

PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011
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1.0	PHA Information PHA Name: <u>BERKELEY HOUSING AUTHORITY</u> PHA Code: <u>CA058</u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>07/2012</u>					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u>61</u> Number of HCV units: <u>1841</u>					
3.0	Submission Type <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only					
4.0	PHA Consortia <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
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.					
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:					
5.2	Goals and Objectives. 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.					
6.0	PHA Plan Update (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: (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. a. The following PHA Plan elements have been revised by BHA since the last Annual Plan Submission: <ol style="list-style-type: none"> i. 4/28/11: BHA's Board approved the reservation of 46-Three Bedroom and 29-Four Bedroom Project-based vouchers for the BHA Scattered Sites Project, as part of the Disposition Process and subject to HUD approval. ii. 5/12/11: BHA's Board approved a Relocation Plan for the repositioning of BHA-owned rental units (Scattered Sites Project). iii. 6/28/11: BHA's Board approved revising the Admin. Plan, Chapter 6 "Applying Payment Standards" section and Chapter 16 "Payment Standards" section. iv. 7/14/11: BHA's Board approved revising the Write-off Policy to establish a threshold for when Board action is required. v. 9/8/11: BHA's Board authorized the Executive Director to enter into an Exclusive Negotiating Rights Agreement with Related Companies of California, LLC to negotiate the business terms of the Disposition and Development Agreement to transfer the 75 units of BHA-owned family rental housing and designated representatives from the Finance and Feasibility Subcommittees to work with staff on negotiations. vi. 10/13/11: BHA's Board accepted the Independent Audit Report on the BHA Financial Statements, Single Audit Report, for Fiscal Year ending June 30, 2011. vii. 10/13/11: BHA's Board authorized revision of the payment standards schedule for the Section 8 tenant based and project based voucher programs, and the Moderate Rehabilitation, Single Room Occupancy Program, effective Dec. 1, 2011. viii. 11/17/11: BHA's Board rescinded Resolution 08-14 and adopted a revised record retention policy. b. Copies of the 5-Year and Annual PHA Plan are available at the BHA's Administration Office located at 1901 Fairview St., Berkeley, CA 94703 and online at www.cityofberkeley.info/BHA					

7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i></p> <p><i>Mixed Finance/Modernization or Development: once the transfer of ownership occurs, plans include updates and modernizing of all of the LIPH units, including, possibly: paint, new energy efficient features, appliances, cabinetry, flooring. Plans will be solidified after transfer of ownership occurs. At this time, it is thought that the new developer/owner entity will apply for tax credits through the California Tax Credit Allocation process.</i></p> <p><i>Disposition/Conversion:</i></p> <ul style="list-style-type: none"> i. 4/28/11: BHA's Board approved the reservation of 46-Three Bedroom and 29-Four Bedroom Project-based vouchers for the BHA Scattered Sites Project, as part of the Disposition Process and subject to HUD approval. ii. 5/12/11: BHA's Board approved a Relocation Plan for the repositioning of BHA-owned rental units (Scattered Sites Project). iii. 9/8/11: BHA's Board authorized the Executive Director to enter into an Exclusive Negotiating Rights Agreement with Related Companies of California, LLC to negotiate the business terms of the disposition and development agreement to transfer the 75 units of BHA-owned family rental housing and designated representatives from the Finance and Feasibility Subcommittees to work with staff on negotiations. iv. 10/27/2011: HUD sent approval letter indicating that the PBV Application and approval process for the Scattered Sites was approved.
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>
8.1	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. 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>
8.2	<p>Capital Fund Program Five-Year Action Plan. 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>
8.3	<p>Capital Fund Financing Program (CFFP).</p> <p><input 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>

Housing Needs. 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.

