

CITY OF MOUNT VERNON AGENCY 5-YEAR PLAN AND ANNUAL PLAN

5 Year Plan for Fiscal Years 2000 - 2004
Annual Plan for Fiscal Year 2000

**PHA Plan
Agency Identification**

PHA Name: *CITY OF MOUNT VERNON LEASED HOUSING*

PHA Number: *NY 175*

PHA Fiscal Year Beginning: (mm/yyyy) *01/2000*

Public Access to Information

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

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

Display Locations for PHA Plans and Supporting Documents

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

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

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

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

5-YEAR PLAN
PHA FISCAL YEARS 2000 - 2004
[24 CFR Part 903.5]

A. Mission

The City of Mount Vernon Leased Housing Program's mission for the next five (5) years is to address the needs of low income, very low income and extremely low income families by 1) promoting decent, safe and affordable housing thus creating a suitable living environment and 2) alleviating the cost burden associated with housing through the use of rental subsidies.

B. Goals

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

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:*
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - Acquire or build units or developments
 - Other (list below)*
Rehabilitate existing buildings for compliance of City's local Buildings Code
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score)
 - Improve voucher management: (SEMAP score)***
 - Increase customer satisfaction:
 - Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)
 - Renovate or modernize public housing units:
 - Demolish or dispose of obsolete public housing:
 - Provide replacement public housing:
 - Provide replacement vouchers:
 - Other: (list below)***
Achieve and maintain an utilization rate of 99% by 12/31/2000 on City's Tenant Based Assistance Program.

- PHA Goal: Increase assisted housing choices
 - Objectives:
 - Provide voucher mobility counseling:***
 - Conduct outreach efforts to potential voucher landlords***
 - Increase voucher payment standards
 - Implement voucher homeownership program:
 - Implement public housing or other homeownership programs:
 - Implement public housing site-based waiting lists:
 - Convert public housing to vouchers:
 - Other: (list below)

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

- PHA Goal: Provide an improved living environment
 - Objectives:
 - Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
 - Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
 - Implement public housing security improvements:
 - Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
 - Other: (list below)***
Improve safety and livability of neighborhoods, Reduce isolation of income groups within an area through deconcentration of housing opportunities.

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

- PHA Goal: Promote self-sufficiency and asset development of assisted households
 - Objectives:
 - Increase the number and percentage of employed persons in assisted families:
 - Provide or attract supportive services to improve assistance recipients' employability:
 - Provide or attract supportive services to increase independence for the elderly or families with disabilities.
 - Other: (list below)***
Make referral to assisted participants in accessing facilities and services provided to low income residents through supportive services agencies.

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

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing
Objectives:
 - Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
 - Other: (list below)***
Undertake affirmative measures to ensure suitable living environment, decent and affordable housing to assisted participants regardless of race, color, religion, national origin, sex, familial status and disability.

- Other PHA Goal: Management
 - To manage the Section 8 Tenant Based Assistance Program in an efficient and effective manner thereby qualifying standard performance under SEMAP
 - Ensure full compliance with all applicable standards and regulations

Annual PHA Plan
PHA Fiscal Year 2000

[24 CFR Part 903.7]

i. Annual Plan Type:

Standard Plan

Streamlined Plan:

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

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

In accordance with Section 511 of the Quality Housing and Work Responsibility Act of 1998, the City of Mount Vernon is required to submit a five-year and annual plans for the Section 8 Tenant Based Assistance Program. The Five Year Agency Plan must be submitted with fiscal years beginning January 1, 2000 through December 31, 2004 and the Annual Plan beginning with Fiscal Year 2000 (“Agency Plan”). The Agency Plan is consistent with the City of Mount Vernon approved 1995 Consolidated Plan.

The Mount Vernon Urban Renewal Agency on behalf of the City of Mount Vernon (“City”) oversees the operation and administration of the Section 8 Tenant Based Assistance Program. In September 1999, the Mayor, who is the Chairman of the Mount Vernon Urban Renewal Agency, authorized the development of a Resident Advisory Board. The Mayor appointed members to serve for a two-year term. The Chairperson of the Resident Advisory Board will be elected among the board members.

The Agency Plan was prepared in accordance with HUD’s rules and regulations and is being made available to residents for review and comments. The City published a public notice in the local newspapers advising the residents of the availability of the Agency Plan. This advertisement was placed in the Journal News, Westchester Section, local news. The public notice informed the residents of the public hearing to be held on November 16, 1999 to further obtain residents’ input in the Agency Plan. The City will receive written comments from the residents within the 45-days review and comment period. All written comments will be taken into consideration in the final adoption of the Agency Plan.

Goals and Objectives

This document includes the City’s five-year mission statement and goals and objectives in the operation of the Section 8 Tenant Based Assistance Program. It will provide collaborative planning between community development agencies, participating residents and other agencies that may be involved in the Section 8 Program. The City anticipates that during the Agency Plan, it will request additional vouchers if they become available from the Department of Housing and Urban Development.

Resources

The Mount Vernon Urban Renewal Agency on behalf of the City of Mount Vernon currently operates the Section 8 Tenant Based Assistance Program by administering **587** Section 8 Certificates and **155** Section 8 Vouchers. In addition, there are approximately **200** families under the Section 8 Portability Program.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

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15. Civil Rights Certifications (included with PHA Plan Certifications)	
16. Audit	
17. Asset Management – Not applicable	
18. Other Information	

Attachments

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

Required Attachments:

- Admissions Policy for Deconcentration
- FY 2000 Capital Fund Program Annual Statement***
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

- PHA Management Organizational Chart***
- FY 2000 Capital Fund Program 5 Year Action Plan
- Public Housing Drug Elimination Program (PHDEP) Plan
- Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
- Other (List below, providing each attachment name)

Supporting Documents Available for Review

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
Attachment “A”	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
Attachment “B”	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
N/A	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
Only AI document – Attachment “C”	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs – Consolidated Plan at the office of PCD
N/A	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
N/A	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
Attachment "D"	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Public housing rent determination policies, including the methodology for setting public housing flat rents <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
N/A	Schedule of flat rents offered at each public housing development <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
See Attachment "D"	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
N/A	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
N/A	Public housing grievance procedures <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
See Attachment "D"	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
N/A	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
N/A	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
N/A	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
N/A	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
N/A	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
N/A	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
N/A	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
N/A	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
Attachment "E"	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
Attachment "F"	Other supporting documents (optional) Copy of Advertisement	Annual Plan
Attachment "G"	Department of Planning & Community Development Organizational Chart	Annual Plan

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

I. Income Category

Based on the information obtained in the 1994 CHAS Databook, the City shows that there is a tremendous need to provide housing assistance to very low, low and moderate income households as well as supportive services. In accordance with the City's 1995 Consolidated Plan, it shows that the estimate of housing needs is provided for various income groups and household size for both renters and owners (including elderly, small and large families). The definition of households with housing problems includes a non-duplicative count of households that 1) occupy units with physical defects (lacking complete kitchen or bathroom); 2) live in overcrowded conditions (a housing unit with more than one person per room); 3) have a housing cost burden, including utilities, exceeding 30% of gross income, or have a severe housing cost burden, including utilities, exceeding 50% of gross income. An analysis of the nature of the housing need reveals that the predominant cause of housing need is *cost burden*. Within the income group earning less than 30% of the median family income in Westchester County (extremely low-income), 81% of the renters households have a housing problem with 79% experiencing cost burden over 30% of the family's gross income and 58% experiencing severe cost burden over 50% of the family's gross income. Within the 31 to 50% of the median family income in Westchester County (very low-income), 63% of the renters households have a housing problem with 54% experiencing a cost burden over the 30% of the family's gross income and 12% experiencing a severe cost burden over the 50% of the family's gross income. Within 51% to 80% of the median family income in Westchester County (lower income), 32% of the renters have a housing problem with 24% experiencing cost burden over 30% of the family's gross income and 5% experiencing severe cost burden over 50% of the family's gross income. These statistics shows that there is a need for some type of housing assistance among the extremely low, very low and low income households. Being that Mount Vernon has a fairly high percentage of extremely low, very low and low income households with a sound housing stock in terms of facilities explains this concentration of housing need in the cost burden area. This problem is further intensified by the lack of land for new housing construction and the low vacancy rate in the existing housing stock. In the City's 1995 Consolidated Plan indicated that the City will not experience a significant change over the period of the plan as the nature and extent of housing needs.

II. Racial/Ethnic Housing Need

According to the City's 1995 Consolidated Plan, approximately 75% of the renter households earning less than 51% of the median family income in Westchester County have housing problems. In the same category, 75.1% of minority (73.6% of Black households and 91.4% of Hispanic household) head of household have housing problems

clearly indicating the extent of housing problems among the Black and Hispanic population.

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

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	1470	5	5	5	5	5	5
Income >30% but <=50% of AMI	892	4	4	4	4	4	4
Income >50% but <80% of AMI	221	3	3	3	3	3	3
Elderly	2031	5	5	5	5	4	5
Families with Disabilities	136	4	4	4	4	4	4
Race/Ethnicity	N/A						
Race/Ethnicity							
Race/Ethnicity							
Race/Ethnicity							

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

- Consolidated Plan of the Jurisdiction/s***
Indicate year: 1995
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset***
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information)

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

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	1162		25
Extremely low income <=30% AMI	1131	66%	
Very low income (>30% but <=50% AMI)	25	72%	
Low income (>50% but <80% AMI)	6	50%	
Families with children	678	100%	
Elderly families	50	84%	
Families with Disabilities	93	22%	
Race/ethnicity	N/A	N/A	
Characteristics by Bedroom Size (Public Housing Only)	NOT APPLICABLE		
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			

Housing Needs of Families on the Waiting List

Is the waiting list closed (select one)? No Yes

If yes:

How long has it been closed (# of months)? **47 MONTHS**

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

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

C. Strategy for Addressing Needs

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

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

Select all that apply

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

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

Select all that apply

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

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

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

Select all that apply

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

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

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

Select all that apply

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

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available
- Other: (list below)
Support designation of development for the elderly.

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

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

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

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

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

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

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

(2) Reasons for Selecting Strategies

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

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing

- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)

2. Statement of Financial Resources

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2000 grants)	0	0
a) Public Housing Operating Fund	0	
b) Public Housing Capital Fund	0	
c)	0	
d) HOPE VI Revitalization		
e) HOPE VI Demolition	0	
f) Annual Contributions for Section 8 Tenant-Based Assistance	\$3,346,553.00	
g) Public Housing Drug Elimination Program (including any Technical Assistance funds)	0	
h) Resident Opportunity and Self-Sufficiency Grants	0	
i) Community Development Block Grant	0	0
j) HOME	0	0
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)	0	0

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
3. Public Housing Dwelling Rental Income	0	0
4. Other income (list below)		
<i>Administrative Fees</i>	\$300,983.00	Section 8 operations
4. Non-federal sources (list below)	0	0
Total resources		

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing - NOT APPLICABLE

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.
 – The City of Mount Vernon does not administer public housing projects.

