

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

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# PHA Plans

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

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN ACCORDANCE WITH  
INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

**PHA Plan  
Agency Identification**

**PHA Name: MUNICIPALITY OF SAN GERMAN**

**PHA Number: RQ030**

**PHA Fiscal Year Beginning: (mm/yyyy) 07/2000**

**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 – **MAYOR'S OFFICE**
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
- PHA website
- Other (list below)

MUNICIPALITY OF SAN GERMAN  
SECTION 8 OFFICE  
CITY HALL, 1<sup>ST</sup> FLOOR  
136 LUNA STREET  
SAN GERMAN, PUERTO RICO 00683  
e-mail: [yvonnec@coqui.net](mailto:yvonnec@coqui.net)

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

- Main business office of the PHA – MAYOR’S OFFICE, CITY HALL
- PHA development management offices
- Other (list below)

MUNICIPALITY OF SAN GERMAN  
SECTION 8 OFFICE  
CITY HALL, 1<sup>ST</sup> FLOOR  
136 LUNA STREET  
SAN GERMAN, PUERTO RICO 00683

e-mail: [yvonnec@coqui.net](mailto:yvonnec@coqui.net)

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

**State Mission** is mission for serving the needs of low-income, very low income, and extremely low-income families in the PHA's jurisdiction. (select one of the choices below)

The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

\_\_\_\_\_ The PHA's mission is: (state mission here)

**B. Goals**

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, PHAs ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES WITHIN THE 5 YEARS. (Quantifiable measures would include objectives such as: numbers of families served or PHAS scores achieved.) PHAs should identify

- PHA Goal: Expand the supply of assisted housing.
- 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)

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)

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)

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

PHA Goal: Promote self-sufficiency and asset development of assisted

ho

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)

**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)

**Other PHA Goals and Objectives: (list below)**

**Annual PHA Plan**  
**PHA Fiscal Year 2000**  
[24 CFR Part 903.7]

**Annual Plan Type:**

Select which type of Annual Plan the PHA will submit.

**Standard Plan**

**Streamlined Plan:**

**High Performing PHA**

**Small Agency (<250 Public Housing Units)**

**Administering Section 8 Only**

**Troubled Agency Plan**

**Executive Summary of the Annual PHA Plan**

[24 CFR Part 903.7 9 (r)]

Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

This same **Plan** provides a new consolidated process that provides a framework for local accountability and an easily identifiable source, whereby, public housing residents, participants in the tenant-based assistance program, and other members of the public may locate basic PHA policies, rules and requirements concerning its operations, programs and services.

The Municipality of San German has established the Section 8 Office to administer the Housing Choice Voucher Program, as well as other tenant-based (Section 8) subsidized housing programs in order to assist financially distressed families in meeting their housing needs, mainly decent, safe and sanitary housing as well as to their health and well-being. There are two major philosophy components in the tenant-based subsidized housing program:

- A. To give extremely low-income and low-income families the opportunity of choice and mobility in selecting where they chose to live;
- B. Maintain the essential elements of a private relationship between the tenant and the landlord on matters other than rent.

As a result of this philosophy the Housing Choice Voucher Program is tenant-based and does not tie the participant to any particular housing unit.

This Municipality also administers various subsidized housing programs geared towards certain sectors of the general population in order to afford them the same opportunities as other extremely low-income and low-income families within the general population. Being conscious of the housing needs of the growing number of families within our Municipality who remain poor, chronically unemployed, and basically dependent on government assisted programs, we have decided to pool our scarce resources with other adjacent PHAs, namely the Municipality of Hormigueros and Añasco, to hire an FSS Coordinator who can adequately attend the needs of our FSS families. The lead PHA for this consotium is the Municipality of Hormigueros. The following program is administered by the Municipality of San German:

**Family Self Sufficiency** – a program whereby strategies are developed to coordinate the use of housing assistance under the auspices of the Housing Choice Voucher Program (Section 8) with public and private resources. Hence, enabling extremely low-income and low-income families, who are eligible to receive said assistance to achieve economic independence, and self - sufficiency.

The purpose of the Municipal programs is to assist the families during financial distress and gradually reduce the amount disbursed by the program in an efficient manner, while at the same time motivating these same families and break the vicious cycle in which they find themselves in.

Furthermore, there is an undeniable need for low-income housing within the Municipality of San German as evidenced by the waiting list and the 1990 U.S. Census of Population. There also exists a need for quality housing units available for program participants but there is not an abundance of affordable housing for low income families within this same Municipality. Conscious of this, our Municipality has established realistic and attainable goals, hence, giving particular thought to the number of families which can be expected to need and want better housing. By setting attainable goals, the Municipality intends to become a facilitator for those in need and for those who have available units by bringing them together in a manner beneficial to all principals. This is in direct relation to both the major commitments and priorities of the U. S. Department of Housing and Urban Development (HUD). **The Municipality of San German is a Tenant-based (Section 8) only PHA.**

This same **Plan** for the Municipality of San German as presented hereinafter furthers HUD's statutory goal of merging the Certificate and Voucher Program, respectively, in accordance with the Quality Housing and Work Responsibility Act of 1998, 24 CFR 903, Section 545, whereby, the Municipality has established a unified vision of community actions. This same Plan will permit

San German a chance to shape the various programs presented herein into effective, viable, and coordinated strategies, involving citizen participation.

**Annual Plan Table of Contents**

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

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| <b>5. Results from the last Single Audit</b>                            |               |

Indicate which attachments are provided by selecting all that apply. Provide the attachments 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)

**FAMILY SELF SUFFICIENCY ADMINISTRATIVE PLAN**

**Supporting Documents Available for Review** view by placing a mark in the Applicable & On Display columns in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

**List of Supporting Documents Available for Review**

| <b>Applicable &amp; On Display</b> | <b>Supporting Document</b>  | <b>Applicable Plan Component</b>                    |
|------------------------------------|---|---|
| X                                  | PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations  | 5 Year and Annual Plans                             |
| X                                  | State/Local Government Certification of Consistency with the Consolidated Plan  | 5 Year and Annual Plans                             |
| X                                  | 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                             |
| X                                  | 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                          |
| X                                  | Most recent board-approved operating budget for the public housing program  | Annual Plan: Financial Resources;                   |
| X                                  | Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]  | Annual Plan: Eligibility, Selection, and Admissions |

| Applicable & On Display | Supporting Document   | Applicable Plan Component                                    |
|-------------------------|---|--|
|                         |   | Policies   |
| X                       | Section 8 Administrative Plan   | Annual Plan: Eligibility, Selection, and Admissions Policies |
| X                       | Public Housing Deconcentration and Income Mixing Documentation: 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 18. Documentation of the required deconcentration and income mixing analysis | Annual Plan: Eligibility, Selection, and Admissions Policies |
|                         | Public housing rent determination policies, including the methodology for setting public housing flat rents check here if included in the public housing A & O Policy   | Annual Plan: Rent Determination                              |
|                         | Schedule of flat rents offered at each public housing development check here if included in the public housing A & O Policy   | Annual Plan: Rent Determination                              |
| X                       | Section 8 rent determination (payment standard) policies <u>X</u> check here if included in Section 8 Administrative Plan   | Annual Plan: Rent Determination                              |
|                         | Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)  | Annual Plan: Operations and Maintenance                      |
|                         | Public housing grievance procedures check here if included in the public housing A & O Policy   | Annual Plan: Grievance Procedures                            |
| X                       | Section 8 informal review and hearing procedures <u>X</u> check here if included in Section 8 Administrative Plan   | Annual Plan: Grievance Procedures                            |
|                         | The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year  | Annual Plan: Capital Needs                                   |
|                         | Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant   | Annual Plan: Capital Needs                                   |
|                         | 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                                   |
|                         | Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other   | Annual Plan: Capital Needs                                   |

| Applicable & On Display | Supporting Document   | Applicable Plan Component                         |
|-------------------------|---|---|
|                         | approved proposal for development of public housing   |   |
|                         | Approved or submitted applications for demolition and/or disposition of public housing  | Annual Plan: Demolition and Disposition           |
|                         | Approved or submitted applications for designation of public housing (Designated Housing Plans)   | Annual Plan: Designation of Public Housing        |
|                         | Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act     | Annual Plan: Conversion of Public Housing         |
|                         | Approved or submitted public housing homeownership programs/plans   | Annual Plan: Homeownership                        |
| X                       | Policies governing any Section 8 Homeownership program<br><u> X </u> check here if included in the Section 8 Administrative Plan  | Annual Plan: Homeownership                        |
| X                       | Any cooperative agreement between the PHA and the TANF agency   | Annual Plan: Community Service & Self-Sufficiency |
| X                       | FSS Action Plan/s for public housing and/or Section 8   | Annual Plan: Community Service & Self-Sufficiency |
|                         | Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports  | Annual Plan: Community Service & Self-Sufficiency |
|                         | 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          |
| X                       | 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                         |
|                         | Troubled PHA's: MOA/Recovery Plan   | Troubled PHAs                                     |
|                         | Other supporting documents (optional)<br>(list individually; use as many lines as necessary)  | (specify as needed)                               |

## **1. Statement of Housing Needs**

[24 CFR Part 903.7 9 (a)]

Based on the Housing Needs of Families in the Jurisdiction Served by the PHA, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact". Use N/A to indicate that no information is available upon which the PHA can make this assessment.

| Housing Needs of Families in the Jurisdiction<br>by Family Type |         |               |        |         |               |      |          |
|---|---------|---------------|--------|---------|---------------|------|----------|
| Family Type   | Overall | Affordability | Supply | Quality | Accessibility | Size | Location |
| Income <= 30% of AMI  | 1,173   | 5             | 4      | 3       | 2             | 3    | 4        |
| Income >30% but <=50% of AMI                                    | 446     | 4             | 4      | 2       | 3             | 4    | 4        |
| Income >50% but <80% of AMI                                     | 280     | 1             | 3      | 2       | 3             | 4    | 1        |
| Elderly   | 338     | 4             | 3      | 3       | 5             | 5    | 4        |
| Families with Disabilities                                      | N/A     |               |        |         |               |      |          |
| Race/Ethnicity  | N/A     |               |        |         |               |      |          |
| Race/Ethnicity  | N/A     |               |        |         |               |      |          |
| Race/Ethnicity  | N/A     |               |        |         |               |      |          |
| Race/Ethnicity  | N/A     |               |        |         |               |      |          |

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)

**1990 US CENSUS FIGURES**

**A. Housing Needs of Families in the Public Housing and Section 8 Tenant-Based Assistance Waiting Lists**  
 Statewide or jurisdiction-wide PHA-wide waiting list administered by the PHA. PHA's may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

### Housing Needs of Families on the Waiting List

Waiting list type: (select one)

Section 8 tenant-based assistance

Public Housing

Combined Section 8 and Public Housing

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                      | 60            |                     | 1%              |
| Extremely low income<br><=30% AMI       | 37            | 61.67%              |                 |
| Very low income<br>(>30% but <=50% AMI) | 21            | 35%                 |                 |
| Low income<br>(>50% but <80% AMI)       | 2             | 3.33%               |                 |
| Families with children                  | 55            | 91.67%              |                 |
| Elderly families                        | 3             | 5%                  |                 |
| Families with Disabilities              | 2             | 3.33%               |                 |
| Race/ethnicity                          | 60            | 100%                |                 |

Characteristics by Bedroom Size (Public Housing Only)

1BR

2 BR

3 BR

4 BR

5 BR

5+ BR

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

If yes:

**B.** How long has it been closed (# of months)? 24 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 <input checked="" type="checkbox"/> Yes |
|  |

**C. Strategy for Addressing Needs**

**(1) Strategies**

**Need:** Shortage of affordable housing for all eligible populations IN THE UPCOMING YEAR, and the Agency's reasons for choosing this strategy.

**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**

- 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)

**B. 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)

**Need: Specific Family Types: Families with Disabilities**

**Strategy 1: Target available assistance to Families with Disabilities:**

- 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 ethnicity's with disproportionate needs:**

Select if applicable

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

**Strategy 2: Conduct activities to affirmatively further fair housing**

- 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)

**Statement of Financial Resources**

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing or tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: Public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

| <b>Financial Resources:<br/>Planned Sources and Uses</b>  |                   |  |
|---|-------------------|--|
| <b>Sources</b>  | <b>Planned \$</b> | <b>Planned Uses</b>                              |
| <b>1. Federal Grants (FY 2000 grants)</b>   | -0-               |  |
| a) Public Housing Operating Fund  | -0-               |  |
| b) Public Housing Capital Fund  | -0-               |  |
| c) HOPE VI Revitalization   | -0-               |  |
| d) HOPE VI Demolition   | -0-               |  |
| e) Annual Contributions for Section 8<br>Tenant-<br>Based<br>Assistance                                 | 200,253.00        |  |
| f) Public Housing Drug Elimination<br>Program<br>(including<br>any<br>Technical<br>Assistance<br>funds) | -0-               |  |
| g) Resident Opportunity and Self-<br>Sufficiency<br>Grants  | -0-               |  |
| h) Community Development Block<br>Grant   | -0-               |  |
| i) HOME   | -0-               |  |
| Other Federal Grants (list below)   |                   |  |
|   |                   |  |
| <b>2. Prior Year Federal Grants<br/>(unobligated funds only) (list below)</b>                           | -0-               |  |
|   |                   |  |
|   |                   |  |
|   |                   |  |
| <b>3. Public Housing Dwelling Rental<br/>Income</b>   | -0-               |  |
| <b>4. Other income (list below)</b>   |                   |  |
| ADMINISTRATIVE FEES   | 32,775.00         | COST OF THE<br>ADMINISTRATION OF THE<br>PROGRAMS |

| Sources                                    | Planned \$    | Planned Uses |
|--|---------------|--------------|
|  |               |              |
|  |               |              |
| <b>4. Non-federal sources</b> (list below) |               |              |
|  |               |              |
|  |               |              |
|  |               |              |
| <b>Total resources</b>                     | \$ 233,028.00 |              |
|  |               |              |
|  |               |              |

### **3. PHA Policies Governing Eligibility, Selection, and Admissions**

[24 CFR Part 903.7 9 (c)]

#### **A. Public Housing**

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent

##### **3A (1) Eligibility**

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**

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)

Where may interested persons apply for admission to public housing?

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

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**

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

#### **(4) Admissions Preferences**

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)

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)

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**

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)

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:

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:

**Section 8** PHAs that do not administer section 8 are not required to complete sub-component 3B. Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).  
**(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)

**Note:** The policy of this PHA is to analyze thoroughly the report received from the Commonwealth of Puerto Rico State Police Department. If the applicant or any other member has been arrested for any drug related activity such as possession for use and the debt to, society has been paid, then a release is required from either the Court or Parole Office indicating that the applicant has complied fully with the restrictions imposed for his release. This is requested if it has been less than five (5) years since sentencing. Furthermore, if the applicant has a positive release from the State or local courts, then the applicant is allowed to participate.

Additionally, if the infraction is over five (5) years and there is no other infraction listed on the report, the applicant is allowed to participate in our subsidized housing program. We believe that everyone has at one point or another made a mistake and deserved a fighting chance from society.

We consider that a criminal activity, which involves armed robbery and/or illegal drug trafficking, the applicant is not allowed to participate in our locally subsidized housing program.

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)

Indicate what kinds of information you share with prospective landlords? (Select all that apply)

\_\_\_ Criminal or drug-related activity

X Other (describe below)

**Note:** In accordance with our HUD approved administrative plan, the Municipality of San German will only indicate to prospective owners the following:

**Name and address of the present owner of the tenant family.  
Telephone number of the present owner.**

## **(2) Waiting List Organization**

With which of the following program waiting lists is the Section 8 tenant-based assistance waiting lists merged? (select all that apply)

\_\_\_ None

\_\_\_ Federal public housing

X Federal moderate rehabilitation

\_\_\_ Federal project-based certificate program

X Other federal or local program (list below)

The waiting list for our locally administered Section 8 tenant-based program is merged with the following programs:

### **Family Self Sufficiency Program**

Where may be interested persons apply for admission to Section 8 tenant-based assistance? (select all that apply)

X 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:

**If a member of the family is a disabled person, or is suffering from a serious illness, the Municipality of San German may contingent upon individual circumstances, grant the required extensions up to a maximum of 120 days.**

**Likewise, should there be a death or other serious impediments within the immediate family, which would preclude this same family from participating both actively and freely in the location and selection of suitable, safe, decent, and sanitary housing, the Municipality of San German will grant an extension up to a total of some 120 calendar days, including the initial term of some 60 calendar days.**

**(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 sub-component **(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)
- X Victims of domestic violence
- X Substandard housing
- X Homelessness
- X High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- X Working families and those unable to work because of age or disability
- X Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- X Those enrolled currently in educational, training, or upward mobility programs
- X 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)
- 1   Victims of domestic violence
- 1   Substandard housing
- 2   Homelessness
- 3   High rent burden

Other preferences (select all that apply)

- 3   Working families and those unable to work because of age or disability
- 4   Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- 3   Those enrolled currently in educational, training, or upward mobility programs

- 4 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

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**

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)

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**

[24 CFR Part 903.7 9 (d)]

Exemptions: PHAS that do not administer public housing are not required to complete sub-component

#### **4A. Public Housing**

##### **(1) Income Based Rent Policies**

Describe the PHA's income based rent setting policies 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**

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:

a. 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:

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)
- 95<sup>th</sup> 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:

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**

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**

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

**(1) Payment Standards**

Describe the voucher payment standards and policies .

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)

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)

Should a family request a hardship exemption, said request shall be honored upon determination of whether there is a qualifying financial hardship. The suspension of the minimum rent requirement shall begin the month following the request was made.

**5. Operations and Management**

[24 CFR Part 903.79 (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 PHAs' management structure and organization.

(Select one)

An organization chart showing the PHAs' management structure and organization is attached.

A brief description of the management structure and organization of the PHA follows:

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.)

**B. HUD Programs Under PHA Management**

| Program Name  | Units or Families Served at Year Beginning | Expected Turnover |
|---|--|-------------------|
| Public Housing  | NA   |                   |
| Section 8 Vouchers  | 61   | 3%                |
| Section 8 Certificates  | NA   |                   |
| Section 8 Mod. Rehab.   | NA   |                   |
| Special Purpose Section 8 Certificates/Vouchers (list individually) |  |                   |
| Public Housing Drug Elimination Program (PHDEP)                     |  |                   |
|   |  |                   |
|   |  |                   |
| Other Federal Programs(list individually)                           |  |                   |
| FSS   | 9  | 3%                |
|   |  |                   |

### 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)

**PHA Revised Administrative Plan is attached**  
**PHA FSS Administrative Plan is attached.**

### 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

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)

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.

- PHA main administrative office  
 Other (list below)

## **7. Capital Improvement Needs**

[24 CFR Part 903.79 (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**

#### **(1) Capital Fund Program Annual Statement**

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.

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)

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**

[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.)

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

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.)

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.

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

## **10. Conversion of Public Housing to Tenant-Based Assistance**

[24 CFR Part 903.7 9 (j)]

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.

| <b>Conversion of Public Housing Activity Description</b>  |  |
|---|--|
| 1a. Development name:   |  |
| 1b. Development (project) number:   |  |
| 2. What is the status of the required assessment?   | <input type="checkbox"/> Assessment underway<br><input type="checkbox"/> Assessment results submitted to HUD<br><input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question)<br><input type="checkbox"/> Other (explain below)  |
| 3. ___ Yes ___ 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<br><input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY)<br><input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY)<br><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) | <input type="checkbox"/> Units addressed in a pending or approved demolition application (date submitted or approved: )<br><input type="checkbox"/> Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: )<br><input type="checkbox"/> Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: )<br><input type="checkbox"/> Requirements no longer applicable: vacancy rates are less than 10 percent |

|  |
|--|
| <input type="checkbox"/> Requirements no longer applicable: site now has less than 300 units<br><input type="checkbox"/> 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)]

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

**A. Public Housing**

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.)

|  |
|--|
| <p><b>Public Housing Homeownership Activity Description</b><br/> <b>(Complete one for each development affected)</b></p> |
|--|

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

Yes, the Municipality will establish an eligibility criteria for participation into its Homeownership program. The program will be opened solely for families who are in good standing within the Family Self Sufficiency Program.

**12. PHA Community Service and Self-sufficiency Programs**

[24 CFR Part 903.7 9 (l)]

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.

12

**A. PHA Coordination with the Welfare (TANF) Agency**

1. Cooperative agreements:

\_\_\_\_ Yes X No: Has the PHA 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 the agreement was signed?

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)  
The Memorandum of Understanding was sign as a requirement to implement

the Family Unification Program.

**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) |
|   |                |   |   |  |
|   |                |   |   |  |
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**(2) Family Self Sufficiency program/s**

**Participation Description**

| Family Self Sufficiency (FSS) Participation |  |  |
|---|--|--|
| Program                                     | Required Number of Participants<br>(start of FY 2000 Estimate) | Actual Number of Participants<br>(As of: DD/MM/YY) |
| Public Housing                              |  |  |
| Section 8                                   | 9  | 12/31/99   |

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**

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**

[24 CFR Part 903.79 (m)]

**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

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.

