

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 AGUAS BUENAS**

**PHA Number: RQ082**

**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 AGUAS BUENAS  
HOUSING DEPARTMENT  
ST. HWY 174, SONADORA WARD  
AGUAS BUENAS, PR 00703  
e-mail: [vivienab@yahoo.com](mailto:vivienab@yahoo.com)

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 AGUAS BUENAS  
HOUSING DEPARTMENT  
ST. HWY 174, SONADORA WARD  
AGUAS BUENAS, PUERTO RICO 00703

e-mail: [yvienenab@yahoo.com](mailto:yvienenab@yahoo.com)

**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 OVER THE COURSE OF 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

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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 Aguas Buenas has established the Housing Department to administer the Housing Choice Voucher Program as well as other 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 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 population in general to afford them the same opportunities as other extremely low-income and low-income families within the general population. The programs being administered by the Municipality of Aguas Buenas are as follows:

- B. HOPWA – a program geared to provide assistance to a member of the family that is HIV positive or has AIDS. This is done in conjunction with the Municipality of San Juan. We have a partnership to administer this same program.
  
- C. Family Unification Program – a program geared to provide assistance to extremely low-income and moderate income families whereby they are threatened by the Commonwealth Child Welfare Agency in the removal of the children from the home due to the environment under which they live, or have already been removed. In essence, the family needs a safe, decent and sanitary dwelling unit so that the family may be united. Our Municipality in conjunction with the Commonwealth Department of the Family administers this program.
  
- D. 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 paid by the program in an efficient manner, while at the same time motivating these families.

Furthermore, there is an undeniable need for low-income housing within the Municipality of Aguas Buenas 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 Aguas Buenas is a Tenant-based (Section 8) only PHA.**

This same **Plan** for the Municipality of Aguas Buenas 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 Aguas Buenas 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 903.79 (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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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.

- X   Admissions Policy for Deconcentration
- X   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  
MEMO OF UNDERSTANDING WITH THE PR FAMILY DEPARTMENT  
MEMO OF UNDERSTANDING WITH THE PR LABOR DEPARTMENT**

**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**

Applicable & On Display	Supporting Document	Applicable Plan Component
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	Annual Plan:

Applicable & On Display	Supporting Document	Applicable Plan Component
	Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Eligibility, Selection, and Admissions 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	Annual Plan: Capital Needs

Applicable & On Display	Supporting Document	Applicable Plan Component
	attachment (provided at PHA option)	
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
	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 <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 (PHDEP) 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) (list individually; use as many lines as necessary)	(specify as needed)

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

[24 CFR Part 903.7.9 (a)]

**A. Housing Needs of Families in the Jurisdiction/s Served by the PHA**  
 Based on the needs of families in the PHA jurisdiction, 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 by Family Type "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.

Family Type	Overall	Mortality	Supply	Quality	Accessibility	Size	Reason
Income <= 30% of AMI	946	5	4	3	2	3	4
Income >30% but <=50% of AMI	261	4	4	2	3	4	4
Income >50% but <80% of AMI	168	1	3	2	3	4	1
Elderly	165	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 on the Public Housing and Section 8 Tenant-Based Assistance Waiting Lists**  
 State the number of families on the PHA jurisdiction's 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	250		15%
Extremely low income <=30% AMI	150	60%	
Very low income (>30% but <=50% AMI)	25	10%	
Low income (>50% but <80% AMI)	13	5%	
Families with children	240	96%	
Elderly families	5	2.0%	
Families with Disabilities	5	2.0%	
Race/ethnicity	250	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)?