(1) Eligibility

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

- When families are within a certain number of being offered a unit: (state number)
- When families are within a certain time of being offered a unit: (state time)
- Other: (describe)

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

- Criminal or Drug-related activity
- Rental history

- Housekeeping
- Other (describe)

- c. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- d. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- e. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

(2)Waiting List Organization

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

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

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

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

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

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

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

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

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

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

(3) Assignment

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

- One
- Two
- Three or More

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

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

(4) Admissions Preferences

a. Income targeting:

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

b. Transfer policies:

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

- Emergencies
- Overhoused
- Underhoused
- Medical justification
- Administrative reasons determined by the PHA (e.g., to permit modernization work)
- Resident choice: (state circumstances below)
- Other: (list below)

c. Preferences

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

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

Former Federal preferences:

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

Other preferences: (select below)

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

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

Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families

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

4. Relationship of preferences to income targeting requirements:

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

(5) Occupancy

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

- The PHA-resident lease
- The PHA's Admissions and (Continued) Occupancy policy
- PHA briefing seminars or written materials
- Other source (list)

b. How often must residents notify the PHA of changes in family composition? (select all that apply)

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

(6) Deconcentration and Income Mixing

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

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

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

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

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

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

- Additional affirmative marketing
- Actions to improve the marketability of certain developments
- Adoption or adjustment of ceiling rents for certain developments
- Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- Other (list below)

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

- Not applicable: results of analysis did not indicate a need for such efforts

List (any applicable) developments below:

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

Not applicable: results of analysis did not indicate a need for such efforts

List (any applicable) developments below:

B. Section 8

(1) Eligibility

- a. What is the extent of screening conducted by the PHA? (select all that apply)
- Criminal or drug-related activity only to the extent required by law or regulation
 - Criminal and drug-related activity, more extensively than required by law or regulation
 - More general screening than criminal and drug-related activity (list factors below)
 - Other (list below)
- b. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- Criminal or drug-related activity
 - Other (describe below)

(2) Waiting List Organization

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- None
 - Federal public housing
 - Federal moderate rehabilitation
 - Federal project-based certificate program
 - Other federal or local program (list below)
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- PHA main administrative office
 - Other (list below)

(3) Search Time

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

If yes, state circumstances below:

Hard-to-House Families, Persons with disability or a member of their family has disability, elderly.

(4) Admissions Preferences

- a. Income targeting

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

- b. Preferences

1. Yes No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)
2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

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

Other preferences (select all that apply)

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

- Victims of reprisals or hate crimes
- Other preference(s) (list below)

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

1 Date and Time

Former Federal preferences

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

Other preferences (select all that apply)

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

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

- Date and time of application
- Drawing (lottery) or other random choice technique

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

- This preference has previously been reviewed and approved by HUD
- The PHA requests approval for this preference through this PHA Plan

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

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

(5) Special Purpose Section 8 Assistance Programs

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

- The Section 8 Administrative Plan
- Briefing sessions and written materials
- Other (list below)

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

- Through published notices
- Other (list below)

4. PHA Rent Determination Policies - NOT APPLICABLE

[24 CFR Part 903.7 9 (d)]

A. Public Housing

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

THE CITY OF MOUNT VERNON LEASED HOUSING PROGRAM DOES NOT OPERATE PUBLIC HOUSING DEVELOPMENTS.

(1) Income Based Rent Policies

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

a. Use of discretionary policies: (select one)

- The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum

rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

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

b. Minimum Rent

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

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

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

3. If yes to question 2, list these policies below:

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

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

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

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

- For the earned income of a previously unemployed household member
 For increases in earned income
 Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:

- For household heads
 For other family members
 For transportation expenses

- For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below)

e. Ceiling rents

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

- Yes for all developments
- Yes but only for some developments
- No

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

- For all developments
- For all general occupancy developments (not elderly or disabled or elderly only)
- For specified general occupancy developments
- For certain parts of developments; e.g., the high-rise portion
- For certain size units; e.g., larger bedroom sizes
- Other (list below)

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

- Market comparability study
- Fair market rents (FMR)
- 95th percentile rents
- 75 percent of operating costs
- 100 percent of operating costs for general occupancy (family) developments
- Operating costs plus debt service
- The "rental value" of the unit
- Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)

- Never

- At family option
- Any time the family experiences an income increase
- Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)_____
- Other (list below)

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

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

- The section 8 rent reasonableness study of comparable housing
- Survey of rents listed in local newspaper
- Survey of similar unassisted units in the neighborhood
- Other (list/describe below)

B. Section 8 Tenant-Based Assistance

(1) Payment Standards

Describe the voucher payment standards and policies.

a. What is the PHA’s payment standard? (select the category that best describes your standard)

- At or above 90% but below 100% of FMR
- 100% of FMR
- Above 100% but at or below 110% of FMR
- Above 110% of FMR (if HUD approved; describe circumstances below)

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

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

Other (list below)

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

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

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

- Annually
- Other (list below)

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

- Success rates of assisted families
- Rent burdens of assisted families
- Other (list below)

(2) Minimum Rent

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

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

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

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

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

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

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

B. HUD Programs Under PHA Management

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

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	N/A	N/A
Section 8 Vouchers	155	10
Section 8 Certificates	547	20
Section 8 Mod Rehab	N/A	N/A
Special Purpose Section 8 Certificates/Vouchers (list individually)	N/A	N/A
Public Housing Drug Elimination Program (PHDEP)	N/A	N/A
Other Federal Programs(list individually)	N/A	N/A

C. Management and Maintenance Policies

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

(1) Public Housing Maintenance and Management: (list below)

(2) Section 8 Management: (list below) HUD Section 8 Manual, Code of federal regulations and Section 8 Administrative Plan.

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

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

A. Public Housing – THIS SECTION IS NOT APPLICABLE.

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

If yes, list additions to federal requirements below:

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

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

B. Section 8 Tenant-Based Assistance

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

If yes, list additions to federal requirements below:

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

- PHA main administrative office
 Other (list below)

7. Capital Improvement Needs - NOT APPLICABLE

[24 CFR Part 903.7 9 (g)]

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

A. Capital Fund Activities

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

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD-52837.

Select one:

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

-or-

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

(2) Optional 5-Year Action Plan

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

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

b. If yes to question a, select one:

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

-or-

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

B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund) – NOT APPLICABLE

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

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

1. Development name:
2. Development (project) number:
3. Status of grant: (select the statement that best describes the current status)
 - Revitalization Plan under development
 - Revitalization Plan submitted, pending approval
 - Revitalization Plan approved
 - Activities pursuant to an approved Revitalization Plan underway

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

- Yes No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?
If yes, list developments or activities below:

- Yes No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
If yes, list developments or activities below:

8. Demolition and Disposition -NOT APPLICABLE

[24 CFR Part 903.7 9 (h)]

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

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

2. Activity Description

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

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

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

[24 CFR Part 903.7 9 (i)] --- NOT APPLICABLE

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

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

2. Activity Description

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

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

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)] - NOT APPLICABLE

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

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

1. Yes No: Have any of the PHA's developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If "No", skip to component 11; if "yes", complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

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

Conversion of Public Housing Activity Description
1a. Development name: 1b. Development (project) number:
2. What is the status of the required assessment? <input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)
4. Status of Conversion Plan (select the statement that best describes the current status) <input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD-approved Conversion Plan underway
5. Description of how requirements of Section 202 are being satisfied by means other

than conversion (select one)

- Units addressed in a pending or approved demolition application (date submitted or approved: _____)
- Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: _____)
- Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: _____)
- Requirements no longer applicable: vacancy rates are less than 10 percent
- Requirements no longer applicable: site now has less than 300 units
- Other: (describe below)

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

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

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

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

2. Activity Description

- Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset

Management Table? (If “yes”, skip to component 12. If “No”, complete the Activity Description table below.)

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

B. Section 8 Tenant Based Assistance

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

2. Program Description:

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

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

If yes, list criteria below:

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (1)]

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

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

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

If yes, what was the date that agreement was signed? DD/MM/YY

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

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

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

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

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

b. Economic and Social self-sufficiency programs

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

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)

(2) Family Self Sufficiency program/s – NOT APPLICABLE

a. Participation Description

Family Self Sufficiency (FSS) Participation
--

Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8		

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

If no, list steps the PHA will take below:

C. Welfare Benefit Reductions – NOT APPLICABLE

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

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

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

13. PHA Safety and Crime Prevention Measures–NOT APPLICABLE

[24 CFR Part 903.7 9 (m)]

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

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

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

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

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

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

3. Which developments are most affected? (list below)

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

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

- Contracting with outside and/or resident organizations for the provision of crime-and/or drug-prevention activities
- Crime Prevention Through Environmental Design
- Activities targeted to at-risk youth, adults, or seniors
- Volunteer Resident Patrol/Block Watchers Program
- Other (describe below)

2. Which developments are most affected? (list below)

C. Coordination between PHA and the police

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

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

2. Which developments are most affected? (list below)

D. Additional information as required by PHDEP/PHDEP Plan

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

- Yes No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- Yes No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?
- Yes No: This PHDEP Plan is an Attachment. (Attachment Filename: ____)

14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

NOT APPLICABLE

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

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

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

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

17. PHA Asset Management – NOT APPLICABLE

[24 CFR Part 903.7 9 (q)]

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

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

- Comprehensive stock assessment
- Other: (list below)

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

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

1. Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)
 - Attached at Attachment (File name)
 - Provided below:

3. In what manner did the PHA address those comments? (select all that apply)
 - Considered comments, but determined that no changes to the PHA Plan were necessary.
 - The PHA changed portions of the PHA Plan in response to comments
List changes below:
 - Other: (list below)

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

1. Yes No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)

2. Yes No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process
 - a. Nomination of candidates for place on the ballot: (select all that apply)
 - Candidates were nominated by resident and assisted family organizations
 - Candidates could be nominated by any adult recipient of PHA assistance

- Self-nomination: Candidates registered with the PHA and requested a place on ballot
- Other: (describe)

b. Eligible candidates: (select one)

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

c. Eligible voters: (select all that apply)

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

C. Statement of Consistency with the Consolidated Plan

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

1. Consolidated Plan jurisdiction: ***City of Mount Vernon***
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
 - The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
 - The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
 - The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
 - Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
 - Other: (list below)
4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

D. Other Information Required by HUD

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

24 CFR 903.7 r

Pursuant to HUD’s requirement to derive to a local definition of “substantial deviation” and “significant amendment or modification” to the Agency Plan, the City of Mount Vernon adopted the following definition: Substantial deviations or significant amendments or modifications are defined as discretionary changes in the plans or policies of the Section 8 Program that fundamentally change the mission, goals, objectives, or plans of the City and which require formal approval of the Mount Vernon Urban Renewal Board.

ATTACHMENT “C”

CITY OF MOUNT VERNON DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT MOUNT VERNON URBAN RENEWAL AGENCY

FAIR HOUSING PLANNING ANALYSIS OF IMPEDIMENTS

I. INTRODUCTION

The Department of Housing and Urban Development (HUD) requires that all Grantees of Community Development Block Grants {CDBG}, HOME Investment Partnerships {HOME}, Emergency Shelter Grant {EGG} and Housing Opportunities for Persons with AIDS {HOPWA} take actions to affirmatively further fair housing. An Analysis of Impediments (AI) to Fair Housing was done in partial fulfillment of the City of Mount Vernon’s requirements as a grantee. The City of Mount Vernon is committed to eliminating discriminatory practices in housing and to promoting housing opportunities for all. In an effort to achieve this commitment, every tool was made use of to achieve this goal in the Analysis of Impediments. The City of Mount Vernon is composed of diverse races, ethnic groups, religions, and national origins. Therefore, the fundamental goal of the Analysis of Impediments (AI) is to insure that all person is afforded a fair opportunity to obtain safe and sanitary housing while protecting the right to do so.

A.) WHO CONDUCTED/ METHODOLOGY USED

The method used in conducting the Analysis of Impediment (AI) consists of an analyzing a full array of information, practices, policies and procedures. The method included research of public policies and practices as they relate to Fair Housing, housing condition, land use, fair housing complaints, demographic patterns, as well as, patterns of occupancy in subsidized housing (i.e. Section 8) and private housing.

The Analysis of Impediments (AI) was conducted by the Fair Housing Officer and the Community Development & Housing Administrator, through a collaboration of the following:

Housing Management

Housing Management has the responsibility of Administrating the Section 8 Rental Housing Certificate and Housing Voucher Program (Section 8 program). The Section 8 program gives assistance to eligible low-income households to obtain safe and sanitary housing through providing rent subsidy.

Apartment Improvement Program (AIP)

This program works with community sectors to maintain and improve neighborhoods through physical rehabilitation of housing and by means of tenant /landlord dialogue. The program addresses a variety of problems, which could contribute to the decline of buildings.

Westchester Residential Opportunity (WRO)

WRO is a Westchester based agency, which processes housing discrimination complaints and does fair housing testing. Additionally, WRO provides housing related counseling, advocacy and referral services for low/moderate income families and the elderly.

