

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: _____ City of Marietta PHA, OH _____ PHA Code: _____ OH077_ PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): _____ 01/01/2012 _____					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: <u>487</u> _____					
3.0	Submission Type 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input checked="" type="checkbox"/> 5-Year Plan Only <input type="checkbox"/>					
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: No Revisions or Changes (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. Main Business Office of the PHA and the City of Marietta Development Office					
7.0	Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. City of Marietta PHA does not have project based vouchers.					
8.0	Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.					
8.1	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.					
8.2	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.					
8.3	Capital Fund Financing Program (CFFP). <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.					

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.

9.0

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	1102	5	4	2	3	3	2
Income >30% but <=50% of AMI	95	5	4	2	3	3	2
Income >50% but <80% of AMI	8	5	4	2	3	3	2
Elderly	94	5	3	3	2	2	2
Families with Disabilities	228	5	4	2	3	3	2
Black	25	5	3	3	2	2	2
Hispanic	1	5	3	3	2	2	2
Race/Ethnicity							
Race/Ethnicity							

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.**

9.1

- Maximize the number of affordable units available to the PHA within its current resources by establishing payment standards that will enable families to rent throughout the jurisdiction and participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Increase the number of affordable housing units by applying for additional section 8 units should they become available and the contract agency will develop and operate affordable housing for use by special needs population
- Target available assistance to families at or below 50% of AMI by employing admission preferences aimed at families who are working
- Target available assistance to families with disabilities by affirmatively marketing to local non-profit agencies that assist families with disabilities
- Conduct activities to affirmatively further fair housing by marketing the section 8 program to owners outside areas of poverty/minority concentrations

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

10.0

(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.

The City of Marietta explores all options to apply for additional vouchers when available. The City of Marietta received funding again in 2011 to operate a Family Self Sufficiency Program. The City of Marietta PHA operates a homeownership program. There are three clients that currently participate in the program. Washington-Morgan Community Action, contract agency, provides the following services to qualified applicants, Head Start, Employment and Training, Weatherization, Home Energy assistance, Health Services, Transportation, Outreach and Community based services.

(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”

A significant amendment or deviation is defined by the City of Marietta PHA, Oh as the complete deletion of a stated goal or policy; addition of a goal or policy and revisions to the mission statements.

Examples of what would be considered as a significant amendment or deviation as defined by the City of Marietta, Oh PHA is:

- Creating and enacting a minimum rent policy
- Revising the preference point system currently used to place eligible people on the Section 8 waiting list
- Revising of the termination policy
- Revising of the Administrative Plan resulting in the enacting of new policies
- Changing the eligibility standards for the Section 8 program

11.0	<p>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.</p> <ul style="list-style-type: none"> (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) (b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only) (c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only) (d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only) (e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (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, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only) (i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)
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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, 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.

Section 8 Tenant-based voucher Homeownership Option

The City of Marietta, Ohio, Public Housing Agency (PHA) hereby establishes a Section 8 tenant-based voucher homeownership option in Marietta and Washington County, Ohio, pursuant to the US Department of Housing and Urban Development's (HUD) final rule 24 CFR 5, 903 and 982, dated September 12, 2000.

Eligibility Criteria

Each calendar year the PHA will determine how many Section 8 Housing Choice Vouchers will be issued and may utilize the subsidy to purchase rather than rent a home, subject to the following requirements:

1. A family must meet the general requirements for continued participation in the PHA's Section 8 tenant-based programs.
 2. Current Section 8 program participants must be in full compliance with their lease and program requirements and must terminate their current lease arrangement in compliance with the lease.
 3. The family satisfies any first time homebuyer requirements, where a family member must not have owned title to a principal residence in the last three years (also includes a single parent who become displaced homemaker, who, while married, owned a home with spouse or resided in home owned by spouse). Residents of limited equity cooperatives are eligible for homeownership option.
 4. If a family member previously received assistance under the homeownership option, and has defaulted on a mortgage securing debt incurred to purchase the home they shall be barred from participation.
 5. Except for cooperative members who have acquired cooperative membership shares prior to commencement of homeownership assistance, no family member has a present ownership interest in a residence at the commencement of homeownership assistance for purchase of a home.
 6. Participates in the Section 8 homeownership option enrolls in the a pre- and post-purchase homeownership counseling program and be deemed to be mortgage ready before a homeownership voucher will be issued. At a minimum, the counseling program will cover the following:
 - Home maintenance
 - Budgeting and money management
 - Credit Counseling;
 - How to negotiate the purchase price;
 - How to obtain homeownership financing;
 - How to find a home: and
 - Advantages of purchasing and how to locate a home in an area that does not have a high concentration of low-income families.
1. Initially, the program will give priority to current and previous Family Self-Sufficiency participants who successfully complete the FSS program and continue to be eligible for Section 8 assistance. Families participating in FSS shall be offered the housing choice voucher, if there are any remaining vouchers they shall be offered to families that are participating in the Family Self-Sufficiency program.