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

<p>X Yes</p> <p>Does the PHA permit specific categories of families onto the waiting list, even if generally closed? No X Yes</p>

**C. Strategy for Addressing Needs**

**(1) Strategies**

**Need: Shortage of affordable housing for all eligible populations** Needs of families in the jurisdiction and on the waiting list **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 and 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: 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 Tenant- Based Assistance	529,640.00	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	-0-	
g) Resident Opportunity and Self- Sufficiency Grants	-0-	
h) Community Development Block Grant	-0-	
i) HOME	-0-	
Other Federal Grants (list below)		
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>	-0-	
<b>3. Public Housing Dwelling Rental Income</b>	-0-	
<b>4. Other income (list below)</b>		
FUP	383,900.00	TENANT BASED ASSISTANCE
HOPWA	85,000.00	Tenant Based Assistance

Sources	Planned \$	Planned Uses
PORTABILITY	45,000.00	Tenant Based Assistance
<b>4. Non-federal sources</b> (list below)		
PROGRAM ADMINISTRATION	157,822.00	Administrative Costs
<b>Total resources</b>	<b>\$ 1,201,362.00</b>	

### **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

#### **(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:

## **B. Section 8**

### **(1) Eligibility**

Exemptions: 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).~~

- 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 Aguas Buenas 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

\_\_\_ 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:

- 1. Family Self Sufficiency Program**
- 2. Family Unification Program**
- 3. HOPWA 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 Aguas Buenas 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 Aguas Buenas 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

- X   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

a. Use of discretionary policies: (select one)  
appropriate spaces below.

\_\_\_\_ 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).**

### (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	14	15%
Section 8 Certificates	64	10%
Section 8 Mod. Rehab.	NA	
Special Purpose Section 8 Certificates/Vouchers (list individually)	50 FAMILY UNIFICATION VOUCHERS	0%
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		
FSS	25	5%
HOPWA	22	5%

### 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

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

program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

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

- PHA main administrative office  
 Other (list below)

**7. Capital Improvement Needs**

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

**9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities** [24 CFR Part 903.7 9 (i)]

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: 1b. Development (project) number:
2. Designation type: <input type="checkbox"/> Occupancy by only the elderly <input type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities
3. Application status (select one) <input type="checkbox"/> Approved; included in the PHA's Designation Plan <input type="checkbox"/> Submitted, pending approval <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) <input type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously-approved Designation Plan?
1. Number of units affected: 7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

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

[24 CFR Part 903.79 (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
<input type="checkbox"/>	Assessment results submitted to HUD
<input type="checkbox"/>	Assessment results approved by HUD (if marked, proceed to next question)
<input type="checkbox"/>	Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)	
4. Status of Conversion Plan (select the statement that best describes the current status)	
<input type="checkbox"/>	Conversion Plan in development
<input type="checkbox"/>	Conversion Plan submitted to HUD on: (DD/MM/YYYY)
<input type="checkbox"/>	Conversion Plan approved by HUD on: (DD/MM/YYYY)
<input type="checkbox"/>	Activities pursuant to HUD-approved Conversion Plan underway
5. Description of how requirements of Section 202 are being satisfied by means other	

than conversion (select one)

\_\_\_\_\_ Units addressed in a pending or approved demolition application (date submitted or approved: \_\_\_\_\_)

\_\_\_\_\_ Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: \_\_\_\_\_)

\_\_\_\_\_ Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: \_\_\_\_\_)

\_\_\_\_\_ Requirements no longer applicable: vacancy rates are less than 10 percent

\_\_\_\_\_ Requirements no longer applicable: site now has less than 300 units

\_\_\_\_\_ Other: (describe below)

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

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

**11. Homeownership Programs Administered by the PHA**

[24 CFR Part 903.7 9 (k)]

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.)

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

**B. Section 8 Tenant Based Assistance**

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

2. Program Description:

a. Size of Program

Yes  No: Will the PHA limit the number of families participating in the section

8 homeownership option?

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

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

b. PHA-established eligibility criteria

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

If yes, list criteria below:

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:

X  Yes  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?

11/05/99

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 for the 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)

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

Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8	25	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

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.

