disciplinary action against a Public Housing employee without the Public Housing Supervisor's input. This process did not allow the employee the right to appeal to the Executive Director as per the policy.
- 20) Lack of Written Relocation Policy and Procedures
- a. The Authority approved relocation compensation of \$1,000 for a project manager during the initial hiring process. The lack of policy and procedures for payment of relocation may cause inconsistent approvals and payments among newly hired persons.



HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

Section III: Federal Awards Findings & Questioned Costs - Continued;

Current Year Findings and Questioned Costs - Continued;

Finding 10-01 - HUD Management and Financial Review - Continued;

- 21) Expired Temporary Hiring Contract; Lack of Monitoring of Temporary Hiring Contracts; Lack of Personnel File Maintenance and Record Keeping for Temporary Employees
- a. The Goodwill Staffing Solutions' temporary hiring contract for the period of December 1, 2008 - December 1, 2009 expired, even though services and payments continued to be provided.
- 22) Lack of Internal Written Procedures for Applicant Processing/New Hires; Incomplete and Inconsistent Applicant Recruitment Files
- a. The Hiring process of NSP positions that HAMC conducted included multiple steps during the recruitment of applicants hired, but HAMC lacks the procedures in writing. The incomplete recruitment and applicant files do not insure fair selection of the hiring and selection process.
- 23) Inaccurate Use and Payment of Employment Compensation
- a. An NSP grant funded employee was incorrectly paid for four hours worked.
- 24) Failure to Develop and Adopt a Written Section 3 Policy and Procedures
- a. The Authority could not provide a copy of its Section 3 implementation policy and procedures.
- 25) The HAMC Procurement Policy Does Not Comply With Federal Requirements
- a. HAMC's small purchase threshold of \$25,000, requiring solicitation from only one source, violates 24 CFR 85.36, which requires competition for all procurements. The threshold exceeds the Micro Purchase Threshold of \$5,000 permitted by HUD Handbook 7460.2, Section 5.2.B.
- 26) The HAMC Violated Federal and HUD Small Purchase Procedures, Contract Requirements and Cost Principles
- a. The Authority violated Federal and HUD Small Purchase Procedures by establishing a \$25,000 small purchase threshold (see #25 above). In addition, some contracts awarded specified a scope of work so vague, it was unclear what the contractor was working on or whether the entity was eligible. The HAMC awarded multiple contracts without competition; expensed Federal funds on costs not permitted by 2 CFR Part 225, and awarded contracts without required contractual language/closures.

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

Section III: Federal Awards Findings & Questioned Costs - Continued:

Current Year Findings and Questioned Costs - Continued:

Finding 10-01: HUD Management and Financial Review - Continued:

27) HAMC Awarded Multiple Construction/Renovation Contracts Using Qualifier Based Selection (QBS)

- a. The Authority incorrectly awarded multiple construction/renovation contracts to the NSP program using Qualifier Based Selection (QBS), resulting in multiple contracts awarded without required competition. Use of QBS is limited to architect/engineering services or development partners in mixed financing development projects.

28) HAMC Procurement Files Lacked Adequate Documentation Sufficient to Detail the Significant History of the Procurement

- a. Many procurements, particularly those for management (non-construction), lacked adequate documentation to detail the history of the procurement.

29) Payment of Salaries to Employees Placed on Administrative Leave With Pay and Not Working Directly on Capital Fund Projects

- a. Two employees were placed on paid Administrative Leave during the month of January 2010, and their salaries and benefits have been charged to Capital Fund grants. This resulted in approximately \$23,858 in ineligible charges against the CFP between 1/11/2010 and 4/4/2010.

30) Payment of Salaries to Employees Not Working Directly on Capital Fund Projects

- a. HAMC transferred the Procurement Officer to the position of Grants Writer and hired a new Procurement Officer on June 25, 2010. 50% of the Grants Writer's salary and benefits were charged to Capital Fund grants. This resulted in approximately \$17,270 in ineligible charges against the CFP between 5/16/2008 and 1/7/2010.

Recommendations

HUD's Review Report recommended corrective actions for the Review Findings which include a transfer of Section 8 Housing Voucher Program Administrative Equity to Housing Assistance Payments Equity of \$08,603; a realignment to federal programs, from non-Federal funds, in the amount of \$481,406; a reallocation of salaries and benefits from the Capital Fund Program of \$41,730; the creation and revision of Authority policy and amendments and staff training. We recommend the Authority continue to work with HUD to finalize a Corrective Action Plan.

Reply and Corrective Action Plan

The Authority concurs with the audit finding and is having on-going discussions with HUD to finalize a Corrective Action Plan. Karen Wordard, Interim Executive Director, has assumed the responsibility of implementing the Recommendations and Corrective Action Plan by June 30, 2011, or earlier.

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

**Section III: Federal Awards Findings & Questioned Costs - Continued:**

**Current Year Findings and Questioned Costs - Continued:**

**Finding 10-02 - Housing Quality Standard Inspections and Enforcement**

Section 9 Housing Choice Voucher Program - CHVA No. 14 671; Grant period - year ended June 30, 2010

**Criteria**

The PHA must inspect the unit leased to a family at least annually to determine if the unit meets Housing Quality Standards (HQS) and the PHA must conduct quality control inspections. For units under HAP contracts that fail to meet HQS, the PHA must require the owner to correct any life threatening HQS deficiencies within 24 hours after the inspections and all other HQS deficiencies within 30 calendar days or within a specified PHA approved extension. The PHA must not make any housing assistance payments for a dwelling unit that fails to meet the HQS, unless the owner corrects the defect within the period specified by the PHA and the PHA verifies the correction. The PHA must stop (suspend) Housing Assistance Payments beginning no later than the first of the month following the specified correction period or must terminate the HAP contract. The Code of Federal Regulations gives the requirements for Housing Quality Standard Inspections and Enforcement. Specifically 24 CFR sections 982.158(d) and 982.404 describe the applicable minimum standards to be maintained by the PHA to comply with federal regulations.

**Condition & Cause**

During audit fieldwork 40 HAP contracts were reviewed for HQS compliance. Two contract files revealed failed HQS inspections for which the Authority did not verify the correction within 30 calendar days, and did not suspend the applicable Housing Assistance Payment.

**Recommendation**

We recommend the Authority implement and evaluate a re-inspection and abatement process to provide assurance that HQS compliance are verified within 30 calendar days or a specified PHA approved extension, or Housing Assistance Payments are suspended no later than the first of the month following the specified correction period.

**Reply and Corrective Action Plan**

Karen Mafford, Health Executive Director, has assumed the responsibility of implementing the Recommendation by June 30, 2011.

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

Section III: Federal Awards Findings & Questioned Costs – Continued:

Current Year Findings and Questioned Costs – Continued:

Finding 10-03 – Public Housing Unit Annual Inspections

Public Housing Program – CFDA No. 14.950a; Grant period – year ended June 30, 2010

Criteria:

24 CFR Part 9, Sub-Part G specifies physical inspection of public housing units must be conducted annually.

Condition & Cause

During audit fieldwork 40 Public Housing unit files were reviewed for compliance with HUD guidelines. Of the 40 unit files reviewed, 3 were missing documentation that an annual physical inspection was performed.

Recommendation

We recommend the Authority implement and ensure a unit physical inspection process to provide assurance that Public Housing units are maintained in accordance with HUD standards.

Reply and Corrective Action Plan

Karen Morfitt, Interim Executive Director, has assumed the responsibility of implementing the Recommendation by June 30, 2011.

Finding 10-04 – Equipment and Real Property Management

Public Housing Program – CFDA No. 14.950a, Capital Fund Program – CFDA No. 14.877; Grant period – year ended June 30, 2010

Criteria

The requirements for the management of equipment are contained in the A-102 Comptroller Rule and OMB Circular A-117. A physical inventory of equipment is required to be taken at least once every two years.

Condition & Cause

During audit fieldwork Authority staff could not provide evidence that a physical inventory of equipment acquired under the Public Housing or Capital Fund programs was taken within the previous 2 years.

HOUSING AUTHORITY OF  
MARICOPA COUNTY

SCHEDULE OF FINDINGS  
AND QUESTIONED COSTS

JUNE 30, 2010

Section III: Federal Awards Findings & Questioned Costs - Continued:

Current Year Findings and Questioned Costs - Continued:

Findings 10-04 – Equipment and Real Property Management - Continued:

Recommendation

We recommend the Authority implement a periodic physical inventory process, and reconcile the results of the inventories to the equipment records maintained in the Authority's accounting software.

Reply and Corrective Action Plan

Karen Mofford, Interim Executive Director, has assumed the responsibility of implementing the Recommendation by June 30, 2011.

Findings 10-05 – Reporting, Section 3 Summary Reports

Public Housing Program - CFDA No. 14.897a, Rental Film Program - CFDA No. 14.672, Capital Fund Program - Recovery Act Funded Grant period - year ended June 30, 2010

Criteria:

Public housing authorities are required to submit the Section 3 Summary Report (HUD Form 30007) to HUD annually. The report documents a housing authority's efforts to hire low-income and very low-income individuals and interact with community who hire them.

Condition & Cause

The Section 3 Summary Reports applicable to the calendar year 2009, has not been submitted as of the date of the fiscal year ended June 30, 2010 such that work.