- \_\_\_\_\_ 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**

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**

\_\_\_ 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**

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

[24 CFR Part 903.7 9 (n)]

**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**

[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 903.79 (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

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)

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)

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).

Consolidated Plan jurisdiction: **COMMONWEALTH OF PUERTO RICO**

1. 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)

2. 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.

**Substantial deviation from 5-Year Plan or amendment and/or modification to Annual Plan:**

In accordance with established HUD rules and regulations, the following will be the basic criteria that will be utilized by the Municipality of San German and it will constitute a substantial deviation from its 5-Year Plan and/or amendment or modification to its Annual Plan that has met full public process requirements including Resident Advisory Board Review:

- Changes to rent, admission policies and/or organization of the waiting list.
- Additions of non-emergency work items (items not included in the current Annual Statement or 5-Year Action Plan) or change in use of replacement reserve funds under the Capital Fund.
- Additions of new activities not included in the current PHDEP Plan.
- Any change with regard to demolition or disposition, designation, homeownership programs or conversion activities.

## Attachments

Use this section to provide any additional attachments referenced in the Plans.

**Family Self Sufficiency Administrative Plan (Submitted to HUD Local Office)**

**Revised Administrative Plan (filename: rq030a01)**

**Organizational Chart (filename: rq030c01)**

**Results from the last Single Audit (Submitted to HUD Local Office)**

**PHA Plan**  
**Component 7**  
**Table Library**  
**Capital Fund Program Annual Statement**  
**Parts I, II, and II**

**Annual Statement**  
**Capital Fund Program (CFP) Part I: Summary**

| Line      | Summary by Development Account                             | Total |
|-----------|--|-------|
| <b>1</b>  | <b>Total Non-CGP Funds</b>                                 |       |
| <b>2</b>  | <b>1406 Operations</b>                                     |       |
| <b>3</b>  | <b>1408 Management Improvements</b>                        |       |
| <b>4</b>  | <b>1410 Administration</b>                                 |       |
| <b>5</b>  | <b>1411 Audit</b>  |       |
| <b>6</b>  | <b>1415 Liquidated Damages</b>                             |       |
| <b>7</b>  | <b>1430 Fees and Costs</b>                                 |       |
| <b>8</b>  | <b>1440 Site Acquisition</b>                               |       |
| <b>9</b>  | <b>1450 Site Improvement</b>                               |       |
| <b>10</b> | <b>1460 Dwelling Structures</b>                            |       |
| <b>11</b> | <b>1465.1 Dwelling Equipment-Nonexpendable</b>             |       |
| <b>12</b> | <b>1470 Nondwelling Structures</b>                         |       |
| <b>13</b> | <b>1475 Nondwelling Equipment</b>                          |       |
| <b>14</b> | <b>1485 Demolition</b>                                     |       |
| <b>15</b> | <b>1490 Replacement Reserve</b>                            |       |
| <b>16</b> | <b>1492 Moving to Work Demonstration</b>                   |       |
| <b>17</b> | <b>1495.1 Relocation Costs</b>                             |       |
| <b>18</b> | <b>1498 Mod Used for Development</b>                       |       |
| <b>19</b> | <b>1502 Contingency</b>                                    |       |
| <b>20</b> | <b>Amount of Annual Grant (Sum of lines 2-19)</b>          |       |
| <b>21</b> | <b>Amount of line 20 Related to LBP Activities</b>         |       |
| <b>22</b> | <b>Amount of line 20 Related to Section 504 Compliance</b> |       |
| <b>23</b> | <b>Amount of line 20 Related to Security</b>               |       |
| <b>24</b> | <b>Amount of line 20 Related to Energy Conservation</b>    |       |

**Annual Statement**

**Capital Fund Program (CFP) Part II: Supporting Table**

| <b>Development<br/>Number/Name<br/>HA-Wide</b> | <b>General Description of Major Work<br/>Categories</b> | <b>Development<br/>Account<br/>Number</b> | <b>Total<br/>Estimated<br/>Cost</b> |
|--|---|---|-------------------------------------|
|  |   |   |                                     |

**Annual Statement  
Capital Fund Program (CFP) Part III: Implementation Schedule**

| <b>Development<br/>Number/Name<br/>HA-Wide Activities</b> | <b>All Funds Obligated<br/>(Quarter Ending Date)</b> | <b>All Funds Expended<br/>(Quarter Ending Date)</b> |
|---|--|---|
|   |  |   |

## Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

| Optional 5-Year Action Plan Tables                                     |  |                     |                            |  |
|--|--|---------------------|----------------------------|--|
| Development Number   | Development Name<br>(or indicate PHA wide) | Number Vacant Units | % Vacancies in Development |  |
|  |  |                     |                            |  |
| Description of Needed Physical Improvements or Management Improvements |  |                     | Estimated Cost             | Planned Start Date<br>(HA Fiscal Year) |
|  |  |                     |                            |  |
| <b>Total estimated cost over next 5 years</b>                          |  |                     |                            |  |





***MUNICIPALITY OF SAN GERMAN  
ADMINISTRATIVE PLAN***

***HOUSING CHOICE VOUCHER PROGRAM  
RQ 030***



***Hon. Isaac Llantín Ballester  
Mayor***

***Ivonne Rodríguez  
Section 8 Director***

## ***FEBRUARY 2000***

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## **I INTRODUCTION**

This revision of the Municipality of San German administrative plan will address the merger of the Certificate and the Voucher Program, respectively, in accordance with the Quality Housing and Work Responsibility Act of 1998, 24 CFR 903, Section 545. All references herein are to the regulations currently in effect for the Housing Choice Voucher Program, as they may be amended. Except as expressly provided hereinafter, all of the provisions of the Municipality of San German Administrative plan for the Voucher Program will apply to all programs that are currently being administered by this Municipality.

## **II GOALS AND OBJECTIVES**

The Housing Choice Voucher Program was envisioned to accomplish the following goals:

To consolidate the Section 8 Voucher and Certificate Programs into a single market-driven program.

17. The consolidation of the Section 8 Voucher and Certificate Programs, respectively, into a single market-driven program.
18. Create incentives and economic opportunities for residents assisted by PHAs to work, thus, becoming self sufficient.
19. To promote freedom of housing choice, whereby, deconcentration of extremely low income and minority families can be achieve.
20. To provide decent, safe and sanitary housing for extremely low income families.
21. To provide improved conditions for extremely low-income families while maintaining their rent payments at an affordable level.
22. Increase accountability and reward effective management of PHAs

23. To provide the incentive to private landlords so that they could rent their dwelling units to economically disadvantaged families by offering timely assistance payments and protection against unpaid rent, damages, and vacancy loss.

With the merger of the Section 8 Certificate and Voucher Programs as part of the housing reform enacted by Congress, the purpose of this revised administrative plan is to establish achievable policies for items not covered under Federal regulation for the Housing Choice Voucher Program. Other subsidized housing Programs are covered by this same plan.

The Municipality is responsible for complying with all subsequent changes adopted by HUD that pertain to these same programs. Should such changes conflict with this plan, HUD regulations will prevail.

The purpose of the Municipal Subsidized Housing program is to assist families that are economically handicapped as well as gradually reducing the amount disbursed by the program. Renters experience more housing problems than do homeowners as it is clearly demonstrated by the 1990 U.S. Population Census as well as it has been our experience under our waiting list. When renters are compared to homeowners of the same household type and income levels, the percentage of renters with housing problems is higher than owners. There also exists a need for quality housing units available for program participants but there is not an abundance of affordable housing for low income families within this same Municipality.

Being cognizant of this, our Municipality has established realistic and attainable goals, whereby, particular thought has been given to the number of families which can be expected to need and want better housing. By setting attainable goals, the Municipality of San German intends to provide a vehicle for those in need and for those who have available units by coming together in a manner beneficial to all principals involved.

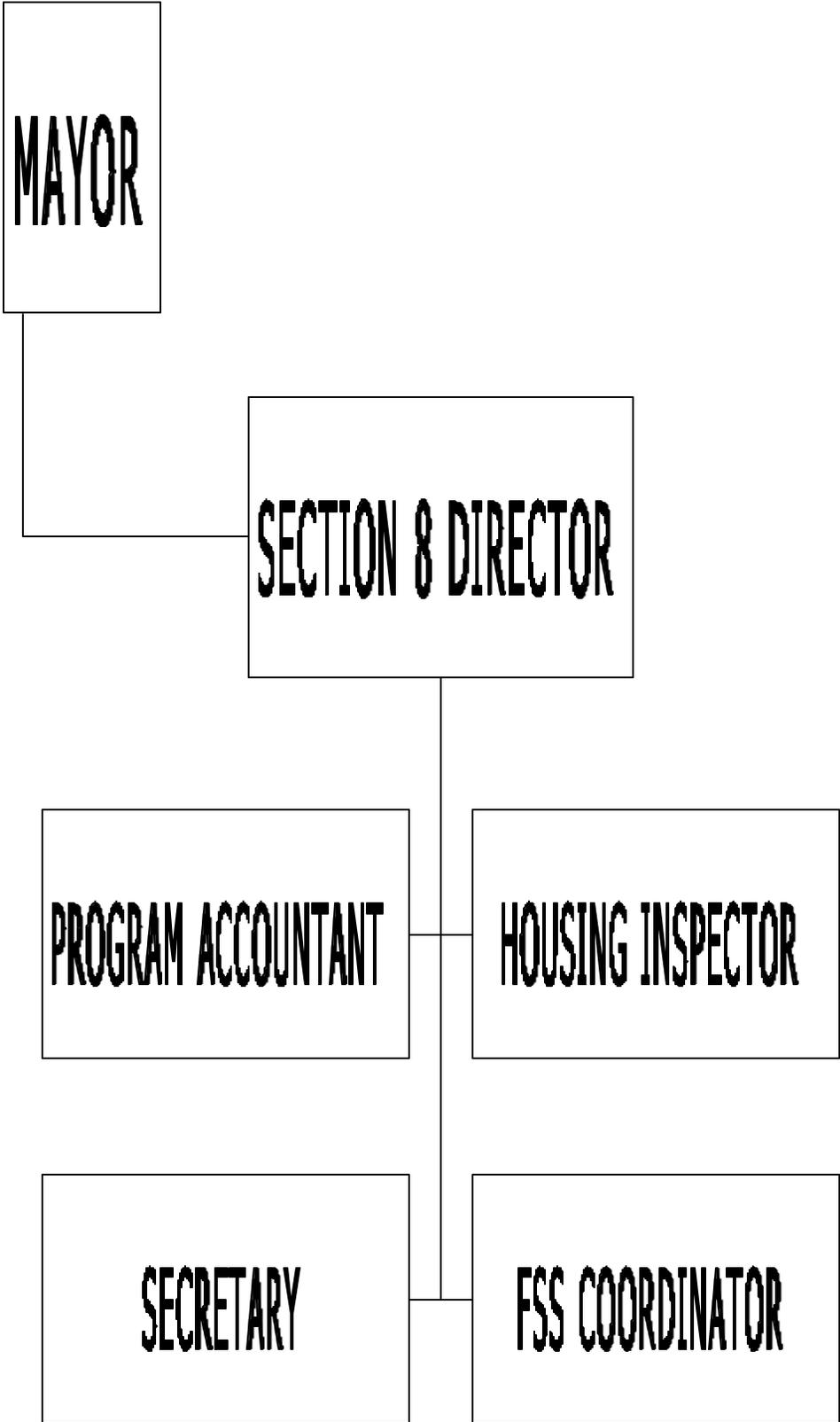
### **III HOUSING PROGRAMS**

In addition to administering the Housing Choice Voucher Program, the Municipality of San German has developed and implemented a Family Self Sufficiency Program to enable eligible families who are receiving assistance under this same program to achieve economic independence and self-sufficiency. This same program has been developed and operated in conformity with the Housing Choice Voucher program regulations and applicable civil rights authorities.

Being conscious of the housing needs of the growing number of families within our Municipality who remain poor, chronically unemployed, and basically dependent on government assisted programs, we have decided to pool our scarce resources with other adjacent PHAs, namely the Municipality of Hormigueros and Añasco, to hire an FSS Coordinator who can adequately attend the needs of our FSS families.

### **IV PROGRAM STAFFING**

The Housing Choice Voucher Program extends the PHA's fiscal responsibility and flexibility to manage subsidy funds and administrative costs in an efficient manner in accordance with QHWRA, section 502(b). As a result of this, the staff directly involved in the administration of the Subsidized Housing Program in this Municipality will be so designated in accordance with the number of units assigned to the Program as stated in the ACC between the Municipality and HUD. The organizational chart for this Municipality is as follows:



The following functions will be undertaken by the local subsidized housing staff:

1. Prepare all necessary documents, budget, forms, and any files which may be required for the efficient administration of the program.
2. Prepare and/or adapt the necessary forms, information, instructions, and material required for the organization and implementation of the subsidized housing program.
3. During the leasing schedule and intake period, the staff will coordinate, supervise, organize, and actively participate in the following:
  - a. Outreach to eligible families and homeowners.
  - b. Determination of family eligibility and tenant selection, so as to ensure compliance with income targeting as stipulated in QHWRA.
  - c. Verification of income and determination of total tenant payment.
  - d. Briefing the family of the various subsidized housing programs approved by HUD and administered by the PHA.
  - e. Briefing the family and issuance of vouchers.
  - f. Compliance by homeowners of Housing Quality Standards as established by existing HUD regulations as well as the required initial, interim and annual inspections.
  - g. Lease approval and contract execution in accordance with existing regulations.
  - h. Provision of housing information and services to recipient families.

- i. Conduct initial, interim and annual certifications as required by HUD regulations.
- j. Briefing of the family on established regulations concerning mobility and portability to ensure compliance with QHWRA of deconcentration of families.
- k. Prompt HAP payments to participating homeowners.
- l. Briefing of the families and participating homeowners concerning existing HUD regulations about terminations and evictions.
- m. Monitoring applicable payment standards as established under QHWRA which is to be set between 90%-110% of the Fair Market Rents for the PHA jurisdiction.
- n. Assure compliance of security deposits and claims for damage and unpaid rents.
- o. Briefing of families concerning the policy for informal hearing for denial, reduction and/or termination of assistance as required by existing HUD regulations.
- p. Compliance by Families in the other subsidized housing programs that maybe administered by the Municipality.

## **V Completion of Application Process and Determination of Family Eligibility**

Persons that are both interested and qualify under the subsidized housing program will be provided with the necessary applications, and will receive a briefing on the programs offered by the local PHA. Specific days of the week will be established to receive applications, so as to permit sufficient time to properly carry out the administrative requirements of the program in an acceptable manner, that is in compliance with existing regulations.

The Section 8 Director will assign numbers to each application received, and maintain a list of qualified candidates assuring equality and fairness to all persons under this program.

If during the application stage it can be determined, and it is obvious, that a family will not be eligible because of exceeding income limits due to too few or too many household members for the voucher size authorized by ACC, etc., no additional documents and materials will be requested from the family to avoid unnecessary waste of time and expenses. The family will be so advised, and the municipality will also notify the family in writing indicating the reasons and affording them an opportunity to request, within a reasonable amount of time, an informal hearing. However, the family will be encouraged to reapply should the circumstances change.

All information requested within this same form will be obtained at the interview with the applicant, and that which must be verified, will be verified by the appropriate Housing staff official assigned to the case.

People with applications not expected to be awarded vouchers upon completion of their files because their number in the waiting list is far higher than the number of available vouchers as per the ACC and number of bedrooms which may be available will be so advised. If a date can be determined as to when the voucher can be issued they will in fact be told, otherwise, they will be advised that based on the date and time of the completed application, if the family was found to be eligible, and once there are additional vouchers, they will be notified of the same. The families will be informed that their applications are valid for one year only and in order to maintain their case file opened they must renew their application on a yearly basis. The PHA will inform the families accordingly in writing.

The records of cases where families have been determined ineligible or their contracts have been terminated, the PHA will retain these documents for three (3) years such as: (1) copy of the application, (2) notification letters, if applicable, (3) the applicant's response, if any, the record of any informal hearing, and statement of final disposition. Furthermore, records pertaining to eligible families and those under a lease, will be maintained within the active file unless the family becomes ineligible or terminates its contract.

The application forms will contain both date and time of filling, and will be signed by the applicant or applicant's spouse and by the interviewer from the Municipal Staff which processed the family. Application forms will be reviewed by the Section 8 Director and properly identified with the Director's initials.

A. Verification Procedures

Once the family has filed an application and has provided evidence required to complement it, office personnel must verify with sources and references all basic information given by the applicant by means of a personal interview, telephone contact or by mail. When all information is verified and the family is determined eligible by a certification form which must be filled out by the Municipal staff in charge of the case, they will be placed on the waiting list.

An on-site visit will be conducted by the Section 8 staff to verify the validity of the conditions under which the family is currently living to ascertain the accuracy of the information given by the prospective family. The evaluation report as well as the one for unit will form part of the file.

After the families have completed their applications, except those that for obvious reasons will not qualify, a series of documents will be requested from them and they will be required to bring these documents within a reasonable period specified by the intake Housing Staff member. The family will be given a sheet outlining the necessary documents needed to complete their file. The Municipal staff will go over the list and inform the family that should they not be able to comply with the time set, their respective application will be withdrawn and case considered closed. To ensure that the family understands and is in agreement, the form will be signed by the family and the Municipal staff attending the family. A copy will be given to the family.

Should the family again be interested in applying and the waiting list opened, they would be required to start by completing a new application based on the new date and time, thus, determining the position or number on the waiting list. This same procedure will be used when a candidate family is summoned for a voucher issuance.

B. The following items will be requested from the applicant family and verified:

|  |  |
|--|--|
| 1. Family Composition                                | Birth, marriage and birth certificates, a family photograph, sworn statements, school records  |
| 2. Special Medical Needs which require larger units. | Medical Certificates   |
| 3. Income from wages                                 | Verification from the employer   |
| 4. Social Security                                   | Verification from the S.S. office or through HUD's website.  |
| 5. Income from wages                                 | Verification from the employer.  |
| 6. State Disability and other pensions               | Verification forms from an employer.   |
| 7. Welfare payments                                  | Verification from the State Department of the Family agency.   |
| 8. Alimony and child support court Records.          | A copy of the divorce decree   |
| 9. Unemployment compensation                         | Verification from the State Department of Labor (Form W-5).  |
| 10. Family financial Assistance                      | Letter form from a benefactor.   |
| 11. Family type (Elderly or Disabled)                | From appropriate agency granting benefits and birth certificate.   |
| 12. Full-time student status                         | A letter from school or college.   |
| 13. Scholarships-grants                              | A written confirmation from the source of benefits, as well as confirmation from an Education Institution as to cost. The net balance is the amount available for subsistence. |
| 14. Income Interest and Dividends                    | Verification from bank, or financial institution, bank passbooks, etc  |
| 15. Assets   | A Certificate of Good Conduct from State Police Department this as per QHWRA of 1998.  |

16. Other Any other document deemed necessary for the family applicant to qualify for the subsidized housing program under established HUD regulations.

C. Factors that will be used to Determination Eligibility

In determining the eligibility of the applicant family, the following factors will used for such determination:

1. Family income so as to comply with Part V, Section B of this administrative plan.
2. The health condition of the family.
3. The conditions under which the family is currently living at the time of the application.

## **VI Selection of Applicants**

A. Admission of a family applicant

The PHA may admit an applicant for participation into its subsidized housing program as:

4. Special admission;
5. Waiting list admission.

B. Targeting

In accordance with 24 CFR part 5, subpart F, section 5.607(b), not less than 75 percent of the families admitted to the Municipality of San German subsidized housing program during the Municipality's fiscal year will be families whose annual income does not exceed the following amounts:

1. 30 percent of the area median income, with adjustments for smaller and larger families;
2. A higher or lower percent of the area median income, if HUD determines a higher or lower

percent is necessary because of usually high or low family incomes.

C. Conversion of assistance

Conversion of assistance for a participant in the Municipality of San German Certificate Program to assistance in the Housing Choice Voucher Program does not count as an "admission," and is not subject to targeting as set forth in Part VI, section B of this administrative plan.

D. Inapplicability of targeting

Admissions of the following categories of families are not subject to targeting under Part VI, section B of this administrative plan:

2. A low income family that is continuously assisted under the 1937 Act.
2. A low-income or moderate-income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing as defined in 24 CFR part 5, section 248.101.

E. Use of family's income

The annual income (gross income) of an applicant family is used both for determination of income-eligibility under 24 CFR part 5, section 5.601(c) and for the Municipality of San German income targeting as set forth in Part VI, section B of this plan.

F. Administration of Waiting List

2. Except for special admissions participants must be selected from the PHA waiting list. The PHA must select participants from the waiting list on a first-come, first-served basis, in accordance with this same plan, which includes Equal Opportunity.
3. The PHA has agreed to cooperate fully with HUD, in respect to when HUD provides funding to the PHA for a special purpose such as desegregation, Family

Unification, etc., including but not limited to including funding for specified families and/or a specified category of families. The PHA has further agreed to issue the required voucher.