## 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 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 use 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)

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

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**

[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 (f)]

### **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).

1. Consolidated Plan jurisdiction: **COMMONWEALTH OF PUERTO RICO**
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)  
 The PHA has based its statement of needs of families in the jurisdiction

on the needs expressed in the Consolidated Plan/s.

\_\_\_\_\_ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.

X The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.

\_\_\_\_\_ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (List below)

\_\_\_\_\_ Other: (list below)

4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

#### **D. Other Information Required by HUD**

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

#### **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 Aguas Buenas 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 Local HUD office)**

**Revised Administrative Plan (filename: admplan.wpd)**

**Organizational Chart (filename: abhsgdeptchar.shw)**

**Results from the last Single Audit (document submitted to local HUD office)**

**Memo of Understanding with PR Family Department (document submitted to local HUD Office)**

**Memo of Understanding with PR Labor Department (document submitted to local HUD Office)**

**Component 7  
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 Number/Name HA-Wide</b>	<b>General Description of Major Work Categories</b>	<b>Development Account Number</b>	<b>Total Estimated Cost</b>

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

<b>Development Number/Name HA-Wide Activities</b>	<b>All Funds Obligated (Quarter Ending Date)</b>	<b>All Funds Expended (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 (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
<b>Total estimated cost over next 5 years</b>				

**Optional Public Housing Asset Management Table**

See Technical Guidance for instructions on the use of this table, including information to be provided.

Public Housing Asset Management								
Development Identification		Activity Description						
Name, Number, and Location	Number and Type of units	Capital Fund Program Parts II and III <i>Component 7a</i>	Development Activities <i>Component 7b</i>	Demolition / disposition <i>Component 8</i>	Designated housing <i>Component 9</i>	Conversion <i>Component 10</i>	Home-ownership <i>Component 11a</i>	Other (describe) <i>Component 17</i>

# MUNICIPALITY OF AGUAS BUENAS



## ADMINISTRATIVE PLAN

### *HOUSING CHOICE VOUCHER PROGRAM*

RQ 082

Hon. Buenaventura Davila  
Mayor

Joseph R. Montalvo  
Director

February 2000

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# I INTRODUCTION

This revision of the Municipality of Aguas Buenas administrative plan will address the merger of the Certificate Program and the Voucher Program 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 New Housing Choice Voucher Program, as they may be amended. Except as expressly provided herein, all of the provisions of the Municipality of Aguas Buenas Administrative plan for the Voucher Program will apply to all programs that are currently being administered by the Municipality.

# II GOALS AND OBJECTIVES

The design of the Housing Choice Voucher Program is to achieve the following:

- A. To promote freedom of housing choice and spatial deconcentration of extremely low income and minority families.
- B. To consolidate the Section 8 Voucher and Certificate Programs into a single market-driven program.
- C. Create incentives and economic opportunities for residents assisted by PHAs to work and become self sufficient.
- D. Increase accountability and reward effective management of PHAs.
- E. To provide decent, safe and sanitary housing for eligible families.
- F. To provide improved conditions for extremely low-income families while maintaining their rent payments at an affordable level.
- G. To provide an incentive to private owners to rent their dwelling units too 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, respectively, the purpose of this administrative plan is to establish viable 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 enacted by HUD that pertain to these same programs. Should such changes conflict with this plan, HUD regulations will prevail.

The purpose of the Municipal program is to assist families that are economically disadvantaged and to gradually reduce the amount paid by the program. There is an undeniable need for low-income housing within the PHA jurisdiction as evidenced by the waiting list as well as the 1990 U.S. Census. 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 PHA intends to become a facilitator between those in need and those who have available units by coming together in a manner beneficial to both.

### III HOUSING PROGRAMS OFFERED

In addition to administering the tenant-based Housing Choice Voucher Program, the Municipality of Aguas Buenas has developed and implemented a Family Self-Sufficiency Program to enable eligible low and extremely low-income families who are receiving assistance under this same program obtain economic independence and self-sufficiency. This same program has been designed and operated in accordance with established Federal Regulations as well as all applicable civil rights authorities.