B.) HOW FUNDED

Community Development directly funds all parties that contributed to developing the Analysis of Impediment (AI) in whole or in part Block Grant (CDBG)

C.) FINDINGS

Six areas were found to be the most vulnerable to fair housing choices and impediments. These areas of primary concern were identified as follows:

- (a.) lack of vacant land
- (b.) aging housing stock
- (c.) substandard housing
- (d.) disabled housing
- (e.) high concentration of low income neighborhood
- (f.) knowledge of Fair Housing regulations and Fair Housing enforcement

D.) CONCLUSIONS

At the conclusion of the analysis, action was taken to prevent impediments to fair housing, as listed below:

- (a.) promoting home ownership and affordable housing
- (b.) promoting fair housing education & outreach
- (c.) eliminating patterns of segregation for section 8 participants
- (d.) enacting fair housing enforcement
- (e.) eliminating substandard housing
- (f.) developing housing for the disabled

II. CITY OF MOUNT VERNON BACKGROUND DATA

A.) DEMOGRAPHIC DATA

The City of Mount Vernon is a racially and ethnically diversified city.

The population is 67,153. The total population is comprised of 55% African Americans, 8% Hispanics, 2% Asian, 38 % White. The male of population is 45%, while 55% is female; In age groups the population is comprised of 0-14 years, 19%, 5-29 years, 23%, 30-44 years, 23%, 45-59 years, 15% and 60 plus, 20%. Within families, 5602 married couples have children, this number represent approximately 55% of all married couple households. The remaining 4907 married couples' households have no children. There are 468 male householders with no children & no wife, while 672 male householders have children, but no wife. The City has 3153 female householders with no husband present, nor children, while 2009 female householders have no husband present, but do have children. In non-family households, there the City has 3170 male householders, 5194, female householders. Mount Vernon is the third most populous City in Westchester County, the ninth most densely populated City in the nation. The City's foreign-born population has grown by 22%.¹

Mount Vernon is composed of 20 census tracts, which identify areas of concentration of racial/ethnic, minorities and low-income families; ten (10) tracts have percentages of Black population higher than the community wide percentage, five (5) have Hispanic population higher than the citywide percentage. The definition of racial/ethnic minority used in this analysis is a census tract where the percentage of minority population exceeds the community percentage. An area is defined as low-income area if the number of persons within income levels below 80 percent of the median income adjusted for family size represents 51 percent or more of the population of the area. (See map exhibit 1-5)

B.) INCOME CHARACTERISTIC

Approximately 11% of Mount Vernon's population live below the poverty level and approximately 8% of the households are low or very low moderate income; the population below the poverty level is comprised of 24% whites, 69% Blacks, 11% Hispanic, 2% Asian, less than 1% American Indians. 16.5% of the population below the poverty level ages are under 18 years old, 15.1% are 5 to 17 years old, 12.9% are ages 65 years & over. The median income of Mount Vernon households is \$34,850,353: mean income of Mount Vernon families is \$41,120.²

C.) EMPLOYMENT AND TRANSPORTATION PROFILE

The City of Mount Vernon has a total of 65.8% of its population in the labor force; 59.2 % of the female population is enrolled in the labor force; 60.3 % of the females in the labor force have children under 6 years old and of the total work force 25.9% use public transportation as a means of transportation to work, 66.3% use car or truck, 12.7% carpool.³

The City is served by three major commuter rail stations and a bus service which connects to NYC subway system and the rest of the County, the bus service includes kneeling buses for the disabled and a para-transit bus for the mentally or physically impaired; the City is bordered by the Hutchinson Parkway to the east,

the Bronx River Parkway to the west and the Cross County Parkway to the north. (See transportation map exhibit-6)

D.) HOUSING PROFILE

The City of Mount Vernon being a mature city has an older housing stock. The concentration of the oldest homes is in the Southside of town. There is limited vacant land available for new housing development. There are 26,232 housing units within the City. 40% of these units were built in the year of 1940, or earlier. As a result, there is a need to preserve and rehabilitate existing housing stock. The City has a low vacancy rate of 3.3% for rental housing and 1.8% for homeowner housing, which consequently creates a tight housing market. Mount Vernon is a predominantly rental housing stock, being comprised of 27,107 households. Of this number 17,068 are renters, which represents approximately 63% of the total housing stock. Of this number, 6259 are very low income & 3979 are other low income. 10,039 are homeowners of which 1838 are very low income & 993 are other low income.⁴ The City is only 4.2 Square miles in size, with approximately 99% of its land developed.⁵

E.) MAPS

- 1.) Census tracts with minority population percentage greater than the citywide percentage (exhibit-1)
- 2.) Census tracts with a Black population percentage greater than the Citywide percentage (exhibit-2)
- 3.) Census tracts with a Hispanic population percentage greater than the citywide percentage (exhibit -3)
- 4.) Census tracts with an Asian population percentage greater than the citywide percentage (exhibit -4)
- 5.) Block groups where more than 50% of the population are low-or moderate income (exhibit -5)
- 6.) Transportation Map (exhibit-6)

III. IMPEDIMENTS TO FAIR HOUSING

A. IMPEDIMENT

The lack of financing and lack of affordable housing for a significant number of people.

ACTION TO ELIMINATE IMPEDIMENT

In response to this impediment the City took the following action to promote home ownership and remove barriers of affordable housing:

City of Mount Vernon determined that it would allocate 15% of its HOME Investment Partnership Program funds for affordable housing project to subsidize the purchase price of homes. This was accomplished through establishing a down payment assistance program. The program provides HOME program subsidy towards the purchase of new homes for eligible HOME applicants. Minimum qualification for assistance is that the family be low moderate income. The purchaser's annual gross income cannot exceed 80% of the median income for the area.

RESULT OF THIS ACTION

This program strengthened the ability of the City to provide affordable housing. The program also alleviated the financial barrier in purchasing a home. In 1997, under the HOME Program the City subsidized nine (9) affordable housing units by awarding \$25,000 to eligible homebuyers. This subsidy reduced the sale price of these homes to \$73,000. In addition, a \$46,000 HOME grant was provided for site work to benefit eighteen (18) affordable housing units. All homes were sold and occupied by eligible homebuyers in 1997. The City also committed HOME funds to Ujamaa of Grace, Inc. for three (3) 3-bedroom condominium units located in census tract 32, which has a high concentration of minorities and low-income families.

B. IMPEDIMENT

A lack of education on Fair Housing laws, rights and responsibilities on the part of the home seekers and home providers.

ACTION TO ELIMINATE IMPEDIMENT

In response to this impediment the City took the following action to promote fair housing education and outreach:

Established an education and out reach campaign, which consist of:

- (1.) Disseminating written material to landlords and tenants and general public
- (2.) Housing Counseling Education: Provide funding for housing counseling and advocacy for elderly and low/moderate income individuals.
- (3.) Seminars and workshops: The City of Mount Vernon planned two citywide workshops a year for home providers and tenants. These workshops will be done with the assistance of WRO. The sessions will include Fair housing laws, compliant process, remedies, housing rights and responsibilities. These sessions will also include representation from the Westchester Board of Realtors. In addition to the citywide sessions, each tenant's association will be contacted to give a fair housing presentation in their respective building.
- (4.) Media outreach:
 - a.) Daily Argus- daily newspaper covering the Southern Westchester County
El Diario- LaPrensa –daily, Hispanic language newspaper
County Press- monthly newspaper oriented to African Americans
WFAS (am & fm)- radio station based in New Rochelle, NY, which services Westchester.

Paragon Cable-local Cable Company, which airs public service announcements in Mount Vernon.

b.) Other suitable means to be used to publicize program:

Include but not limited to: individual letters to landlords of multi-family properties; letters to community based organizations. Ethnic groups that are not likely to get involved will be identified and contacted. Special outreach to these groups would include:

Portugese- notice and contact made through the Portugese Club

Hispanics- Publications through Spanish speaking papers and organizations

Asian- Chinese Community Church of Westchester to be sent notification

American Indians_- Daily Argus, WFAS (see 4 (a.) for description)

The City of Mount Vernon makes every effort to continually update their contact list to reflect these ethnic groups.

RESULT OF THIS ACTION

The fair housing officer coordinated activities with the section 8 Housing program to distribute fair housing material to landlords, tenants and all new section 8 applicants. A massive amount of material was distributed throughout the city to the general population, which discussed fair housing laws and remedies for victims of fair housing. Written material was distributed to the community to ensure that correct information on fair housing information is made available to everyone. Two Hundred and fifty (250) brochures on “Fair Housing an Open Door” were distributed to the general public. Over (2000) informational fact sheets on tenant’s rights were distributed to first time applicants for rent subsidy at their 1997 section-8 pre application opening.

The City of Mount Vernon works closely with Westchester Residential Opportunities (WRO) and provides CD funds for the administration of housing counseling services for low/moderate income elderly, under the supervision of WRO program. The City under ESG provided funds to the Urban League of Westchester to operate a housing eviction program. This program offers families at risk of loosing their homes. In 1997, there were 78 families who received housing prevention eviction counseling.

C. IMPEDIMENT

Lack of housing choices in non-minority census tract areas for Section 8 certificate and voucher holders has caused program participants to segregate in predominantly minority /low income areas.

ACTION TO ELIMINATE IMPEDIMENT

In response to this impediment the City took action to increase geographic choices in housing for section 8 certificate and voucher holders in non-minority areas:

The Fair Housing Officer works closely with the Director of Housing Management to outreach to landlords and owners of properties in non-minority census tracts to participate in the Section 8 Existing Voucher & Certificate Program. Solicitation is done through mailings, media advertisement, special presentation and personal contacts with property managers in non-minority census tract areas. A new Section 8 program informational

brochure was developed, which was distributed to landlords and /or property owners. This brochure provides program benefits. They are also invited to the office to discuss the operation of the program and to clear up any misinformation that they have received regarding the program. Counseling received by Section 8 Certificate or Voucher holders includes applying for housing in all of geographical location as opposed to low Income/minority areas only. This process is ongoing.

RESULTS OF THIS ACTION

More than 10% of the landlords contacted in non-minority census tracts to discuss participation in the section 8 programs have responded affirmatively to accept Section 8 Existing Certificate & Voucher program when units become available.

Some landlord as an added benefit has viewed the increased Fair Market Rates (FMR). The new FMRs in the Section 8 program has appealed to landlords/property owners who have in the past shown no interested in the program.

D. IMPEDIMENT

Lack of Local fair housing ordinance to enforce fair housing

ACTION TO ELIMINATE IMPEDIMENT

In response to this impediment the City took action to promote enforcement of Fair Housing laws include:

It is recommended that the City Adopts a Fair Housing Ordinance, which enforces the City's commitment to affirmatively further fair housing. The proposed ordinance will reflect the Federal Fair Housing Act of 1988. The ordinance would prohibit discrimination in housing on the basis of race, color, religion sex, handicap, family status or national origin. The will become a declaration in public policy that the City of Mount Vernon insures that all persons living or desiring to live in the city have a fair opportunity to purchase, sell, rent, lease or occupy housing or other real estate or obtain financing. The ordinance will also contain condition of enforcement, should any provision be violated. It is recommended that the Mayor and the City Council review this recommendation and consider adopting the fair housing ordinance into local law by the conclusion of the year.

E. IMPEDIMENT

Substandard housing in low-income area

ACTION TO ELIMINATE IMPEDIMENT

In response to this impediment the City took action to eliminate substandard housing and provide safe and decent housing:

The City allocated a percentage of HOME funds to be used for upgrading and rehabilitation of existing housing in economically depressed areas. These funds were earmarked to ensure that the overall rehabilitation meet local housing codes and provides safe, sanitary and decent housing in low-income census tracts of the City.