Berkeley Housing Authority

Applications collected online at WaitListCheck.com as of June 24, 2010

Summary for all waiting lists

Totals

Applications submitted	37,368	
One person households	17,973	48.10%
Family applications	19,395	51.90%
Head of household elderly	2,437	6.52%
Households requesting reasonable accommodations	7,536	20.17%
Non-duplicated applications	29,485	78.90%

Head of Household

Male	11,081	29.65%
Female	26,287	70.35%

9.0

Average Household Size

1.92

Average Household Income

21,208.89

Totals by Race

American Indian/Alaska Native	1,049	2.81%
Asian	1,902	5.09%
Black/African American	27,949	74.79%
Native Hawaiian/Pacific Islander	827	2.21%
White	4,500	12.04%

Totals by Ethnicity

Hispanic	3,251	8.70%
Non-Hispanic	27,252	72.93%

Issues of Supply (from City of Berkeley Consolidated Plan, 7/1/10 – 6/30/15)

- Vacancy rates in Berkeley have been relatively level at around four percent since the 1970s according to Census and DOF data. Normal vacancy rate for a housing market in balance is about 5% overall, 2% for ownership housing and 6% of rental housing.

Issues of Affordability (from City of Berkeley Consolidated Plan, 7/1/10 – 6/30/15)

- Citywide Median Rental Rates as of 12/31/08:
 - Studio: \$865
 - One Bedroom: \$1,075
 - Two Bedroom: \$1,450
 - Three Bedroom: \$2,044

9.1

Strategy for Addressing Housing Needs. Provide a brief description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.**

Additional Information. Describe the following, as well as any additional information HUD has requested.

- (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.
- (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"

- (a) BHA has made significant progress in the Mission and Goals described in the 5-year Plan (2010).

As a previously troubled agency, now a high performing agency in the S8 program, the former CAP has been closed. As a troubled agency under public housing, BHA has an MOA with HUD, with the only remaining item being one: "completion of implementing activities associated with the disposition." BHA is working hard toward that goal, meeting weekly with the negotiations team including: legal counsel, consultants, and the developer entity's team that will be purchasing the property. In addition, we have held resident meetings to inform of relocation benefits and weekly briefings specifically for the LIPH residents who will be relocating with S8 benefits. Our first move out of the LIPH units occurred in July 2012.

Below are the mission and goals that appeared in the 5-year Plan and a brief statement after each one describing progress:

1. Expand the supply of assisted housing by reducing public housing vacancies and leveraging private or other public funds to create additional housing opportunities. 2012 update: HUD informed BHA that we would not be able to fill vacant LIPH units while undergoing the disposition process. Currently BHA is in exclusive negotiations with a developer to purchase and rehab. the units and maintain their affordability.
 2. Improve the quality of assisted housing:
 - a. Improving public housing management. 2012 update: BHA is awaiting HUD's notification of the last PHAS review (for period ending June 30, 2011).
 - b. Improving voucher management. 2012 update: BHA certified to High Performer in the last SEMAP review (for period ending June 30, 2011).
 - c. Increase customer satisfaction. 2012 update: BHA tracks both complaints and accolades that are received from our constituencies. From the period 7/1/2009 – 6/30/2010, 20 complaints and 8 accolades were received; in the period 7/1/2010 – 6/30/2011, 17 complaints and 5 accolades were received.
 - d. Concentrate on efforts to improve specific management functions. 2012 update: BHA contracted with Quadel Consulting to conduct an agency-wide review of functions, efficiencies, and budget. The Board has directed that Staff implement the substantive findings in the report.
 - e. Renovate, rehabilitate or modernize public housing (a disposition application has been submitted to SAC). 2012 update: Please see Section 7.0 above.
 - f. Continue efforts for conversion of public housing to Project Based Section 8. 2012 update: Please see Section 7.0 above.
 3. Provide an improved living environment:
 - a. Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments. 2012 update: Please see Section 7.0 above.
 - b. Implement public housing security improvements. 2012 update: BHA installed carbon monoxide detectors in each unit, in 2011. Additionally, there has been and continues to be outside lighting for all of the properties.
 4. Promote self-sufficiency and asset development of assisted households:
 - a. Increase the number and percentage of employed persons in assisted families. 2012 update: HUD approved a waiver from managing the FSS program through April 2013.
 - b. Provide or attract supportive services to increase independence for the elderly or families with disabilities. 2012 update: BHA has worked closely with the Center for Independent Living including a training by CIL staff on CIL's housing advocacy issues, and BHA presented at a "Housing 411" session at CIL. BHA also works with the Senior Centers and Mental Health Services on an as-needed basis.
 5. Ensure equal opportunity and affirmatively further fair housing:
 - a. Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, and disability. 2012 update: With every RTA packet, BHA includes a document called "Record of Housing Search," tracking important indicators of discrimination. In the BHA lobby hangs a Fair Housing poster directing people to contact information to file fair housing discrimination complaints. Lastly, Chapter 2 of the BHA Admin. Plan describes Fair Housing, including options for people who feel they have been discriminated against in their housing search or otherwise. The Admin. Plan is posted on BHA's website.
 - b. Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability. 2012 update: BHA staff works collaboratively with advocacy organizations, including Bay Area Legal Aid, East Bay Community Law Center, National Housing Law Project, as well as health and human service providers such as Berkeley Mental Health, Center for Independent Living, local food banks, 211 – County Information and Referral Services, Adult Protective Services, among others.
 - c. Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required. 2012 update: BHA posts on our website, a weekly "Available Unit Listing" which indicates whether a unit is accessible for people with disabilities. Additionally, we have a Reasonable Accommodations process including a mailing of the Reasonable Accommodations form at each certification, and providing a Reasonable Accommodations request form to one program participant who asks for one explicitly or implicitly.
- (b) As mandated by the U.S. Department of Housing and Urban Development, the Housing Authority must define "What is a substantial change to the Agency Plan?" If a proposed change to the Agency Plan is considered a "substantial change," it must undergo a public process that includes: consultation with the Resident Advisory Board, a public comment period, public notification of where and how the proposed change can be reviewed and approved by the Housing Authority Board of Commissioners. Therefore, the Housing Authority defines significant changes to the Agency Plan to be:
1. Changes to the tenant/resident screening policy;
 2. Changes in the use of replacement reserve funds under the Capital Fund Grant;