Recommendation

We recommend the Authority submit the required Section 3 Summary Reports, annually. The Report applicable to calendar year 2010 is due in January of 2011.

Reply and Corrective Action Plan

Karen Mofford, Interim Executive Director, has assumed the responsibility of implementing the Recommendation by June 30, 2011.

Az009I03

A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.

Asset management was implemented and is on-going at HAMC. Each AMP has its' own budget, financial reports, inventories. These records are assessed individually in regards to staffing, performance and capital needs. As HAMC continually strives to make improvements in its' public housing stock, HAMC also reviews the long term viability of each site.

The conversion to Asset Management forced the review of the long term viability of each AMP and/or site.

AMP 7 - consists of 45 single family homes that were put under a homeownership program. The radical change to the housing market and economy made this an unsuccessful venture. HAMC received approval to terminate the homeownership program and will be looking to submit a new plan to sell the single family homes after the housing market stabilizes. The disposition of the single family homes will generate additional replacement housing funds to supplement HAMC's plans for future mixed finance ventures or the purchase of existing multi-family properties.

AMP 1 - Coffelt has become obsolete due to age and location. We will be developing a demo/dispo and relocation plan for this property. It is the goal of HAMC to do one for one replacement housing of the Coffelt property through the development of new, smaller properties, or purchase several smaller properties in various locations. Market conditions will dictate the future use or sale of the existing site. During the demo/dispo process HAMC may re-occupy units after informing the applicant about the future of this property.

HAMC intends to absorb the City of Peoria Housing Authority public housing units into the HAMC portfolio. Upon successful completion of this transition, our AMP structuring will be re-assessed and implementing another area based wait list for the existing HAMC owned Peoria properties and the absorbed units.

Our current AMP structure will be reviewed for possible consolidation or a restructure of them in order to increase efficiencies and streamline operations at our field offices.

HAMC has recognized the increased demand for one bedroom apartments. We will be analyzing our four and five bedroom unit stock for possible modification into additional, smaller-sized units.

Through the use of our capital fund dollars, HAMC has aggressively improved public housing units by implementing the "green" concept. HAMC is dedicated to promoting energy efficiencies throughout the agency. HAMC has had a successful partnership with the local utility companies providing Energy Star appliances and CFL bulbs. Energy efficient appliances, heat pumps, and conversion to desert landscaping are examples of our commitment to going "green".

HAMC will be exploring energy performance contracting as a means to improve energy savings for the residents and for the day to day site expenses.

## **SECTION 8 VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY**

### **PURPOSE AND APPLICABILITY**

The purpose of this policy (herein called “Policy”) is to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) and more generally to set forth HAMC’s policies and procedures regarding domestic violence, dating violence, and stalking as hereinafter defined.

This Policy shall be applicable to HAMS’s administration of all federally subsidized public housing and Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. §1437 *et seq.*). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

### **GOALS AND OBJECTIVES**

- A. This Policy has the following principal goals and objectives:
- B. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- C. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by HAMC;
- D. Providing and maintaining housing opportunities for victims of domestic violence, dating violence or stalking;
- E. Creating and maintaining collaborative arrangements between HAMC, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by HAMC; and
- F. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by HAMC.

### **OTHER HAMC POLICIES AND PROCEDURES**

This Policy shall be incorporated in and made a part of HAMC’s Admissions and Continued Occupancy Policy and its Section 8 Administrative Policy.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of HAMC, the provisions of this Policy shall prevail.

### **DEFINITIONS**

As used in this Policy:

A. *Domestic Violence* – The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

B. *Dating Violence* – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

C. *Stalking* –(A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and (B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to –

- (i) that person;
- (ii) a member of the immediate family of that person; or
- (iii) the spouse or intimate partner of that person;

D. *Immediate Family Member* - with respect to a person –a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or any other person living in the household of that person and related to that person by blood or marriage.

E. *Perpetrator* –person who commits an act of domestic violence, dating violence or stalking against a victim.

## **ADMISSIONS AND SCREENING**

A. *Non-Denial of Assistance.* HAMC will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

B. *Admissions Preference.* Applicants for housing assistance from HAMC will receive a preference in admissions by virtue of their status as victims of domestic violence [dating violence, stalking]. This preference is particularly described as follows: This preference is



available to applicants who are wither actually or threatened physical violence including dating violence, or stalking directed against one or more members of the family by a spouse or other member of the applicant's household. (a) To qualify HAMC shall determine that the domestic violence occurred recently or is of continuing nature: and (b) the applicant shall certify that the person who engaged in such violence will not reside with the applicant family unless the HAMC has given advance written approval. If the family is admitted, HAMC may deny or terminate assistance to the family for breach of this certification.

*C. Mitigation of Disqualifying Information.* When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, HAMC, may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. If requested by an applicant to take such mitigating information into account, HAMC shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. HAMC will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

## **TERMINATION OF TENANCY OR ASSISTANCE**

A. *VAWA Protections.* Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by HAMC:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
2. In addition to the foregoing, tenancy or assistance will not be terminated by HAMC as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
  - a. Nothing contained in this paragraph shall limit any otherwise available authority of HAMC' or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither HAMC nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.

- b. Nothing contained in this paragraph shall be construed to limit the authority of HAMC or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or HAMC, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

**B. *Removal of Perpetrator.*** Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, HAMC or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by HAMC. Leases used for all public housing operated by HAMC and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by HAMC, shall contain provisions setting forth the substance of this paragraph.

## **VERIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE OR STALKING**

**A. *Requirement for Verification.*** The law allows, but does not require, HAMC or a section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., HAMC shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by HAMC. Section 8 owners or managers receiving rental assistance administered by HAMC may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* - by providing to HAMC or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.

2. *Other documentation* - by providing to HAMC or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
3. *Police or court record* – by providing to HAMC or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

B. *Time allowed to provide verification/ failure to provide.* An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by HAMC, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (*i.e.*, 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.

C. *Waiver of verification requirement.* The Executive Director of HAMC, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

## **CONFIDENTIALITY**

A. *Right of confidentiality.* All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to HAMC or to a Section 8 owner or manager in connection with a verification required under section VII of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

1. requested or consented to by the individual in writing, or
2. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or

3. otherwise required by applicable law.

B. *Notification of rights.* All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by HAMC shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

## **TRANSFER TO NEW RESIDENCE**

- A. *Application for transfer.* In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, HAMC will, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit in order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.
- B. *Action on applications.* HAMC will act upon such an application promptly [alternatively, insert a number of business days].
- C. *No right to transfer.* HAMC will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, except with respect to portability of Section 8 assistance as provided in paragraph IX. E. below the decision to grant or refuse to grant a transfer shall lie within the sole discretion of HAMC, and this policy does not create any right on the part of any applicant to be granted a transfer.
- D. *Family rent obligations.* If a family occupying HAMC public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by HAMC. In cases where HAMC determines that the family's decision to move was reasonable under the circumstances, HAMC may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.
- E. *Portability.* Notwithstanding the foregoing, a Section 8-assisted tenant will not be denied. Portability to a unit located in another jurisdiction will be allowed (even though the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence, dating violence, or stalking, and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

## **COURT ORDERS/FAMILY BREAK-UP**

A. *Court orders.* It is HAMC's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by HAMC and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

B. *Family break-up.* Other HAMC policies regarding family break-up are contained in HAMC's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Administrative Policy.

## **RELATIONSHIPS WITH SERVICE PROVIDERS**

It is the policy of HAMC to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If HAMC staff become aware that an individual assisted by HAMC is a victim of domestic violence, dating violence or stalking, HAMC will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring HAMC either to maintain a relationship with any particular provider of shelter or services to victims or domestic violence or to make a referral in any particular case. HAMC's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which HAMC has referral or other cooperative relationships.

## **NOTIFICATION**

HAMC shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

## **RELATIONSHIP WITH OTHER APPLICABLE LAWS**

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

## **AMENDMENT**

This policy may be amended from time to time by HAMC as approved by the HAMC Governing Board.

## Item 6.13 VAWA

HAMC has a resource and referral listing available at all site offices. All public housing residents are made aware of the rights outlined in the Violence Against Women Act by signing the following lease addendum:

**LEASE ADDENDUM  
VIOLENCE AGAINST WOMEN ACT**

In January of 2006, a law was passed known as the Violence Against Women Act. The purpose of this addendum is to incorporate the provisions of this act regarding domestic violence, dating violence, and stalking, as hereinafter defined.

1. An incident of actual or threatened domestic violence, dating violence, or stalking, shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence. Additionally, criminal activity directly relating to domestic violence, dating violence, or stalking engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of the tenancy or occupancy rights, if and only if, the tenant or immediate member of the tenant's family is a victim of that domestic violence, dating violence, or stalking.
2. Notwithstanding Section 1, or any Federal, State, or local law to the contrary, the Housing Authority may split a lease or remove a household member from a lease without regard to whether a household member is a signatory to a lease in order to evict, remove, or terminate occupancy rights of any individual who is a tenant or lawful occupant and who engaged in criminal acts of physical violence against family members or others without evicting, removing, or terminating occupancy rights or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant. Such eviction or removal of occupancy rights shall be effected in accordance with the procedures prescribed by Federal, State and local law.
3. Nothing in this section:
  - a. limits the Housing Authority from honoring court orders addressing rights of access or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household members in cases where a family breaks up;
  - b. limits the Housing Authority from evicting a tenant for any violation of a lease not premised on the act or acts of violence in question against the tenant or a member of the tenant's household, provided that the Housing Authority does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict;
  - c. limits the Housing Authority to terminate the tenancy of any tenant if the Housing Authority can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant is not evicted;
  - d. supercedes any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, or stalking.
4. All information the Housing Authority may request to confirm domestic violence, dating violence or stalking victim status, pursuant to Federal law, shall be retained in confidence by the Housing Authority, and shall neither be entered into any shared database nor provided to any related entity, except to the extent that disclosure is:
  - a) requested or consented to by the individual in writing,
  - b) required for use in an eviction proceeding; or
  - c) otherwise required by applicable law.