2. A family of which a family member is a person with disabilities, and use of the homeownership option is needed to provide housing as a reasonable accommodation.
3. The family satisfies the employment requirements.
4. The family has not defaulted on a mortgage securing debt to purchase a home under the homeownership option.
5. Except for cooperative members who have acquired cooperative membership shares prior to the commencement of homeownership assistance, the family has entered a contract of sale.

Homeownership Downpayment

The PHA has established a minimum homeowner downpayment of at least 3 percent of the purchase price. If community resources are involved in the downpayment the family must provide at least one percent of the purchase price from the family's personal resources. The PHA, at its discretion, may waive the one-percent from the family's personal resources, if it has coordinated downpayment assistance with other available community resources.

Statement of Family Obligations

Before commencement of homeownership assistance, the family must execute a statement of family obligations in the form described by HUD. In the statement, the family agrees to comply with all family obligations under the homeownership option.

Family Obligations:

The family must comply with the following obligations.

1. To the extent required by PHA, the family must attend and complete ongoing homeownership and housing counseling.
2. The family must comply with the terms of any mortgage securing debt incurred to purchase the home or any other financing.
3. So long as the family is receiving homeownership assistance, the family may not sell, convey or transfer any interest in the home to any entity or person other than a member of the assisted family residing in the home.
4. The family may grant a mortgage on the home for debt incurred to finance purchase of the home or any refinancing of such debt that is approved in advance by the PHA and meets HUD underwriting regulations.
5. Upon death of a family member who holds, in whole or in part, title to the home or ownership of cooperative membership shares for the home, homeownership assistance may continue pending settlement of the decedent's executor or legal representative, so long as the home is solely occupied by remaining family members.
6. So long as the family is receiving homeownership assistance, the family must supply required information regarding income and family composition in order to calculate total correctly total tenant payment.
7. The family must supply any information on any mortgage or other debt incurred to purchase the home, any refinancing of such debt, any sale or other transfer of any interest in the home or the family's homeownership expenses.
8. The family must notify PHA in writing within five business days, if the family fails to make required mortgage payments or is notified of a default on a mortgage securing any debt incurred to purchase the home.
9. The family must notify PHA in writing within thirty days before the family moves out of the home.
10. During the time the family receives homeownership assistance no family member may have any ownership interest in any other residential property.

11. At the time of annual re-certification, the family must document that he or she is current on mortgage, insurance and utility payments.
12. The family may not take out a home equity loan without prior written consent from PHA.
13. The family must comply with family obligations under Section 8 program.
14. The family may not sublet or lease.
15. My/Our family (including each family member) must not commit fraud, bribery or any other corrupt or criminal act in connection with the program.
16. My/Our family (including each family member) must not participate in illegal drug or violent criminal a activity.

Continued Assistance Requirements

Homeownership assistance may only be paid while the family is residing in the home. If the family moves out of the home, PHA may not continue homeownership assistance after the month when the family moves out. The family or lender is not required to refund to the PHA the homeownership assistance for the month, when the family moves out.

Time Frame of Utilization

A participating family must locate a home and sign a satisfactory a Contract of Sale and arrange Financing within 180 days of a letter of eligibility.

If a participating family is unable to enter into a >Contract of Sale= or arrange financing (other than for unsatisfactory credit) before the end of the 180 day deadline and the family has demonstrated progress by identifying houses to purchase and that it has sought financing that is pending, than an additional 90 days will be granted.

Any extension beyond the 270 days will be subject to the availability of units in the fiscal year and is at the sole discretion of the Section 8 Program Director.

Portability

Families that are determined eligible for homeownership assistance may exercise the homeownership option outside the PHA's jurisdiction, only if the receiving public PHA is administering a Section 8 homeownership program and is accepting new families into its Section 8 homeownership program.

Income Eligibility

1. The family must demonstrate that the annual income (gross income) of the adult family members who will own the home at commencement of homeownership assistance is not less than the Federal minimum hourly wage multiplied by 2,000 hours. (Families in which the head of household or spouse is disabled or elderly are exempt from this requirement. Families with a disabled household member may request an exemption as a reasonable accommodation.)
2. Except in the case of an elderly family or disabled family the PHA shall not count any welfare assistance received by the family in determining annual income.
3. The disregard welfare assistance income only effects the determination of minimum annual income used to determine if a family initially qualifies for commencement of homeownership assistance, but does not effect the determination of income eligibility for admission to the voucher program,

calculation of the amount of homeownership assistant payments on behalf of the family.