10.0

3. Changes in the policy for determining if there is insufficient funding to support the number of units in the Section 8 Housing Choice Voucher Annual Contributions Contract, and if so, how to right size the Section 8 Program;
4. Changes in waitlist preference categories and/or weights; and
5. Changes in the process for assigning and administering Section 8 Project Based Vouchers; and
6. Changes in Capital Fund budget of more than 20%.

An exception to this definition will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements; such changes will not be considered significant amendments.

11.0 Required Submission for HUD Field Office Review. 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. **Note:** Faxed copies of these documents will not be accepted by the Field Office.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights)
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace* (PHAs receiving CFP grants only)
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* (PHAs receiving CFP grants only)
- (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only)
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only)
- (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.
- (g) Challenged Elements
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (PHAs receiving CFP grants only)
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
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 (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected.
7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any 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 of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**
8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** 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.
13. **Violence Against Women Act (VAWA).** A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or Mixed Finance Modernization or Development.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: (1) A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm
Note: This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: 1) A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or

that the public housing agency plans to voluntarily convert; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

9.1 Strategy for Addressing Housing Needs. Provide a 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. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. **(Note: Standard and Troubled PHAs complete annually).**

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.

PHA PLAN ATTACHMENT: ITEM 11.0 (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.

BHA staff met with two LIPH residents on Feb. 22, 2012, who volunteered to review the proposed Admin. Plan, ACOP changes, as well as the Capital Plan.

The singular comment received with regard to the proposed changes in these documents was: both in attendance agreed that 6 consecutive months was a reasonable time for BHA to consider someone permanently absent from the unit (down from 18 months).

PHA PLAN ATTACHMENT: ITEM 11.0 (g)

Challenged elements.

BHA announced and made proposed changes to the Admin. Plan, ACOP, and Capital Plan available to: local legal advocacy organizations, the City of Berkeley Housing Department, and all residents of BHA-owned low income housing units. Additionally, announcements were posted in the Oakland Tribune and Spanish periodical “El Mensajero” informing of the availability of these documents for review and inviting comments. BHA held a hearing on the proposed Annual Plan at the March 8, 2012 Board meeting.

No items of the Plan were challenged.