G. Organization of the Waiting List

The PHA must maintain information that permits the PHA to select qualified participants from the waiting list in accordance with PHA admission policies. The waiting list should contain the following information:

2. Applicant names
2. Family composition (adults/children, age/sex)
3. Date and time of application
4. Qualification for any ranking preference or local preference
5. Racial or ethnic designation of the head of household
6. Number of bedrooms that the family can occupy based on this Municipality's occupancy standards in with established HUD regulations and Part VII, Section H of this administrative plan.
7. ***Programs for which the PHA feels that the family qualifies for and would be interested in participating in under the umbrella of the subsidized housing program being administered by the PHA. Should the family not be interested in participating in any special program, this will not affect the place and position of the family on the waiting list.***

H. Occupancy Standards

Based on the family composition the subsidy to be paid will be based upon the unit size that the family is eligible to occupy. The following table will be used to determine unit size for the family:

| <b>Unit Size</b> | <b>MINIMUM NO. OF PERSON IN HOUSEHOLD</b> | <b>MAXIMUM NO. OF PERSONS IN HOUSEHOLD</b> |
|------------------|---|--|
| 0 BR             | -0-                                       | -1-  |
| 1 BR             | -1-                                       | -2-  |
| 2 BR             | -2-                                       | -4-  |
| 3 BR             | -4-                                       | -6-  |
| 4 BR             | -6-                                       | -8-  |

A family may select a unit that is larger than the bedroom size authorized by the PHA but the family must pay the increased cost unless an owner is willing to accept a lesser rent.

## II. Opening the Waiting List

2. When the PHA opens a waiting list, it will publish a public notice informing all interested families and homeowners of the opening of a new waiting list. The public notice will state where and when to apply and/or to receive additional information on all aspects of the program.
2. The PHA must provide the public notice publication in a local newspaper of general circulation, which should also include minority media.
3. The public notice among other things must state any limitations if any, on who may apply.
4. When the waiting list is open, the PHA must accept applications from families for whom the list is open, unless there is good cause for not accepting the application.

## J Closing the Waiting List

2. The PHA at its discretion will determine that the

existing waiting list does contain an adequate pool for use of available program funding and may stop accepting new applications.

2. However, even if the PHA is not otherwise accepting additional applications from those applicants who demonstrate a need beyond extraordinary circumstances and/or qualify under of the programs being offered by the PHA, said application will be accepted and so classified when placed on the waiting list.
3. When a decision has been made to close the existing waiting list, the PHA will publish a public notice in a local newspaper of general circulation advising all interested persons, parties, and groups of the same.

#### K Updating the Waiting List

The waiting list will be updated on an annual basis to ensure that it is current and accurate. This will be accomplished by the following procedure:

1. A letter will be mailed to the applicant's last known address.
2. The notice will inform the applicant family that a year has passed and information will be requested regarding their continued interest in maintaining a place on the waiting list.
3. A time limit will be established in the notice, whereby, the applicant will be request to pass by the PHA main office to file an updated application. By visiting the PHA main office to file an updated application, the family has demonstrated interest as well as assured itself of continuing their position for one year on the waiting list.
4. If the PHA fails to receive the applicant notice or renewed application of continuance, the applicant's

name will be removed from the waiting list.

5. The applicant family will have 15 days to respond to the notice upon receipt of said notice. The PHA does not accept responsibility for any mail delay or non-deliverance by the Post Office.

L. Issuance of Voucher

2. Prior to selection of a qualified family from the waiting list, all information will be verified so that it is up to date and in accordance with 24 CFR part 5, subpart F.
2. When a qualified family has been selected, the PHA will issue a voucher to the family which would allow them to search for a unit.
3. The family will be notified via a certified letter informing them of their selection and affording them the opportunity to participate in the PHA's Housing Choice Voucher Program. This same notification will contain the date and time which the family must present itself to accept the voucher and at which time the family will be receiving a briefing outlining the rules and regulations of the program, as well as the participant's packet.

4. Initial Term

The initial term of a voucher must be at least 60 calendar days. This initial term will be stated on the voucher.

5. Extensions of Term

At its discretion, the PHA may select to grant a family one or more extensions of the initial term. However, the initial terms plus any extensions cannot exceed a total period of 120 calendar days from the beginning of the initial term in accordance with established HUD regulations. The approval of

any extension to a family will be in written form.

6. Reason for Granting Extension

If a member of the family is a disabled person, or is suffering from a serious illness, the PHA may contingent upon individual circumstances, grant the required extensions up to a maximum of 120 days.

Likewise, should there be a death or other serious impediments within the immediate family, which would preclude this same family from participating both actively and freely in the location and selection of suitable, safe, decent, and sanitary housing, the PHA may at its discretion grant extension up to a total of some 120 calendar days including the initial term of some 60 calendar days.

7. Suspension of Term

It is the policy of the Municipality of San German to grant a family a suspension of the voucher terms if the family has submitted a request for lease approval during the term of the voucher.

At its discretion the Municipality of San German may grant a suspension for any part of the period after the family has submitted a request for lease approval up to the time when the Municipality approves or denies said request.

8. Progress Report by the Family to the PHA

During the initial or any extended term of the voucher, the Municipality of San German will require the family to report their progress in leasing a unit. These same reports may be accomplished by personally either visiting or telephoning the Municipality every 30 calendar days.

M. Briefing

2. The families will be briefed in a detailed manner about the Housing Choice Voucher Program. In accordance with 24 CFR Section 982.301(a), the following will be discussed in the briefing:

- a. Family and owner responsibilities.
- b. Where the family may lease a unit, including renting a dwelling unit inside or outside the PHA jurisdiction.
- c. If the family qualifies to lease a unit outside the PHA jurisdiction under portability procedures, the briefing will include an explanation of how portability works.
- d. If the family should have a disabled person, appropriate steps will be taken to ensure effective communication in accordance with 24 CFR 8.6.

2. In compliance with 24 CFR Subpart G, Section 982.301(b), the participant's packet will contain the following:

- a. The term of the voucher and the PHA policy concerning extension of the term. Said policy will contain information concerning how the family may request an extension.
- b. Request for lease approval and an

explanation on how to request PHA approval to lease this same unit.

- c. Required lease provisions and instructions for the preparation of the lease between owner and tenant as per QHWRA regulations.
- d. Lead base paint notices
- e. Fair housing information and a statement of the PHA policy on providing information about a family to prospective owners. A copy of the housing discrimination complaint form.
- f. Utility allowance schedule
- g. Informal hearing procedures
- h. General information on how families are selected, how the PHA determines the housing assistance payment for a family and how the PHA determines the maximum rent for an assisted unit.
- i. General information about Housing Quality Standards.
- j. What the family should consider in deciding whether to lease a unit is as follows:
  - 2. The condition of the unit;
  - 2. The reasonability of the rent;
  - 3. The cost of any tenant-paid utilities;
  - 4. Whether the unit is energy efficient;
  - 5. The location of the unit, including proximity to public transportation, center of employment, schools and shopping.

- k. Program brochure and FSS brochure
- l. Where the family may lease a unit.
- m. The HUD brochure on how to select a unit
- n. A list of landlords or other parties known to the PHA who may be willing to lease a unit to the family or assist the family in finding a unit.
- o. Information on the PHA's grievance procedures
- p. Family obligations under the program.
- q. The grounds on which the PHA may terminate assistance for a participant family because of a family action or failure to act.

Additionally, when this same packet is presented to the participant, a member of the Housing Staff will review each document in detail so as to ensure that the participant is fully cognizant of both his or her rights and responsibilities under the program. This procedure complies with 24 CFR Subpart G, Section 982.301.

## **VII Redetermination and verification of family income and composition**

### **B. Initial determination and regular determination**

Initial certification (regular determination) will be carried out prior to the signing of the HAP contract between the Municipality and the owner.

### **C. Redetermination of family income**

Redetermination of family income and composition will be conducted on an annual basis by the Municipality as specified in 24 CFR part 5, subpart F. All redetermination will be effective on the anniversary date of the HAP contract.

Ninety (90) to seventy-five (75) days prior to the expiration of

the HAP contract, the participating family will be notified in writing that an annual reexamination will be made in the following order:

- 90 to 75 days initial notice
- 60 days second notice
- 30 days final notice
- Cancellation notice due to noncompliance by the family

Step 1: An initial 90 to 75 -day notice will be sent to the family requesting that they fill out a recertification application (form included with notice) and a scheduled interview. The tenant will be interviewed and the following documents will be requested based on the information provided:

1. Signed consent form to release information;
2. Sign verification of income form;
3. Change in family composition:
  - a. Copy of S.S.N. card
  - b. Copy of birth certificate
  - c. Photograph
  - d. Sworn Statement
4. Form W-5 from the State Labor Department;
5. Verification of student status if deem necessary (under the new regulations a full-time student is defined as a person who is attending school or vocational training on a full-time basis);
6. Issuance of Certificate of Good Conduct from the State Police Department;

7. Any other document that are deemed necessary, so as to complete the recertification process of the family;
8. A date will be set for submitting the requested documents.

Step 2: During the follow-up notice, the Municipality will make a second request in writing requesting those items not submitted or received in order to complete the reexamination process. The Municipality will begin to compile the information received, assure for completeness and accuracy, and will follow-up on third party verification, thus, initiating the necessary action to certify said information. The appropriate form designated by the Municipality will be prepared and said form will be signed by the family. Form 50058 will also prepared so that the verified information can be entered into the system and electronically sent to MTCS in accordance with existing HUD regulations.

Step 3: The yearly mandatory inspections will be carried out and both owner and family will be notified in writing of the results of the reexamination and changes in family contribution or eligibility for the unit they may occupy if any. A final notice will be issued that will contain a scheduled date to sign the addendum to the original contract reflecting these same changes for the coming year.

In the event that for some valid reason there is a delay in completing said reexamination, the owner and tenant would be notified of an extension, under the same terms and conditions presently existing, until the reexamination is completed. Families that do not comply with the submission of documents for the annual reexaminations once given all opportunities will be notified of their cancellation as participants within the program and will be advised of their rights as well as informed that they are entitled to request an informal as established in this plan. The final determination of said hearing will be maintained with the family's file. A copy of the determination will be directed to the owner stating that the housing assistance payments will be discontinued.

C. Interim Recertification Policy

When a participating family, due to unforeseen or temporary events, requests an adjustment in the family contribution, the documents submitted or the reasons will be verified by the Section 8 Director. The common reasons for a family to make this request are: (1) Loss of income or job, (2) Medical Expenses (Applies to Elderly or disabled Family only); (3) Increase of family composition.

Interim recertification of income and change of family composition will be conducted by the housing staff within a responsible time after the family has made such request. When a tenant family comes in to inform of any changes not directly related to their annual reexamination, Form 50059 will be prepared and signed by the family.

After the interview, the following forms/documents are requested:

2. Signed recertification/redetermination form;
3. Signed consent to release information, if applicable;
4. Signed verification of income form, if applicable;
5. Change in family composition (same as in annual recertification);
6. W-5 form for any member who claims to be unemployed;
7. A certificate of good conduct from the State Police Department, (if applicable);
8. Whatever document is deemed pertinent for the completion of the recertification process.

Upon filling out the recertification form, the Housing Department will request the aforementioned documents from the participant family and a date will be scheduled by the Municipality for the family to present its situation to the Section 8 Director. This will allow the family to comply with the documents requested by the Municipality as well as the verification of the validity of the information

provided by the family in accordance with 24 CFR part 5, subpart F, section 982.516.

In accordance with established federal regulations, the case will be analyzed with the existing conditions and a new computation of tenant rent will be prepared. A notice will be sent to both the tenant and landlord informing them of the changes and the dates that they will become effective. For certain extraordinary reasons this determination could in fact be ruled retroactively. The correspondence notifying both the family and the landlord would constitute a valid amendment to the lease and Housing Assistance Payment contracts, respectively.

The tenant will be instructed to notify the Municipality of any change of the conditions which originated the verification and periodic reexaminations would henceforth be scheduled. The family will be advised, that failure to comply with this same condition, could result in a decision to increase the family participation, effective the condition, which originally caused the adjustment ceased to exist.

#### D. Adjusted Income

Adjusted income means annual income of the members of the family residing or intending to reside in the dwelling unit, after making the following mandatory deductions as per 24 CFR part 5, section 5.61:

In determining adjusted income, the Municipality will deduct the following amounts from annual income:

1. \$480 for each dependent;
2. \$400 for any elderly family or disabled family;
3. The sum of the following, to the extent the sum exceeds three percent of annual income:
  - a. Medical expenses of any elderly family or disabled family not reimbursed; and
  - b. Reasonable attendant care and auxiliary apparatus expenses for each member of the

family who is a person with a disability to the extent necessary, to enable any member of the family (including the member with a disability), to be employed that is not reimbursed.

4. Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education;
5. The amount of any earned income of a family member (other than the family head or spouse) who is not 18 years of age or older.

## **VIII Selection Preferences**

### **A. Local Preference**

According to the Quality Housing and Work Responsibility Act of 1998, federal preferences as we know them have been eliminated and in its place the local preferences based on the needs of the people will prevail.

In order to comply with the Federal law, the Municipality has agreed to give preference for selection of families on the waiting based on the following:

2. Victims of Domestic violence;
3. Families that will be broken up due to removal of young children by the State Family Department or families that will be united by the return of the children but do have decent housing;
4. Involuntarily displaced;
5. Homeless or living in substandard housing;
6. Paying more than 50 percent of income for rent
7. Single person with a disability or any member of the family applicant with a disability except under the provision set forth in Section 24, subsection B of this

administrative plan

8. Single elderly person or family applicants with an elderly person.
9. Other Preferences such as:
  - a. Working families and those unable to work because of age or disability;
  - b. Veterans and veterans' families;
  - c. Those enrolled currently in educational, training, or upward mobility programs-for participants who wish to enroll in any future program that is established bearing a goal in mind of achieving self sufficiency and Homeownership.

Additionally, the Municipality will further comply with Federal Regulations which state that not less than 75% of new families must have incomes at or below 30% of the area median income within the Municipality's fiscal year. All other admissions generally will be at or below 50% of the area median, or up to 80% for families that meet eligibility criteria as set forth by the Municipality.

B. Qualifying for a local Preference

- Victims Domestic Violence: An applicant qualifies for domestic violence if the applicant is living under conditions which threaten the well being, health and safety of the family by an abusive member.
- Maintaining families together: An applicant qualifies for this preference when a family is threaten by a State Child Welfare Agency with the removal of the children due to inadequate housing or child abuse. This will ensure that the children who remain with, or who are reunited with, their families are safe, secure and not subject to neglect as a result of homelessness or inadequate housing.

- Displacement: An applicant qualifies for this preference if:
  1. The applicant has been involuntarily displaced and is not living in standard, permanent replacement housing; or
  2. The applicant will be involuntarily displaced within no more than six (6) months from the date of preference status certification by the family or verification by the PHA.
- Substandard Housing: An applicant qualifies for this preference if the applicant is living in substandard housing. An applicant that is homeless, living in overcrowded conditions or in a shelter for the homeless will be considered as living in substandard housing.
- Rent Burden: An applicant qualifies for this preference if the applicant is paying more than 50 percent of family income in rent.
- Certification of Preference: An applicant may claim qualification for a Local Preference by certifying to us as the PHA, that the family qualifies for a local preference. The PHA has agreed to accept this certification, unless we as the PHA verify that the applicant is not qualified for a local preference.
- Verification of Preference: Before an applicant is admitted on the basis of the local preference, the applicant must provide information needed by us as the PHA in order to verify that the applicant qualifies for a local preference because of the applicant's current status. It is further agreed, that the applicant's current status must be determined without regard as to whether there has been a change in the applicant's qualification of a local preference between the certification and selection for admission, including a change from one local

preference category to another.

- Retention of Preference: The PHA has agreed, that if a Housing Choice Voucher Program applicant is currently receiving tenant-based assistance under the "HOME" program (24 CFR part 92), the PHA determines whether the applicant qualifies for the Housing Choice Voucher Program local preference based upon the situation of the applicant at the time the applicant began to receive tenant-based assistance under this same "HOME" program.
- Persons with disabilities: No individual will be considered to be a person with disabilities for purposes of eligibility solely due to their drug or alcohol dependence.

C. Notice and Opportunity for a Meeting where the Local Preference is denied

If the PHA should determine that an applicant does not qualify for a Local Preference, the PHA must promptly give the applicant written notice of said determination. This notice must contain a brief statement of the reasons for the determination, and state that the applicant has the right to meet with a PHA representative in order to review the determination.

This same meeting may be conducted by any person or persons designated by the PHA, who may be an officer or employee of the PHA, including the person who made or reviewed the determination or a subordinate employee. Additionally, the applicant may exercise other rights if the applicant believes that he or she has been discriminated against on the basis of race, color, religion, sex, national origin, age, disability or family status.

## **IX Income Limits**

As set forth in Federal Regulations, Section 545, eligibility is limited to the following:

- Extremely and very low-income family based on the income limits published by HUD annually;
- Low-income family previously assisted under the public housing, Section 23, or Section 8 programs;
- Low-income family that is a non-purchasing tenant of certain home ownership programs;
- Low-income tenants displaced from certain Section 221 and 236 projects;
- Low-income families that meet PHA-specified eligibility criteria;

PHA's will be established so as to offer available vouchers to families which may be participating in the subsidized housing program of the other PHA but are contemplating moving to the area of operation of the Municipality.

## **X Rent Determination**

### A. Total Tenant Payment

Computation of the total tenant payment will be determined in accordance with 24 CFR Part 5, Section 5.613. The computation of TTP will be made once all income has been duly accounted and properly verified and all credits and unusual expenses have been determined eligible under the other applicable factors.

### B. The total tenant payment will be the highest of the following amounts:

1. 30 percent of the family's monthly adjusted income;
2. 10 percent of the family's monthly income;
3. If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family's actual housing costs, is specifically designated by the agency to meet the family's housing costs, the portion of those payment's which is designated for

housing; or

4. Minimum rent in accordance with applicable provisions of Section 5.616.
5. A family renting a unit above the payment standard pays the higher of 30% of monthly adjusted income, 10% of monthly income, or the welfare rent, and the amount of rent above the payment standard but not more than 40% as the cap established by QHWRA of income on the family share of rent for initial leasing of any unit.

C. Minimum Rent

The minimum rent established by the PHA will be \$25.00.

D. Hardship exemption

2. Should a family request a hardship exemption, said request will be honored upon determination of whether there is a qualifying financial hardship. The suspension of the minimum rent requirement will begin the month following the family's hardship request.
2. The following will be considered as financial hardship:
  - a. When the family has lost eligibility for, or is waiting an eligibility determination for a Federal, State or, local assistance;
  - b. When the family would be evicted as a result of the imposition of the minimum rent requirement;
  - c. When the income of the family has decreased because of changed circumstances, including loss of employment;
  - d. When a death has occurred in the family;

- e. Other circumstances as determined by the Municipality of San German.

E. Request for hardship exemption

1. If a family requests a hardship exemption, the Municipality of San German will suspend the minimum rent requirement beginning the month following the family's hardship request until the Municipality of San German determines whether there is a qualifying financial hardship and whether it is temporary or long-term.
2. If the Municipality of San German determines that there is a qualifying financial hardship, but that it is temporary, the Municipality of San German will not impose a minimum rent for a period of no more than 90 days from the date of the family's request. At the end of the 90-day suspension period, a minimum rent is imposed retroactively to the time of suspension. The family will be afforded a responsible repayment agreement for the amount of back rent owed.
3. If the Municipality of San German has determined that there is no qualifying hardship exemption, the Municipality of San German will reinstate the minimum rent including the back payment for minimum rent from the time of suspension on terms and conditions established by the Municipality.
4. If the Municipality of San German determines that there is a qualifying long-term financial hardship, the family will be exempted from the minimum rent requirement in compliance with 24 CFR Part 5, Section 5.616.

E. Appeal of financial hardship

Should the family appeal the financial hardship determination through the Municipality of San German' grievance procedure, it will be exempt from any escrow deposit that may be

required in accordance with 24 CFR Part 5, Section 5.616.

## **XI Family Mobility and Portability**

A participating family in the Housing Choice Voucher Program is allowed to rent a dwelling unit with tenant-based assistance outside the jurisdiction of the Municipality of San German (initial PHA). The following policy will be adhered to by the Municipality in accordance with established existing Federal regulations.

A. General Procedures (Whenever this Municipality for portability purposes is the Initial PHA)

A family must live in the initial PHA's jurisdiction and hold a housing voucher or be a current participant to be eligible for portability. Furthermore, the family may lease a dwelling unit anywhere in the United States where there is a tenant-based subsidized housing program or in the same state or MSA. The family could decide to reside in an adjacent MSA to the initial PHA. According to existing regulations, if no PHA with a tenant-based program in this jurisdiction, assistance is administered by the initial PHA.

The family could decide to reside within the initial PHA's MSA and the assistance will be administered by the initial PHA, thus, expanding the housing choices of the family, and therefore, complying with HUD's deconcentration policy as well as moving them from poverty areas.