5. For the purpose of this amendment, the following definitions apply:
- a. "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under domestic or family violence laws, or by an other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws.
  - b. "dating violence" is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such relationship shall be determined based on a consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship;
  - c. "stalking" is defined as following, pursuing, or repeatedly committing acts with the intent to kill, injure, harass, or intimidate another person; or placing under surveillance with the intent to kill injure, harass, or intimidate another person; and, in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, placing a person in reasonable fear of the death of, or serious bodily injury to, or causing substantial emotional harm to that person; a member of the immediate family of that person; or the spouse or intimate partner of that person.
  - d. "immediate family member", with respect to a person, is identified as a spouse, parent, brother or sister, or a child of that person, or an individual to whom that person is legally responsible for; or any other person living in the household of that person and related to that person by blood or marriage.

\_\_\_\_\_  
Tenant Signature

\_\_\_\_\_  
Tenant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## ONE YEAR Plan Input for Section 7.0 (a) and (b)

### **Hope VI or Mixed Finance Modernization or Development and Demolition and/or Disposition.**

#### Coffelt-Lameroux Project AZ20P009001/Public Housing

A 300 unit complex built in 1955 located in the City of Phoenix jurisdiction. HAMC contracted with ASU Stardust to assist in applying for Choice Neighborhoods Program funding for development of replacement housing units. The application for Choice Neighborhoods Program was submitted in June 2010. If the project is not selected under the Choice Neighborhoods Program it is the intention of HAMC to seek other alternative ways to replace the housing. The plan is seeking all options available to replace the housing including project based Vouchers, Enhanced Vouchers, VASH Replacement Housing Vouchers and HOPE VI, if funding is available. The financing could include Low Income Housing Tax Credits, Tax Exempt Financing, Energy Performance Contract (EPC), Private and any other sources available for affordable housing development. A planning committee will be created that may include a Board of Commissioner Member, resident advocate, public housing staff, and other stakeholders in the neighborhood.

The HAMC will do an assessment, to convert, acquire, increase or develop more public housing units, depending upon availability of funding.

#### Rose Terrace Project AZ20P009013

Rose Terrace is a 100 unit complex financed with Low Income Housing Tax Credits and private dept. HAMC has 40 units of public housing in the complex. HAMC has constructed a pro forma where as they own and manage the 100 units. The 40 public housing units will remain as is. The addition will be to add 60 Project Based Vouchers (PBV) to the pool. HAMC will provide two waiver requests regarding the 25% CAP margin and a waiver for the PHA being owner and manager. The PHA understands that under no circumstance shall a PBV be used in a public housing unit.

#### Community Needs:

The City of Avondale, Arizona is located Maricopa County, the most populated county in the state. Arizona has been hit hard by the economic crunch resulting from the massive foreclosures that began in 2008 and continue today. Maricopa County was listed as third in the nation with the highest foreclosure rates in a county. This has had an extremely negative effect upon the state, county, and the cities, such as Avondale.

Avondale is a city located in the West Valley and has a population of 84,914 persons. The poverty rate of 16.5 percent for the city is only slightly higher than the state poverty rate of 16.3 percent.



According to data from the Association of Arizona Food Banks, Avondale leads the way among Arizona cities in child poverty with 26% of children 18 years of age and younger who live in poverty as of 2009. By comparison, 16.3% of the general population living in the physicality of Maricopa County as a whole had income levels at or below the poverty line for that same time period. Of the 16.3% families in Maricopa County at the poverty level, 21.9% of the children 18 years of age and younger lived in poverty. Almost one in four children in Arizona 18 years of age and under lived in poverty in 2009.

Approximately 54.6% residents living in Avondale below poverty level are renters. HUD published 2011 Fair Market Rents for the area for a two bedroom unit are \$936 and \$1,363 for a three bedroom (utilities included). Even though the economy has taken a downturn, the cost of housing has not. The resulting higher rents and decreased income and economic stability have created a cost of living that in Avondale, and Arizona in general, is a drain on the economic viability of poverty-stricken families.

The availability of affordable housing is essential to strengthening communities, especially in the state of the current economy.

See Housing Choice Voucher Project Based Assistance Plan for further information regarding the following:

Income Mix	Method of Selection	PBV Waitlist
Tenant Selection Preferences	Income Limits	Occupancy Standard
HAP Contract	Supportive Services	

02009P 03

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 4/30/2011

Annual Statement/Performance and Evaluation Report  
Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
Capital Fund Financing Program

**Part I: Summary**

PHFA Name: **Housing Authority Maricopa County**

Grant Type and Number: **Capital Fund Program Grant No: AZ20P00950108**

Replacement Housing Factor Grant No: **08**

Date of CFFP: **06/30/11**

FFY of Grant: **2008**

FFY of Grant Approval: **2008**

Line	Type of Grant <input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/11	Summary by Development Account	Total Estimated Cost		Total Actual Cost <sup>1</sup>	
			Original	Revised <sup>2</sup>	Obligated	Expended
1		Total non-CFF Funds	0			
2		1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	\$ 115,000	115,000.00	115,000.00	115,000.00
3		1408 Management Improvements	\$ 27,000	26,560.30	26,560.30	26,560.30
4		1410 Administration (may not exceed 10% of line 21)	\$ 115,000	115,000.00	115,000.00	115,000.00
5		1411 Audit	\$ 0			
6		1415 Liquidated Damages	0			
7		1430 Fees and Costs	\$ 35,500	35,500.00	35,500.00	35,500.00
8		1440 Site Acquisition	0			
9		1450 Site Improvement	\$ 406,140	160,000.00	160,000.00	160,000.00
10		1460 Dwelling Structures	\$ 276,143	671,998.01	654,688.31	628,627.83
11		1465.1 Dwelling Equipment---Nonexpendable	\$ 72,500	34,090.69	34,090.69	34,090.69
12		1470 Non-dwelling Structures	\$ 20,000	3,130.00	3,130.00	3,130.00
13		1475 Non-dwelling Equipment	\$ 74,750	74,750.00	74,750.00	74,750.00
14		1485 Demolition				
15		1492 Moving to Work Demonstration	0			
16		1495.1 Relocation Costs	0			
17		1499 Development Activities <sup>4</sup>	0			

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

<b>Part I: Summary</b>		FFY of Grant: 2008 FFY of Grant Approval: 2008	
PHA Name: Housing Authority Maricopa County	Grant Type and Number Capital Fund Program Grant No: A230P00950108 Replacement Housing Factor Grant No: Date of CFFP:		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/11 <input type="checkbox"/> Final Performance and Evaluation Report			
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost <sup>1</sup>
		Original	Revised <sup>2</sup> Obligated Expended
18a	1501 Collateralization or Debt Service paid by the PHA	0	
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment	0	
19	1502 Contingency (may not exceed 8% of line 20)	93,996	
20	Amount of Annual Grant: (sum of lines 2 - 19)	\$ 1,236,029	1,218,719.30
21	Amount of line 20 Related to LBP Activities	0	
22	Amount of line 20 Related to Section 504 Activities	0	
23	Amount of line 20 Related to Security - Soft Costs	0	
24	Amount of line 20 Related to Security - Hard Costs	0	
25	Amount of line 20 Related to Energy Conservation Measures	\$ 555,396.07	555,396.07
Signature of Executive Director		Signature of Public Housing Director	
Date		Date	

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

Part II: Supporting Pages		Federal FFY of Grant: 2008						
PHA Name:		Grant Type and Number						
Housing Authority Maricopa County		Capital Fund Program Grant No: AZ20P00950108						
		CFPP (Yes/No): No						
		Replacement Housing Factor Grant No:						
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
HA Wide	Operations	1406		115,000.00	115,000.00	115,000.00	115,000.00	Complete
	Consulting, utility study	1408		27,000.00	26,560.30	26,560.30	26,560.30	Complete
	Admin - salaries	1410		115,000.00	115,000.00	115,000.00	115,000.00	Complete
AMP 1	Design / feasibility study	1430		35,500.00	35,500.00	35,500.00	35,500.00	Complete
HA Wide	Appliances and coolers	1465.1		70,000	34090.69	34090.69	34090.69	complete
PHA	Office remodel	1470				2,930.00	2,930.00	Complete
AMP 2	Soffit/Roof repair	1470				200.00	200.00	Complete
	1470 Totals			20,000	3,130	3,130.00	3,130.00	Complete
HA Wide	Computer equipment	1475				4216.58	4216.58	Complete
AMP 2 & 4	Copier	1475	1			3990.00	3990.00	Complete
AMPs 2, 4, 5,6,7,8,9,10	Vehicles	1475	4			63,255.17	63,255.17	Complete
AMps 2,4,8,9,10	Tools/Equipment	1475	6			3,288.25	3,288.25	Complete
	1475 Totals			74750.00	74750.00	74750.00	74750.00	Complete