Employment Requirements

The family must demonstrate that one or more adult members of the family who will own the home at commencement of homeownership assistance:

1. Is currently employed on full time basis. The term full time employment means not less than an average of 30 hours per week) and has been continuously employed so during the year before commencement of homeownership assistant for the family.
2. The employment requirement may not apply to elderly family or a disabled family (which is a family that includes a person with disabilities) The PHA shall grant an exemption from the employment requirement if the PHA determines that an exemption is needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

Unit Eligibility

1. PHA must determine that the unit is eligible.
2. The unit was either under construction or already existing at the time the PHA determined that the family is eligible for homeownership assistance to purchase the unit.
3. The unit is a one-unit property.
4. The unit has been inspected by the PHA's inspector and by an independent inspector designated by the family.
5. The unit satisfies HQS.
6. The participant must determine and document whether or not the unit is in an airport runway clear zone or an airfield clear zone.
7. The participant must determine and document whether or not the unit is in a flood hazard area. Units in flood hazard areas must be insured for flood damage.
8. The PHA may not approve a unit if the PHA has been informed (by HUD or otherwise) that the seller is debarred, suspended, or subject to limited denial of participation.

Special Housing Type

Families are not permitted (including families that move into the PHA program under portability procedures) to use the following special housing type:

1. Congregate Housing
2. Group home
3. Shared housing
4. Cooperative housing_(excluding families that are not cooperative members)
5. Manufactured homes
6. Single room occupancy (SRO)

Independent Inspections

1. An independent professional inspector selected by and paid for by the family must inspect the unit. The independent inspector may not be a PHA employee or contractor or

other person under the control of the PHA. The independent inspection must cover major building systems and components, including foundation and structure, housing interior and exterior, and the roofing, plumbing, electrical, and heating systems. The independent inspector must be qualified to report on property conditions, including major building systems and components.

2. The independent inspector must provide a copy of the inspection report to both the family and the PHA. The PHA may not commence homeownership assistance for the family until the PHA has reviewed the inspection report of the independent inspector.
3. The PHA shall have the discretion to disapprove the unit for assistance under the homeownership option because of information in the inspection report.

Contract of Sale

1. Before commencement of homeownership assistance, a member or members of the family must enter in a Contract of Sale with the seller of the unit to be acquired by the family. The family must give the PHA a copy of the sale of contract. Except for cooperative members who have acquired cooperative shares prior to commencement of homeownership assistance.
2. The contract of sale must:
 - a. Specify the price and other terms of sale by the seller to the purchaser.
 - b. Provide that the purchaser will arrange for a pre-purchase inspection of the dwelling unit by an independent inspector selected by the purchaser.
 - c. Provide that the purchaser is not obligated to purchase the unit unless the inspection is satisfactory to the purchaser.
 - d. Contain a certification from the seller that the seller has not been debarred, suspended, or subject to a limited denial of participation.

Lease Purchase Agreement

This program is designed for a HUD approved mortgage. Tenants with Lease Purchase Agreements (sometimes called a Land contracts) are eligible only as a tenant participant and will not be considered under this homeownership program.

Permitted Ownership Arrangements

The homeownership option may be utilized in two types of housing:

1. A unit owned by the family, where one or more family members hold title to the home.
2. A cooperative unit, where one or more family members hold membership shares in the cooperative.

Financing

The household is responsible for obtaining financing. Financing must comply with secondary mortgage market underwriting requirements.

If financed with FHA mortgage insurance such financing is subject to FHA mortgage insurance requirements. If purchase of home is financed without FHA mortgage insurance requirements, FHA mortgage insurance requirements are not applicable.

Seller financing, co signing of promissory notes and balloon payments are prohibited forms of financing in this program.

Voucher funds may not be used to assist with financing cost (downpayment, closing cost, etc).

Assistance Payment

The Payment standard will determine the maximum subsidy in the homeownership option program. The PHA will use the same voucher program payment standard amounts for homeownership option, as the Section 8 Tenant based assistance program.

Payment standards amounts are the greater of (1) payment standard at commencement of homeownership assistance or (2) payment standard at most recent eligibility reexamination since the commencement of homeownership assistance.

The family's Section 8 homeownership assistance payment (HAP) will be the lower of (1) Section 8 payment standard minus the total homeowner payment or (2) the monthly homeownership expenses minus the total homeowner payment.