B. Limitations on Participation

The family will not be allowed to port under the following conditions:

2. A non-resident applicant will be required by the Municipality, as the initial PHA, to reside in the jurisdiction a minimum of 12 months.
2. Families that have exceeded the limit of 5 moves within a one year period following the execution of the initial lease and HAP contract.

3. The initial PHA may also deny a move under grounds covered by section 982.552 of the Federal Register.
4. In accordance with QWHRA, families with lease violations will not be allowed to port out.

C. Income Limits under Portability

Families must meet income guidelines for eligibility in the receiving jurisdiction if:

2. Leasing a unit for the first time;
2. Changing types of assistance (Certificate to Voucher)

D. Initial PHA Responsibilities under QHWRRA

The family information packet will include a written explanation of how portability works, its meaning from the family's perspective as well as specific procedures which the family will need to follow in order to be allowed to port out of the Municipality.

Income eligibility of the family will be determined in accordance with established Federal Regulations as well as identify the receding PHA if more than one PHA has jurisdiction. The family will be advised as to how and when to contact the receding PHA. HUD Form 52665, part I will be completed and forward to the receiving PHA with supporting documentation. All pertinent forms will be forward to the receiving PHA via certified mail unless an emergency existed and then said documents will be forward via a facsimile.

E. Receiving PHA Responsibilities under QWHRA

The receiving PHA must perform all regular PHA functions and responsibilities as required by existing HUD regulations. Always use Part II of HUD Form 52665 to report information pertaining to the family to initial PHA such as:

2. Initial billing and subsequent changes
2. Absorption - if the receiving PHA misses initial billing deadline or has an established policy and has

sufficient funding in the ACC to absorb the family.

3. Family leaves the program

F. Billing Issues under Portability

The receiving PHA must meet the initial billing deadline by completing Part II of HUD 52665 and attach from HUD 50058 within 10 working days as established by QHWRA. Form 52665 will automatically requisitions monthly amount due for each subsequent month. The initial PHA must make payments within 30 calendar days following receipt of said form unless each PHA agreed to a different schedule.

## **XII Policies and Procedures**

- A. The following have been repealed under the QHWRA regulations recently enacted:

1. Take one-take all;
2. Shopping incentive;
3. 3-month holdback;
4. Federal preferences have been eliminated.

- B. The following will be adhered to by the PHA:

- The PHA will promote a greater choice of housing opportunities for eligible families beyond the municipality's jurisdiction or MSA, when necessary.
- Families holding a voucher will be advised that it is their responsibility to find an existing unit suitable to their individual needs within the PHA's jurisdiction or MSA.
- By no means will the actions of the Municipality reduce, directly or indirectly, the opportunities of the family to choose among the available units in the housing market.
- The voucher holder will be advised that he or she may select a unit which he already occupies if the unit qualifies as existing housing and meets or can be made to meet the

### Housing Quality Standards.

- ❑ Upon request, the Municipality will provide, without limiting opportunities of families to select assistance in finding units to those families who because of age, handicap or other reasons are unable to locate such approved housing units.
- ❑ Information on available units which may become available to the municipality because of its program and outreach efforts to attract new owners, will be posted in the owners' registry and in no way will the Municipality direct a family to a specific property thus limiting their right to choose and select.
- ❑ Where a family alleges that illegal discrimination is preventing them from finding a suitable unit the municipality will provide reasonable assistance this matter by directing the aggrieved to the necessary agencies.
- ❑ When circumstances permit, communications with neighboring PHA's will be established to offer available vouchers to families which may be participating in the Housing Choice Voucher Program of the other PHA but are contemplating moving to the area of operation of the Municipality.

### **XIII Policy statement about a family to prospective owners**

It is the position of the Municipality of San German, as such will so advise the owners, that they and not the Municipality is permitted and encouraged to screen prospective families on the basis of their tenancy history. All owners will be so advised that they may consider a family's background with respect to such factors as:

- ❑ Payment of rent and utility bills;
- ❑ Caring for the unit and surrounding premise;
- ❑ Respect for the rights of others to the peaceful enjoyment of their dwelling unit;

- ❑ Drug related criminal activity or other criminal activity that may indeed pose a threat to the life, safety or property of others;
- ❑ Compliance with other essential condition of tenancy.

The Municipality feels that the release of past history of a given family may in fact, block the family's efforts to find suitable housing, when in fact, this same family may have changed both their attitude and behavioral patterns for the better.

#### **XIV Family Absence From the Dwelling Unit**

The family may not be absent from the unit for a period of more than 180 consecutive calendar days in any circumstance, or for any reason. The Municipality of San German will notify both the family and the owner in writing upon being advised of any lengthy absence within 90 consecutive calendar days, should the family be absent for longer than the maximum period permitted (180 consecutive days), the housing payments will be terminated.

Additionally, the owner will be so advised in writing that he or she must reimburse the Municipality for any housing assistance overpayment made for the period after the termination.

It is the intent of the Municipality to advise the family via correspondence and/or by telephone, that they are indeed responsible for supplying any information or certification requested in order to verify that the family is residing within the unit or in relation to any absence from the unit by the family. The family must cooperate with the Municipality for this purpose.

The Municipality of San German has adopted what it believes to be the appropriate technique to verify family occupancy or absence from the dwelling unit:

- ❑ Telephone calls to the family every 90 to 120 days, and/or correspondence directed to the family at the unit, or may choose to make a personal visit to the family of the leased residence.
- ❑ Additionally, when deemed necessary, the Municipality

reserve the right to question the owner and/or neighbors at the leased residence.

## **XV Determination as to who remains in the Program Should a Family Breakup**

Upon being advised of a family breakup, the Municipality will review each case individually by considering the following:

1. Reexamination of family income in order to determine that the remaining members qualify for the assistance originally approved;
2. Determine if any of the remaining family members are either disabled and/or elderly;
3. The need for housing based upon the size of the family by age groups;
4. Difficulty in alleviating severe hardships on individual family members including but not necessarily limited to:
  - a. The need to be located close to a hospital or medical dispensary in order to receive special medical treatment;
  - b. The need to be close to either public and private transportation provides, due to the absence of a personal vehicle;
  - c. In the case of a large family with school age children the need to be located close to a school.

Should it be determined that with the breakup of a family, that additional family members are now gainfully employed, and adjustment in the assistance payment will be made based upon the reexamination of the total family income and composition. It should be noted that the Municipality of San German will at all times attempt to work with and satisfy the needs of all family members provided that they do in fact qualify for such assistance and comply with existing federal regulations.

## **XVI Special Policies Concerning Special Housing Types in the Program**

### A. Policy-Type of Unit Required

Without incurring vacancies, the Municipality will make every reasonable effort to provide units or special housing types for the disabled families with physically disabled and/or elderly members who require such units:

1. The Municipality will give elderly families a preference in admission to projects for the elderly;
2. The Municipality has agreed not to set a minimum age for the admission of disabled or disabled persons;
3. The Municipality will not exclude elderly families with children having units of the appropriate size;
4. For intentions of this same plan, specially designed units are sometimes referred to as accessible or barrier-free units. These may include ramps, grab bars, lower counters or special facilities, etc.
5. Additionally, the Municipality is aware that families which meet the HUD definition of disabled or disabled often do not require specially designed units. An example of this would be a person who is mentally disabled would not be in need of a unit designed for a person with a mobility impairment and will not be offered such a unit.

### B. Large Families

When it is determined that a qualified family such as a single mother with numerous small children (four, five, or six), it becomes difficult to find an owner many times who are desirous to rent either an apartment or a single detached unit to this same family.

In this regard, should this same family find it totally impossible to locate an acceptable unit on its own, the Municipality will

provide the following assistance:

2. Meet with homeowners who possess the proper sized units for the families involved and attempt to persuade them to accept these families;
3. Meet with representatives of the State Housing Department and Family Department in order to obtain assistance to resolve the problems;
4. It should clearly be noted, that the Municipality will do everything within its authority to assist disabled, elderly and large families obtain suitable, clean, safe and decent housing.

## **XVII Policy Concerning Repayment by a Family Participant to the PHA of Amounts Owed**

The Municipality will determine the following:

Step 1: Once it has been determined that the tenant owes money to the Municipality a payment plan shall be established.

Step 2: Once the payment plan has been established, it will be forwarded to the Finance Department, who has the faculty to enforce all payment plans. According to established procedures in the Finance Department, late penalties will be imposed when the family does not comply with the terms established.

Step 3: After various attempts to get the tenant to comply with the terms of the payment schedule, the tenant will have the participation canceled since this will form part of the signed agreement. Once the participation has been terminated because of default on their payment plan, the family will have to wait five (5) years before they can reapply.

## **XVIII Informal Review Procedures for Applicant**

## **Family**

### 1. Informal Review

At all times the Municipality will afford an applicant family the opportunity to request an informal review of any decision made to deny assistance under the Housing Choice Voucher Program.

Specifically, the Municipality will be required to notify an applicant in writing that assistance has been denied no later than fifteen (15) working days after said decision has been made. Within this same written notice, the applicant will be informed of their right to appeal the decision either in written form or verbal. Additionally, the participant must be advised by the Municipality, that they have some thirty (30) days from the date of the written notice to request an informal hearing. Such a request may be either in written or oral form, and that the participant has the right to be represented by another family member, friend, and/or legal counsel.

Furthermore, the Municipality in advising the participant of his rights must state within the denial letter the reason for the decision and at the same time reference that part of existing law, regulation and more specifically HUD regulation that was used a basis for denying assistance to the family participant.

### 2. Hearing Procedures

The following represents the Municipality of San German established procedures for conducting an informal hearing for participants:

- a. The family will be given an opportunity to review any HA documents that are deemed necessary before the hearing. The PHA will permit the family to copy any such document at the family's expense.
- b. It is agreed that the PHA must be given the opportunity to examine at its office any family documents that are directly relevant to the hearing. The PHA is therefore allowed to copy any such documents at its own expense. It is then agreed, that if the family does not make the document

available for examination at the request of the PHA, the family will not be permitted to submit the document(s) at the hearing.

c. Representation of the Family

The Municipality agrees that, at its own expense, the family may be represented by legal counsel or other representative(s).

d. Hearing Officers

The hearing will be conducted by a member of the legal staff of the municipality, or by any other person so designated by the Mayor, other than a person who made or approved the decision under review or a subordinate of this person. The Municipality in appointing a person to conduct the hearing is empowered to regulate the conduct of the hearing.

e. Evidence

The Municipality and the family will be given the opportunity to present evidence as well as question any witnesses brought forth by either party. The Municipality agrees that the evidence presented will be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

f. Issuance of Decision

The Municipality has agreed that the person who will be conducting the hearing must issue a written decision within thirty (30) days of the date of the informal hearing, which states the reasons for the decision taken. The Municipality has agreed, that factual determinations relating to the individual circumstances of the family will be based on a

preponderance of the evidence presented at the hearing.

g. Effect of Decision

The Municipality will not be bounded by a hearing decision as described in section 982.555(f) of the Federal Register.

## **XIX Termination of Assistance**

When a contract is terminated at a time when the family is ineligible for payments, the contract will not be renewed and all parties involved will be informed in writing stating the reason for such a decision.

In the case of an overcrowded unit where it is determined by the Section 8 Director that the dwelling is not decent, safe and sanitary by reason of an increase in family size, and the PHA finds another acceptable dwelling unit available for occupancy by the family, and the lease with the first owner will be terminated in accordance with established federal regulations. The payments will be made available to the family for occupancy in the acceptable unit, unless the family indicates a valid reason for rejecting the new unit, the contract can be terminated.

The reasons for termination of the housing assistance payments are clearly stated in the different contract documents and in every case written notification will be directed to both the owner and the tenant, stating the reasons and the effective date of the termination.

If it is determined by the Municipality to terminate assistance to the family a written notification will be sent clearly stating the reasons for the decision and an opportunity will be afforded to the family to appeal the decision and for an informal hearing in accordance with Part VII, Section 2 of this plan and existing federal regulations as well as Section 982.552 and 982.553, respectively.

Once the family has been afforded the opportunity to appeal the decision made by the Municipality to terminate their assistance or

denial of assistance because of failure to act and/or inaction by the family, the family must wait five (5) years before they may reapply. Also, if the participant family decides to voluntarily hand in their voucher, they must wait five (5) years before reapplying.

## **XX Termination of HAP Contract due to Family Move**

During the briefing, the family will be informed of established procedures within this same program that once they chose to relocate to another dwelling unit, they must notify the owner of their intent to move in written form and with a copy of said notification to the Municipality. The family must give the owner at least a ninety (90) day notice. This same time requirement must be adhered to by the owner should he or she decide to terminate the contract or not renew it. A written statement of this will be provided to the family as well as owner in their respective packets.

Since the leases are based upon a monthly rent structure, the family must be made aware that if the owner is not notified well in advance, the owner could conceivably spend sometime looking for a new tenant. If the owner is able to secure another tenant to occupy the unit at the time the family vacates, a portion of the deposit could be returned to the outgoing tenant. The same can be said for the owner with the exception that the family needs time to locate a suitable dwelling unit to meet their needs.

By making this request of both the owner and family participant, the Municipality will in fact have the necessary elements to judge if proper notice was given to the landlord or vice versa, and in addition, send the Housing Inspector to review any claim of damages which could be claimed at that time.

If the family vacates the unit in violation of the lease or tenancy agreement, the owner will receive the housing assistance payment due under the HAP Contract for the period of the month that the unit was occupied and no other payment will be made as soon as the Municipality has been informed of the noncompliance by the participant family. The owner must reimburse the PHA for any excess amounts collected from the PHA after the last payment has been made.

## **XXI Occupancy Policies**

### **B. Definition of Family**

The Municipality has accepted that the term “family,” may be either a single person or a group of persons. Furthermore, that a group of persons constituting a family may include a family with a child or children. Additionally, this same definition will allow for admission of a family with children but does not preclude the admission of a multi-person family without children.

The Municipality feels that by widening the definition of the family regarding the qualification of single individuals for assistance under this same program, so as to provide equal assistance under the law to such persons who may be classified as aged, displaced or disabled.

### **C. Definition of extremely low-income family**

The Municipality of San German considers a family to be an extremely low-income applicant when their annual income does not exceed 30 percent of the median income for the Mayaguez Metro Area, as determined by HUD, with adjustments for smaller and larger families.

### **D. Definition of Family when it is considered to be “Continuously Assisted”**

The Municipality of San German considers that an applicant is continuously assisted under the subsidized housing program if the family is already receiving assistance under any federal housing program when the family is admitted to the Housing Choice Voucher Program.

It is in this regard that the Municipality has established the following policy concerning whether and to what extent a brief interruption between assistance, and admission to the voucher program will be considered to break continuity of assistance:

***“Any family currently involved with any federally assisted public housing project has a total of some 365 calendar days or one year between the period they have left a***

***federal housing program and applied for assistance under the Housing Choice Voucher Program, in order to be considered under 'continuously assisted'."***

## **XXII Housing Quality Standards and Inspections**

### **B. Inspections**

Housing to be utilized and approved for the program will be subject to meeting the Performance Requirements as set forth within the Federal Register 982.401 with the exceptions of requiring mechanical equipment such as cooling or ventilating under the criteria Thermal Environment. Natural ventilation, when appropriate under windows and air circulation criteria will be considered acceptable.

The Housing Inspector will evaluate each to assure that the dwelling unit complies with Housing Quality Standards as set forth in existing HUD regulations. Pre-occupancy inspections will be performed within 15 days after the participant family has presented the Lease Approval form using this form as the prescribed form for such inspections. The inspector will enter the data requested on the inspection form. Landlords of inspected units classified as inadequate, will be advised as to the repairs required to the make the unit comply with HQS, thus, enabling the Municipality to execute the HAP contract.

Prior to a new lease, after reexamination, and at least once a year an inspection will be performed to assure compliance by both the owner and tenant, of the Housing Quality Standards. Complaints from the families regarding housing quality or contract violations shall be promptly investigated and a written notice shall be sent to the owner outlining the deficiencies found that made the unit not in compliance with established HQS and a time frame will be established so that the unit can be brought into compliance with HQS as established by Federal Register 982.401.

Inspections at random will be programmed by the Section 8 Director or person designated by the Director for program monitoring

purposes, as a means of quality control and these will cover at least 10% of the leased units. Copies of the inspections will be included within the family's file.

C. Enforcement of Housing Quality Standards

The Municipality will complete HQS inspections and complaint inspections as needed to ensure compliance of the dwelling unit with established Federal regulations. The Municipality may abate or terminate housing assistance payments to owners if the unit fails HQS and the owner does not comply with written request within the time frame established. The Municipality is cognizant that HUD may reduce administrative fees if it fails to enforce HQS.

## **XXIII Lease Approval and Contract Execution**

B. Program Requirements

The Municipality of San German will not approve any family to lease a unit or execute a HAP contract until it has been determined by the Municipality that the following has been met:

2. The unit is eligible;
3. The unit has been inspected by the Housing Inspector and passes HQS;
4. The lease is approved including all the required lease provisions and has been duly executed between the owner and family participant;
5. The rent to the owner has been determined to be reasonable;
6. The total of contract rent plus any utility allowance does not exceed the FMR/exception rent limit and is within the Payment Standard established by the Municipality.

B. Actions prior to lease term

It will be required that all of the following must always be completed before the beginning of the lease term:

2. The unit has been inspected by the Municipality and it has been determined that the dwelling unit satisfies the HQS;
3. The lease has been duly executed by both the landlord and tenant, and the Municipality has approved the leasing of the unit in accordance with the program requirements.

D. HAP Execution

Prior to contract and lease execution, lease provisions, lease approval procedures, Housing Quality Inspections and payment procedures will be fully discussed with the owner and, as is required by Law, all records and documents related to the lease approval will be filed and retained within the tenant's file for as long as the family stays within the program.

Every effort will be made by the Municipality of San German to execute a HAP contract before the beginning of the lease term. The Municipality will not pay any housing assistance payment to the owner until the HAP contract has been duly executed. Should the HAP contract be executed during the period of 60 calendar days from the beginning of the lease term, the Municipality will make housing assistance payments after execution of the HAP contract. Any HAP contract executed after the 60-day period is void and the Municipality will not pay any housing assistance payment to the owner.

E. Notice to Family and Owner

The Municipality of San German will promptly notify both the family and owner, after having received the family's request for lease approval to lease a particular unit.

F. Procedure After PHA approval

When the Municipality of San German has authorized the

family to lease the unit, the owner and the Municipality may then execute the HAP contract. The owner will receive a briefing on the program and the Section 8 Director will closely work with both the family and the owner to expedite this same procedure. At this time, the Section 8 Director will coordinate with the owner and based on these instructions, as to where the payment of subsidies will be direct to, or specific instructions on the persons authorized to pick up the same at the Municipality of San German.

G. Landlord Rejections

It will be the policy of the Municipality of San German not to enter into a HAP contract with any owner who refuses or has a history of refusing to evict families, who disturb the peaceful enjoyment of the property, engage in drug-related or violent criminal activity, and threaten the health or safety of other residents, managers, employees of the Housing Department or the owner. This is in accordance with established HUD regulations as set forth in the Quality Housing and Work Responsibility Act of 1998.

In this regard, a dwelling unit will not be approved if we have been informed by HUD or otherwise, that the owner is debarred, suspended, or subject to a limited denial of participation under 24 CFR Part 24. When directed by HUD, the unit will not be approved if:

- 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 Court or Administrative Agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements.

As part of its administrative discretion, the Municipality of San German may deny approval to lease a unit from an owner for any of the following reasons including but not limited to those aforementioned:

- 2. The owner has violated obligations under a housing assistance payment contract under Section 8 of the 1937 Act (42 USC1437);

3. The owner has committed fraud, bribery of any other corrupt or criminal act in connection with any federal housing program;
4. The owner has engaged in drug trafficking;
5. The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based program, or with applicable housing standards for units leased with Housing Choice Voucher Assistance or leased under another federal housing program;
6. The owner has a history or practice of renting units that fail to meet State or Local housing codes;
7. The owner has not paid State or Local real estate taxes, fines, or assessments.

It should be clearly noted that nothing contained within 24 CFR Part 24 (982.306) is intended to give any owner any right to participate in the program. For purposes of this plan the term "owner" includes a principal or other interested parties.

#### H. Initial Lease Term

It will be the policy of the Municipality of San German that the initial lease term will be for no more than one year after the execution of the HAP contract between the owner and the Municipality. The prevailing practice in the local housing market is to execute a lease contract of no more than one year. This is in accordance with established HUD regulations as set forth in the Quality Housing and Work Responsibility Act, section 545.

#### I. Security Deposits

Owners may collect a security deposit that is not greater than one month's rent which is the acceptable general practice within the Municipality. Every attempt will be made to brief the owners and tenants of the importance of this and encourage communication between the two parties.

If the owner fails to collect a security deposit, the Municipality will not be liable for any damages caused by the tenants in accordance with established federal regulations. The owner as well as the family will be briefed on their responsibilities concerning this.

## **XXIV Rent Reasonableness**

### **B. Determination**

In accordance with 24 CFR part 982, subpart K, section 982.503, the Municipality will not approve a lease until it is determined that the initial rent to the owner is reasonable.