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
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Part II: Supporting Pages		Federal FFY of Grant: 2008						
PHA Name:		Grant Type and Number						
Housing Authority Maricopa County		Capital Fund Program Grant No: AZZ0P00950108						
		CFFP (Yes/No): No						
		Replacement Housing Factor Grant No:						
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
AMP 5 & 8	Parking lot paving	1450	2 sites			128523.46	128523.46	Completed
AMP 9	Bob cat Rental	1450				751.30	751.30	Completed
AMP 10	Block wall	1450				25522.13	25522.13	Completed
AMP 2	Walkway & Deck Repair	1450				5000.00	5000.00	Completed
AMP 2	Pigeon Control	1450				203.11	203.11	Completed
	Total 1450			406140.00	160,000.00	160,000.00	160,000.00	Completed
AMP 1	Hot Water Heaters	1460	10			3,235.93	3,235.93	Completed
AMP 8	Exterior Painting	1460	30 units			28,893.18	2,832.70	In progress
AMP 2	Flooring	1460	2			10,888.05	10,888.05	Completed
AMP 7	Heat Pump	1460	1			3,699.37	3,699.37	Completed
AMP 8 & 9	HVAC	1460	60 units			551,696.70	551,696.70	Completed
AMP 7 - scattered site	Doors, materials, labor, int/ext upgrade	1460	2			7,124.18	7,124.18	Completed
AMP 6	Exterior repairs & Paint	1460	2 sites			47,367.08	47,367.08	Completed
AMP 5	Exterior repairs	1460	1 site			1,783.82	1,783.82	Completed
	Total 1460			276,143.00	671,998.01	654,688.31	628,627.83	

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

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Part III: Implementation Schedule for Capital Fund Financing Program				Federal FFY of Grant: 2008	
PHA Name: Housing Authority Maricopa County					
Development Number Name/PHA-Wide Activities	All Fund Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates <sup>1</sup>
	Original Obligation End Date	Actual Obligation End Date	Original Expenditure End Date	Actual Expenditure End Date	
PHA Wide	06/12/10	06/12/10	06/12/12		
AMP 1	06/12/10	06/12/10	06/12/12		
AMP 2	06/12/10	06/12/10	06/12/12		
AMP 4	06/12/10	06/12/10	06/12/12		
AMP 5	06/12/10	06/12/10	06/12/12		
AMP 6	06/12/10	06/12/10	06/12/12		
AMP 7	06/12/10	06/12/10	06/12/12		
AMP 8	06/12/10	06/12/10	06/12/12		
AMP 9	06/12/10	06/12/10	06/12/12		
AMP 10	06/12/10	06/12/10	06/12/12		

<sup>1</sup> Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

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Part I: Summary		FFY of Grant: 2009		
PHA Name:		FFY of Grant Approval: 2009		
Housing Authority: Maricopa County				
Grant Type and Number				
Capital Fund Program Grant No: AZ20P00950109				
Replacement Housing Factor Grant No:				
Date of CFFP:				
Type of Grant	Original	Revised <sup>2</sup>	Obligated	Total Actual Cost <sup>1</sup>
<input type="checkbox"/> Original Annual Statement				
<input type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/11				
<input checked="" type="checkbox"/> Summary by Development Account				
1	Total non-CFFP Funds	0		
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	\$ 115,000	\$ 115,000.00	115,000.00
3	1408 Management Improvements	\$ 50,000	\$ 50,000.00	4241.00
4	1410 Administration (may not exceed 10% of line 21)	\$ 65,000	\$ 65,000.00	32,364.64
5	1411 Audit	0		
6	1415 Liquidated Damages	0		
7	1430 Fees and Costs	\$ 25,000	75,000.00	41,635.52
8	1440 Site Acquisition	0		
9	1450 Site Improvement	\$ 135,399	385,399.00	53,118.11
10	1460 Dwelling Structures	\$ 550,884	300,884.00	174,865.93
11	1465.1 Dwelling Equipment—Nonexpendable	\$ 50,000	\$ 50,000.00	19,840.83
12	1470 Non-dwelling Structures	\$ 37,000	\$ 37,000.00	0
13	1475 Non-dwelling Equipment	\$ 56,000	\$ 56,000.00	56,000
14	1485 Demolition			
15	1492 Moving to Work Demonstration	0		
16	1495.1 Relocation Costs	0		
17	1499 Development Activities <sup>4</sup>	\$ 70,000	\$ 70,000.00	0

<sup>1</sup> To be completed for the Performance and Evaluation Report.

<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>3</sup> PHAs with under 250 units in management may use 100% of CFFP Grants for operations.

<sup>4</sup> RHF funds shall be included here.

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 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
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<b>Part I: Summary</b>		FFY of Grant: 2009 FFY of Grant Approval: 2009	
PHA Name: Housing Authority Maricopa County	Grant Type and Number Capital Fund Program Grant No: AZ20P0950109 Replacement Housing Factor Grant No: Date of CFFP:		
Type of Grant <input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/2011 <input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Summary by Development Account <input type="checkbox"/> Final Performance and Evaluation Report			
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost <sup>1</sup>
		Original	Obligated
18a	1501 Collateralization or Debt Service paid by the PHA	0	
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment	0	
19	1502 Contingency (may not exceed 8% of line 20)	\$ 98,880.00	0
20	Amount of Annual Grant: (sum of lines 2 - 19)	\$ 1,253,163	\$ 562,789.67
21	Amount of line 20 Related to LBP Activities	0	497,066.03
22	Amount of line 20 Related to Section 504 Activities	0	
23	Amount of line 20 Related to Security - Soft Costs	0	
24	Amount of line 20 Related to Security - Hard Costs	0	
25	Amount of line 20 Related to Energy Conservation Measures	\$ 177,050	103,539.582
<b>Signature of Executive Director</b>		<b>Signature of Public Housing Director</b>	
<i>[Signature]</i>		<i>[Signature]</i>	
<b>Date</b>		<b>Date</b>	
6-23-11			

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.



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Part II: Supporting Pages		Federal FFY of Grant: 2009						
PHA Name:		Grant Type and Number						
Housing Authority Maricopa County		Capital Fund Program Grant No: A220P00950109						
		CFPP (Y/es/No): No						
		Replacement Housing Factor Grant No:						
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
HA Wide	Operations	1406		115,000	115,000	115,000	115,000	Complete
HA Wide	Mgmt Imp- Anti-Virus/Software Training	1408				2654.00	2654.00	Complete
	<b>Total 1408</b>			50,000	50,000	4881.20	4241.00	In Progress
HA	Salaries	1410		65,000	65,000	32,364.64	32,364.64	On-going
AMP 1	Coffelt Site Evaluation	1430				2,723.85	2,723.85	complete
AMP 2	HVAC Arch/Engineering /ldspe design	1430				23545.75	21795.75	In progress
AMP 2,5,8, 9,10	Landscaping HVAC, paving, block wall ads	1430				9505.76	9505.76	Complete
HA Wide	Blue Print Scan	1430				1871.51	1723.11	On-going
AMP 2, 8	Asbestos Survey	1430				5887.05	5887.05	Complete
	<b>Total for 1430</b>			25,000	75,000	43533.92	41635.52	

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Part II: Supporting Pages		Federal FFY of Grant: 2009					
PHA Name:		Grant Type and Number					
Housing Authority Maricopa County		Capital Fund Program Grant No. AZ20P00950109					
		CFFF (Yes/ No): No					
		Replacement Housing Factor Grant No:					
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost	Total Actual Cost	Status of Work	
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>
AMP 2	Pigeon Control	1450	1 site			732.92	732.92
AMP 2	Sewer Line	1450	1 bldg			1100.00	1100.00
AMP 2	HVAC Screening Walls (balance)	1450				833.00	833.00
AMP 6	Maint. Yard wall, concrete & Idspe	1450	1 site			49,877.19	46,127.19
AMP 7	Tree Removal	1450				575.00	575.00
	<b>Total 1450</b>			135,399	385,399	53,118.11	49,368.11
AMP 1	Storm damage repairs to elect/roof	1460	1 bldg			2,801.96	2,801.96
AMP 2,5,7,8	HVAC/duct/insulation (inc balance 2008)	1460				64,098.69	21,244.45
AMP 5,6,7,8	Ext doors/jams/weatherstrip	1460	6			4,664.27	4,664.27
AMP 2	Porch deck/walkway repairs	1460	1 site			7,957.07	7,957.07
AMP 2	Flooring	1460				9,989.00	425.00
AMP 2	Bath/Shower/Toilet replacements	1460	10			20,635.00	20,635.00
AMP 2	Exterior Repairs and Painting	1460	2 sites			80,778.27	80,671.45
AMP 2	Roofing	1460	1 site			9,544.05	9,544.05
AMP 8,9,10	Hot water heaters	1460				11,593.83	7,410.46
AMP 5	Interior Unit Repairs	1460	1 unit			5,800.00	5,800.00
AMP 7	Kitchen, bath & interior House remodel	1460	2 houses			18,788.83	13,712.22
	<b>Total 1460</b>			550,884	300,884	236,650.97	174,865.93