RESULT OF ACTION TAKEN

The City of Mount Vernon under the HOME Program made a five-year commitment to allocate HOME funds for rehabilitation of existing rental units to help eliminate substandard housing in Levister Towers. Levister Towers the City's only high rise low income, public housing complex. This housing complex is located in a census tract area with a high concentration of minority and low-income population. A cooperative agreement between the City and New York State has been created to insure that the overall rehabilitation of this housing complex, which is in an economically depressed area, meet local housing codes. The rehabilitation funded included reconstructing elevator, elevator doors, boiler system repairs and improvements, and installation of new apartment doors, with security peepholes throughout the complex. In 1997 the rehabilitation work was 80% completed.

F. IMPEDIMENT

Lack of accessible housing for persons with disabilities

ACTION TO ELIMINATE IMPEDIMENT

In response to this impediment the City of Mount Vernon formed a partnership with the National Baptist Convention and Grace Baptist Church to obtain an \$8.4 million dollar grant. This grant would finance the construction of an elderly housing complex in the City of Mount Vernon. The complex would be handicap accessible and some units would be fully equipped to accommodate disabled individuals.

RESULT OF ACTION TAKEN

As a result of the partnership formed with the City of Mount Vernon and the National Baptist Convention and Grace Baptist Church, a 98-unit elderly housing complex construction was completed in 1997. The "Grace House" as it was officially named, opened and was fully occupied by the end of 1997. Of the 98 units ten (10) are fully handicap ready. These ten (10) handicap units consist of raised toilets, bathroom bars, buddy cords, lowered cabinets and modular drawers. The new complex has handicap accessible routes and accessible parking spaces. It is an elevator building. The remaining 88 units have bathroom doors are wheel chair accessible and are units are adaptable.

FOOTNOTES

¹ **Data obtained from CHAS Data book**

² **1990 Census Data**

³ **Ibid**

⁴ **Data obtained from CHAS Databook**

⁵ **Data obtained from Mount Vernon 21st Century Committee Action Plan**

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Attachment AA@ - Transition to the Section 8 Tenant Based Assistance:
Housing Choice Voucher

**RESOLUTION ADOPTING
ADMINISTRATIVE PLAN**

SEE ATTACHED

CERTIFICATIONS

Certification in connection with the operation of the Section 8 Tenant Based Assistance: Housing Choice Voucher Program and in compliance with Equal Opportunity Requirements.

The City of Mount Vernon hereby assures and certifies that:

- (i) It will comply with the Fair Housing Act, 42 U.S.C. 3610-3619, implemented at 24 CFR part 100.
- (ii) It will comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, implemented at 24 CFR part 1.
- (iii) It will comply with the Age Discrimination Act of 1975, 42 U.S.C. 6101-6107, implemented at 24 CFR part 146.
- (iv) It will comply with Executive Order 11063, Equal Opportunity in Housing (1962) as amended, Executive Order 12259, 46 CFR 1253 (1980), as amended, Executive Order 12892, 59 CFR 2929 (1994) (implementing regulations at 24 CFR part 107).
- (v) It will comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, implemented at 24 CFR part 8
- (vi) It will comply with Title II of the American with Disabilities Act, 42 U.S.C. 12101, et seq.

Constance G. Post, Commissioner

Date

(1) **SELECTION AND ADMISSION OF APPLICANTS FROM WAITING LIST (INCLUDING ANY ADMISSION PREFERENCES, PROCEDURES FOR REMOVING APPLICANT NAMES FROM THE WAITING LIST, AND PROCEDURES FOR CLOSING AND REOPENING THE WAITING LIST.**

Opening the Waiting List

All advertisements and/or public notices¹ will include the Fair Housing logotype and their content will conform with HUD's Guidelines For Fair Housing requirements. All advertisements and notices will advise households that they can request or pick up additional information and pre-applications at the Urban Renewal Agency. Notification and brochures will be sent to the local district office of the Department of Social Services and community based organizations serving minorities and low income populations.

The City will select a site for the distribution of applications and filing instructions. Completed pre-applications will be mailed by the Applicant directly to a Post Office Box. Anyone requiring assistance in completing pre-applications due to literacy and/or language barriers may receive assistance at the selected site location from Staff members of the Mount Vernon Department of Planning and Community Development.

Organization of Waiting List

The pre-applications will be a permanent file. In addition to maintaining and keeping, the Application Waiting List Plus software program developed by NanMcKay & Associates, Inc., the Agency shall continue to maintain and keep up-to-date its Application Waiting List Log Book containing the following information for each applicant:

1. Applicant name
2. Family unit size (# of bedrooms for which family qualifies under HA occupancy standards)
3. Date and time of application
4. Qualification of preferences
5. Qualification for any ranking preference or local preference; and
6. Racial or ethnic designation of the head of household.

Selection of Applicants from Waiting List

The Agency shall select applicants from the waiting lists by preference, starting with the earliest date on accepted pre-applications. In addition to the selection of applicants from the waiting list, the applicants must comply with the following eligibility requirements prior to admission to the Section 8 Program:

¹Newspaper of general circulation within the County of Westchester serving the City of Mount Vernon.

- 1) must qualify as a family, elderly or disabled;
- 2) must meet the income limits set forth by HUD;
- 3) must meet citizenship eligible immigrant criteria;
- 4) must provide documentation of Social Security Numbers and Birth Certificates; and
- 5) must sign consent authorization documents.

Applicants that are selected for an interview eligibility and do not respond or comply to the letter within 14 days are removed from the Waiting List and given no further consideration. Letters returned as undeliverable because the applicants have moved and left no forwarding address are treated the same as families that do not respond. Disabled applicants are not removed from the waiting list until *reasonable accommodation* is made by the Program Director for the disabled person to respond to Agency requests to insure that a disabled person is not denied the opportunity to qualify for rental assistance solely due to their disability.

Notwithstanding the above, if necessary to meet the statutory requirement that 75% of newly admitted families in any fiscal year be families who are extremely low-income, the City of Mount Vernon retains the right to skip higher income families on the waiting to reach extremely low-income families. This measure will only be taken if it appears the goal will not otherwise be met. To ensure this goal is met, the Agency will monitor incomes of newly admitted families and the income of the families on the waiting list.

If there are not enough extremely low-income families on the waiting list, the Agency will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement.

Preferences

Applicants claiming preference must be on the waiting list. The following preferences among eligible households for both programs will be ranked on these equally weighted criteria:

- ! Currently living in substandard housing (including families that are homeless or living in shelter for the homeless);
- ! Currently paying more than 50 percent of family income for rent; or
- ! Involuntarily displacement as defined in 24 CFR Part 5.420 (including victims of domestic violence).

Preferences are ranked using a residency preference as follows:

- (First) Residents with one or more preferences (including elderly or disabled person or families)
- (Second) Residents with no preferences (including elderly or disabled person or families)
- (Third) Single residents with or without preferences

- | | |
|----------|--|
| (Fourth) | Non-residents with one or more preferences (including elderly, disabled or displaced person(s)). |
| (Fifth) | Non-Residents with no preferences |
| (Sixth) | Single non-residents with or without preferences |

For the purpose of this ranking system Residents shall include applicants who at tl

Priority is given to those families with a preference using the above Preference System so that no family without a preference is selected before a family with a preference, except admissions of singles that are elderly, disabled or displaced and families whose head or spouse is elderly or disabled. Eligible families on the waiting list are contacted *in writing* to inform them of the availability of vouchers. Determination of eligibility is further described in Section II.

In the case of the Section 8 Program, the preference and ranking procedures to be used regardless of the needed housing unit size for the selection of households will follow the priorities listed above.

Once a waiting list has been started, eligible applicants in the waiting list be granted a Voucher on a first-come, first-serve basis, according to preference status.

The Program Director -- also referred to as the Director of Housing Management -- will review the pre-applications received and will make final determinations on eligibility based upon the preferences indicated above.

The following Preferences are defined below:

- ! Currently living in substandard housing is defined as follows:

Substandard Housing

A housing unit is "substandard" for this purpose if it:

- Is dilapidated*
- Does not have operable indoor plumbing
- Does not have usable flush toilet inside the unit for the exclusive use of the family
- Does not have a usable bathtub or shower inside the unit for the exclusive use of the family

- Does not have electricity, or has inadequate or unsafe electrical service
- Should, but does not, have a kitchen; or
- Has been declared unfit for habitation by an agency of the government.

**Dilapidated Housing*

A housing unit is "dilapidated" if it:

- Does not provide safe and adequate shelter and
 - Endangers the health, safety, or well-being of the family;
- or
- Has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. (The defects may involve original construction, or they may result from continued neglect or lack of repair or from serious damage to the structure.)

Homeless Family

Homeless families are considered to be living in substandard housing. These are families that:

- A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare motels, congregate shelters, and transitional housing for the mental ill);
- Lacks a fixed, regular and adequate nighttime residence, and has a primary nighttime residence that is an institution that provides a temporary residence for individuals intended to be institutionalized;
- A public or private place not designed for or ordinarily used as a regular sleeping accommodations;
- A homeless family does not include any individual imprisoned or otherwise detained pursuant to an Act of Congress or a State Law.

Priority will be established on length of homelessness, as certified by the Department of Social Services; those households that have been homeless the longest will have highest priority.

- ! Currently paying more than 50 percent of their income for rent and utilities is defined as follows:

Paying More than 50 percent of Income for Rent

- Applicants are considered to be paying more than 50 percent of their income for rent if they pay more than 50 percent of gross monthly income for rent and utilities.
- The definition of income is the one used to compute eligibility and Total Tenant Payment (TTP).
- Rent is the amount due on a monthly basis to the family's current landlord under a lease or rental agreement.
- The amount of tenant-paid utilities may be determined by using the utility allowances established by the PHA for its Section 8 Existing Program. However, the family may choose to document the actual average monthly utilities for the past 12 months (or for an appropriate recent period if a full 12 months' information is not attainable).
- A family does not qualify for this preference if the reason it is paying more than 50 percent of its income for housing is because assistance under a HUD Program was terminated for failure to comply with program requirements to move to a unit of the appropriate size when their current unit is under-occupied or overcrowded.

- ! Involuntarily displaced is defined as follows:

Involuntarily Displaced

To qualify as involuntarily displaced, the family must have been:

- Involuntarily displaced and not yet living in standard replacement housing; or
- Within no more than six months from the date of certificate (or verification), the applicant will be involuntarily displaced.

Involuntary displacement includes:

- Displacement because of fires, disasters and government actions
- Action by a private owner that the tenant could not control or prevent (does not include a rent increase); and

- Victims of actual or threatened domestic violence (applicant need not have moved out to qualify).

It does not include evictions for cause, but it does include "lapse time" evictions (i.e., the landlord did not renew the lease).

To be qualified as involuntarily displaced, the applicant cannot have been rehoused in standard replacement housing. For this purpose housing is not standard replacement housing if it is overcrowded or if the family is not occupying it pursuant to a lease or occupancy agreement.

Closing of Waiting List

The waiting list for Section 8 assistance shall remain open until such time that it is determined that its length warrants closing (e.i. that there is an adequate pool for use of available program funding). Any consideration to close the waiting list and the intake of pre-applications shall be based upon a determination of an extraordinary number of persons waiting for assistance in one or all bedroom size categories for more than one year. Such a consideration will be discussed with the U.S. Department of Housing and Urban Development (HUD) program representative and submitted in writing. Any such closing would be done by public notice in the *Mount Vernon Argus* or in any weekly newspaper of general circulation and similarly reopened at the appropriate time. In addition to the Public Notice, the City will notify special groups (such as minorities, the elderly, the working poor, and the homeless) by directly contacting the Agencies dealing with these special groups. Such notices will comply with the Fair Housing and Equal Opportunity requirements. Even if the waiting list is closed, the City shall accept applications from applicants who claim preference unless the City determines that the waiting list already contains an adequate pool of applicants who are likely to qualify for a federal preference.

The Director of the Program will only allow receipt of applications in any closed categories under the following emergency situations:

- ! Emergency instances caused as a result of government action, depriving families of housing
- ! Those families suffering from natural disasters, causing them to be without housing
- ! Other emergencies presented to the Director in narrative written form for evaluation and determination. Notification of such situation will be provided to the Area Office of HUD.