The Municipality will redetermine the reasonable rent under the following conditions:

2. Before any increase in the rent to the owner;
3. If there is a five percent 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;
4. If directed by HUD.

The Municipality of San German will redetermine the reasonable rent at any other time that it deems necessary as a form of efficient management of the limited funds available.

### **B. Comparability**

The Municipality of San German will determine whether the rent to the owner is a reasonable rent in comparison to rent for other comparable unassisted units. So that said determination can be ascertained the following will be considered:

2. The location, quality, size, unit type, and age of the contract unit;

3. Any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.

C. Owner Certification

By accepting each monthly housing assistance payment from the Municipality of San German, the owner certifies that the rent to the owner is not more than rent charged by the owner for comparable unassisted units in the premises. The owner must give the Municipality of San German information requested by the Municipality on rents charged by the owner for other units in the premises or elsewhere.

Additionally, the Section 8 Director will establish a data bank by obtaining information as to rental values in various areas of his jurisdiction and will compare them to proposed rents in the requests submitted by owners and applicants for lease approval.

At the time of the application being filled out, the applicant will provide information as to the actual rent he is paying, which may be verified by a letter from the landlord or agent. This too will constitute an index, and in some cases, an element to compare and allow Rent Reasonable Certification. It will be certified by the Section 8 Director based on the survey conducted by the Housing Inspector in the form used by the Municipality of San German to validate such certification. The Certification of Rent Reasonableness will be kept within the tenant's file for as long as the family is a participant within the Program.

## **XXV Payments to Owners**

The details for processing of the monthly payments for owners, the calculation, preparation and delivery of the checks, and the establishment of accounting and auditing procedures will be the responsibility of the program's accountant.

The monthly checks to owners and negative rents to families will be delivered during the first week of the month to which the payment actually applies. If for unforeseen reason this is not possible, a notice will be given to owners and recipients of negative rent of the possible

payment date.

In accordance with the Quality Housing and Work Responsibility Act, the Municipality of San German can be held liable for late payment of the housing assistance payment by the owner. Any late payment penalties must be imposed by the owner in accordance with the generally accepted practices in the local housing market. A late payment fee must be paid from the Municipality of San German administrative fee unless authorize by HUD to make such payment from another source. Furthermore, no late fee may be charged if HUD determines that the late payment is due to factors beyond the control of the Municipality.

**XXVI THE PROCESS FOR ESTABLISHING AND REVISING PAYMENT STANDARDS, INCLUDING AFFORDABILITY ADJUSTMENTS**

B. Payment Standard

A payment standard will be set between 90%-110% of the Fair Market Rent for the PHA jurisdiction as established by QWHRA. The Municipality of San German has a payment standard of 100% of the Fair Market Rent established by HUD.

The following represents the subsidy standards that determine the number of bedrooms required for families of various sizes and compositions:

| <b>0 BR</b> | <b>1 BR</b> | <b>2 BR</b> | <b>3 BR</b> | <b>4 BR</b> |
|-------------|-------------|-------------|-------------|-------------|
| 251         | 306         | 363         | 451         | 508         |

The local area Office of HUD, namely the Economic and Market Analysis Division (EMAD), as well as the HUD Public Section 8 Director will be consulted on an annual basis, so as to confirm that the FMR employed are both accurate and reflect the general cost of housing for our area.

In the case of the PHA requesting a revision to the existing FMR,

the PHA will include documentation showing the current median rent for standard units in our area. In this regard the PHA's recommendations will be supported by such analytical data such as:

- ❑ Evidence that significant changes in rents have been experienced in the rental market, which differ from those changes measured by the Consumer Price Index (CPI) factors used to update the Annual Housing Services based on the Median Rent.
- ❑ When convenient and/or required the PHA will provide local housing Market surveys that indicate the current median rent levels for standard units of various sizes within our designated FMR area.

B. Determination of Unit Size in Relation to Family Composition

The Municipality of San German has applied the following requirements when determining the unit size in relation to the family composition under our subsidy standards:

2. The subsidy standards provide for the smallest number of bedrooms required to house a family without causing overcrowding;
3. The subsidy requirements are consistent with space requirements under the Housing Quality Standards;
4. The subsidy standards have been applied consistently for all families of like size and composition;
5. A child who may be temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size;
6. A family consisting of only a pregnant woman will be treated as a two-person family;
7. Any live-in aide which has been authorized by the

Municipality to reside within the unit to care for a family member who is either disabled or at least 50 years of age will be counted in determining the family unit size;

8. The Municipality has agreed, that unless a live-in-aide resides with the family, the family unit size for any family consisting of a single person must be either a zero or one bedroom unit.
9. The Municipality will grant an exception to its established subsidy standards, in determining the family unit size for a dwelling unit, if it determines that the exception is justified by the age, sex, health, handicapped or relationship of family members or other personal circumstances.

C. Exceptions to FMR on a Unit by Unit Basis

The PHA is entitled to establish its payment standard from 90%-110% of the FMR approved for MSA area of the PHA. The PHA will be allowed to approve initial gross rents on a unit by unit basis which exceed the FMR's or payment standard established by the PHA for units, which by virtue of size, amenities or location, or in the case of expanding housing opportunities for low income families, or to obtain units which have been made accessible to the disabled, which are determined to warrant exception rents. The PHA accepts the fact that this same authority will not be exercised for more than 20 percent of the units authorized by the ACC.

D. Affordability Adjustments

Upon recertification/redetermination of the applicant, any adjustments will be to the appropriate Payment Standard established by the PHA. Where it has been accurately determined by the PHA that based upon the documentation available to the PHA, that an overpayment was made by the PHA, the PHA will immediately advise the participant of the same and request a meeting in order to establish a repayment schedule or other acceptable plan in order for the PHA to recover the overpayment.

E. Rent Adjustments

Rent adjustments requested by landlords will be processed as indicated in Section 982.509 Federal Register, April 30, 1998, page 23863. The owner must request said revision to the contract rent sixty (60) days prior to the HAP contract anniversary date.

## **XXVII Eviction**

In the case where the owner requests eviction he will be required to follow the contractual obligations and procedures and the Section 8 Director will be assisted by an in-consultation with the Municipality's Legal Counsel.

The owner, notwithstanding, will not evict any family unless he complies with State and Local Law as well as section 983.310(e) of the Federal Register. The owner will provide a copy of the eviction notice to the Municipality. The owner may only evict the tenant from the unit by instituting a court action.

## **XXVIII Equal Opportunity**

The Municipality has agreed that it will comply with all Equal Opportunity requirements, both State and Federal such as:

2. The Fair Housing Act, 42 U.S.C. 3610-3619 (implementing regulations at 24 CFR parts 100, et seq.);
3. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (implementing regulations 24 CFR part 1);
4. The Age Discrimination Act of 1975, 42 U.S.C. 6101-6107 (implementing regulations at 24 CFR part 146);
5. Executive Order 11063, Equal Opportunity in Housing (1962) as amended. Executive Order 12259, 46 FR. 1253 (1980), as amended. Executive Order 12892, 59 FR. 2939 (1994) (implementing regulations at 24 CFR part 107);
6. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (implementing regulations at 24 CFR part 8); and
7. Title II of the Americans with Disabilities Act, 42 U.S.C. 12101, et. Esq.

- a. For the application of equal opportunity requirements to an Indian Housing Authority, see 24 CFR 950.115.
- b. The Municipality must submit a signed certification to HUD of the PHA's intention to comply with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act.

## **XXIX Monitoring Program Performance**

The Municipality will collect and analyze all data that will permit it to determine:

- a. That at least 75 percent of families initially provided assistance in each fiscal year must have incomes no higher than 30 percent of median income for the PHA area is fulfilled.
- b. Determine Reasonableness of Rents prior to signing a HAP contract.
- c. That HAP's and utility payments are completed and made on schedule.
- d. The Housing Quality Standards are met and are conducted in a timely manner as required by QHWRA.
- e. That the income eligibility requirement under the QHWRA is fulfilled.
- f. That families are neither discriminated against nor abused.
- g. That outreach efforts to both, landlords and families, are adequate.
- h. That the payment standard as established by the PHA is in compliance with QHWRA and is revised annually based on the needs of the participant family.

- i. That reporting to MTCS is fully complied with and on time.
- j. That the PHA annual plan is being adhered to as required under QHWRA.
- k. Adequacy of allowance for utilities and revision of the same at least annually utilizing established procedures.
- l. Performance under the program is in compliance with existing regulations.

Date for these will be available from the Permanent Records and Registers to be established, and from the accounting records, and inspection forms executed by both the Inspector and each family, as well as from the Director's involvement in the rental market within the Municipality.

In order to better concentrate our efforts on any areas where problems may be encountered, we must have the necessary means so as to assign the main task to the Section 8 Director complementing it with municipal resources.

## **XXX OUTREACH EFFORTS**

### a. Eligible Families

A public notice will be published announcing the opening and closing of the waiting list in a newspaper of general circulation. Afterwards the publication will be posted prominently in all local government facilities, and other public buildings informing all interested individuals, families, and groups of both the intent, purpose, and eligibility requirements of the program itself, as well as indicating both the time and place where additional information may be obtained in accordance with existing HUD regulations.

Special outreach efforts such as conducting field canvassing in low income areas, where living conditions are such, as to make existing residents' possible prospects for being participants under this same program. Inform all local civic organizations as well as State agencies located within the Municipality of the existence of the program, and request their assistance in disseminating information regarding the program to their respective members or clientele served.

It should be noted that all notices and outreach methods utilized under the program will be carried out in accordance with both Equal Opportunity and Non-Discrimination laws in existence as they relate to housing.

b. Homeowners

Contact with prospective homeowners and real estate brokers will be made by advertisements in local newspapers inviting them to participate within the program. Informational correspondence will be directed to the local Real Estate Agents, merchants, local banks, mortgage companies and professional organizations informing them of the program and its benefits so as to enable them to properly inform their respective clients. Efforts will be made to reach the maximum number of owners and real estate brokers within our community.

It is the intent of the Municipality to create a special informational brochure for homeowners and tenants providing basic but complete information on all major aspects of the program.

When both staff and time considerations permit, a field survey will be made in those areas where acceptable housing is available to determine the location of possible additional dwelling units.

A program policy will be established ensuring good communication among all parties, as well as prompt, accurate, and timely payments to individual homeowners, hence, encouraging the homeowner's confidence in continuing to participate within the program. This in turn will encourage other homeowners to participate within the program.

The Municipality of San German believes very strongly that it must encourage owners to make units available for leasing in the program, including owners of suitable units located outside areas of poverty and racial concentration by the following methods:

2. The Municipality will make personnel available to speak before fraternal, social and religious groups, in order to inform the membership of these same groups of the policies, benefits, and program requirements of leasing units by homeowners under these same programs.

3. Post notices in public places in order to advise those interested persons, parties, and groups where information regarding the leasing of units may be obtained.
4. Affirmatively further fair housing goals and comply with equal opportunity requirements by visiting homeowners of suitable housing units outside of minority areas so as to explain the program's operational policies, as well as the numerous benefits to be derived from participating within this same program.
5. Conduct other outreach programs such as conducting public hearings in order to explain program benefits and policies to not only prospective homeowners but also to prospective tenants as well. The public hearings will be held at centrally located places at times convenient to the general population.

## **XXXI Summary**

In conclusion, the PHA has agreed that participation in the Housing Choice Voucher Program requires compliance with all HUD regulations and other HUD requirements. In the case where a particular work element was not touched upon, herein, the PHA has agreed to utilize existing or previously approved regulations to cover the same, in addition to complying with the consolidated ACC and the PHA's HUD approved applications for program funding. The following actions will be undertaken by the PHA ensure fulfillment of its responsibilities to HUD in administering its ACC as follows:

- a. Newspaper and radio will be utilized to inform both families and owners of the availability and nature of housing assistance payments for extremely low and very low-income families. Written material will be prepared for orientation and included in what we have called a "Family Information Packet" as well as a "Homeowners Information Packet." In addition, the various proposed outreach efforts to be performed, have been discussed.
- b. In order to fulfill our responsibility to receive and review the applications for Vouchers for eligible families, as well

as to verify the income and other pertinent factors therein contained, we have also included the following action:

- We have retained a consultant to train, coordinate and supervise the development and implementation of this same program on an ongoing basis. We are confident that with the basic organizational structure we have included herein, along with the ongoing supervision of our consultant, we will continue to both create and develop both a viable and effective program that will in fact be in compliance with existing regulations.
  - Whenever possible, members of the PHA staff will assist in seminars or conferences so as to learn the latest in the Housing industry and maintain the PHA update on the latest regulations enacted by HUD. This same PHA staff member will conduct in-house training for the rest of the PHA staff
- c. To meet our responsibilities regarding Issuance of Vouchers, we have contemplated the establishment of a Performance Record of Vouchers. This will permit the PHA to assure that the number of vouchers and/or funds assigned for Housing Assistance payments is not exceeded, and to that extent, that the 75 percent of families initially provided assistance in each fiscal year must have incomes no higher than 30 percent of median income
- d. In order to provide documented basis upon notification to ineligible families a file will be established which will contain the necessary application, the verifications and the reasons for the determination of ineligibility, as well as a copy of the notification to the applicant and any informal hearing or appeal material such as the signed interview forms we have implemented.

- e. In order to meet our responsibility to provide each voucher holder with basic information on:
  - 1. Applicable Housing Quality Standards
  - 2. Inspection Procedures
  - 3. Search, selection and basic program rules

Our local housing staff will provide an application orientation, to all approved eligible families. Evidence to support that this was in fact followed, will be contained within each of the eligible family's file.

- f. In order to meet our responsibility on the determination of the Tenant Rent, we rely heavily upon our trained housing staff. Computations should be supported by information of the applicant once it has been verified as well as analyzed within the appropriate computation form. Documents which gave basis to the amount of the Tenant Rent and other supporting documents will be included within each family's file. Also information on each family will be submitted to HUD via its MTCS system. This file will also validate that the computation was done according to established procedures.
- g. In order to meet our responsibilities in determining Housing Assistance Payments as well as rent reasonableness, we will review the lease approval request, in order that the proposed rent does not exceed the established PHA Payment Standard. Proper credit for utilities will also be reviewed and then the amount for Housing Assistance Payments will be determined. Each file will be fully documented and the rent reasonableness will be certified by the appropriate housing staff member.
- h. In order to meet our responsibilities in making prompt and accurate Housing Assistance Payments, a system will be established whereby we can assure

ourselves that the funds are always available. This will constitute a coordinated effort between the Municipality's Finance Department and Housing Department. The PHA staff will prepare a monthly payroll of the payments to be made based upon the existing contract with the owners recorded in the corresponding permanent record, where active Housing Assistance Payments Contracts are annotate. The record where vacancies and/or intention to vacate are recorded will be checked to avoid improper payments. Negative rent to tenants where applicable are simultaneously processed. The Program Director will have a clear address or instructions from the landlords as to where the check is to be mailed or who is authorized to pick it up. When picked up, a receipt should be requested from the person that receives it. Payments should be in the hands of landlords not later than the 1<sup>st</sup> day of every month. We are aware of the negative impact this could have in landlord participation on the program and, therefore, utmost care will be given to avoid delays. However, should a delay occur for an unforeseen motive, the owner will be notified and an explanation will be given.

- i. In order to meet our responsibility in performing annual reexamination in a timely manner, a letter will be sent to the family with instructions. The Recertification form will be filled, verified and analyzed, and the new tenant rent will be determined at that time. The family and owner will be notified and once any appeal or objection has been clarified, the corresponding amendments to the lease and contract will be made. Supporting documents will be kept on file at all times. When a family requests a special reexamination due to the fact that they are seeking an interim adjustment because of a temporary situation such as unemployment which merits and adjustments in gross family contribution, the Program Director will

request the necessary documents (such as layoff notice from the employer, determination of compensation from unemployment, etc.) and make the computations for the tenant rent. The decision will be made known to the family and landlord in writing and the PHA's accounting division notified for payments and budget review.

- j. In order to meet our responsibilities with reporting family information electronically to MTCS as required by HUD, the PHA will ensure that its internet connect is working properly or will find the means to be able to transmit said information.
- k. In order to meet our responsibilities with respect to inspection, we will be designating an Inspector in accordance with the program's financial resources reported on financial forms. A record of inspections will be kept to assure all properties under contract have been inspected and that those which required additional follow-up were reinspected and corrections made.

At the request of families, when situations so warrant, the Program Inspector may perform additional inspections or may schedule monitoring inspections. However, at least an annual inspection will be made to coincide with the annual reexaminations. Forms for these inspections and training on Housing Qualities Standards and Criteria will be among the tools given the Inspector.

- l. In order to meet our responsibilities in eviction cases, we are assuming that both the reason and procedures for eviction are included in the leases. Requirements set forth in Federal Register 982.310 must be met. The Municipality's legal counsel will be available for consultation to the Program Director, whenever necessary.
- m. Our responsibilities to comply with Equal

Opportunity Requirements will be met by extending our present compliance commitments and norms to the programs being administered by the Municipality of San German and the corresponding actions.

## **XXXII Definition of Terms and Concepts**

In addition to the terms and concepts used in both the Existing Certificate and Voucher Programs, the following terms, definitions and concepts also apply:

- B. **Extremely low-income family** - A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.
- C. **Very low-income family** - A family whose income does not exceed 50 percent of the Median Income for the area, as determined by HUD.
- D. **Full-time student** - A person who is attending school or vocational training on a full-time basis.
- E. **Responsible entity** - For the public housing and Section 8 tenant-based assistance (part 982) means the PHA administering the program under an ACC with HUD.
- F. **Tenant Rent** - the amount payable monthly by the family as rent to the unit owner.
- G. **Applicable Payment Standard** - The maximum subsidy payment for a family (before deducting the family contribution). The PHA sets a payment standard in the range from 90%-110% of the current FMR/exception rent limit.
- H. **Exception Rent** - an amount that exceeds the published FMR.
- I. **Family unit size** - The appropriate number of bedrooms for a family, as determined by the PHA under the PHA subsidy standards.

- J. **Funding increment** - Each commitment of budget authority by HUD to a PHA under the consolidated annual contributions contracts for the PHA program.
- K. **Gross rent** - The sum of the rent to the owner plus any utility allowance.
- L. **HAP contract** - Housing assistance payments contract.
- M. **Housing assistance payment** - the monthly assistance payment by a PHA which includes:
1. A payment to the owner for rent to the owner under the family's lease;
  2. An additional payment to the family if the total assistance payment exceeds the rent to the owner.
- O. **Budget authority** - an amount authorized and appropriated by the Congress for payment to the PHA's under the program.
- P. **Applicant (applicant family)** - A family that has applied for admission to a program but is not yet a participant in the program.
- Q. **Admission** - the point when the family becomes a participant in the program. The date used for this purpose is the effective date of the first HAP contract for a family in a tenant-based program.
- R. **Administrative Fee Reserve (formerly "Operating Reserve")** - It is an account established by the PHA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.
- S. **Contiguous MSA** - in portability (under subpart H of this part 982) a MSA is one that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.
- T. **Contract Authority** - The maximum annual payment by

HUD to a PHA for a funding increment.

- U. **Participant (participant family)** - A family that has been admitted to the PHA program is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family.
- V. **Premises** - The building or complex in which the dwelling unit is located, including common areas and grounds.
- W. **Reasonable rent** - A rent to the owner that is not more than rent charged:
  - 1. For comparable units in the private unassisted market; and
  - 2. For comparable unassisted units in the premises.
- Z. **Rent to the owner** - The total monthly rent payable to the owner under the lease for the unit. Rent to the owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.
- AA. **Special Admission** - Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.
- BB. **Subsidy Standards** - Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidies for families of different sizes and compositions.
- CC. **Suspension** - Stopping the clock on the term of a family's voucher for such period as determined by the PHA, from the time when the family submits a request for PHA approval to lease a unit, until the time when the PHA approves or denies the request.
- DD. **Tenant** - The person or persons (other than a live-in aide)

who executes the lease as lessee of the dwelling unit.

- EE. **Violent criminal activity** - Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.
- FF. **Voucher (rental voucher)** - A document issued by the PHA to a family selected for admission to the Housing Choice Voucher Program. This document describes the program and the procedures for the PHA approval of a unit selected by the family. The voucher also states obligations of the family under the program.
- GG. **The Housing Choice Voucher Program** - The rental voucher program and is representative of the merger of the old Voucher Program with the Certificate Program under the Quality Housing & Work Responsibility Act of 1998.
- HH. **Waiting List Admission** - An admission from the PHA waiting list.