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

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Part II: Supporting Pages		Federal FFY of Grant: 2009				
PHA Name:		Grant Type and Number				
Housing Authority: Maricopa County		Capital Fund Program Grant No. AZ20P00950109				
		CFEP (Yes/No): No				
		Replacement Housing Factor Grant No:				
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Status of Work
				Original	Revised <sup>1</sup>	
				Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
AMP 2,4,5,9	Ranges, refrigerators, ADA ranges	1465.1		50,000	19,840.83	On-going
	Non-dwelling structure	1470		37,000	0	Not started
	Tools	1475			1,377.52	Complete
	Dedicated Servers & switches	1475			15,879.88	Complete
	Maintenance Vehicle & Lift gate	1475			19,142.60	Complete
	Office, community room A/C units	1475			19,600.00	Complete
	<b>Total for 1475</b>			56,000	56,000.00	Complete
	Development Activities	1499		70,000	0	
	Contingency	1502		98,880	0	
	<b>TOTALS</b>			1,253,163	236,650.97	174,865.93

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Part III: Implementation Schedule for Capital Fund Financing Program					
PHA Name: Housing Authority Marticopa County					
Development Number Name/PHA-Wide Activities	All Fund Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates <sup>1</sup>
	Original Obligation End Date	Actual Obligation End Date	Original Expenditure End Date	Actual Expenditure End Date	
HA Wide/all AMPs	09/14/2011		09/14/2013		

<sup>1</sup> Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

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Part I: Summary		FFY of Grant 2010 FFY of Grant Approval:	
PHA Name: Housing Authority of Maricopa County		Grant Type and Number Capital Fund Program Grant No: AZ20P00950110 Replacement Housing Factor Grant No: Date of CFFP:	
Type of Grant	<input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/11	<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost <sup>1</sup>
		Original	Obligated
1	Total non-CFFP Funds		
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	115,000	115,000
3	1408 Management Improvements	35,000	
4	1410 Administration (may not exceed 10% of line 21)	75,000	
5	1411 Audit		
6	1415 Liquidated Damages		
7	1430 Fees and Costs	20,000	
8	1440 Site Acquisition		
9	1450 Site Improvement	342,885	
10	1460 Dwelling Structures	500,000	
11	1465.1 Dwelling Equipment—Nonexpendable	25,000	
12	1470 Non-dwelling Structures		
13	1475 Non-dwelling Equipment	40,000	1,146.34
14	1485 Demolition		1,146.34
15	1492 Moving to Work Demonstration		
16	1495.1 Relocation Costs	6,000	
17	1499 Development Activities <sup>4</sup>		

<sup>1</sup> To be completed for the Performance and Evaluation Report.

<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>3</sup> PHAs with under 250 units in management may use 100% of CFFP Grants for operations.

<sup>4</sup> RHF funds shall be included here.

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<b>Part I: Summary</b>		FFY of Grant: 2010 FFY of Grant Approval:	
PHA Name: Housing Authority of Maricopa County	Grant Type and Number Capital Fund Program Grant No: AZ20P00950110 Replacement Housing Factor Grant No: Date of CFFP:		
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 06/30/11		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
<b>Line</b>	<b>Summary by Development Account</b>	<b>Total Estimated Cost</b>	<b>Total Actual Cost<sup>1</sup></b>
		<b>Original</b>	<b>Obligated</b>
18a	1501 Collateralization or Debt Service paid by the PHA		
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment		
19	1502 Contingency (may not exceed 8% of line 20)	80,000	
20	Amount of Annual Grant: (sum of lines 2 - 19)	1,238,885	116,146.34
21	Amount of line 20 Related to LBP Activities		
22	Amount of line 20 Related to Section 504 Activities	25,000	
23	Amount of line 20 Related to Security - Soft Costs		
24	Amount of line 20 Related to Security - Hard Costs		
25	Amount of line 20 Related to Energy Conservation Measures	300,000	
<b>Signature of Executive Director</b>		<b>Signature of Public Housing Director</b>	
<i>[Signature]</i>		<i>[Signature]</i>	
<b>Date</b> 6-23-11		<b>Date</b>	

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

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Part II: Supporting Pages		Federal FFY of Grant: 2010						
PHA Name: HOUSING AUTHORITY OF MARICOPA COUNTY		Grant Type and Number Capital Fund Program Grant No: AZZ0P00950110 CFFP (Yes/No): Replacement Housing Factor Grant No:						
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
PHA Wide	Operations	1406		115,000		115,000	115,000	
	Consulting, Training, Salary Software	1408		35,000		0	0	
	Administration Cost	1410		75,000		0	0	
	Modernization, Design Work	1430		20,000		0	0	
	Streets, Sidewalks, Landscaping, Fencing	1450		332,885		0	0	
	Windows, Doors, Plumbing Elect. Lighting	1460		156,100		0	0	
	Appliances, coolers	1465.1		25,000		0	0	
AMP 5, 8, 9, 10	Maintenance tools	1475		40,000		1,146.34	1,146.34	
	Contingency	1502		80,000		0	0	

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

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Part III: Implementation Schedule for Capital Fund Financing Program		Federal FFY of Grant: 2010		
PHA Name: HOUSING AUTHORITY OF MARICOPA COUNTY				
Development Number Name/PHA-Wide Activities	All Fund Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)	Reasons for Revised Target Dates <sup>1</sup>
	Original Obligation End Date	Actual Obligation End Date		
PHA Wide Activities	07/14/2012		07/14/2014	
AMP 1	07/14/2012		07/14/2014	
AMP 2	07/14/2012		07/14/2014	
AMP 4	07/14/2012		07/14/2014	
AMP 5	07/14/2012		07/14/2014	
AMP 6	07/14/2012		07/14/2014	
AMP 7	07/14/2012		07/14/2014	
AMP 8	07/14/2012		07/14/2014	
AMP 9	07/14/2012		07/14/2014	
AMP 10	07/14/2012		07/14/2014	

<sup>1</sup> Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.



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Part I: Summary		FFY of Grant: 2011 FFY of Grant Approval:	
PHA Name: Housing Authority of Maricopa County		Grant Type and Number Capital Fund Program Grant No: AZ20P00950111 Replacement Housing Factor Grant No: Date of CFFP:	
Type of Grant	<input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost Revised <sup>1</sup>	Total Actual Cost <sup>1</sup> Expended
		Obligated	
1	Total non-CFFP Funds		
2	1406 Operations (may not exceed 20% of line 21) <sup>2</sup>	150,000	
3	1408 Management Improvements	35,000	
4	1410 Administration (may not exceed 10% of line 21)	90,000	
5	1411 Audit		
6	1415 Liquidated Damages		
7	1430 Fees and Costs	30,000	
8	1440 Site Acquisition		
9	1450 Site Improvement	85,000	
10	1460 Dwelling Structures	517,515	
11	1465.1 Dwelling Equipment—Nonexpendable	30,000	
12	1470 Non-dwelling Structures	20,000	
13	1475 Non-dwelling Equipment	10,000	
14	1485 Demolition		
15	1492 Moving to Work Demonstration		
16	1495.1 Relocation Costs	20,000	
17	1499 Development Activities <sup>4</sup>		

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

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<b>Part I: Summary</b>		FFY of Grant: 2011	
PHA Name: Housing Authority of Maricopa County	Grant Type and Number Capital Fund Program Grant No. AZ20P00950111 Replacement Housing Factor Grant No: Date of CFPP:	FFY of Grant Approval:	
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Reserve for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement (revision no: )	
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost <sup>1</sup>
		Original	Revised <sup>2</sup>
		Obligated	Expended
18a	1501 Collateralization or Debt Service paid by the PHA		
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment		
19	1502 Contingency (may not exceed 8% of line 20)	50,000	
20	Amount of Annual Grant:: (sum of lines 2 - 19)	1,037,515	
21	Amount of line 20 Related to LBP Activities		
22	Amount of line 20 Related to Section 504 Activities		
23	Amount of line 20 Related to Security - Soft Costs		
24	Amount of line 20 Related to Security - Hard Costs		
25	Amount of line 20 Related to Energy Conservation Measures	344,530	
<b>Signature of Executive Director</b>		<b>Signature of Public Housing Director</b>	
<i>[Signature]</i>		<i>[Signature]</i>	
<b>Date</b>		<b>Date</b>	
7-21-11		7-21-11	

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

Part II: Supporting Pages		Federal FFY of Grant: 2011						
PHA Name: HOUSING AUTHORITY OF MARICOPA COUNTY		Grant Type and Number Capital Fund Program Grant No: AZ20P00950111 CFPP (Yes/ No): Replacement Housing Factor Grant No:						
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
PHA Wide	Operations	1406		150,000				
PHA Wide	Consulting, Training, Salary Software	1408		35,000				
PHA Wide	Administration Cost	1410		90,000				
PHA Wide	Modernization, Design Work	1430		30,000				
PHA Wide	Fencing, Sidewalks, Streets, Landscaping							
PHA Wide	Signage	1450		85,000				
PHA Wide	Doors, Furnaces, Elec., Plumbing							
PHA Wide	Kitchen, Bath Upgrades	1460	5	18,985				
PHA Wide	Appliances, coolers	1465.1		30,000				
PHA Wide	Computer, Office Equipment	1475		10,000				
PHA Wide	Contingency	1502		50,000				