PHA will annually reexamine family income and composition and make appropriate adjustments to the amount of the monthly housing assistance payment.

Forty percent of adjusted monthly income limitation does not apply to homeownership families. If the homeownership expenses exceed the payment standard, the family will pay the difference in addition to the total homeowner payment.

If the family's income increases to a point that they do not receive assistance payment, eligibility for such payments will continue for 180 calendar days. At the end of a continuous period of 180 days without any assistance payments, eligibility for Section 8 assistance will automatically terminate.

Homeownership Expenses

Housing assistance payments will be made directly to the lender. If the housing assistance payment is greater than the mortgage payment, maintenance allowance and tax/insurance escrow payments, the difference will be paid to the family.

Homeownership expenses include:

- 1) interest and principal for original mortgage debt
- 2) real estate taxes
- 3) mortgage insurance
- 4) homeowner insurance
- 5) utility allowance from rental voucher program
- 6) PHA allowance for routine maintenance cost.

Maximum Term of Homeownership Assistance

Section 8 assistance will only be provided for the months the family is in residence in the home. The maximum length of time a family may receive homeownership assistance is 15 years, if the original mortgage, incurred to finance the purchase of the home, has a term of 20 years or longer.

In all other cases the maximum term of assistance is 10 years. Elderly and disabled families are exempt from this time limit.

Maximum term of homeownership assistance applies to the total time a family receives homeownership assistance, regardless of whether the family purchases another home.

The maximum term applies to any member of the family who:

1. Has an ownership interest in the unit during the time that homeownership payments are made; or
2. Is the spouse of any member of the household, who has an ownership interest in the unit during the time homeownership payments are made.
3. If, during the course of homeownership assistance, the family ceases to qualify as a disabled or elderly family, the maximum term becomes applicable from the date that homeownership assistance commenced. However, such a family must be provided at least 6 months of homeownership assistance after the maximum term becomes applicable (provided the family is otherwise eligible to receive homeownership assistance in accordance with this part).

Move To A New Unit

Families are prohibited from moving to a new unit if they own title or interest in the prior home, have not resided in the original home for one year, and/or if the family has failed to comply with all initial requirements.

A homeownership family may purchase another home with Section 8 assistance provided there is no mortgage loan default and the family is in compliance with the statement of homeowner obligations.

Limitations

The number of families that will be assisted with homeownership assistance will be determined by the PHA at the beginning of each calendar year.

Defaults

If a participant in the Homeownership Option defaults on his or her home mortgage loan, the participant will not be able to use his or her homeownership voucher for continued rental housing, but may reapply for the Section 8 waiting list according to the policies and procedures for denial of services for serious violations.

Denial or Termination of Assistance

PHA shall deny or terminate homeownership assistance for the following reasons:

1. Failure to comply under basic voucher program rules
2. Failure to comply with family obligations
3. Mortgage default

Recapture of Homeownership Assistance

Upon the purchase of a home, a family receiving homeownership assistance shall execute a binding agreement, as required by HUD and consistent with State and Local law, that secures the

PHA=s right to recapture the homeownership assistance, when the there is a denial or termination of assistance, involuntary resale or voluntary resale. A recorded lien, secured by a mortgage agreement that specifies the terms of the recapture of homeownership subsidy, shall be subordinate only to the original first mortgage.

In the case of the voluntary sale of the home, the recapture amount shall be:

1. The amount of homeownership assistance provided to the family adjusted to reflect the automatic reduction or
2. If the sale of the house does not result in equity that is sufficient to pay for the recapture amount as outlined above, including the automatic reduction recaptured amount shall be determined using the actual sales price of the home minus the balance of first mortgage.

Purchase of a subsequent home

Homeowner assistance provided will be exempted from repayment, when equity earned as a result to the sale of an assisted home is subsequently used to purchase a another home, while the family is still eligible under this Section 8 homeownership option. The length of assistance will be based on the original purchase and the automatic reduction will take place on the original timeline. If the sale is an identity-of-interest transactions, in which case, the PHA shall establish a sales price and a recapture amount, based on the fair market value, as determined by a fee appraiser to be compensated by the participant.

Automatic Reduction

The amount of homeownership assistance subject to recapture will automatically be reduced over a ten-year period, beginning one year from the purchase date.

- 10% after 1 year
- 20% after 2 years
- 30% after 3 years
- 40% after 4 years
- 50% after 5 years
- 60% after 6 years
- 70% after 7 years
- 80% after 8 years
- 90% after 9 years
- 100% after 10 years

At the end of the 10 year period, the amount of homeownership assistance subject to recapture will be zero.