Applicants nearing the top of the waiting list

When an applicant appears to be within 2 months of being offered assistance, the applicant will be invited to an interview and the verification process will begin. It is at this point in time that the applicant=s waiting list preference will be verified. If the family no longer qualifies to be near the top of the list, the applicant=s name will be returned to the appropriate spot on the waiting list. The Agency must notify the family in writing of this determination, and give the family the opportunity for an informal review.

Once the preference has been verified, the applicant will complete a full application, present Social Security Number information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms.

Missed appointments

All applicants who fail to keep a scheduled appointment in accordance with the paragraph below will be sent a notice of denial.

The Agency will allow the applicant to reschedule appointments for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities for good cause. When a good cause exists, the Agency will work closely with the applicant to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

The Agency will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents interested families. Purging also enables the Agency to update the information regarding address, family composition, income category and preferences.

Purging the waiting list

The Agency will not remove an applicant=s name from the waiting list unless:

- A. The applicant requests that the name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program or misses scheduled appointments; or
- C. The applicant does not meet either the eligibility or screening criteria for the program.

Grounds for denial

The City of Mount Vernon will deny assistance to applicants who:

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
- C. Fail to respond to a written request for information or a request to declare their continued interest in the program;
- D. Fail to complete any aspect of the application or lease-up process;
- E. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property, and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff, or cause damage to the property.
- F. Currently owes rent or other amounts to any federally subsidized project in connection with the Section 8 Program.
- G. Have committed fraud, bribery, or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- I. Have a family member who was evicted from assisted housing within five years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;
- J. Have a family member who is illegally using a controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The Executive Director may waive this requirement if:
 - 1. The person demonstrates to the Agency=s satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
 - 2. The person has successfully completed a supervised drug or alcohol rehabilitation program;
 - 3. The person has otherwise been rehabilitated successfully; or

4. The person is participating in a supervised drug or alcohol rehabilitation program.
- K. Have engaged in or threatened abusive or violent behavior towards any Agency staff;
- L. Have a family household member who has been terminated under the Certificate or Voucher Programs during the last three years;
- M. Have a family member who has been convicted of manufacturing or producing methamphetamine (speed) (Denied for life);
- N. Have a family member with a lifetime registration under a State sex offender registration program (Denied for life).

Notification of Negative Actions

Any applicant whose name is being removed from the waiting list will be notified by the Agency, in writing, that they have **10** business days, from the date of the written correspondence, to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the time frame specified. The Agency's system of removing applicants=s names from the waiting list will not violate the rights of persons with disabilities. If an applicant=s failure to respond to a request for information or updates was caused by the applicant=s disability, the Agency will provide a reasonable accommodation. If the applicant indicates that they did not respond due to a disability, the Agency verify that there is in fact a disability and that the accommodation they are requesting is necessary based on the disability. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

If the Agency determines that an applicant does not meet the criteria for receiving Section 8 assistance, the Agency will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision, and state that the applicant may request an informal review of the decision within 10 business days of the denial. The Agency will describe how to obtain the informal review. The informal review process is further described in Administrative Plan.

Reopening of Waiting List

When the Agency decides to reopen its entire waiting list, the Agency will follow the policies and procedures set forth in the Administrative Plan.

(2) **ISSUING OR DENYING VOUCHERS (INCLUDING THE CITY'S POLICY GOVERNING THE VOUCHER TERM AND ANY EXTENSIONS AND SUSPENSIONS)**

Issuing Certificates & Vouchers

Beginning October 1, 1999, the Agency will issue only vouchers. Treatment of previously issued certificates and vouchers will be dealt with as outlined in the section entitled "Transition to the Section 8 Tenant Based Assistance: Housing Choice Voucher Program" as attachment AA.

Families that are income eligible, qualify as a family will be advised in writing of the preliminary determination and request that they attend the pre-application interview date at which time full eligibility determination will commence. If a participant cannot attend the originally scheduled interview for a briefing session, they may attend a later session provided that the request is made within the period allowed in the interview letter. If the participants fail to attend the second briefing session without good cause, they will be denied assistance.

In the briefing sessions, the Agency shall include the following:

Briefings of Information

- distribute the packets of material
- advise the households of their contribution toward rent and utilities
- advise them on how to locate a unit and make an inspection of the unit
- the budget implications of the year-round averaged utility allowance
- advise on fair market rents
- advise how to recognize discrimination and their recourse in such a case

This meeting will also provide an opportunity for the staff to answer any specific questions the applicant might have pertaining to the Voucher Program.

The extent of the briefing will be reduced if a household is going to remain in its existing unit, since in that instance the participant will not require assistance in obtaining a new unit.

Information in the Packet

- A. The term of the voucher and the Agency=s policy on extensions and suspensions of the term. The packet will include information on how to request an extension and forms for requesting extensions;
- B. How the Agency determines the housing assistance payment and total tenant payment for the family;
- C. Information on the payment standard, exception payment standard rent areas, and the utility allowance schedule;
- D. How the Agency determines the maximum rent for an assisted unit;
- E. Where the family may lease a unit. For families qualified to lease outside the Agency=s jurisdiction, the packet includes an explanation of how portability works;
- F. Portability families holding vouchers from other jurisdictions residing in the City of Mount Vernon must comply with Agency policies regarding Section 8 Housing Quality Standards (HQS) inspections. The HQS inspections must be performed by Agency Staff and the appropriate jurisdictions will be charged inspection fees.
- G. The HUD-required tenancy addendum that provides the language that must be included in any assisted lease, and a sample contract;
- H. The request for approval of the tenancy form and an explanation of how to request Agency approval of a unit (after a voucher is issued);
- I. A statement of the Agency's policy on providing information to prospective owners. This policy requires applicants to sign disclosure statements allowing the Agency to provide prospective owners with the family=s current and prior addresses and the names and addresses of the landlords for those addresses. Upon request, the Agency will also supply any factual information or third party verification relating to the applicant=s history as a tenant or their ability to comply with material standard lease terms or any history of drug trafficking, drug-related criminal activity or any violent criminal activity;
- J. The Agency=s subsidy standards, including when the Agency will consider granting exceptions to the standards which is subject to HUD=s approval;
- K. The HUD brochure on how to select a unit (A Good Place to Live);
- L. The HUD-required lead-based paint brochure;

- M. Information on Federal, State, and local equal opportunity laws; Fair Housing: brochure "It's Your Right;" in English or Spanish, and a copy of the housing discrimination complaint form (HUD Form 903) in English or Spanish;
- N. A list of landlords or other parties known to the City of Mount Vernon who may be willing to lease a unit to the family or help the family find a unit;
- O. Notice that if the family includes a person with disabilities, the family may request a current list of accessible units known to the City of Mount Vernon that may be available;
- P. The family's obligations under the program;
- Q. The grounds upon which the Agency may terminate assistance because of the family's action or inaction;
- R. City of Mount Vernon informal hearing procedures, including when the Agency is required to provide the opportunity for an informal hearing, and information on how to request a hearing;
- S. the role the family plays in lease negotiations; advising families of their opportunity to lease housing in all areas; and
- T. The City of Mount Vernon's owner information brochure. This brochure can be given by the applicant to a prospective owner to help explain the program.

Denying Vouchers

The Section 8 staff will review all pre-applications to determine preliminary eligibility. Families found to be clearly ineligible, based upon information contained in the pre-application responses, will be so advised *in writing*.

The following criteria shall apply for the determination of ineligibility for Program assistance which constitutes denial of participation of applicant households:

- Any applicant whose annual income exceeds the "very low income" eligibility requirement at the time of request for entry into the Program. (This provision is made to assure conformance with the requirement of at least 75% of newly admitted families must be assisted before a family that does not meet the Very low income@ limitation (less than 30% of the median income in Westchester County).
- Under the conflict of interest provision, no staff member, employee of the Agency or member the local governing body, State legislator or other

government official having functions, responsibilities, or formulating policy for the Agency will be eligible for participation. (Applicant has the right to apply for a Waiver of Conflict Interest, approvable by HUD.)

- Previously assisted families who left the program owing arrears for unpaid rent, damages, or in violation of the terms of the lease, without notifying the Agency in writing before vacating the dwelling and participants who do not meet obligations of the family as required under the Program.
- Eligibility may be deferred for applicants owing former landlords and/or Agency rental arrears until such time as a repayment schedule has been executed and submitted to the Agency.

Terms of the Voucher

The initial term of the Voucher will be **60** days and will be stated on the Housing Choice Voucher. The Agency may grant one or more extensions of the term, but the initial term plus any extensions will never exceed 120 calendar days from the initial date of issuance. Participants may request an extension, in writing, should it be necessary. Extensions of Vouchers shall be approved by the Program Director only in the case of a family's intense efforts to find housing have failed and the family can provide documentation of their search efforts. If the family documents their efforts and additional time can reasonably be expected to result in success, the Agency at the discretion of the Program Director may grant the length of request sought by the family or 60 days, whichever is less.

If the family includes a person with disabilities, a hard-to-house family (large families) or an elderly person and the family requires an extension, the Agency at the discretion of the Program Director may grant an extension allowing the family the full 120 days search time.

(3) **SPECIAL RULES FOR SPECIAL ADMISSIONS**

If required and acceptable to the Agency, the contents of this Administrative Plan will be amended at time special admissions funding is provided by the Department of Housing and Urban Development (AHUD@).

The Agency may admit an applicant for participation in the Section 8 Program as a special admission provided that HUD awards funding that is targeted to families with specific characteristics.

(4) OCCUPANCIES POLICES***(i) Definition of a what group of persons may qualify as a Family@***

Household eligibility determinations shall be based upon eligibility criteria established by HUD and this Agency's policies and shall meet the following definitions:

(A) Family

A family includes a family with a child or children. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationships.

A group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in-aides is a family.

A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.

(i) Disabled Family

Those persons deriving their sole income from a certified disability source, either as a family whose head, spouse or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

For purposes of this category a disabled person is one who is under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423), or who has a developmental disability as set forth in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 60001(7)). Section 223 defines "disability" as:

- Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
- In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial gainful activity requiring

skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

Section 102(7), which defines developmental disability, states:"severe chronic disability that (a) is attributable to a mental or physical impairment or combination of mental and physical impairments; (b) is manifested before the person attains age twenty-two; (c) is likely to continue indefinitely; (d) results in substantial functional limitation in three or more of the following areas of major life activity: (1) self-care, (2) receptive and responsive language, (3) learning, (4) mobility, (5) self-direction, (6) capacity for independent living, (7) economic self-sufficiency, and (e) reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated."

Veterans Administration pensions or other disability pensions do not automatically establish eligibility for housing assistance on the basis of disability.

Physician's statements may be used to determine qualification as a Disabled Person. It is best that such verification provide the HUD definition of disability to ensure that the determination is based on the HUD required criteria.

(ii) *Elderly Family*

A family whose head, spouse or sole member is a person who is at least 62 years of age.

(iii) *Displaced Family*

A family in which each member, or whose sole member, has been displaced by governmental 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.

(iv) *Singles*

A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.

(B) *Continuously Assisted Family*

A family that has been continuously assisted under the 1973 Housing Act will be placed on the waiting list or assisted using the low-income limits published by HUD. A family will be considered continuously assisted if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the

voucher program. If a continuously assisted family's assistance is temporarily interrupted for a period exceeding 60 days before changing Programs and being admitted to the Program, such interruption will cause that family to lose their status as a continuously assisted family.

(5) **ENCOURAGING PARTICIPATION BY OWNER SUITABLE UNITS LOCATED OUTSIDE AREAS OF LOW INCOME OR MINORITY CONCENTRATION**

Outreach to Property Owners-Existing Housing Program

The media will be used to attract owners as outlined in Section A of this Administrative Plan. Likewise, individual notices and outreach efforts will be extended to owners of rental units outside of low-income and minority areas.