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

Part II: Supporting Pages		Federal FFY of Grant: 2011						
PHA Name: HOUSING AUTHORITY OF MARICOPA COUNTY		Grant Type and Number Capital Fund Program Grant No: AZ20P00950111 CFFP (Yes/No):	Replacement Housing Factor Grant No:					
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
AMP 2	Flooring	1460	10 Units	30,000				
AMP 2	Roofs	1460	11 Buildings	82,000				
AMP 4	Flooring	1460	8 Units	20,000				
AMP 5	Heat Pumps	1460	42 Units	336,130				
AMP 7	Heat Pumps	1460	2 Units	8,400				
AMP 7	Kitchen, Baths	1460	4 Units	22,000				
AMP 8	Storage Building	1470	1	20,000				

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

Part III: Implementation Schedule for Capital Fund Financing Program					Federal FFY of Grant:	
Development Number Name/PHA-Wide Activities	All Fund Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates <sup>1</sup>	
	Original Obligation End Date	Actual Obligation End Date	Original Expenditure End Date	Actual Expenditure End Date		
PHA Wide Activities	07/15/2013					

<sup>1</sup> Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

<b>Part I: Summary</b>						
PHA Name/Number Housing Authority of Maricopa County AZ20P00950111		Locality (City/County & State) Phoenix, Maricopa, Arizona			<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
A.	Development Number and Name	Work Statement for Year 1 FFY __2011__	Work Statement for Year 2 FFY <u>2012</u>	Work Statement for Year 3 FFY <u>2013</u>	Work Statement for Year 4 FFY <u>2014</u>	Work Statement for Year 5 FFY <u>2015</u>
B.	Physical Improvements Subtotal	Annual Statement	705,000	705,000	719,000	709,000
C.	Management Improvements		35,000	35,000	50,000	50,000
D.	PHA-Wide Non-dwelling Structures and Equipment		65,000	65,000	40,000	40,000
E.	Administration		75,000	75,000	75,000	75,000
F.	Other		106,000	106,000	106,000	106,000
G.	Operations		150,000	150,000	150,000	150,000
H.	Demolition					
I.	Development		100,000	100,000	100,000	100,000
J.	Capital Fund Financing – Debt Service					
K.	Total CFP Funds		1,236,000	1,236,000	1,240,000	1,230,000
L.	Total Non-CFP Funds					
M.	Grand Total		1,236,000	1,236,000	1,240,000	1,230,000

**Part I: Summary (Continuation)**

PHA Name/Number Housing Authority of Maricopa County- AZ20P00950109		Locality (City/county & State) Phoenix/Maricopa/Arizona			<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
A.	Development Number and Name	Work Statement for Year 1 FFY __2011__	Work Statement for Year 2 FFY __2012__	Work Statement for Year 3 FFY __2013__	Work Statement for Year 4 FFY __2014__	Work Statement for Year 5 FFY __2015__
		Annual Statement				
	PHA Wide Activities		304,000	162,000	203,000	203,000
	AMP 1 Coffelt		15,000	25,000	30,000	15,000
	AMP 2 Clare Feldstadt		92,000	137,000	212,000	165,000
	AMP 4 Father Fidelis		32,000	32,000	32,000	32,000
	AMP 5 Madison		100,000	100,000		30,000
	AMP 6 John Hollar/Baden		40,000	75,000	100,000	80,000
	AMP7 Scattered Site		72,000	40,000	20,000	14,000
	AMP 8 Flora Statler					120,000
	AMP 9 John Hammond		50,000	50,000	122,000	50,000
	AMP 10 Paradise			84,000		
	AMP 13 Rose Terrace					
	Subtotal		705,000	705,000	719,000	709,000

**Part II: Supporting Pages – Physical Needs Work Statement(s)**

Work Statement for Year 1 FFY <u>2011</u>	Work Statement for Year <u>2</u> FFY <u>2012</u>			Work Statement for Year: <u>3</u> FFY <u>2013</u>		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
See						
Annual Statement	PHA WIDE-“Green Retrofit” inc., landscape, sidewalks, parking, bath, kitchen, plumb. weatherization, appliances& electric upgrades		304,000	PHA WIDE-“Green Retrofit” inc., landscape, sidewalks, parking, bath, kitchen, plumb. weatherization, appliances & electric upgrades		162,000
	AMP 1 - Coolers	20	15,000	AMP 1-Coolers/Furnaces	20	25,000
	AMP 2 Roof Buildings	6	60,000	AMP 2 Windows	30	105,000
	AMP 2 Flooring	10	32,000	AMP 2 Flooring	10	32,000
	AMP 4 Flooring	10	32,000	AMP 4 Flooring	10	32,000
	AMP 5 Doors	40	100,000	AMP 5 Doors	40	100,000
	AMP 6 Doors	20	40,000	AMP 6 Doors	25	75,000
	AMP 7 HVAC	4	28,000	AMP 7 HVAC	2	16,000
	AMP 7 Kitchen/Baths	4	24,000	AMP 7 Kitchen/Baths	4	24,000
	AMP 7 Roofing	4	14,000	AMP. 9 Roofing	2	50,000
	AMP 7 Painting	4	6,000	AMP 10 Windows	24	84,000
	AMP. 9 Roofing	2	50,000			
Cost	Subtotal of Estimated		\$ 705,000	Subtotal of Estimated Cost		\$ 705,000





<b>Part III: Supporting Pages – Management Needs Work Statement(s)</b>				
Work Statement for Year 1 FFY ____2011____	Work Statement for Year _____2_____ FFY _____2012_____		Work Statement for Year: _____3_____ FFY _____2013_____	
	Development Number/Name General Description of Major Work Categories	Estimated Cost	Development Number/Name General Description of Major Work Categories	Estimated Cost
See	<b>PHA WIDE</b>		<b>PHA WIDE</b>	
Annual Statement	Training, consulting	35,000	Training, consulting	35,000
	Salaries, travel, memberships, legal	75,000	Salaries, travel, memberships, legal	75,000
	Office equip, maint. Equip and maint vehicles	65,000	Office equip, maint. Equip and maint vehicles	65,000
	Operations	150,000	Operations	150,000
	Development	100,000	Development	200,000
	Other: Relocation, contingency	106,000	Other: Relocation, contingency	106,000
	Subtotal of Estimated Cost	\$ 531,000	Subtotal of Estimated Cost	\$ 531,000

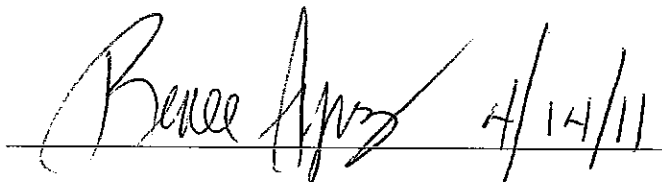


**Certification by State or Local  
Official of PHA Plans Consistency  
with the Consolidated Plan**

**U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/2011**

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

I, Renee Ayres-Benavidez the Deputy Dir., Human Services/Comm Dev Div certify that the Five Year and Annual PHA Plan of the Housing Authority of Maricopa County is consistent with the Consolidated Plan of Maricopa County prepared pursuant to 24 CFR Part 91.



Signed / Dated by Appropriate State or Local Official

# Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name

Housing Authority of Maricopa County

Program/Activity Receiving Federal Grant Funding

Public Housing and Housing Choice Voucher Programs

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

- (1) The dangers of drug abuse in the workplace;
- (2) The Applicant's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;


g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. **Sites for Work Performance.** The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

- 2024 N. 7th Street, Phoenix, AZ 85006
- 1510 S. 19th Drive, Phoenix, AZ 85009
- 710 W. 8th Avenue, Mesa, AZ 85210
- 1103 N. 6th Street, ##106, Avondale, AZ 85323
- 12976 Cottonwood Street, Surprise, AZ 85378
- 10950 N. 87th Avenue, Peoria, AZ 85345

Check here  if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official <b>Gloria Munoz</b>	Title <b>Executive Director</b>
Signature X 	Date <b>April 13, 2011</b>

# Certification of Payments to Influence Federal Transactions

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

Applicant Name

Housing Authority of Maricopa County

Program/Activity Receiving Federal Grant Funding

Public Housing and Housing Choice Voucher Programs

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.  
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

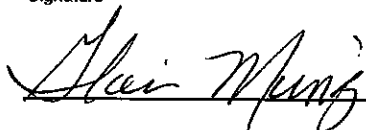
Name of Authorized Official

Gloria Munoz

Title

Executive Director

Signature



Date (mm/dd/yyyy)

04/13/2011

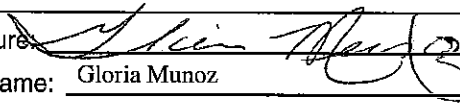
**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known: <sup>4c</sup>	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>  Congressional District, if known:	
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: <u>14.850</u>	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$	
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>	<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: <u>Gloria Munoz</u> Title: <u>Executive Director</u> Telephone No.: <u>602-744-4508</u> Date: <u>4/13/2011</u>	
<b>Federal Use Only:</b>	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)	

N/A

*2011 Annual Agency Plan – Revision 3*  
*Resident Meetings*

Resident meetings were held in August, 2011, to review the revisions, obtain comments and answer any questions to the revised Annual Agency Plan.