***MUNICIPALITY OF SAN  
GERMAN  
RQ 030***

***ANNUAL PLAN***



***FY 2000-2001***

***Hon. Isaac Llantín Ballester  
Mayor***

***Ivonne Rodríguez  
Section 8 Program Director***

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# **I EXECUTIVE STATEMENT**

*This same Annual Plan provides a new consolidated process that provides a framework for local accountability and an easily identifiable source by which public housing residents, participants in the tenant-based assistance program, and other members of the public may locate basic PHA policies, rules and requirements concerning its operations, programs and services.*

*The Municipality of San Germán has established the Section 8 Office to administer the Housing Choice Voucher Program, as well as other tenant-based (Section 8) subsidized housing programs in order to assist financially disadvantaged families in meeting their housing needs, mainly decent, safe and sanitary housing as well as to their health and well-being. There are two major philosophy components in the tenant-based subsidized housing program:*

- N. To give extremely low-income and low-income families the opportunity of choice and mobility in selecting where they chose to live;*
- B. Maintain the essential elements of a private relationship between the tenant and the landlord on matters other than rent.*

*As a result of this philosophy the Housing Choice Voucher Program is tenant-based and does not tie the participant to any particular housing unit.*

*This Municipality also administers various tenant-based subsidized housing programs geared towards certain sectors of the population in general to afford them the same opportunities as other extremely low-income and low-income families within the general population. Being conscious of the housing needs of the growing number of families within our Municipality who remain poor, chronically unemployed, and basically dependent on government assisted programs, we have decided to pool our scarce resources with other adjacent PHAs, namely the Municipality of Hormigueros and Añasco, to hire an FSS Coordinator who can adequately attend the needs of our FSS families. The lead PHA for this consortium is the Municipality of Hormigueros. The following program is administered by the Municipality of San Germán:*

**Family Self Sufficiency** – *a program whereby strategies are developed to coordinate the use of housing assistance under the auspices of the Housing Choice Voucher Program (Section 8) with public and private resources. Hence, enabling extremely low-income and low-income families, who are eligible to receive said assistance to achieve economic independence, and self - sufficiency.*

*The purpose of the Municipal Tenant-based (Section 8) program was designed to*

assist the families during financial distress and gradually reduce the amount paid by the program in an efficient manner, while at the same time motivating these same families. Furthermore, there is an undeniable need for low-income housing within the Municipality of San Germán as evidenced by the waiting list as well as the 1990 U.S. Census of Population. There also exists a need for quality housing units available for program participants but there is not an abundance of affordable housing for low income families within this same Municipality. Being cognizant of this, our Municipality has established realistic and attainable goals, whereby, particular thought has been given to the number of families which can be expected to need and want better housing. By setting attainable goals, the Municipality intends to become a facilitator for those in need and for those who have available units by coming together in a manner beneficial to all principals. This is in direct relation to both the major commitments and priorities of the U. S. Department of Housing and Urban Development (HUD). **The Municipality of San Germán is a Tenant-based (Section 8) only PHA.**

This same Annual Plan of San Germán as presented hereinafter furthers HUD's statutory goal of merging the Certificate and Voucher Program, respectively, in accordance with the Quality Housing and Work Responsibility Act of 1998, 24 CFR 903, Section 545, whereby, the Municipality of San Germán has established a unified vision of community actions. This same Plan will permit San Germán a chance to shape the various programs presented herein into effective, viable, and coordinated strategies, involving citizen participation.

## **II HOUSING NEEDS**

The following represents the estimated housing needs projected for the next five-year (2000-2004) period. The data included within this portion of the plan is based upon existing available U.S. Census data, as well as Puerto Rico Housing Planning Board statistical data, and other reliable sources such as the local housing authority, and other similar agencies such as the Commonwealth Department of the Family.

Since this same jurisdiction, namely the Municipality of San Germán is not seeking funding on behalf of an eligible metropolitan statistical area under the HOPWA program, the needs described for housing and supportive services does not address the needs of persons with HIV/AIDS and their families throughout the eligible metropolitan statistical area.

### **B. Housing Needs**

The Comprehensive Housing Affordability Strategy (CHAS) Data book issued by the U.S. Department of Housing and Urban Development, indicates that the Municipality of San Germán, has a total of some 10,776 housing units, of which some 7,091 units are occupied by very low income families, 1,888 units by low income families, 528 units

*by moderate income families and some 1,289 housing units are being occupied by above income families.*

*It should be noted, that the housing needs were based upon the number of renter and owner-occupied units with one or more housing problems. The definition of housing units with problems included those that:*

- 1. Occupying units having physical defects or being in deteriorated state.*
- 2. Classified as being overcrowded.*
- 3. Meet the definition of having a cost burden of more than 30 percent.*

*Based upon the latter, housing needs were determined to represent a major problem in terms of identifying housing problems in both renter and owner-occupied households with more than one problem, such as residing within overcrowded, deteriorated and/or dilapidated dwelling units, or meeting the definition of housing cost burdens greater than 30 percent of family's income.*

**B. Renter Households**

*Of the total 10,776 year-round housing units within the Municipality of San Germán, some 2,711 units are occupied by renter's on a year-round basis, of which 2,055 units have some type of housing problem.*

*It is estimated from figures obtained from such sources as the Department of Housing; Social Services; the Family; Planning Board, and our own internal figures based upon demands from the public at large upon local public housing units, and upon our locally administered Tenant-Based Subsidized Housing Program, that rental housing demands will require some additional 400 units by the year 2004, for a total renter household size of 3,111. This is assuming that the present economic conditions will stabilize at present levels, and that all social programs currently in place, will continue to be funded at present levels over the next five years. Should any existing social program be eliminated and/or receive severe cutbacks, the demand for renter households will then sky-rocket at unpredictable levels.*

*It should be noted, that this same increase of 400 additional rental units on the local housing market, will, it is estimated, be among the extremely low and low income segment of our local society who are either unable and/or unwilling to relocate to other communities.*

**C. Cost Burden**

*There were out of a total of 2,711, some 722 rental households bearing a cost burden in excess of 30% of income, while at the same time some 277 rental households suffered from a cost burden above the 50% of income level.*

**D. Substandard Units**

*Within the category of defining a substandard unit within the rental household group, it was determined that of these 275 units were found to be in deteriorating or dilapidated condition.*

**E. Overcrowded Units**

*According to the CHAS Data book dated 1990 there were some 355 renters occupied housing units which were classified as being in an overcrowded condition. Additionally, some 47.0% of large family renter households likewise, represented overcrowded conditions.*

*In this regard, and based upon the statistical data presented herein and from such reliable sources as the Planning Board, Housing, Social Services, and our own local*

appraisal based upon our locally administered Tenant-based program we have identified the following Renter Households by Income Groups and categories:

## **MUNICIPALITY OF SAN GERMÁN**

### **RENTER HOUSEHOLDS BY INCOME GROUPS: 1990**

| <b>RENTER HOUSEHOLDS</b> | <b>EXTREMELY LOW INCOME (0-30%)</b> | <b>VERY LOW INCOME (31-50%)</b> | <b>LOW INCOME (51-80%)</b> | <b>MODERATE INCOME (81-95%)</b> | <b>TOTAL</b> |
|--------------------------|-------------------------------------|---------------------------------|----------------------------|---------------------------------|--------------|
| <b>Elderly</b>           | <b>358</b>                          | <b>99</b>                       | <b>33</b>                  | <b>7</b>                        | <b>497</b>   |
| <b>Small Families</b>    | <b>662</b>                          | <b>264</b>                      | <b>235</b>                 | <b>83</b>                       | <b>1244</b>  |
| <b>Large Families</b>    | <b>284</b>                          | <b>110</b>                      | <b>53</b>                  | <b>15</b>                       | <b>462</b>   |
| <b>Other</b>             | <b>154</b>                          | <b>52</b>                       | <b>40</b>                  | <b>6</b>                        | <b>252</b>   |
| <b>Total</b>             | <b>1458</b>                         | <b>525</b>                      | <b>361</b>                 | <b>111</b>                      | <b>2455</b>  |

#### **F. Elderly Rental Households**

According to the 1990, CHAS Data book, there was a total of some 497 renter households within the Municipality of San Germán of which 358 were classified as being of extremely low income, 99 households classified as being very low income, 33 households that were classified as being of moderate income and 7 as being above income levels.

#### **G. Cost Burden**

Within this same income category involving elderly households, some 163 were within the 0-30% and 63 households were within 31-50% range.

#### **H. Small Family Rental Households**

*The small family rental household category, some 1,244 households, represented the following numbers:*

- 2. 662 units were classified as being of extremely low income;*
- 3. 264 units were classified as being of very low income;*
- 4. 235 units were classified as being of low income;*
- 5. 83 units were classified as being of moderate income.*

#### **I. Cost Burden**

*Within this same Small Family renter's household group some 53.22% of the households were classified as being of extremely low income, 21.2% households of very low income, 18.89% households of low income, and finally, 6.67% represented moderate income levels.*

#### **J. Large Family Renter Households**

*This same Comprehensive Housing Affordability Strategy (CHAS) Data book covering Puerto Rico and dated 1990, indicated that there was a total of some 462 large rental household families, of which some 284 were classified as being of extremely low income; 110 were classified as very low income and some 53 large family renter households representing low income families, as well as 15 large family renter households representing moderate income.*

#### **K. Cost Burden**

*Within this same large family renter's household income group of some 124 households fall within the 0-30% group and 28 such households are within the 31-50% range.*

#### **L. Homeless Persons**

*From a review of available reliable statistical data available at the present time, the Municipality of San Germán does not possess any homeless persons. Perhaps one of the reasons may be, that (1) San Germán is a rather small college community as well as a tight-knit community that in terms of population and therefore does not possess a highly developed central*

*business district with all-night bars, cafeterias, bus stations, etc., where homeless people tend to congregate with total immunity, and (2) Since San Germán is adjacent to the metropolitan area of Mayaguez and not far from the metropolitan area of Ponce which does possess the latter sites that tend to attract homeless persons, they would tend to relocate to these other areas and thus free San Germán of having to deal with this same problem.*

*Since San Germán does not possess any homeless population, it has no need for shelters or supportive services covering this same segment of its local population.*

#### **M. Persons with Disabilities**

*Utilizing various information available to the Municipality of San Germán including both the U.S. Census (1990), the Puerto Rico Planning Board, and likewise numerous state and local agencies having to deal with disabilities, we likewise have estimated our needs fairly accurately.*

*According to the Puerto Rico Developmental Disabilities Planning Board, it is a nationally accepted fact that within the general population, 1.8 percent will have one form or another of a developmental disability. In this respect, San Germán with a 1990 total population of some 34,962, it is estimated that 629 persons are classified as having a developmental disability.*

#### **N. Persons With Physical and Developmental Disabilities**

*Within San Germán the 629 estimated persons as having been classified as having either a physical or developmental disabilities are currently residing with other family members, or residing within a rental unit.*

*One of the projects requested within our first year of activities is housing rehabilitation, a part of which, will be devoted not only to remove or correct health or safety hazards, in order to comply with applicable development standards or codes, and/or to improve general living conditions of the resident(s), including improved accessibility by handicapped persons.*

*At the present time there are no known day care centers, either private or public for developmental disability within San Germán. These same services are rendered in the adjacent municipality of Mayaguez.*

*Within San Germán several obstacles prevent the disabled from obtaining adequate housing:*

- Proper accessibility;*
- Centrally located housing convenient to public transportation;*
- The need for additional rent subsidies as those afforded under HUD's tenant-based subsidized housing programs.*

*It is the intent of the present Mayor to seek out and obtain funds from other sources in order to provide new housing for this segment of the population. It is anticipated that the Municipality of San Germán will require some 200 additional supportive units over the next five years in order to serve both existing and anticipated needs within this same segment of its society.*

*Needless to say, any additional new units, or for that matter any rehabilitated units will be required among other factors, to meet the requirements for handicapped persons as required by Americans with Disabilities Act, since most of all existing units occupied by the disabled were not designed and/or are not properly equipped to meet the special needs of this same category.*

#### **O. Estimate of Housing Needs Projected**

*The projected housing needs within San Germán were estimated based on various sources such as the 1990 Census, Puerto Rico Planning Board, Puerto Rico Department of Housing, and the local Section 8 Office. Housing needs in most communities of which San Germán is no different, come about as a result of the following:*

- 1. High housing costs;*
- 2. Housing located in areas subject to landslides, or unstable terrain;*
- 3. Physically deteriorated housing;*
- 4. Inadequate and overcrowded units.*

*The Puerto Rico Planning Board clearly indicates three (3) reasons for which a dwelling unit would be classified as being inadequate housing:*

- b. High Housing costs;*
- c. Being overcrowded;*
- d. Being in a physical deteriorated condition.*

*It is in this regard that these general principles required to be operational through precise definitions according to the U.S. Census Bureau, such as a unit is considered overcrowded if the household consists of at least three persons and have 1.5 persons or more per room.*

*It should be noted, that households having unusually high housing costs when the following occurs:*

- a. Two or more persons, with the heads of households less than 65 years of age paying more than 25 percent of their income for rent.*
- b. Single person paying more than 35 percent of their income for rent;*
- c. Two or more persons, with the heads of households over the age of 65, which are paying more than 35 percent of their income for rent.*

*Furthermore housing units lacking complete indoor plumbing facilities or deteriorated/dilapidated housing units having all plumbing facilities are regarded as being inadequate. In this regard, estimating the total needs for housing within San Germán was based on the various sources previously noted, regarding each of the three components of housing need. From this analysis it was concluded that there exist housing needs for 1,348 housing units within the Municipality of San Germán covering extremely low and low income families. This same projection while based upon available data sources does not take into consideration any change and/or elimination of any existing housing programs, or a severe downturn in either the national or local economy.*

*The present municipal administration of San Germán is desirous in obtaining additional housing units over the next five years and preserving existing housing stock.*

***P. Barriers to Affordable Housing***

*Like any other community across this Nation, whether it be in Puerto Rico, or on the U.S. Mainland, the principle barriers to affordable housing within the Municipality of San Germán are:*

- 1. The high cost of land development due to general lack of both vacant and available land;*
- 2. The high cost of construction, which for the most part includes the construction of a sanitary sewer system, water lines, electrical services, within distant rural communities where vacant lands are*

currently available.

*These combined factors representing the high cost, clearly indicates that better than 80% of the total population of San Germán would indeed require some kind of assistance in order to solve their housing problems.*

*At the present time the only source of purchasing a home within San Germán is by securing a private mortgage through a banking institution or mortgage lending institution, which for the most part is not approving mortgages to low or moderate income families. At the present time, it appears that the minimum income required to purchase a home, averages at least \$45,000. This same requisite along with a stable with a stable credit and employment recorded are required.*

*Bearing this in mind, if a family does not qualify to purchase a dwelling unit, then they qualify to rent a housing unit. This is more acute, since (1) there exists a lack of rental properties available, and (2) those units that are available for rent, are so costly ranging from \$350 to \$600 a month, that without some form of a rental subsidy, are indeed beyond the low and moderate income families. This can be verified, since some 120 families are currently awaiting placement on a waiting list, seeking assistance under our own Tenant -based Subsidized Housing Assistance Program.*

### **III HOUSING MARKET ANALYSIS**

#### **A. General Characteristics**

*The significant characteristics of the housing market within the Municipality of San Germán area as follows:*

| <b>HOUSEHOLDS</b> | <b>TOTAL</b> |
|-------------------|--------------|
| YEAR ROUND UNITS  | 12,409       |
| VACANT            | 1,585        |
| FOR RENT          | 155          |
| FOR SALE          | 118          |
| OWNER OCCUPIED    | 8,208        |
| RENTER OCCUPIED   | 2,616        |

|  |       |
|--|-------|
| OWNERS PAYING >30% HOUSING RATES           | 923   |
| RENTERS PAYING >30% HOUSING RATES          | 722   |
| UNITS LACKING COMPLETE PLUMBING FACILITIES | 1,365 |
| VERY LOW INCOME (UNITS)                    | 1,713 |
| LOW INCOME (UNITS)                         | 2,339 |
| MODERATE INCOME (UNITS)                    | 2,580 |

PERCENT OF RENTER HOUSEHOLDS WITH INCOMES BELOW 51%:

HAMFI:

|              |       |
|--------------|-------|
| Elderly      | 22.8% |
| Small Family | 47.2% |
| Large Family | 19.7% |

INCIDENCE OF OVERCROWDED HOUSEHOLDS:

|         |       |
|---------|-------|
| Renters | 13.1% |
| Owners  | 9.6%  |

**BEDROOM SIZE:**

**Renter Occupied -**

**Owner Occupied -**

|              |              |              |              |
|--------------|--------------|--------------|--------------|
| 0-1          | 582          | 0-1          | 548          |
| 2            | 828          | 2            | 2,170        |
| 3            | 1,260        | 3            | 5,490        |
| <b>TOTAL</b> | <b>4,476</b> | <b>TOTAL</b> | <b>9,266</b> |

*It should be noted, that the total population or some 34,962 persons reside on only some 54.5 square miles, representing a population density of some 641.5 persons per square*

mile.

Because of San Germán's terrain and the scarcity of available land for development, it makes the Municipality one of the highest population densities in Puerto Rico. This represents a major problem since land for housing construction is limited, and the cost of acquisition as well as the placement of the necessary infrastructure such as water, electric, and sewers, would place the cost of acquiring individual units way beyond the reach of low income families.

The tenant-based housing assistance program which is administered by the Municipality of San Germán, and funded by the U.S. Department of Housing and Urban Development include the following categories:

|   |             |    |
|---|-------------|----|
| Housing Choice Vouchers                 | -61-        |    |
| Family Self-Sufficiency                 | <u>-09-</u> |    |
| <b>Total Tenant-based units</b>         |             | 70 |
| <b>Administered by the Municipality</b> |             | 70 |

The need for secure, decent and sanitary housing within the Municipality of San Germán, is the fact that there is some 60 family currently on a waiting list seeking housing under this same program. When an acceptable rate per family within Puerto Rico is 3.5 persons per family, these same 60 families requesting housing under the Tenant-based Subsidized Housing Program which is representative of some 210 persons or .6% of the total Municipal population.

The following table represents the households by income groups within San Germán:

| ALL HOUSEHOLDS |               |           |          |       |
|----------------|---------------|-----------|----------|-------|
| TOTAL          | INCOME GROUPS |           |          |       |
|                | Very Low      | Other Low | Moderate | Above |
| 10,776         | 7,091         | 1,868     | 528      | 1,289 |

B. Structural/Vacancy Characteristics

The 1990 U.S. Census of Population and Housing, indicate that of a total of some 12,409 housing units within the Municipality of San Germán, some 9,900 are classified as being single detached units while 1,257 units are one unit attached (duplex) units, and 453 housing units being within the 2 to 4 unit complex, and finally 763 housing units

*being classified as being within the five or more unit category.*

*This same U.S. Census of Population indicates that some 1,368 housing units are lacking complete plumbing facilities with a mean number of rooms being 4.8. The rental vacancy rate is listed as being 3.3, while the owners' vacancy rate is 1.4.*

*C. Demand for Housing*

*There clearly is a demand for housing within San Germán, due primarily to its location. The Municipality of San Germán is adjacent to the metropolitan area of Mayaguez and in close proximity to the metropolitan area of Ponce as well as the Municipality of Cabo Rojo and it has a major university located within the town. San Germán does possess the necessary major highways connecting with each of these same areas. The desire for housing within San Germán is primarily among the residents - sons and daughters of residents of San Germán, as a result of it being close-knit community.*

*However, as was stated earlier on this same submission, the general lack of availability of land for development, along with the high cost of acquisition coupled with the high cost of construction and the general lack of governmental subsidized houses, places almost 80% of the total population of San Germán in a position that would require some form of government assistance and/or subsidies in order to purchase a home.*

*In this regard, the government, which includes federal, state, and local, has to deal with the following factors that are affecting the local market, which may include, but not necessarily be limited to the following factors such as:*

- 1. Population growth;*
- 2. Economic factor;*
- 3. Family Income;*
- 4. Land costs;*
- 5. Construction costs;*
- 6. Financing;*
- 7. Interest payments;*
- 8. Return of investment by either a financial institution and/or developer.*

*San Germán like so many other communities across this nation, must out of necessity, be forced to deal with one of the basic human needs which is that of housing.*

*While the population continues to grow, this same growth is primarily among the low and very low income groups, who are unable to deal with a mortgage payment of roughly \$600 or more. By the same token a review of both moderate and low income families that are in need of adequate, decent, and affordable housing, are lacking the capacity of paying high rents.*

*D. Percent of Renter Households With Incomes Below 51% HAMFI Having Any Housing Problems*

*It should be noted, that according to HUD's Comprehensive Housing Affordability Strategy (CHAS) Data book for Puerto Rico, the Municipality of San Germán, has a total of 80.8% percent in which renter households with incomes below 51% HAMFI have any housing problems. The following chart provides the percent of incidence by family type:*

| <b>PERCENT OF OWNER HOUSEHOLDS WITH ANY HOUSING PROBLEMS: 1990</b> |              |               |               |
|--|--------------|---------------|---------------|
| <b>ALL HOUSEHOLDS</b>  |              |               |               |
| <b>PERCENT OF INCIDENCE BY INCOME GROUP</b>                        |              |               |               |
| <b>TOTAL</b>   | <b>0-30%</b> | <b>31-50%</b> | <b>51-80%</b> |
| 80.8   | 70.9         | 82.2          | 83.5          |

*Source: CHAS Data Book (1990)*

*The following table represents a fairly accurate analysis of the Market and Inventory Conditions of the Municipality of San Germán:*

| <b>MARKET AND INVENTORY CONDITIONS</b> |              |                       |                      |                      |                            |
|--|--------------|-----------------------|----------------------|----------------------|----------------------------|
| <b>CATEGORY</b>                        | <b>TOTAL</b> | <b>VACANCY RATE %</b> | <b>BEDROOM (0-1)</b> | <b>BEDROOM (2-4)</b> | <b>BEDROOM (5 OR MORE)</b> |
| TOTAL YEAR                             | 12,409       |                       | 1,391                | 3,587                | 8,431                      |
| OCCUPIED                               | 10,824       | 4.7                   | 1,076                | 2,998                | 7,750                      |

|              |       |     |     |       |       |
|--------------|-------|-----|-----|-------|-------|
| UNITS        |       |     |     |       |       |
| OWNER        | 8,208 | 1.4 | 548 | 2,170 | 5,490 |
| RENTER       | 2,616 | 3.3 | 528 | 828   | 1,260 |
| VACANT UNITS | 1,585 |     | 315 | 589   | 681   |
| FOR SALE     | 155   | 1.4 | 21  | 15    | 119   |
| FOR RENT     | 118   | 3.3 | 26  | 45    | 47    |
| OTHER        | 1,312 |     | 268 | 529   | 515   |

Source: Bureau of the Census, 1990 Census of Population/CHAS Data Book 1990

E. Housing Market and Inventory Conditions

Both the 1990 Census of Population and likewise the Comprehensive Housing Affordability Strategy (CHAS) Data book of Puerto Rico provide both an accurate picture of the market conditions within the Municipality of San Germán.