Provisions that do not apply

The following types of provisions do not apply to assistance under the homeownership options:

1. Any provision concerning the Section 8 owner or HAP contract between the Housing Authority and owner.
2. Any provisions concerning the assisted tenancy or the lease between the family and owner.
3. Any provisions concerning the PHA approval of tenancy.
4. Any provisions concerning rent to owner or rent reasonableness.
5. Any provisions concerning issuance or term of voucher.

WM Section 8 Homeownership Checklist

Application

Sales Contract w/additions

Family Obligations Checklist

Unit Eligibility Checklist

Mortgage & Promissory Note

****Payment Assistance - Astrid**

****Default Notice?**

****Termination Notice - Astrid**

Recapture Notice

Recapture Spreadsheet

Reduction Notice

Reduction Spreadsheet

STATEMENT OF FAMILY OBLIGATIONS

Before commencement of homeownership assistance, the family **must** execute a statement of family obligations in the form described by HUD. In the statement, the family agrees to comply with all family obligations ;under the Homeownership option.

The family must comply with the following obligations:

- 1.1 Attend and complete ongoing homeownership and housing counseling.
- 1.2 Comply with the terms of any mortgage securing debt incurred to purchase the home or any other financing.
- 1.3 So long as the family is receiving homeownership assistance, the family may not sell, convey or transfer any interest in the home to any entity or person other than a member of the assisted family residing in the home.
- 1.4 The family may grant a mortgage on the home for debt incurred to finance purchase of the home or any refinancing of such debt that is approved by the PHA in advance and meets HUD underwriting regulations.
- 1.5 Upon death of a family member who holds, in whole or in part, title to the home or ownership of cooperative membership shares for the home, homeownership assistance may continue pending settlement of the decedent=s executor or legal representative, so long as the home is solely occupied by remaining family members.
- 1.6 So long as the family is receiving homeownership assistance, the family must supply required information regarding income and family composition in order to calculate total correctly total tenant payment.

- 1.7 Supply any information on any mortgage or other debt incurred to purchase the home, any refinancing of such debt, any sale or other transfer of any interest in the home or the family=s homeownership expenses.
- 1.8 Notify PHA in writing within five business days, if the family fails to make required mortgage payments or is notified of a default on a mortgage securing any debt incurred to purchase the home.
- 1.9 Notify PHA in writing within thirty days before the family moves out of the home.
- 1.10 During the time the family receives homeownership assistance no family member may have any ownership interest in any other residential property.
- 1.11 At the time of annual re-certification, the family must document that he or she is current on mortgage, insurance and utility payments.
- 1.12 May not take out a home equity loan without prior written consent from PHA.
- 1.13 Comply with family obligations under Section 8 program.
- 1.14 The family may not sublet or lease.
- 1.15 My/Our family (including each family member) must not commit fraud, bribery or any other corrupt or criminal act in connection with the program.
- 1.16 My/Our family (including each family member) must not participate in illegal drug or violent criminal a activity.

_____ Date _____

Purchaser

UNIT ELIGIBILITY CHECKLIST

1. Is the unit eligible?

Yes: No:

2. Is the unit under construction or an existing unit?

Under construction:

An existing Unit:

3. Is the Unit a one-unit property?

Yes: No:

4. Has the unit been inspected by the PHA's inspector?

Yes: No:

5. Has Unit been inspected by an independent inspector designated by the family?

Yes: No:

6. Is unit an Airport/Airfield runway clear Zone?

Yes: No:

7. Was the condition of the property discussed with the tenant?

Yes: No:

8. Is unit in flood hazard Area? If so, who is the insurer:

No:

Yes: Insurer=s Name:

Address:

City, State, Zip:

9. Is seller debarred, suspended, or subject to limited denial of participation?

Yes: No:

VAWA

The City of Marietta PHA, operated by Washington-Morgan Community Action, works in partnership with EVE, Inc., the agency incorporated to prevent family violence and sexual assault, to ensure families experiencing domestic violence have needed and proper services.

Resident Advisory Board Comments

The RAB for PHA OH077 is not very active. Due to this we asked what current clients would like to see the PHA concentrate efforts on. Comments included:

- Apply for more vouchers
- Get landlords to keep rents low and affordable
- Like to see more houses with more bedrooms that are available
- Continue to work on improving the management of the program

It is the goal of PHA OH077 to bring together those interested in participating in making comments about the Section 8 HCV program. It is also the goal of PHA OH077 to use this time to provide information to tenants in regards to services that may be needed.