HAMC held the meetings at each of our four site offices.

A combined total of eight residents attended the meetings.

No comments or concerns were expressed by those attending nor were there any telephone calls received regarding the posted plan.



## 2011 Annual Agency Plan

In January and February 2011, HAMC facilitated 8 meetings to address the required US Department of Housing and Urban Development mandate that the PH Authority to provide an opportunity for public housing residents to comment on the 2011 Annual Agency plan. The meeting notices and schedules were distributed to all HAMC residents and posted at each local public housing property. Although the agenda content was common for all meetings, dialogue and feedback from residents was specific and distinct for each community and individualized local input was able to be gathered and assessed.

HAMC facilitated the plan process which included:

- Formal meetings with staff and residents to discuss community accomplishments, current issues, and to solicit ideas and solutions for their local communities.
- Discuss the services and physical improvements completed within the past year.
- Discuss the agency plan and solicit input on new perspective and suggestions from the resident participants on future actions and improvement for their community.
- Provide residents with information on planned improvements in their community.

The local Property Manager served as the meeting facilitator and recorder for each area meeting.

### **General Overview:**

Tenants attending the meetings represented a cross section of the demographics from the communities. There were no issues expressed as critical or of extreme need, although across all sites, residents had suggestions for improving the physical site as well as adding more amenities to the apartments and property such as refrigerators with water and ice makers, ceiling fans, disposals, dishwashers, individual garbage cans instead of the large dumpster ones and speed bumps. Other common issues included routine maintenance repairs that were resolved by issuing a work order to make the correction.

### **Suggestions from the East Valley Communities include:**

New doors, more lighting in the bathrooms, new bathrooms, more parking, screen doors and more storage.

### **Suggestions from the Southwest Valley Communities include:**

Dryer hooks ups, air conditioning, storage sheds, ceiling fans, and screen doors.

### **Suggestions from the Northwest Valley Communities include:**

Doorbells, more trees, assigned parking, new windows, dryer hookups, new refrigerators, updated kitchens.

**Suggestions from the Coffelt Community include:**

Repair the streets, air conditioning and have a night security patrol the property.

The Coffelt community is highly aware of plan to re-locate the community in the future due to numerous resident meetings and interviews conducted by ASU Stardust Center in preparation of the submittal of the Choice Neighbor planning grant. Questions were asked as to the status of the grant and responded to by telling them no word has been received as yet. They were informed that if this did not go through HAMC will still forge ahead with other options and that their involvement and input will be gathered through community meetings.

## ANNUAL PLAN REVISION - RESIDENT MEETINGS

Resident meetings were held during the month of May to discuss the revised annual plan posted in the offices and on the HAMC website.

Several telephone inquiries were received asking why there was another meeting and what changed.

The local site staff members relayed the required process and explained the changes in the plan from the last meeting. No comments were received.

No residents attended the actual site meetings for the revision.

## **SECTION 21**

### **PROJECT-BASED ASSISTANCE POLICY**

#### **GENERAL**

The Housing Authority of Maricopa County (HAMC) will implement a Section 8 Housing Choice Voucher Project-Based Program at a site selected in accordance with the provisions set forth in CFR Part 983, the guidance notice issued by the U. S. Department of Housing and Urban Development (HUD) on January 16, 2001, and the policy set forth herein, as well as any future notices issued by HUD.

HAMC has a vested interest in a specific property, Rose Terrace I Apartments, located at 525 East Harrison Avondale Arizona 85323, and, for the purposes of this policy, will be referred to as “Property Management” and the Section 8 Housing Choice Voucher Program management shall be referred to as “HCV”. The administrative unit of HAMC shall be referred to as “HAMC” for the purposes of this policy.

#### **PHA AGENCY PLAN**

Prior to entering into a Housing Assistance Payments Contract (HAP) for Project-Based Assistance (PBA), HAMC will determine that said contract is consistent with the Public Housing Authority (PHA) Annual Agency Plan. Consistency with the Policy will be determined through the existence of circumstances indicating that project-basing of Housing Choice Voucher assistance, rather than tenant-basing of the same amount of assistance, is an appropriate option and is consistent with the requirements of “deconcentrating poverty and expanding housing and economic opportunities”.

#### **PROGRAM SET-ASIDE**

The total program set-aside for the HCV PBA Program shall not exceed 60 vouchers to be designated at the Rose Terrace I Apartments, located at 525 East Harrison Avondale Arizona 85323.

#### **INCOME MIX**

HAMC shall request HUD waive the limitation that no more than 25% of the total units in a multi-family development may participate in the HCV PBA Program. Of the 100 units located at Rose Terrace I Apartments, 60 shall be designed as part of the HCV PBA Program, and 40 shall be designed as public housing. Both programs shall be administered individually by separate administrative units within the housing authority (Section 8 and Public Housing) so as to maintain a clear division of duties between HAMC’s two departments.

#### **PUBLIC NOTICE**

Notice of HAMC’s HCV PBA Program shall be made to the public through a standard notification process that may include, but is not limited to: Public Notice Announcements in newspapers and other appropriate mediums, press releases, website, etc. Notice of an open HCV PBA waiting list shall be made to the public through the standard notification process regularly used to notify the public of an open waiting list to include, but not limited to: Public Notice Announcements in key East Valley and West Valley newspapers; notices sent to Arizona PHAs, social service agencies, churches, libraries, and other applicable organizations; listing on HAMC

website; and posted in HAMC administrative and site offices. Notice shall also be sent to all families on any current, established Housing Choice Voucher tenant-based waiting list. Notices shall be sent no later than 45 days prior to any waiting list opening.

### **METHOD OF COMPETITION/SITE SELECTION**

HAMC has elected to project-base Section 8 vouchers at an existing site, Rose Terrace I Apartments, located at 525 East Harrison Avondale Arizona 85323. HAMC has interest in the property and will seek a waiver from HUD.

### **ESTABLISHMENT OF THE HCV PBA WAITING LIST (24 CFR 983.251[c][1-7])**

Only one HCV PBA Program waiting list shall be established, and shall be established separate from the regular, or any current or established, tenant-based waiting lists.

Families residing in a unit to be project-based will be given an absolute preference and first priority to be included on the HCV PBA waiting list. (See Non-Displacement of In-Place Families). Families on current, established tenant-based waiting lists shall be notified via regular mail at the most recent mailing address on file of the opportunity to apply for the HCV PBV Program waiting list. Families will not be penalized for applying to both waiting lists, or for applying to only one waiting list.

### **NON-DISPLACEMENT OF IN-PLACE FAMILIES [24 CFR 983.251(b)(2) & 983.7]**

*Eligible families* already residing in a unit as of the effective implementation date of the project-based program at Rose Terrace I Apartments will automatically be placed on HAMC's HCV PBA waiting list and given first priority of assistance through an absolute preference for an appropriately sized PBA unit in the specified project. *Ineligible families*, or families who do not wish to participate in the HCV PBA Program and are still residing in a tax credit unit at such time as the contract or their lease agreement expires, will have available to them the following options so as to comply with the Uniform Relocation Act:

1. Relocation assistance from Housing Choice Voucher Administrative Funds where no other relocation funding shall be available in an amount consistent with legal and regulatory requirements (including the requirements of 24 CFR 982.155 and official HUD issuances) as determined by HAMC to be reduced by any amount owed by the family to HAMC at the end of the tenancy, so long as the family agrees to termination of tenancy and waives other future rights stipulated in this policy for in-place families; or
2. Issuance of a Housing Choice Voucher from the tenant-based program, thereby bypassing the regular waiting list requirements, so long as the family does not owe HAMC any monies at the end of the tenancy and waives other future rights stipulated in this policy for in-place families; or
3. Termination of tenancy, resulting in the family being required to move and waiving any future rights stipulated in this policy for in-place families.

Families owing money due to damages or failure to pay rent or who have violated any other obligation of Public Housing and Housing Choice Voucher Program rules and regulations are not eligible for the options listed above until such time as the family has remedied the situation. If the situation cannot be remedied, such as in criminal activity, the family will be given notice to vacate depending upon the severity of the situation and Public Housing policies and regulations.

In this case, the family shall not have any current or future rights stipulated in this policy for in-place families.

The family will be notified 90 days prior to the expiration date of the tax credit unit contract of their options. Failure on behalf of the family to cooperate with appointments or options selected will result in the automatic termination of assistance without any future rights stipulated in this policy for in-place families.

#### **TENANT SELECTION (24CFR983.251[a][1-2])**

Families reaching the top of the HCV PBV Program waiting list whose eligible bedroom size, based on the occupancy standard, is available, will go through the process to determine eligibility before issuance of a PBV and beginning the lease-up process. If the family's household composition changes while on the waiting list, the family will be required to report the change in bedroom size so as to make sure the family is listed correctly on the waiting list. Families who reach the top of the waiting list, but do not qualify for any available units due to the HCV occupancy standard, will stay at their same position on the waiting list until the next eligible unit becomes available.