Without exception of the total housing units (12,409), some 10,824 are occupied on a year round basis. In this regard, of the total occupied units (10,824), some 8,208 are occupied by the owner while the remainder 2,616 are occupied by renters, with the balance of 1,585 units being vacant.

It should be noted again, that the 1,685 units that are classified as being vacant are for the most part due to the high cost of rent and the lack of any additional subsidized rental assistance programs in order to assist low, very low and moderate income families who are unable to make the required monthly payments, in addition to making other basic expenses such as food, clothing, electric and water service.

F. Overcrowded Households

The Municipality of San Germán has according to the CHAS Data Book on Puerto Rico has among renters a total of 13.1 percent the incidence by income groups of being overcrowded, as that of some 9.6 percent for owners.

The following chart clearly indicates the incidence of overcrowded households by

both tenure and income groups for all households and large related households:

| <b>INCIDENCE OF OVERCROWDED HOUSEHOLDS: 1990</b> |              |              |               |               |
|--|--------------|--------------|---------------|---------------|
| <b>PERCENT INCIDENCE BY INCOME GROUP</b>         |              |              |               |               |
| <b>CATEGORY</b>                                  | <b>TOTAL</b> | <b>0-30%</b> | <b>31-50%</b> | <b>51-80%</b> |
| <b>All Renters</b>                               | 13.1         | 13.9         | 14.1          | 9.7           |
| <b>Large Renters</b>                             | 47.0         | 53.2         | 30.0          | 47.2          |
| <b>All Owners</b>                                | 9.6          | 11.2         | 12.6          | 6.85          |
| <b>Owners Other than elderly</b>                 | 12.4         | 16.0         | 16.8          | 8.2           |

G. Identification of Concentrations of Low Income Areas/Racial-Ethnic Minorities

Due to San Germán's land area, there are no definable areas (rural or urban) with the exception of the location of the Public Housing Projects, that can be defined as areas of concentrations of low income persons, when you consider that 75% of the total population has been classified as having incomes below the poverty level. These same poverty areas are clearly spread evenly throughout the entire municipality.

In terms of concentrations of either racial and/or minorities, the U.S. Census does not provide a breakdown of such categories within Puerto Rico, and as such, the population statistics include "all races".

## **IV FINANCIAL RESOURCES**

### **OBJECTIVE: IMPROVE OPPORTUNITIES UNDER RENTAL HOUSING**

Renters experience more housing problems than do homeowners as it clearly is demonstrated by the 1990 U.S. Census of Population as well as has been our own experience under our own local Housing Choice Voucher Program (Section 8). When renters are compared to homeowners of the same household type and income levels, the percentage of renters with housing problems is higher than owners.

*We have identified the need for rental housing based upon the number of requests made to the Municipality by the populations at large to numerous Municipal Agencies. In most cases, it was primarily a general need for more rental housing, since better than 80% of the population does not qualify to purchase a dwelling unit and require some type of rental assistance. It is in this regard that the Municipality of San Germán has a one year goal to provide assistance of upwards to approximately 50 households with rental housing assistance.*

*The activities that will be undertaken by the Municipality to accomplish this goal are:*

A. *Housing Funding Sources -*

*Seek out whenever available alternative housing Programs as they become available from such agencies as the Rural Economic and Community Development, Puerto Rico Housing Department, Housing Development of the Commonwealth of Puerto Rico, the U.S. Department of Housing and Urban Development; and local cooperatives, etc.*

*Additionally, work with island housing contractors that may be interested in constructing housing units within San Germán, by offering incentives and assistance in one form or another that may be legally acceptable, in order to encourage such contractors to participate in the local housing market (short-term and long-term).*

B. *Additional Subsidized Funding under the Voucher Program*

*The Municipality of San Germán will work closely with the U.S. Department of Housing and Urban Development (HUD) in attempting to obtain additional vouchers if and when they become available. The Municipality will also petition HUD to become a participant under the Welfare-to-Work Program so as to assist the extremely low and low income families becomes self sufficient in conjunction with its Family Self-Sufficiency Program.*

C. *Target available assistance to Families with special needs*

***Family Self Sufficiency Program-***

*The purpose of this FSS Program is to promote the development of local strategies to coordinate the use of public and private resources to enable families eligible to receive assistance under the Voucher Programs achieve economic independence and self-sufficiency.*

D. *Available Funding Sources*

The Municipality of San Germán will submit for HUD's consideration its Annual Plan (FY 2000-2001) in accordance with CFR 24, Section 903.1.

In order to assist the needs of 70 families that are currently enjoying the benefits of the Municipality of San Germán's tenant-based housing assistance program, we will be submitting for HUD's approval the following budget:

| <b>SUBSIDIZED HOUSING BUDGET FOR HUD APPROVAL</b>                                |                        |
|--|------------------------|
| <b>PROGRAM</b>   | <b>BUDGET ESTIMATE</b> |
| <i>Housing Choice Voucher Program, including Family Self Sufficiency Program</i> | \$ 200,253.00          |
| <i>Activities: Tenant-based Housing Assistance for 70 families.</i>              |                        |
| <i>Program Administration</i>  | \$ 32,775.00           |
| <i>TOTAL ESTIMATE OF BUDGET TO BE SUBMITTED TO HUD FOR APPROVAL</i>              | \$ 233,028.00          |
| <i>TOTAL FOR THE MUNICIPALITY OF SAN GERMÁN' HOUSING BUDGET (GRAND TOTAL)</i>    | \$ 233,028.00          |

## **V PHA'S POLICIES GOVERNING ELIGIBILITY, SELECTION, AND ADMISSIONS**

### **A. Determination of Family Eligibility**

Persons that are both interested and qualify under the subsidized housing program will be provided with the necessary applications, and will receive a briefing on the programs offered by the local PHA. Specific days of the week will be established to receive applications, so as to permit sufficient time to properly carry out the administrative requirements of the program in an acceptable manner, that is in compliance with existing regulations.

If during the application stage it can be determined, and it is obvious, that a family will not be eligible because of exceeding income limits due to too few or too many household members for the voucher size authorized by ACC, etc., no additional documents and materials

*will be requested from the family to avoid unnecessary waste of time and expenses. The family will be so advised, and the municipality will also notify the family in writing indicating the reasons and affording them an opportunity to request, within a reasonable amount of time, an informal hearing. However, the family will be encouraged to reapply should the circumstances change.*

*All information requested within this same form will be obtained at the interview with the applicant, and that which must be verified, will be verified by the appropriate Section 8 official assigned to the case.*

*People with applications not expected to be awarded vouchers upon completion of their files because their number in the waiting list is far higher than the number of available vouchers as per the ACC and number of bedrooms which may be available will be so advised. If a date can be determined as to when the voucher can be issued they will in fact be told, otherwise, they will be advised that based on the date and time of the completed application, if the family was found to be eligible, and once there are additional vouchers, they will be notified of the same. The families will be informed that their applications are valid for one year only and in order to maintain their case file opened they must renew their application on a yearly basis. The PHA will inform the families accordingly in writing.*

*The records of cases where families have been determined ineligible or their contracts have been terminated, the PHA will retain these documents for three (3) years such as: (1) copy of the application, (2) notification letters, if applicable, (3) the applicant's response, if any, the record of any informal hearing, and statement of final disposition. Furthermore, records pertaining to eligible families and those under a lease, will be maintained within the active file unless the family becomes ineligible or terminates its contract.*

*The application forms will contain both date and time of filling, and will be signed by the applicant or applicant's spouse and by the interviewer from the Municipal Staff which processed the family. Application forms will be reviewed by the Section 8 Director and properly identified with the Director's initials.*

#### *B. Verification Procedures*

*Once the family has filed an application and has provided evidence required to complement it, office personnel must verify with sources and references all basic information given by the applicant by means of a personal interview, telephone contact or by mail. When all information is verified and the family is determined eligible by a certification form which must be filled out by the Municipal staff in charge of the case, they will be placed on the waiting list.*

*An on-site visit will be conducted by the Inspector to verify the conditions under which the family is currently living to ascertain the accuracy of the information given by the prospective family. An evaluation of the housing unit will be accompanied by pictures. This will form part of the file.*

*After families complete their applications, except those that for obvious reasons will not qualify, a series of documents will be requested from them and they will be required to bring these documents within a period of 30 days. The family will be given a sheet outlining the necessary documents needed to complete their file. The municipal staff will go over the list and inform the family that, should they not be able to comply with the time set, their respective application will be withdrawn and case considered closed. To ensure that the family understands, the form will be signed by the family and the Municipal staff attending the family. A copy will be given to the family.*

*Should the family again be interested and the waiting list opened, they would be required to start by completing a new application based on the new date and time the position or number on the waiting list would then be determined. This same procedure will be used when a candidate family is summoned for a voucher issuance.*

*C. The following items will be requested from the applicant family and verified:*

- |   |  |
|---|--|
| <i>2. Family Composition</i>                                | <i>Birth, marriage and birth certificates, a family photograph, sworn statements, school records</i> |
| <i>3. Special Medical Needs which require larger units.</i> | <i>Medical Certificates</i>  |
| <i>4. Income from wages</i>                                 | <i>Verification forms from the employer.</i>   |
| <i>5. Social Security</i>                                   | <i>Verification from the S.S. office or through HUD's website.</i>                                   |
| <i>6. State Disability and other pensions</i>               | <i>Verification forms from an employer.</i>  |
| <i>7. Welfare payments</i>                                  | <i>Verifications form from State Department</i>  |

of the Family agency.

8. *Unemployment compensation* Verifications form from State Agency (Form W-5).
9. *Alimony and child support* Court Records. A copy of the divorce decree as well as form from the appropriate State Agency "ASUME."
10. *Family financial Assistance* Letter form from a benefactor.
11. *Family type (Elderly or Disabled)* From appropriate agency granting benefits and birth certificate.
12. *Full-time student status (18 or older).* A letter from school or college
13. *Scholarships-grants* A written confirmation from the source of benefits, as well as, a written confirmation from Education Institution as to cost. The net balance is the amount available for subsistence.
14. *Income Interest and Dividends* Verification from bank, or financial institution, bank passbooks, etc.
15. *Assets* Written form from appropriate financial institution or source. In case of rental income, a written statement from the person paying the rent.
16. *Applicant Screening* A Certificate of Good Conduct from State Police Department this as per QHWRA of 1998.
17. *Other* Any other document deemed necessary for the family applicant to qualify for the

subsidized housing program under established HUD regulations.

D. Selection and Admission of Applicants

1. Admission of a family applicant

The PHA may admit an applicant for participation into its subsidized housing program as:

- a. Special admission.
- b. Waiting list admission

2. Targeting

In accordance with 24 CFR part 5, subpart F, section 5.607(b), not less than 75 percent of the families admitted to the Municipality of San Germán' subsidized housing program during the Municipality's fiscal year will be families whose annual income does not exceed the following amounts:

- a. 30 percent of the area median income, with adjustments for smaller and larger families.
- b. A higher or lower percent of the area median income, if HUD determines a higher or lower percent is necessary because of usually high or low family incomes.
- c. Bearing this mind, the following definitions shall be used to define the families applying for the Tenant-based housing assistance program:

- 1. **Extremely-low income:** A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.
- 2. **Low-income:** A family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

3. Conversion of Assistance

*Conversion of assistance for a participant in the Municipality of San Germán Certificate Program to assistance in the Housing Choice Voucher Program does not count as an "admission," and is not subject to targeting as set forth in Part V, section D of this plan.*

4. *Inapplicability of Targeting*

*Admissions of the following categories of families are not subject to targeting under Part V, section D of this plan:*

- a. *A low income family that is continuously assisted under the 1937 Act.*
- b. *A low-income or moderate-income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing as defined in 24 CFR part 5, section 248.101.*

5. *Use of Family's Income*

*The annual income (gross income) of an applicant family is used both for determination of income-eligibility under 24 CFR part 5, section 5.601(c) and for the Municipality of San Germán income targeting as set forth in Part V, sections D of this plan.*

6. *Administration of Waiting List*

- a. *Except for special admissions participants must be selected from the PHA waiting list. The PHA must select participants from the waiting list on a first-come, first-served basis, in accordance with this same plan, which includes Equal Opportunity.*
- b. *The PHA has agreed to cooperate fully with HUD, in respect to when HUD provides funding to the PHA for a special purpose such as desegregation, Family Unification, etc., including but not limited to including funding for specified families and/or a specified category of families. The PHA has further agreed to issue the required voucher.*

7. *Organization of the Waiting List*

The PHA must maintain information that permits the PHA to select qualified participants from the waiting list in accordance with PHA admission policies. The waiting list should contain the following information:

- b. Pre-application number
  - c. Applicant names
  - d. Family composition (adults/children, age/sex)
  - e. Date and time of application
  - f. Qualification for any ranking preference or local preference
  - g. Racial or ethnic designation of the head of household
  - h. Programs for which the PHA feels that the family qualifies for and would be interested in participating in under the umbrella of the subsidized housing program being administered by the PHA. Should the family not be interested in participating in any special program, this will not affect the place and position of the family on the waiting list.
9. Occupancy Standards

Based on the family composition the subsidy to be paid will be based upon the size unit that the family is eligible to occupy. The following table will be used to determine unit size for the family:

| <b>Unit Size</b> | <b>MINIMUM NO. OF PERSON IN HOUSEHOLD</b> | <b>MAXIMUM NO. OF PERSONS IN HOUSEHOLD</b> |
|------------------|---|--|
| 0 BR             | -1-                                       | -0-  |
| 1 BR             | -1-                                       | -2-  |
| 2 BR             | -2-                                       | -4-  |
| 3 BR             | -4-                                       | -6-  |
| 4 BR             | -6-                                       | -8-  |

*A family may select a unit that is larger than the bedroom size authorized by the PHA but the family must pay the increased cost unless an owner is willing to accept a lesser rent.*

10. *Opening the Waiting List*

- a. *When the PHA opens a waiting list, it will publish a public notice informing all interested families and homeowners of the opening of a new waiting list. The public notice will state where and when to apply and/or to receive additional information on all aspects of the program.*
- b. *The PHA must provide the public notice publication in a local newspaper of general circulation, which should also include minority media.*
- c. *The public notice among other things must state any limitations if any, on who may apply.*
- d. *When the waiting list is open, the PHA must accept applications from families for whom the list is open, unless there is good cause for not accepting the application.*

10. *Closing the Waiting List*

- b. *The PHA at its discretion will determine that the existing waiting list does contain an adequate pool for use of available program funding may stop accepting new applications.*
- c. *However, even if the PHA is not otherwise accepting additional applications from those applicants who demonstrate a need beyond extraordinary circumstances and/or qualify under of the programs being offered by the PHA, said application will be accepted and so classified when placed on the waiting list.*
- d. *When a decision has been made to close the existing waiting*

*list, the PHA will publish a public notice in a local newspaper of general circulation advising all interested persons, parties, and groups of the same.*

11. Updating the Waiting List

*The waiting list will be updated on an annual basis to ensure that it is current and accurate. This will be accomplished by the following procedure:*

- a. A letter will be mailed to the applicant's last known address.*
- b. The notice will inform the applicant family that a year has passed and information will be requested regarding their continued interest in maintaining a place on the waiting list.*
- c. A time limit will be established in the notice, whereby, the applicant will be requested to pass by the Municipality's Section 8 Office to file an updated application. By visiting the Section 8 Office, the family has demonstrated interest as well as assured itself of continuing their position for one year on the waiting list.*
- d. If the PHA fails to receive the applicant notice or renewed application of continuance within the time frame established by the Municipality for this purpose, the applicant's name will be removed from the waiting list.*
- e. The applicant family will have 15 days to respond to the notice upon receipt of said notice. The PHA does not accept responsibility for any mail delay or non-deliverance by the US Post Office.*

E. Selection Preferences

2. Local Preferences

*According to the Quality Housing and Work Responsibility Act of 1998, federal preferences as we know them have been eliminated and in its place the local preferences based on the needs of the people will prevail.*

*In order to comply with the Federal law, the Municipality has agreed to give preference for selection of families on the waiting based on the following:*

- b. Victims of Domestic violence;*
- b. Families that will be broken up due to removal of young children by the State Family Department or families that will be united by the return of the children but do have decent housing;*
- c. Involuntarily displaced;*
- d. Homeless or living in substandard housing;*
- e. Paying more than 50 percent of income for rent*
- f. Single person with a disability or any member of the family applicant with a disability except under the provision set forth in Section 5, subsection E(2) of this administrative plan*
- g. Single elderly person or family applicants with an elderly person.*
- h. Other Preferences such as:*
  - 1. Working families and those unable to work because of age or disability;*
  - 2. Veterans and veterans' families;*
  - 3. Those enrolled currently in educational, training, or upward mobility programs—for participants who wish to enroll in our Family Self Sufficiency Program;*
  - 4. Households that contribute to meeting income requirements – for participants who wish to enroll in our FSS and Homeownership Programs, respectively.*

*Additionally, the Municipality will further comply with Federal*

*Regulations which state that not less than 75% of new families must have incomes at or below 30% of the area median income within the Municipality's fiscal year. All other admissions generally will be at or below 50% of the area median, or up to 80% for families that meet eligibility criteria as set forth by the Municipality.*

2. Qualifying for a local Preference

- Victims Domestic Violence: *An applicant qualifies for domestic violence if the applicant is living under conditions which threaten the well being, health and safety of the family by an abusive member.*
- Maintaining families together: *An applicant qualifies for this preference when a family is threaten by a State Child Welfare Agency with the removal of the children due to inadequate housing or child abuse. This will ensure that the children who remain with, or who are reunited with, their families are safe, secure and not subject to neglect as a result of homelessness or inadequate housing.*
- Displacement: *An applicant qualifies for this preference if:*
  - a. *The applicant has been involuntarily displaced and is not living in standard, permanent replacement housing; or*
  - b. *The applicant will be involuntarily displaced within no more than six (6) months from the date of preference status certification by the family or verification by the PHA.*
- Substandard Housing: *An applicant qualifies for this preference if the applicant is living in substandard housing. An applicant that is homeless, living in overcrowded conditions or in a shelter for the homeless will be considered as living in substandard housing.*
- Rent Burden: *An applicant qualifies for this preference if the applicant is paying more than 50 percent of family*

income in rent.

- Certification of Preference: An applicant may claim qualification for a Local Preference by certifying to us as the PHA, that the family qualifies for a local preference. The PHA has agreed to accept this certification, unless we as the PHA verify that the applicant is not qualified for a local preference.
- Verification of Preference: Before an applicant is admitted on the basis of the local preference, the applicant must provide information needed by us as the PHA in order to verify that the applicant qualifies for a local preference because of the applicant's current status. It is further agreed, that the applicant's current status must be determined without regard as to whether there has been a change in the applicant's qualification of a local preference between the certification and selection for admission, including a change from one local preference category to another.
- Retention of Preference: The PHA has agreed, that if a Housing Choice Voucher Program applicant is currently receiving tenant-based assistance under the "HOME" program (24 CFR part 92), the PHA determines whether the applicant qualifies for the Housing Choice Voucher Program local preference based upon the situation of the applicant at the time the applicant began to receive tenant-based assistance under this same "HOME" program.
- Persons with disabilities: No individual will be considered to be a person with disabilities for purposes of eligibility solely due to their drug or alcohol dependence.

3. Notice and Opportunity for a Meeting where the Local Preference is denied

If the PHA should determine that an applicant does not qualify for a Local Preference, the PHA must promptly give the applicant written notice of said

determination. This notice must contain a brief statement of the reasons for the determination, and state that the applicant has the right to meet with a PHA representative in order to review the determination.