The City will work with the real estate community to help landlords understand the benefits of leasing their apartments to Section 8 tenants. Special group presentations of the housing program, phone calls, letters and/or personal contact with individual owners, property managers, and brokers, as well as interaction with civic, neighborhood and community organizations will assist the City to obtain units in areas other than low-income and minority enclaves.

Actions will be taken to explain the Program's requirements, including Equal Opportunity and Civil Rights to property owners. Presently, the Section 8 brochure is given to property owners to spell out tenant/landlord responsibilities and rights and to explain the Certificate and Voucher Programs. This practice will continue. The Urban Renewal Agency will pursue, as necessary, training for owners in this regard to ensure that they are familiar with Civil Rights and Equal Opportunity requirements of the Program.

For the Existing Housing Program, Section 8 staff will contact property owners and managers to inform them of the workings of the program and to elicit their participation and cooperation. These contacts will be made to resolve any questions or problems the owners and managers may have regarding a program of this sort, and to point out the combination of benefits to the owners, renters and the City.

Special efforts will be made to contact owners of multiple housing units, and owners of rental properties located outside areas of lower-income concentration. The City will disseminate its informational brochure to landlords as well as prospective applicants.

Care will be taken to advise the owners and managers of the applicable Fair Housing provisions and the penalties for their violation, in order to complement the similar counseling of Certificate and Voucher holders (see Section II).

Outreach to Non-Households

In addition to conducting the necessary outreach to encourage residents to participate in the Program, the City will also attempt to inform and invite property-owners, managers and business to take part.

The City will promote the Section 8 Existing Housing Program to landlords and property owners through an informational process designed to encourage their participation. Toward this end, notices will appear in local media. As needed, briefings identifying program structure, financial guidelines of the Payment Standard, method of housing assistance payment calculation, Federal regulations incorporated in Program documents, participant responsibilities and Housing Quality Standards will be conducted. Program benefits including housing management and regular housing assistance payments will be further explained to elicit property owner participation.

In addition, outreach will be made to businesses in the City providing the Program's description and how employers and their employees may participate and benefit from the Program. The jurisdiction of the Section 8 program shall encompass the legal boundaries of the City of Mount Vernon located in Westchester County, New York.

(6) **ASSISTING A FAMILY THAT CLAIMS ILLEGAL DISCRIMINATION HAS PREVENTED THE FAMILY FROM LEASING A SUITABLE UNIT**

Before issuing Vouchers, the staff will meet with applicants to inform them of the way these Programs work and of their rights as participants in the Section 8 Program.

Staff will prepare information packets to be given to Voucher recipients which will explain the Programs, as well as equal opportunity and housing search information.

Voucher holders will be expected to locate housing themselves. However, if a family is experiencing illegal discrimination because of race, color, religion, sex, national origin, age, familial status or disability, the family will be counseled by the appropriate staff on their rights and how to file a housing discrimination complaint. In addition, where required the family will be referred to the appropriate local, County or State human rights organization for additional assistance and resolution of the alleged discrimination. Applicants or participants claiming to have been subjected to discrimination because of race, color, religion, sex, disability, familial status or national origin in search for housing, or in the housing they currently occupy will be asked to complete the Housing Discrimination Complaint Form and mail to the nearest HUD office. Assistance with completing the form and mailing it to the nearest HUD office will be provided by the Agency.

The Program staff shall also monitor compliance with equal opportunity requirements, including efforts to provide opportunities for families to seek housing outside areas of economic and racial concentration as follows:

Actions to be taken:

Assistance will be provided in finding a unit under the Section 8 Programs.

- 1) Staff will provide information concerning recently completed housing or available, affordable rental housing to assisted households searching for a unit which may be applicable to the Section 8 Tenant Based Assistance: Housing Choice Voucher Program. Households will be provided with information on all neighborhoods of the City in order to assure an opportunity for families to reside in an area of their choice.
- 2) Assistance will be provided to vouchers holders or applicants who believe they have encountered discrimination in seeking a unit. Households to be assisted are provided a program orientation/briefing by program staff².

This includes an explanation of local, State and Federal fair housing laws and actions to be taken if alleged discrimination is encountered. HUD forms 903

² Westchester Residential Opportunities, Inc (WRO) will assist with this step of the process.

and 903A are explained to holders/applicants by the Program staff who can also assist members of households to fill out these forms or refer them to a Fair Housing and Equal Opportunity Agency which can also provide assistance in completing the form(s).

- 3) All participants will be given copies of "Fair Housing" and the HUD complaint form. "Fair Housing" lists agencies that can explain a participant's rights more fully and suggests possible remedies.

In the case of the Existing Housing Program, the preference previously mentioned and ranking procedures will be used within each housing unit size for the selection of applicants. It is possible, however, that one unit size (e.g., 3-bedroom) may be leased up before another unit size. In this case, applicants will be placed on a waiting list for the filled unit size, while those requesting or eligible for another (unfilled) size will be accommodated.

(7) **PROVIDING INFORMATION ABOUT A FAMILY TO PROSPECTIVE OWNERS**

The Mount Vernon Urban Renewal Agency on behalf of the City of Mount Vernon which administers the Section 8 Tenant Based Assistance: Housing Choice Voucher Program is subject, where applicable, to the federal Freedom of Information Act (FOIA) and Privacy Act requirements. Decisions regarding as to whether to release or deny release of certain program information is at the discretion of the Executive Director in consultation with Agency Counsel and are subject to any restrictions under State or local law concerning disclosure of information obtained pursuant to the family's verification release or consent.

(8) DISAPPROVAL OF OWNERS***Mandatory Denial***

The Agency will not approve rental from an owner if so directed by HUD when the owner has been subject of equal enforcement proceedings as follows:

- a) The federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements, and such action is pending;
- b) A determination made by a court or administrative agency that the owner has violated the Fair Housing Act or other federal equal opportunity requirements.
- c) The Agency must be presented with appropriate documentation by HUD or another authorized agency concerning disapproval of owner.

Discretionary Denial

The City may, on a case-by-case basis, deny or delay approval to lease a unit from an Owner for any of the following grounds:

- a) The owner has violated any obligations under a Section 8 Tenant Based Assistance: Housing Choice Voucher Program Payments Contract;
- b) The owner has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;
- c) The owner has engaged in drug-related criminal activity or any violent criminal activity;
- d) The owner has a history or practice of non-compliance with HQS for units leased under Section 8 or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other Federal housing program;
- e) The owner has a history or practice of renting units that fail to meet State or local codes;
- f) Owner has not paid State or local real estate taxes, fines or assessments; or
- g) The owner refuses (or has a history of refusing) to evict families for drug-related or violent criminal activity, or for activity that threatens the health, safety or right of peaceful enjoyment of the:

1. premises by tenants, City of Mount Vernon employees or owner employees;
or
2. residences by neighbors;
- h) Other conflicts of interest under Federal, State, or local law.

(9) SUBSIDY STANDARDS

Eligible applicants are expected to meet the family eligibility and income requirements as well as the size of unit established for each applicant according to the following occupancy standards as follows:

- ! No more than two persons shall share a bedroom or living/sleeping area.
- ! Persons of the opposite sex, other than spouses, significant others or children under five years of age, shall not be permitted to occupy the same bedroom or living/sleeping area.
- ! A child may not share a bedroom with a parent unless the child is under five years of age.
- ! Two (2) minors of same sex are placed in the same bedroom.
- ! Documented single expectant mothers expecting a child (with no other persons
- ! Persons securing legal custody of a minor or minors are provided with addi
- ! Bedrooms are provided for required care persons (live in aide approved to r
- ! Elderly or non-elderly couples with medical documentation are given two
- ! Single persons who are neither age 62 or older, disabled, nor displaced are :
- ! Under circumstances documented by the applicant, if Agency determines that exception is justified by the age, sex, health, handicap, or relationship of family members or other personal circumstances, a larger unit than required by these occupancy standards may be assigned.
- ! Any variation from these standards may be requested in writing by the applicant for consideration by the Executive Director of the Urban Renewal Agency.
- ! Single person households shall occupy an efficiency unit with the corresponding 0-bedroom Certificate/Voucher unless none are available, at which point a one bedroom unit will be permitted; under no condition will assistance be provided to a single person as sole occupant of a two bedroom unit.

The following chart can be used to determine each family=s unit size without overcrowding or over-housing:

Number of Bedrooms	Number of Persons

	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8

|

(10) FAMILY ABSENCE FROM THE DWELLING UNIT**Absence of Entire Family**

A family may be absent (absent meaning no member of the family is residing at the assisted unit) for a brief period; however, the family may not be absent from the assisted unit for a more than 180 consecutive calendar days under any circumstances or for any reason whatsoever.

If a family is absent for more than 180 days, housing assistance payments will terminate. I

The program participant must fully cooperate with the Section 8 Staff in supplying any information or certification requested to verify that the program participant is residing in the unit, or relating to family absence from the unit within two (2) weeks from the date of request by the Section 8 Staff.

Program participants must promptly notify the Section 8 Staff of any planned absences from the assisted unit exceeding 30 consecutive days and supply any information requested by the Section 8 Staff on the purposes of such family absences. Absences exceeding 30 days that are not reported, or not consistent with the policies set forth herein may lead to termination of housing assistance. If the Section 8 Staff suspects that the participant is absent, verification of occupancy or absences may be performed by sending letters, making telephone calls, visiting, or questioning the landlord or neighbors.

If a housing assistance is terminated for any absence not reported within the maximum allowed period, the Program Director and Executive Director in consultation with the Agency Counsel will review each case individually to determine whether assistance can be resumed.

If the absence which resulted in termination of assistance was due to a person's disability and the Agency can verify that the person was unable to notify the Agency in accordance with the family's responsibilities, and if funding is available, the Agency may reinstate the family as an accommodation if requested by the family.

Absence of Any Member

Any member of the household will be considered permanently absent if he or she is away from the unit for 180 consecutive days except as otherwise provided in this Section.

Absence due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the Agency will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the Agency's "Absence of Entire Family" policy.

Absence due to Incarceration

If the sole member is incarcerated for more than 180 consecutive days, he/she will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if he/she is incarcerated for 180 consecutive days. The Agency will determine if the reason for incarceration is for drug-related or violent criminal activity. (See 24 CFR Part 982.553.)

Absence due to Vacation

If any member of the household leaves for vacation for more than 30consecutive days, he/she will be considered permanently absent.

Foster Care and Absences of Children

If the family includes a child or children temporarily absent from the home due to placement in foster care, the Agency will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 6 months from the date of removal of the child/children, the voucher size will be reduced. If all children are removed from the home permanently, the voucher size will be reduced in accordance with the Agency's subsidy standards.

(11) **DETERMINATION OF WHO REMAINS IN THE ASSISTED UNIT IF A FAMILY BREAKS UP**

The Agency shall at its discretion determine which members of an assisted Participant will be eligible to continue to receive housing assistance if the family breaks up. The Section 8 Office will assign the housing assistance to an eligible family member as follows:

- Assistance will remain with the family members remaining in the assisted housing unit if no minor children are members of the assisted Participant, the family member remaining in the assisted housing unit is not guilty of any violent criminal activity or drug abuse activity and the family member remaining in the assisted housing unit is eligible for assistance under the regulations of the Section 8 Program and this administrative plan;
- Assistance will remain with the family member caring for minor children, an elderly person, or disabled family member if the family member remaining in the assisted housing unit is not guilty of any violent criminal activity or drug abuse activity, and the family member is eligible to receive assistance under the regulations of the Section 8 Program and this administrative plan;
- Family members forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household will be given *first* consideration in assigning housing assistance;
- If the court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement or judicial decree, the Section 8 Office is bound by the court's determination of which family members continue to receive housing assistance in the Section 8 Program.

(12) INFORMAL REVIEW PROCEDURES FOR APPLICANTS

Complaints and appeal procedures entail the following:

(i) informal review for applicants

The Agency must give the Applicant for participation prompt notice of a decision denying assistance. The notice must include a brief statement of the reasons for the Agency's decision. In addition, the notice must state that the Applicant may request an informal review within 10 business days of the denial decision and must describe how to obtain an informal review as described below.