Applicants will be selected from the HCV PBA waiting list in accordance with this policy and any regular Housing Choice Voucher selection and management procedures that do not conflict with this policy. HCV PBA applicants shall be notified of the opportunity to apply for the tenant-based program at the same time as long as the tenant-based program is not closed and accepting applications. If the tenant-based program is not accepting applications, applicants will not be offered the opportunity to apply to the tenant-based program.

#### **REFUSAL & DENIAL OF ADMISSION (24 CFR 982.25[e][1-3])**

Families selected for HCV PBA Program will be pulled from the HCV PBA waiting list. If a family rejects a specific unit in the HCV PBA Program, or rejects the HCV PBA Program, the family will be removed from the HCV PBA waiting list. If that same family is on the tenant-based waiting list, the family's position on the tenant-based waiting list will not be affected. If Property Management rejects the HCV PBA applicant and the family is on the tenant-based waiting list, the family's position on the tenant-based waiting list will not be affected. If that same family is not on the tenant-based waiting list, the family will be offered an application to the tenant-based waiting list as long as the tenant-based waiting list is open to applications.

For refusal and denial of in-place, families see the portion of this policy dedicated to Non-Displacement of In-Place Families.

#### **PREFERENCES**

The preferences for the HCV PBA Program waiting list shall be as follows:

1. First priority preference shall be given to eligible in-place families who apply at the time the HCV PBV waiting list is opened and comply with all federal, local, and housing agency policies and regulations.
2. After that, first come first serve based on date and time of application.

#### **INCOME LIMITS**

Families must meet the new admission income limits and be at or below the Very Low Income (50% of Median Income) Limit in order to qualify for assistance to the HCV PBV Program. Families who fail to meet this income limit will not be admitted to the HCV PBV Program.

HCV PBV Program limits shall supersede any program income limits set by the Property Management.

#### **INCOME TARGETING (24 CFR 982.201[b][2])**

In order to meet HUD-required income targeting limits of not less than 75% of all families admitted during the fiscal year to HAMC's tenant-based and project-based voucher program, families at the top of the waiting list may be returned to the waiting list until such time as the requirement is met. Once the requirement is met, families who are above the 75% requirements of Extremely Low Income (ELI), and are at/or below the Very Low Income (VLI), shall be selected for eligibility determination.

HCV PBV Program income targeting criteria shall supersede any income targeting criteria set by the Property Management.

#### **FAMILIES REFERRED BY OWNER**

Families may be referred by Property Management to the HCV PBV Program waiting list and tenant-based waiting lists, but applications shall only be accepted at such time as the specific waiting list is open.

#### **SPECIAL ACCESSIBILITY FEATURES (24 CFR 8.26 & 100.202)**

HAMC shall refer families with a disabled family member who has special needs for accessibility features to the site Property Management for assistance. Preference shall not be given to families who have special needs, nor shall HAMC discriminate against families who have special needs or whom may fall into any protected fair housing category.

#### **OCCUPANCY STANDARD**

The occupancy standard for the HCV PBV Program shall be consistent with the HCV tenant-based program as follows:

- Head of Household & Spouse/Significant Other shall be issued **one** bedroom.
- After that, **one** bedroom shall be issued for every two persons.
- A Live-In Aide shall be issued **one** bedroom.
- Reasonable Accommodations shall be granted based on the Reasonable Accommodation policy where a medical provider has verified the family qualifies for an additional bedroom and the request for an additional room is considered "reasonable" by HCV standards.

HCV PBV Program occupancy standards shall supersede Property Management occupancy standards. It is at the discretion of HAMC to allow any documented, reasonable exceptions.

#### **LEASING OF CONTRACT UNITS (24 CFR 983.253)**

Property Management shall comply with federal regulations and local policies related to the HCV PBA Program. In situations where Property Management policies, procedures, and/or processes may conflict with HCV administrative policies, procedures, and/or processes that affect the integrity of the Housing Choice Voucher Program, HCV administrative policies, procedures, and process shall take precedence regarding HCV PBA units and tenancy.

The model lease agreement between Property Management and the tenant shall be approved by the HCV Program Manager and/or other entities as designated by the Executive Director before implementation so as to confirm that the lease agreement does not conflict with HCV requirements. Any modifications to the HCV PBA Program lease agreement shall be first approved by the HCV Program Manager and/or other entities as designated by the Executive Director before implementation. Both parties shall agree upon the terms of the model lease agreement before changes are implemented.

### **HOUSING ASSISTANCE PAYMENTS (HAP) CONTRACT**

Upon acceptance of the units by HAMC, a Housing Assistance Payments contract for Project Based Assistance for the Housing Choice Voucher Program will be executed in the format prescribed by HUD (52530-A).

HAMC will execute all HCV PBA Program HAP contracts for a period of 10 years, subject to future availability of funding under the ACC with HUD. In addition, the HAP contract will permit two extensions for a period of five years each, based on a determination by HAMC that an extension is necessary to achieve long-term affordability of the housing.

The HAP contract will provide for annual review of the rental amounts. Adjustments of rents will be subject to the annual adjustment factor provided that the rents charged for the HCV PBA Program units are comparable to unassisted units in the rental market.

Special rent adjustments above the annual adjustment factor shall also be considered if it is determined that the rent continues to be reasonable. Property Management shall be responsible for providing HAMC with market comparability data for any special rent increase that is requested.

HAMC will provide for vacancy payment under the HCV PBA Program contract for up to 30 days provided that the vacancy is not the fault of Rose Terrace Property Management and HCV PBA Program staff have taken every reasonable action to minimize the likelihood and extent of vacancies.

### **LEASE AGREEMENT (24 CFR 983.256)**

The lease agreement shall comply with the federal regulation and requirements. The lease agreement shall be between the landlord and the tenant; however, HAMC shall have the right to review, approve, and refuse any verbiage that conflicts with federal regulations, HCV administrative policies, or is considered unreasonable.

### **INITIAL RENTS**

HAMC will contract with a State certified general appraiser and establish the rents in accordance



with the provisions outlined above or seek approval of proposed rents from HUD for any HAMC owned units or HUD insured or co-insured mortgage.

### **CONTINUED ASSISTANCE CRITERIA**

HAMC shall administer the project-based program in accordance with all provisions under the Housing Choice Voucher Program including issuing of monthly HAP payments, annual recertification of household composition, and income and annual inspection of all units to assure compliance with HQS.

Property Management is responsible for managing the units in accordance with all requirements under the approved management plan and the Housing Assistance Payments contract.

Participation in the HCV PBV Program negates the tenant's right to relocation assistance. The effective date of "participation" is considered the same as the effective date of the executed lease agreement.

At the end of the first 12-month lease agreement and HAP Contract, the tenant shall be given the following options:

1. Continuing tenancy as a participant in the HCV PBA Program located at Rose Terrace I Apartments; or
2. Accepting the next available tenant-based Housing Choice Voucher and moving from the HCV PBA Program unit. If the family accepts the tenant-based Housing Choice Voucher, all applicable rights and responsibilities shall apply and the family shall no longer be considered as part of the HCV PBA Program, nor shall the family have any future rights stipulated in this policy for in-place families; or
3. Terminating tenancy, resulting in the family being required to move and waiving any future rights stipulated in this policy for in-place families.

Families owing money due to damages or failure to pay rent or who have violated any other obligation of Public Housing and Housing Choice Voucher Program rules and regulations are not eligible for the options listed above until such time as the family has remedied the situation. If the situation cannot be remedied, such as in criminal activity, the family will be given notice to vacate depending upon the severity of the situation and Public Housing policies and regulations. In this case, the family shall not have any current or future rights stipulated in this policy for in-place families.

### **SUPPORTIVE SERVICES**

Supportive services for tenants participating in the HCV PBA Program are not required. Any future supportive services opportunities shall be made available to HCV PBA Program residents through proper notifications.

### **VACANCIES (24 CFR 983.254): 24 CFR 982.201[b][2]**

Property Management shall notify assigned HCV PBA Program waiting list staff of anticipated vacancies within ten working days (based on a five day work week of Monday through Friday) of a known vacancy. Property Management shall notify HCV PBA Program waiting list staff of an anticipated vacancy no later than ten working days (based on a five day work week of

Monday through Friday) of a pending known vacancy. Reasonable efforts shall be made by both parties to reduce vacancies.

### **VACANCY PAYMENT**

Vacancy payments may be paid for a period of vacancy that does not exceed 30 days with proper notification from Property Management to the assigned HCV PBA Program waiting list staff. Extenuating circumstances may require an additional 30 days upon approval by the HCV Program Manager, or designee.

### **ABSENCE FROM UNIT**

Consequences of a family's absence from the unit shall be consistent with HCV administrative policies. HCV PBA Program staff shall be notified immediately by the Property Management of any family absence in the unit that exceeds HCV administrative policies of 30 days so as not to interfere in correct payment of monthly HAP rent on a vacant unit. The Vacancy Payment limits shall come into play if the Property Management fails to notify HCV PBA Program staff in a timely manner. It is not HCV PBA Program staff's intent to pay on an empty unit beyond what is reasonable.

### **REDUCING NUMBER OF CONTRACT PBA UNITS**

A contract unit vacant for a period of 120 days or more, may result in an amendment to the HAP Contract upon determination by the Executive Director.

### **OTHER POLICIES**

All other policies stated in the Housing Choice Voucher Administrative Policy related to occupancy of Housing Choice Voucher tenant-based assisted units will apply to Project Based units as appropriate.