This same meeting may be conducted by any person or persons designated by the PHA, who may be an officer or employee of the PHA, including the person who made or reviewed the determination or a subordinate employee. Additionally, the applicant may exercise other rights if the applicant believes that he or she has been discriminated against on the basis of race, color, religion, sex, national origin, age, disability or family status.

## **VI PHA'S RENT DETERMINATION**

### **A. Total Tenant Payment**

Computation of the total tenant payment will be determined in accordance with 24 CFR Part 5, Section 5.613. The computation of TTP will be made once all income has been duly accounted and properly verified and all credits and unusual expenses have been determined eligible under the other applicable factors.

### **B. The total tenant payment will be the highest of the following amounts:**

1. 30 percent of the family's monthly adjusted income;
2. 10 percent of the family's monthly income;
3. If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family's actual housing costs, is specifically designated by the agency to meet the family's housing costs, the portion of those payment's which is designated for housing; or
4. Minimum rent in accordance with applicable provisions of Section 5.616.
5. A family renting a unit above the payment standard pays the higher of 30% of monthly adjusted income, 10% of monthly income, or the welfare rent, and the amount of rent above the payment standard but not more than 40% as the cap established by QHWRA of income on the family share of rent for initial leasing of any unit.

C. Minimum Rent

*The minimum rent established by the PHA will be \$25.00.*

D. Hardship exemption

2. *Should a family request a hardship exemption, said request will be honored upon determination of whether there is a qualifying financial hardship. The suspension of the minimum rent requirement will begin the month following the family's hardship request.*

2. *The following will be considered as financial hardship:*

a. *When the family has lost eligibility for, or is waiting an eligibility determination for a Federal, State or, local assistance;*

b. *When the family would be evicted as a result of the imposition of the minimum rent requirement;*

c. *When the income of the family has decreased because of changed circumstances, including loss of employment;*

d. *When a death has occurred in the family;*

e. *Other circumstances as determined by the Municipality of San Germán.*

E. Request for hardship exemption

1. *If a family requests a hardship exemption, the Municipality of San Germán will suspend the minimum rent requirement beginning the month following the family's hardship request until the Municipality of San Germán determines whether there is a qualifying financial hardship and whether it is temporary or long-term.*

2. *If the Municipality of San Germán determines that there is a qualifying financial hardship, but that it is temporary, the Municipality of San Germán will not impose a minimum rent for a period of no more than 90 days from the date of the family's*

request. At the end of the 90-day suspension period, a minimum rent is imposed retroactively to the time of suspension. The family will be afforded a responsible repayment agreement for the amount of back rent owed.

3. If the Municipality of San Germán has determined that there is no qualifying hardship exemption, the Municipality of San Germán will reinstate the minimum rent including the back payment for minimum rent from the time of suspension on terms and conditions established by the Municipality.
4. If the Municipality of San Germán determines that there is a qualifying long-term financial hardship, the family will be exempted from the minimum rent requirement in compliance with 24 CFR Part 5, Section 5.616.

F. Appeal of financial hardship

Should the family appeal the financial hardship determination through the Municipality of San Germán' grievance procedure, it will be exempt from any escrow deposit that may be required in accordance with 24 CFR Part 5, Section 5.616.

G. Payment Standard

A payment standard will be set between 90%-110% of the Fair Market Rent for the PHA jurisdiction as established by QWHRA. The Municipality of San Germán has a payment standard of 100% of the FMR Metro Area.

The following represents the subsidy standards that determine the number of bedrooms required for families of various sizes and compositions:

| <b>0 BR</b> | <b>1 BR</b> | <b>2 BR</b> | <b>3 BR</b> | <b>4 BR</b> |
|-------------|-------------|-------------|-------------|-------------|
| 250         | 304         | 361         | 448         | 505         |

The local area Office of HUD, namely the Economic and Market Analysis Division (EMAD), as well as the HUD Public Housing Director will be consulted on an annual basis,

*so as to confirm that the FMR employed are both accurate and reflect the general cost of housing for our area.*

*In the case of the PHA requesting a revision to the existing FMR, the PHA will include documentation showing the current median rent for standard units in our area. In this regard the PHA's recommendations will be supported by such analytical data such as:*

- Evidence that significant changes in rents have been experienced in the rental market, which differ from those changes measured by the Consumer Price Index (CPI) factors used to update the Annual Housing Services based Median Rent.*
- When convenient and/or required the PHA will provide local housing Market surveys that indicate the current median rent levels for standard units of various sizes within our designated FMR area.*

H. Determination of Unit Size in Relation to Family Composition

*The Municipality of San Germán has applied the following requirements when determining the unit size in relation to the family composition under our subsidy standards:*

2. *The subsidy standards provide for the smallest number of bedrooms required to house a family without causing overcrowding;*
3. *The subsidy requirements are consistent with space requirements under the Housing Quality Standards;*
4. *The subsidy standards have been applied consistently for all families of like size and composition;*
5. *A child who may be temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size;*
6. *A family consisting of only a pregnant woman will be treated as a two-person family;*
7. *Any live-in aide which has been authorized by the Municipality to reside within the unit to care for a family member who is either disabled or at least 50 years of age will be counted in determining the family unit size;*
8. *The Municipality has agreed, that unless a live-in-aide resides with the family, the family unit size for any family consisting of a single person must be either a zero or one bedroom unit.*
9. *The Municipality will grant an exception to its established subsidy standards, in determining the family unit size for a dwelling unit, if it determines that the exception is justified by the age, sex, health, handicapped or relationship of family members or other personal circumstances.*

I. Exceptions to FMR on a Unit by Unit Basis

*The PHA is entitled to establish its payment standard from 90%-110% of the FMR approved for Metropolitan area of the PHA. The PHA will be allowed to approve*

*initial gross rents on a unit by unit basis which exceed the FMR's or payment standard established by the PHA for units, which by virtue of size, amenities or location, or in the case of expanding housing opportunities for low income families, or to obtain units which have been made accessible to the disabled, which are determined to warrant exception rents. The PHA accepts the fact that this same authority will not be exercised for more than 20 percent of the units authorized by the ACC.*

J. Affordability Adjustments

*Upon recertification/redetermination of the applicant, any adjustments will be to the appropriate Payment Standard established by the PHA. Where it has been accurately determined by the PHA that based upon the documentation available to the PHA, that an overpayment was made by the PHA, the PHA will immediately advise the participant of the same and request a meeting in order to establish a repayment schedule or other acceptable plan in order for the PHA to recover the overpayment.*

K. Rent Adjustments

*Rent adjustments requested by landlords will be processed as indicated in Section 982.509 Federal Register, April 30, 1998, page 23863. The owner must request said revision to the contract rent sixty (60) days prior to the HAP contract anniversary date.*

## **VII PHA'S GRIEVANCE PROCEDURE**

A. Informal Review

*At all times the Municipality will afford an applicant family the opportunity to request an informal review of any decision made to deny assistance under the Housing Choice Voucher Program.*

*Specifically, the Municipality will be required to notify an applicant in writing that assistance has been denied no later than fifteen (15) working days after said decision has been made. Within this same written notice, the applicant will be informed of their right to appeal the decision either in written form or verbal. Additionally, the participant must be advised by the Municipality, that they have some thirty (30) days from the date of the written notice to request an informal hearing. Such a request may be either in written or oral form, and that the participant has the right to be represented by another family member, friend, and/or legal counsel.*

*Furthermore, the Municipality in advising the participant of his rights, must be stated within the denial letter the reason for the decision and at the same time reference that part of existing law, regulation and more specifically HUD regulation that was used a basis for denying assistance to the family participant.*

*B. Hearing Procedures*

*The following represents the Municipality of San Germán established procedures for conducting an informal hearing for participants:*

*1. The family will be given an opportunity to review any HA documents that are deemed necessary before the hearing. The PHA will permit the family to copy any such document at the family's expense.*

*2. It is agreed that the PHA must be given the opportunity to examine at its office any family documents that are directly relevant to the hearing. The PHA is therefore allowed to copy any such documents at its own expense. It is then agreed, that if the family does not make the document available for examination at the request of the PHA, the family will not be permitted to submit the document(s) at the hearing.*

*3. Representation of the Family*

*The Municipality agrees that, at its own expense, the family may be represented by legal counsel or other representative(s).*

4. Hearing Officers

*The hearing will be conducted by a member of the legal staff of the municipality, or by any other person so designated by the Mayor, other than a person who made or approved the decision under review or a subordinate of this person. The Municipality in appointing a person to conduct the hearing is empowered to regulate the conduct of the hearing.*

5. Evidence

*The Municipality and the family will be given the opportunity to present evidence as well as question any witnesses brought forth by either party. The Municipality agrees that the evidence presented will be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.*

6. Issuance of Decision

*The Municipality has agreed that the person who will be conducting the hearing must issue a written decision within thirty (30) days of the date of the informal hearing, which states the reasons for the decision taken. The Municipality has agreed, that factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.*

7. Effect of Decision

*The Municipality will not be bounded by a hearing decision as described in section 982.555(f) of the Federal Register.*

## **VIII HOMEOWNERSHIP PROGRAMS ADMINISTERED BY THE PHA**

*One of the major objectives of the present Administration within the Municipality of San Germán is to create maximum opportunities to both low and very low income families to become first-time homeowners. Experience has clearly demonstrated that homeowners take more pride in, and better care of their individual housing units, than those families who occupy rental units. This fact will clearly assist in:*

- ▶ *Eliminating blight and blighting conditions within low income areas by preserving existing housing units.*
- ▶ *Develop self-sufficiency by encouraging other low and very low income families to become self-sufficient, in order to qualify as first-time homeowners.*
- ▶ *Revitalize and stabilize existing and deteriorated low income neighborhoods.*

*The municipality has a first year goal of establishing a Homeownership Program in accordance with the Quality Housing & Work Responsibility Act of 1998 and will attempt the necessary procedures to promote a Homeownership Program within its Housing Program. In this regard, the municipality will seek out not only HOME funds, but likewise will work with both the Puerto Rico Department of Housing, the Housing Development Bank, and other similar public private agencies in order to accomplish this same goal.*

*The following actions listed below, we feel, will address the obstacles that may be faced by potential buyers.*

**ACTIVITIES:**

☐ **PROVIDE GREATER ASSISTANCE IN MEETING BOTH DOWN PAYMENT AND CLOSING COST REQUIREMENTS:**

*One of the greatest barriers to homeowners by potential low income purchases, are the initial costs, such as down payment and closing costs. The Municipality will, working with such housing agencies as previously set-forth within this same submission, in order to create both a viable and effective program whereby low income families have the opportunity to become first-time homeowners. (Short-Term One Year).*

**OBJECTIVE: CREATE AFFORDABLE HOUSING WITHIN THE COMMUNITY:**

*Affordable housing within the Municipality of San Germán has been adversely impacted by the following factors over time:*

1. *Family Income;*
2. *Land Costs;*
3. *Financing;*
4. *Lack of Available Land for Development.*

*Bearing this in mind, the Municipality of San Germán will develop a strategy that identifies policies, which may require modification, and initiate the following actions that will address the problem of affordable housing and the establishment of the Homeownership Program.*

**ACTIVITIES:**

☐ **IMPROVE LAND DEVELOPMENT REGULATIONS:**

*At the present time the Puerto Rico Planning Board is the primary regulatory agency of the State government, that deals with land use and requirements for construction of housing sub-division, which combined with requirements of other State agencies tend to create obstacles to affordable housing. In this regard, the municipality will be working with our elected officials, namely-both the State Representative in the House of Representatives and our State Senator, in order to study existing applicable*

*regulations and their impact upon the local housing market. Additionally, both the Mayor and representatives of the municipality will be working with their counterparts within the Planning Board in reviewing existing land policies. (Short Term/One Year).*

❑ ***Providing For The Coordination of Funding:***

*In order to achieve any degree of success in creating affordable housing for households classified as being either low or very low income, requires funding for multiple funding sources. The Municipality will take into account and consider the appropriate changes in order to implement the Homeownership Program, whereby, it will consider the following:*

- 1. Assistance will be provided for:
  - a. First time homeowner*
  - b. Family that owns or is acquiring shares in cooperative.**
- 2. The Program will become available to families participating in our Family Self Sufficiency Program*
- 3. The total family that will be serviced through this program will be limited to approximately 9 families.*
- 4. Funding levels.*

*The Municipality of San Germán will take into account and consider the appropriate changes in order to improve the application process for all federal programs that may have a beneficial impact upon the local housing market and affect programs covered within the Consolidated 5 Year Plan. (One Year/Short Term).*

## **IX PHA'S COMMUNITY SERVICE AND SELF-SUFFICIENCY PROGRAM**

*The purpose of the FSS Program is to promote the development of local strategies to coordinate the use of assistance under the Tenant-based Housing Assistance Program (Housing Choice Voucher Program) with public and private resources, to enable families for or receiving assistance under this same program achieve economic independence and self-sufficiency.*

*The Municipality of San Germán has developed and implemented an FSS Program in conformity with the Housing Choice Voucher Program (Section 8) regulations and applicable civil rights authorities. At the current time the Municipality has monies allocated to assist 9 families of low and very low income. It has been successful in the implementation of said programs due to the hard work and motivation provided by not only the Section 8 Staff but also the Professional consulting firm.*

*Upon its inception, the Municipality appointed and has received funding for an FSS Coordinator to carry out the necessary functions in the formal structure of the Coordinating Committee. The Program Coordinating Committee (PCC) is integrated by professional representatives from public and private enterprises, church groups, community leaders, local business, and other resources. The representatives from these entities have an input in the program design and action steps of the FSS Program and are responsible for such functions as:*

- 1. Developing a working relationship with the FSS Coordinator and other related Program Staff in the achievement of the program objectives.*
- 2. Coordinating the needed actions for the selection of committee representatives.*
- 3. Making specific commitments of time, staff, and resources to the program.*
- 4. Providing input into the program research and evaluation process.*

## **X CIVIL RIGHTS CERTIFICATION**

*The Municipality has agreed that it will comply with all Equal Opportunity requirements, both State and Federal such as:*

- 1. The Fair Housing Act, 42 U.S.C. 3610-3619 (implementing regulations*

*at 24 CFR parts 100, et seq.);*

2. *Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (implementing regulations 24 CFR part 1);*
3. *The Age Discrimination Act of 1975, 42 U.S.C. 6101-6107 (implementing regulations at 24 CFR part 146);*
4. *Executive Order 11063, Equal Opportunity in Housing (1962) as amended. Executive Order 12259, 46 FR. 1253 (1980), as amended. Executive Order 12892, 59 FR. 2939 (1994) (implementing regulations at 24 CFR part 107);*
5. *Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (implementing regulations at 24 CFR part 8); and*
6. *Title II of the Americans with Disabilities Act, 42 U.S.C. 12101, et. Esq.*
  - a. *For the application of equal opportunity requirements to an Indian Housing Authority, see 24 CFR 950.115.*
  - b. *The Municipality must submit a signed certification to HUD of the PHA's intention to comply with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act.*

## □ **FURTHER FAIR HOUSING**

*It is HUD's intent under the "Quality Housing and Work Responsibility Act of 1998", that indeed created the merger of the Certificate and Voucher Programs into one market-driven program such as the Housing Choice Voucher Program, and thus require the Consolidated 5-Year Plan and Annual Plan, which provides a framework for local accountability and an easily identifiable source by which public housing residents, participants in the tenant-based assistance program, and other members of the public may locate basic PHA policies, rules and requirements concerning its operations, programs and services that benefit very low and low income families.*

*Based upon the latter, the Municipality of San Germán anticipates that the following activities further fair housing during the five-year period of the Consolidated Plan as well as the Annual Plan, and thereby benefit those families, namely - the low and very low income families achieve safe, decent and affordable housing as well as self-sufficiency and economic independence.*

### **ACTIVITIES:**

#### **REVIEW OF EXISTING HOUSING PROGRAM**

*The Municipality of San Germán will, in order to further fair housing within the community, review all existing housing and housing programs currently being carried out within the community, so as to assure, that these same programs and/or projects are implemented in total compliance within existing applicable regulations.*

#### **COORDINATION BETWEEN PUBLIC/PRIVATE RESOURCES**

*The municipality will contact public and private operators of housing, including local financial institutions located within San Germán, and provide them with both information and descriptive materials making them aware of the need to further fair housing.*

## **COORDINATING INFORMATION/REGULATIONS**

*Working closely with the housing division of HUD, the municipality will obtain copies of regulations and other training aids in order to provide seminars during the course of the five-year period of the Plan, in order to create a public awareness of the importance of fair housing.*

## **CREATE AWARENESS OF LEAD BASE PAINT HAZARDS**

*Since many of the private homes in San Germán were constructed prior to being informed that lead base paint represented a health hazard to all the members of the household, and the effect this same problem has upon children, the Municipality of San Germán is committed both in a short term (one-year), as well as in the long-term, to work with the Puerto Rico Department of Housing, in order to both develop and implement a viable, effective, safe, and cost-effective method of reducing this same hazard. While a great many precautions currently exist, effective abatement and likewise, hazard reduction activity requires participation from providers and contractors, aside from individual residents.*

*San Germán feels rather strongly, that in order to create an effective system of abatement services it must coordinate it's activities with other state agencies dealing with this same problem.*

*San Germán cooperating with both the public and private sectors will initiate the following actions in order to achieve the most desirable results:*

### **ACTIVITIES:**

#### **COMPLYING WITH EXISTING REGULATIONS**

*The Municipality of San Germán, has a goal of working with the existing management of the various Public Housing Projects located within the Community, to review all units in cooperation with the State Housing Department and other applicable State Agencies over the five-year period of the Consolidated Plan, in order to both assist and coordinate the required abatement services required.*

## **XI RECENT RESULTS OF PHA'S AUDIT**

*The Municipality of San Germán has submitted to the HUD local office in Puerto Rico the findings of the most recent Single Audit that found our PHA in full compliance with*

*established HUD regulations and procedures.*

## **XII ADDITIONAL INFORMATION REQUIRED**

### *Substantial deviation from 5-Year Plan or amendment and/or modification to Annual Plan*

*In accordance with established HUD rules and regulations, the following will be the basic criteria that will be utilized by the Municipality of San Germán and it will constitute a substantial deviation from its 5-Year Plan and/or amendment or modification to its Annual Plan that has met full public process requirements including Resident Advisory Board Review:*

- *Changes to rent, admission policies and/or organization of the waiting list;*
- *Additions of non-emergency work items (items not included in the current Annual Statement or 5-Year Action Plan) or change in use of replacement reserve funds under the Capital Fund;*
- *Additions of new activities not included in the current PHDEP Plan;*
- *Any change with regard to demolition or disposition, designation, homeownership programs or conversion activities.*

## **XIII SUMMARY**

*In order to be in compliance with 24 CFR Part 903 of HUD program regulations, the Municipality of San Germán has established the following standards and procedures to be carried out in furtherance of the plan.*

*Additionally, these same standards and procedures will ensure long-term compliance with the requirements of the programs involved, including but not necessarily limited to:*

1. *To provide low and very low income families the opportunity of choice and mobility in selecting where they want to live.*
2. *To maintain the essential elements of a private relationship between the tenant and the landlord on matters other than rent.*
3. *To develop strategies to coordinate the use of housing assistance under the*

*Housing Choice Voucher Program with public and private resources, to enable families eligible to receive assistance under this same program to achieve economic independence and self-sufficiency.*

*It should be noted, that the Section 8 Office within the Municipality of San Germán will implement the necessary management systems and oversight controls, so as to assure, that the individual programs included within this same Plan are:*

- 1. Completed within a timely manner in compliance with HUD's requirements;*
- 2. That they are indeed in total compliance with existing federal and state applicable regulations.*

*Once a year a physical audit will be accomplished which will include not only the accountability of funds, but also an audit of the management system used to carry out the mandate of the Tenant-based Housing Program. This same in-depth review on an on-going basis will serve to determine the effectiveness of individual programs based upon such data as:*

- Families Assisted;*
- Subsidies granted;*
- Complaints resolved;*
- FSS families that moved onto become first-time homeowners;*
- Families from the Moderate Rehabilitation Program that transferred into the FSS Program and the success of those families.*
- The effectiveness of communication by and between the various Municipal, State and Federal Agencies as well as with citizens.*

*Additionally, reviews will also serve to identify implementation problems or non-compliance with goals and objectives of the Plan, and how the resources were used to assist the maximum number of beneficiaries.*

*The use of this same data will assist the Mayor, members of the Municipal Assembly, interested citizens of the community, participants of the Tenant-based Housing Assistance Program recommend changes within our strategy due to perhaps changes in the population characteristics and housing market within the Municipality of San Germán.*

*In conclusion, the following areas will at a minimum, be reviewed in the monitoring process:*

- *Cash/Management System;*
- *Funds committed;*
- *Families serviced by income level (low, extremely low and moderate);*
- *Compliance with HQS, Quality control and Targeting as set forth in HUD regulations;*
- *Identify weakness and problem areas;*
- *Staff resources and performance;*

*The Municipality of San Germán feels rather strongly that procedures contained herein will effectively perform the necessary monitoring of all programs so as to assure that these same programs both initiated and developed are in total compliance with the applicable regulations promulgated by HUD.*