(ii) when an informal review is not required

The Agency is not required to provide a participant an opportunity for

an i

- Discretionary administrative determinations made by the Agency.
- General policy issues or class grievances.
- A determination of the family unit size under the Subsidy Standards.
- A determination not to approve an extension or suspension of a voucher term.
- A determination not to grant approval to lease a unit or to approve a proposed lease.
- A determination that a unit selected by the applicant is not in
- A determination that the unit is not in accordance with HQS because of the family size or composition.

(iii) informal review process

The Agency will give an applicant an opportunity for an informal review of the Agency's decision denying assistance to the Applicant. The procedure is as follows:

- The Informal Review process will be conducted by a designated person other than the Section 8 Staff.
- The Applicant shall have the opportunity to present written or
- The designated person will review the information and advise the

(iv) Restriction on assistance to non-citizen

(1) The Applicant/Participant shall submit required evidence of citizenship or eligible immigration status as these terms are defined in 24 CFR 5.506. Agency shall request to review original documents of eligible immigration status. Agency shall retain photocopies of the documents for its own records and return the original documents to the family.

(2) The City must notify the Applicant/Participant that assistance is

Applicant/Participant is unable to provide evidence of citizenship

Evidence of Citizenship (e.i. the declaration of citizenship or eligible immigration status) is not submitted by a date or within a specified period of time or by the expiration date of any extension granted in accordance with 24 CFR 5.508(g);

Applicant/Participant does not pursue INS appeal or informal

INS appeal and informal hearing rights are pursued by the Applicant/Participant, but the final appeal or hearing decisions are decided against the Applicant/Participant.

(3) A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status as described in paragraph (1). Assistance for mixed Applicant/Participant (families whose members include those with eligible immigration status and one or more without eligible immigration status) may be eligible for one of three types of assistance provided in 24 CFR part 5.516. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance as provided in 24 CFR Part 5.516(d)(2).

(v) *Informal Hearing for Applicants for the denial of assistance on the basis of ineligible immigration status*

When the Agency receives a copy of an INS decision on appeal, or in lieu of request of appeal to the INS of determination that the Applicant has failed to confirm eligible immigration status, the Applicant will be notified in writing that Applicant has the right to request that the Agency provide an informal hearing on determination of ineligibility. In addition, the Applicant must be notified in writing that the request for an informal hearing must be made within 14 days of the date the Agency mails or delivers the Notice of Denial or Termination of Assistance or within 14 days of the mailing of the INS appeal decision (date is established by the date of postmark). Pending the completion of the INS appeal, assistance may not be delayed, denied or terminated on the basis of immigration status.

The Applicant shall be notified in writing that an extension can be requested for an informal hearing for a specified period upon good cause shown. The informal hearing procedures are as follows:

- (A) The Applicant shall be granted an informal hearing before the
- (B) Before the informal hearing, the Applicant shall be given the opp
informal hearing in possession of the City or the INS provided
the
- (C) The Applicant shall be given the opportunity to present evidence
- (D) The Applicant shall be given the opportunity to controvert evidence
relied upon by the City and to confront and cross-examine all witnesses
on whose testimony or information the City relies;
- (E) The Applicant must be allowed to be represented by an attorney
- (F) The Applicant is entitled to arrange for an interpreter to attend
- (G) The Applicant shall be entitled to record the informal hearing by
audiotape (a transcript of the informal hearing may be made available
to the City but is not required);
- (H) The authorized person to hear the informal hearing shall provide
basis for the decision.
- (I) Retention of Documents - Agency shall retain for a minimum of

For any notice or document (decision, declaration, consent form, etc.) provided by the Agency to a participant/applicant or if Agency is required to obtain the participant/applicant signature, the Agency where feasible will arrange for the notice or document to be provided to the individual in a language that is understood by the individual if the individual is not proficient in English.

(13) INFORMAL HEARING PROCEDURES FOR PARTICIPANTS

(i) *When an informal hearing is required*

- (a) The Agency must give the Participant an opportunity for an informal hearing to consider whether the Agency's decision relating to an individual's circumstances of a Participant are in accordance with the law, HUD regulations and Agency's policies.

Informal hearings shall be held for decisions related to: (1) family's annual or adjusted income, and the use of such income to compute the housing assistance payment, (2) appropriate utility allowance (if any) tenant-paid utility from the utility allowance schedule, (3) family unit size under the Subsidy Standards, (4) a determination that a certificate program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the Agency's subsidy standards, or the Agency's determination to deny the family's request for an exception from the standards, (5) denial or termination of assistance because of family's action or failure to act (see 24 CFR 982.552) or (6) family has been absent from the assisted unit for longer than the maximum period permitted by the Agency policy and HUD rules.

With regard to items (i) (a), (4), (5) and (6), the Agency shall give an opportunity

(ii) *When an informal hearing is not required*

The Agency is not required to provide an opportunity to Participants for an i

- Discretionary administrative determinations made by the Agency.
- General policy issues or class grievances.
- The establishment of an utility allowance for Participants in the
- A determination not to approve an extension or suspension of a voucher term.
- A determination not to approve a unit or lease.
- A determination that an assisted unit is not in compliance with Housing Quality Standards (HQS). However, the Agency must provide the Participant with the opportunity for an informal hearing for a decision based on termination of assistance due to a breach of HQS caused by the Participant as described in 24 CFR 982.551(c); 24 CFR 982.404(b).
- A determination that the unit is not in accordance with HQS

because of the family size or composition.

- A determination by the Agency to exercise or not to exercise any

(iii) *Notice to participants*

With regard to Items (i)(a), (1), (2) and (3), the Agency must give prompt written notice to the Participant that the Participant may request an informal hearing within 10 business days on the decision made by the Agency.

With regard to Items (i)(a), (4), (5) and (6), the Agency must give the Participant

- A brief statement of the reasons for the decision.
- A statement that if the Participant does not agree with the decision, the Participant may request an informal hearing on the decision within 10 business days of the notification.

(iv) *Expeditious Hearing process*

If an informal hearing is required and the Participant has made a proper request, the Agency must proceed with the hearing in a reasonably expeditious manner.

(v) *Hearing Procedures*

The Agency must comply with the following procedures for conducting info

- The Participant must be given reasonable opportunity to examine
- The Participant must be allowed to copy any such documents at
- If the Section 8 Office does not make the documents available to
- The Section 8 Office must be given reasonable opportunity to
- The Section 8 Office must be allowed to copy any documents held
- If the Participant does not make the documents available to the

Representation of the Participant

- The Participant has the right to be represented by legal counsel

Hearing Officer

³The word "documents" in this section includes records and regulations.

- The informal hearing will be conducted by an authorized person assigned by the Agency other than the person who made or approved the decision under review or a subordinate of said person.
- The authorized person conducting the informal hearing may

Evidence

- The Section 8 Office and the Participant must be given opportunity to present any evidence and question any witnesses.

Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

Issuance of Decision

- Following the informal hearing, the authorized person will notify the Participant in writing of the decision within 14 calendar days reached at the hearing and briefly state the reasons for the decision.

- Factual determinations relating to the individual participant's calendar days of the hearing. A copy of the informal hearing circled decision sheet

Effect on the Decision

- The Agency is not bound by a hearing decision for the following
 - (i) Issues for which the Agency is not required to provide an
 - (ii) Issues that exceeds the authority of the authorized person conducting the hearing under the Agency's hearing procedures.
 - (iii) Issues contrary to HUD regulations or requirements, or
- If the Agency determines that it is not bound by the final hearing decision, the Agency must promptly notify the Participant of the determination and the reasons for the determination.

(vi) *Restriction on assistance to noncitizen*

- (1) The Applicant/Participant shall submit required evidence of citizenship or eligible immigration status.
- (2) The Agency must notify the Applicant/Participant that assistance Applicant/Participant is unable to provide evidence of citizenship

Evidence of Citizenship and/or eligible immigration status was timely submitted by the Applicant/Participant, but the U.S. Immigration & Naturalization Service's (INS) primary and second verification does not verify eligible immigration status of a family member;

Applicant/Participant does not pursue INS appeal or informal

INS appeal and informal hearing rights are pursued by the Applicant/Participant, but the final appeal or hearing decisions are decided against the Applicant/Participant.

Applicant/Participant is unable to provide evidence of citizenship

Evidence of Citizenship and/or eligible immigration status was timely submitted by the Applicant/Participant, but the U.S. Immigration & Naturalization Service's (INS) primary and second verification does not verify eligible immigration status of a family member; and

Applicant/Participant does not pursue INS appeal or informal hearing rights as provided below; or

INS appeal and informal hearing rights are pursued by the Applicant/Participant, but the final appeal or hearing decisions are decided against the Applicant/Participant.

- (3) Assistance for mixed Applicant/Participant (families whose members include those with eligible immigration status and those without eligible immigration status) instead of denial or termination of assistance is restricted (for specific restrictions see 24 CFR 812.10) and deferral of termination of assistance can be granted provided that a mixed Applicant/Participant qualifies for continued assistance.

(vii) *Informal Hearing for Participants for the denial of assistance on the basis of ineligible immigration status*

The Participant will be notified in writing that after notification of the U.S. Immigration and Naturalization Service (INS) decision on appeal or in lieu of request of appeal to the INS, the Participant may request that the Agency provide an informal hearing. In addition, the Applicant must be notified in writing that the request for an informal hearing must be made within 14 days of the date the Agency mails or delivers the Notice of Denial or Termination of Assistance or INS appeal decision (date is established by the date of postmark).

The Participant shall be notified in writing that an extension can be requested for an informal hearing for a specified period upon good cause shown. The informal hearing procedures are as follows:

- (A) The Participant shall be granted an informal hearing before the authorized person designated by the Agency other than Section 8 Staff;
- (B) Before the informal hearing, the Participant shall be given the opportunity to examine and copy (at the Participant's expense and at a reasonable time in advance of the hearing) any documents including any records and regulations that may be relevant to the informal hearing in possession of the Agency or the U.S. Immigration & Naturalization Service (INS) provided that it is permissible by INS requirements;
- (C) The Participant shall be given the opportunity to present evidence and arguments in support of eligible status;
- (D) The Participant shall be given the opportunity to controvert evidence relied upon by the Agency and to confront and cross-examine all witnesses on whose testimony or information the City relies;
- (E) The Participant must be allowed to be represented by an attorney or other designee by the Participant (at the Participant's expense) and such a person will be allowed to make statements on behalf of the Participant;
- (F) The Participant is entitled to arrange for an interpreter to attend the informal hearing at the expense of the Participant or the Agency provided that both parties are in agreement;
- (G) The Participant shall be entitled to record the informal hearing by audiotape (a transcript of the informal hearing may be made available to the Agency but is not required);
- (H) The authorized person to hear the informal hearing shall provide the Participant with a written final decision, based solely on facts presented at the hearing, within 14 days from the date of the informal hearing. The decision shall state the basis for the decision.

(14) PROCESS FOR ESTABLISHING AND REVISING PAYMENT STANDARDS, INCLUDING AFFORDABILITY

In the ***Housing Choice Voucher Program***, a payment standard is used to calculate monthly housing assistance payment for a family. The Agency in accordance with the Section 8 Tenant Based Assistance: Housing Choice Voucher Program regulations adopted a payment standard schedule that establishes payment standard amounts by unit size (see attached current "Payment Standard Schedule").

The Payment Standard amount shall be based on the unit size determined by the Fair Market Rate (FMR) established by HUD. The City will use 95% of the current FMR as the payment standard. The Agency will review its determination of the payment standard annually after publication of the FMRs.

The City of Mount Vernon will consider vacancy rates and rents in the market area, size and quality of units leased under the program, rents for units leased under the program, success rates of voucher holders in finding units, and the percentage of annual income families are paying for rent under the Voucher Program. If it is determined that success rates will suffer or that families are having to rent low quality units or pay over 40% of income for rent, the payment standard may be raised to the level judged necessary to alleviate these hardships.

Payment standards will not be raised solely to allow the renting of luxury quality units.

Before increasing any payment standard, the Housing Authority will conduct a financial feasibility test to ensure that in using the higher standard, adequate funds will continue to be available to assist families in the program.

Selecting the Correct Payment Standard for a Family

For the voucher tenancy, the payment standard for a family is the lower of:

1. The payment standard for the family unit size; or
2. The payment standard for the unit size rented by the family.

- C. During the HAP contract term for a unit, the amount of the payment standard for a family is the higher of:
1. The initial payment standard (at the beginning of the lease term) minus any amount by which the initial rent to owner exceeds the current rent to owner; or
 2. The payment standard as determined at the most recent regular reexamination of family income and composition effective after the beginning of the HAP contract term.
- D. At the next annual reexamination following a change in family size or composition during the HAP contract term and for any reexamination thereafter, paragraph C above does not apply.
- E. If there is a change in family unit size resulting from a change in family size or composition, the new family unit size will be considered when determining the payment standard at the next annual reexamination.

(15) **FOR CERTIFICATE AND VOUCHER PROGRAMS, METHOD FOR DETERMINING THAT RENT TO OWNER IS A REASONABLE RENT**

After October 1, 1999, the Agency will issue only vouchers to applicants, movers and families entering the jurisdiction through portability. Certificates currently held will continue to be honored until the transition of the merger of the Section 8 Certificate and Voucher programs as outlined in 24 CFR 982.502 is complete.

A) Agency's Determination: Reasonable Rent

- 1) The Agency will not approve an initial rent or rent increase in any of the tenant-based programs without determining that the rent amount is reasonable.
- 2) Rent reasonableness must be determined upon the happening of any of the following:
 - i) Prior to approval of any rent increase, section 8 Staff must redetermine rent reasonableness;
 - ii) If there is a 5% decrease in the published FMR in effect 60 days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary; or
 - iii) if directed by HUD.
- 3) The Agency may also redetermine the reasonable rent at any other time.
- 4) At all times, during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or redetermined by the Agency.

B) Comparability Method: Reasonable Rent

The Agency will use the following method of comparison to determine rent reasonableness. The Agency's Section 8 Staff will develop a data collection systems to obtain the required information for both units to be assisted and the comparable unassisted units. The comparison methodology will be based on the following nine (9) factors: location, quality, size, unit type and age of the contract unit, any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease (*see sample data collection form*).

A similar *sample data collection form* as annexed hereto should be file with each tenant's file to insure that rent reasonableness is being performed by Section 8 Staff and for monitoring purposes by HUD and auditors.

C) Owner/Landlord Certification: Reasonable Rent

The Owner/Landlord by countersigning each housing monthly payment check certifies that the rent to owner is reasonable and is not more than the rent charged for comparable unassisted units in the building.

The Section 8 Staff shall obtain from the owner the rent amounts charged by the Owner for other units in the building or elsewhere in the locality.

(16) *SPECIAL HOUSING TYPES*

The following are the special housing types:

- 1) Single room occupancy (SRO) housing;
- 2) Group home;
- 3) Congregate housing
- 3) Shared housing
- 4) Cooperative (including mutual housing)
- 5) Manufactured home⁴

The Agency may permit a family to use any of the above special housing types except congregate housing and shared housing which are not permitted in the City of Mount Vernon program provided that it will be considered as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities in accordance with 24 CFR part 8, local zoning laws, buildings codes and fire codes.

The special housing types will subject to the availability of program funds and eligibility participation will be based in accordance with requirements under 24 CFR Part 982.

⁴For occupancy of a manufactured home, see regulation 24 CFR 982.620(a).

(17) **SPECIAL POLICIES CONCERNING SPECIAL HOUSING TYPES IN THE PROGRAM**

The City of Mount Vernon does not expect to provide assistance under the Special Housing Types.

(18) POLICIES CONCERNING PAYMENT BY A FAMILY TO YOUR AGENCY OF AMOUNTS THE FAMILY OWES YOUR AGENCY

If a Participant currently owes rent or other amounts to the City's Section 8 Office for any reason whatsoever, the Participant will be required to repay or sign a repayment agreement to repay the full amount within a period not to exceed 12 months. If the Participant is not meeting its repayment agreement for any period in excess of 30 days, the Agency has the sole discretion of terminating the repayment agreement and will be subject to termination of housing assistance and be prohibited to participate in the Section 8 Program.

Any participation after one-year following the date of termination is subject to the admission policy set forth in the Waiting List section.

(20) INTERIM REDETERMINATIONS OF FAMILY INCOME AND COMPOSITION

The Participant must inform the Agency **in writing** if there is any changes in family income, composition or any other circumstances not disclosed in the initial determination of eligibility or at any regular reexamination must be reported to the Agency **in writing** within 30 days. The Participant must supply any information requested by the Agency concerning changes in income/assets and family composition within 30 days of when the change occurs. If the change is not reported within the required time period, or if the family fails to provide documentation or signatures, it will be considered untimely reporting. If the Agency receives information concerning a change in the family's income, composition or any other circumstances between regularly scheduled reexaminations, the Agency must consult with the family and make any adjustments determined to be appropriate. Any change in the family income, composition or any other circumstances that results in an adjustment in the amount of subsidy must be reviewed and verified in accordance with the Program's regulations.

Decreases in Income - Participants may report a decrease in income and other changes which would reduce the amount of tenant rent, such as an increase in allowances or deductions. The Agency must calculate the change if a decrease in income is reported.

If there is a new family member, the Agency shall follow the requirements of 24 CFR part 812 concerning obtaining and processing evidence of citizenship or eligible immigration status of the new family member.

An interim reexamination does not affect the date of the annual recertification.

Agency Errors

If the Agency makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted to correct the error, but the family will not be charged retroactively.

Notification of Results of Recertifications

The HUD form 50058 will be completed and transmitted as required by HUD.

The Notice of Rent Change is mailed to the Owner and the Participant. Signatures are not required by the Agency. If the family is agrees with he rent adjustment they may request an informal hearing.

Procedures when the change is reported in a timely manner

The Agency will notify the family and the owner of any change in the Housing Assistance Payment to be effective according the following guidelines:

Increases in the Tenant Rent are effective on the first of the month following at least 30 days notice.

Decreases in the Tenant Rent are effective the first of the month after the interim

reexamination should have been completed. The change may be implemented based on documentation provided by the family pending third-party written verification. However, no rent reductions will be processed until all the facts have been verified, even if a retroactive adjustment results.

Procedures when the change is not reported by the Participant in a timely manner

If the family does not report the change as described under ATimely Reporting@, the family will have caused an unreasonable delay in the interim reexamination process and the following guidelines will apply:

Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any overpaid housing assistance and may be required to sign a Repayment Agreement or make a lump sum payment (this decision will be based at the discretion of the Executive Director and the Program Director).

Decrease in Tenant Rent will be effective on the first of the month following completion of processing by the Agency and not retroactively.

Procedures when the change is not processed by the Agency in a timely manner

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the Agency in a timely manner.

In this case, an increase will be effective after the required 30 days notice prior to the first of the month after completion of processing by the Agency.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

(21) **RESTRICTIONS, IF ANY, ON THE NUMBER OF MOVES MADE BY A PARTICIPANT FAMILY**

A. Allowable Moves

A family already participating in the Certificate and/or Voucher Programs may move to a new unit if:

1. The assisted lease for the old unit has terminated because the Agency has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.
2. The owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgement or other process allowing the owner to evict the family (unless assistance to the family will be terminated).
3. The family has given proper notice of lease termination (if the family has a right to terminate the lease on notice to owner).

B. Restrictions on Moves

1. Families will not be permitted to move within the Agency's jurisdiction during the initial year of assisted occupancy.
2. Families will not be permitted to move outside the Agency's jurisdiction under portability procedures during the initial year of assisted occupancy.
3. Families will not be permitted to move more than once in a 12-month period.

The Agency will deny permission to move if there is insufficient funding for continued assistance. The Agency will deny permission to move to if:

- * The family has violated a Family Obligation.
- * The family owes the Agency money.
- * The family has moved or been issued a Voucher within the last 12 months.

The Program Director and the Executive Director in conjunction with Agency Counsel may make exceptions to these restrictions if there is an emergency reason for the move over which the Participant has no control.

C. Procedure for moves*Issuance of Voucher*

If the family has not been recertified within the last 120 days, the Agency will issue the voucher to move after conducting a briefing session as previously outlined..

If the family does not locate a new unit, they may remain in the current unit so long as the owner permits.

The Annual Recertification Date will be changed to coincide with the new lease-up date.

Notice Requirements

The family must give the owner the required number of days written notice of intent to vacate specified in the lease and must give a copy to the Agency simultaneously.

For units under a Certificate contract effective before October 2, 1995, if the family vacates the unit without proper notice in writing to the owner, the family will be responsible for any vacancy loss paid by the Agency.

Time of Contract Change

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move except that there will be no overlapping assistance.

In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy, unless proper notice was given to end a lease mid-month. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves.

Failure to follow the above procedures may subject the Participant to termination from the Program.

(22) APPROVAL OF THE BOARD OF COMMISSIONERS OR OTHER AUTHORIZED OFFICIALS TO CHARGE THE ADMINISTRATIVE FEE RESERVE

The Agency shall maintain an administrative fee reserve for the Section 8 Tenant Based Assistance: Housing Choice Voucher Program. The Administrative fee reserve funds must be used for administrative expenses in excess of administrative fees in the Section 8 Tenant Based Assistance: Housing Choice Voucher Program budget line as approved by HUD for the Agency's fiscal year.

The Agency may charge against the administrative fee reserve without the Agency Board approval up to the maximum amount of Ten Thousand (\$10,000).

ATTACHMENT AA@**TRANSITION TO THE SECTION 8 TENANT BASED ASSISTANCE:
HOUSING CHOICE VOUCHER PROGRAM****A. New HAP Contracts**

On and after October 1, 1999, the City of Mount Vernon will only enter into a HAP contract for a tenancy under the voucher program, and will not enter into a new HAP contract for a tenancy under the certificate program.

B. Over-FMR Tenancy

If the City of Mount Vernon had entered into any HAP contract for an over-FMR tenancy under the certificate program prior to the merger date of October 1, 1999, on and after October 1, 1999 such tenancy shall be considered and treated as a tenancy under the voucher program, and will be subject to the voucher program requirements under 24 CFR 982.502, including calculation of the voucher housing assistance payment in accordance with 24 CFR 982.505. However, 24 CFR 982.505(b)(2) will not be applicable for calculation of the housing assistance payment prior to the effective date of the second regular reexamination of family income and composition on or after the merger date of October 1, 1999.

C. Voucher Tenancy

If the City of Mount Vernon had entered into any HAP contract for a voucher tenancy prior to the merger date of October 1, 1999, on and after October 1, 1999 such tenancy will continue to be considered and treated as a tenancy under the voucher program, and will be subject to the voucher program requirements under 24 CFR 982.502, including calculation of the voucher housing assistance payment in accordance with 24 CFR 982.505. However, 24 CFR 982.505(b) (2) will not be applicable for calculation of the housing assistance payment prior to the effective date of the second regular reexamination of family income and composition on or after the merger date of October 1, 1999.

D. Regular Certificate Tenancy

The City of Mount Vernon will terminate program assistance under any outstanding HAP contract for a regular tenancy under the certificate program entered into prior to the merger date of October 1, 1999 at the effective date of the second regular reexamination of family income and composition on or after the merger date of October 1, 1999. Upon such termination of assistance, the HAP contract for such tenancy terminates automatically. The City of Mount Vernon will give at least 120

days written notice of such termination to the family and the owner, and the City of Mount Vernon will offer the family the opportunity for continued tenant-based assistance under the voucher program. The City of Mount Vernon may deny the family the opportunity for continued assistance in accordance with 24 CFR 982.552 and 24 CFR 982.553.