It is the intent of our Municipality to carry out a successful Family Self-Sufficiency Program, in order to attempt to combat the numerous problems of poverty and dependency within our community, focusing upon, what we believe to be strategies that will ultimately focus upon both employment and personal self-development. In this regard, it has been our intent to mobilize resources within both the public and private sectors in order to achieve our goal, in accordance with HUD regulations.

Other Programs being administered by the Municipality of Aguas Buenas are:

1. **HOPWA** – a program geared to provide assistance to a member of the family that is HIV positive or has AIDS. This is done in conjunction with the Municipality of San Juan. We have a partnership to administer this same program.
2. **Family Unification Program** – a program geared to provide assistance to extremely low-income and moderate income families whereby they are threaten by the Commonwealth Child Welfare Agency in the removal of the children from the home due to the environment under which they live, or have already been removed. In essence, the family needs a safe, decent and sanitary dwelling units so that the family maybe united. Our Municipality in conjunction with the Commonwealth Department of the Family administers this program.

## IV Outreach Efforts

### 1. Eligible Families

A public notice will be published whereby the announcement of the opening and closing of the waiting list will be published in a newspaper of general circulation. Afterwards the publication will be posted conspicuously 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 some 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 program's existence, 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.

### 2. 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 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 available units.

A program policy will be established ensuring good communication among all principals, as well as prompt, accurate, and timely payments to individual homeowners will encourage 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 Aguas Buenas 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:

1. Affirmatively further fair housing goals and comply with equal opportunity requirements by visiting homeowners of suitable housing outside of minority areas in order to explain the program's operational policies, as well as to explain the numerous benefits to be derived from participating within the program.
2. 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.
3. Notices will be posted in public places in order to advise those interested persons, parties, and groups where information regarding the leasing of units may be obtained.
4. The Municipality will make personnel available to speak before fraternal, social and religious groups, in order to appraise the membership of these same groups of the policies, benefits, and program requirements of leasing units by homeowners under these same programs.
5. Special feature stories in local newspapers which highlight how the program can assist various types of homeowners can be an effective and inexpensive means of publicizing the program.

## V 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 QHWRRA, section 502(b). Whereby, the staff directly involved in the administration of the 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:

**Hon. Buenaventura Devila**  
**Mayor**

**Joseph R. Montalvo**  
**Housing Director**

**Francisco Acevedo**  
**Accountant**

**Elsa Velazquez**  
**FSS Coordinator**

**Concepcion Rivera**  
**FUP Coordinator**

**Oscar Colon**  
**Housing Inspector**

**Elice Cruz**  
**Secretary**

**Carmen N. Ortiz**  
**Office Clerk**

**Jose A. Cruz**  
**Maintenance**

The following functions will be performed by the local 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. Initiate the training of the staff to work in the Program at the municipal level.
4. 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 of the various subsidized housing programs approved by HUD and administered by the PHA.
  - e. Briefing of family and issuance of vouchers.
  - f. Compliance by homeowners of Housing Quality Standards as established by existing HUD regulations as well as 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 on established regulations concerning family mobility and portability to ensure compliance with QHWRA of deconcentration of families.
  - k. Prompt HAP payments to participating homeowners.
  - l. Briefing to 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 San Juan-Bayamon Metro Area.
  - n. Compliance of security deposits and claims for damage and unpaid

rents.

- o. Compliance by families in the FSS Program, management of the FSS Escrow Account and proper disbursement of monies to the participating families of this same Program.
- p. Briefing of families concerning the policy for informal hearing for denial, reduction or termination of assistance as required by existing HUD regulations.
- q. Compliance by Families in the other subsidized housing programs that are administered by the Municipality.

## VI 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 Housing 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 and these same files will contain the following: (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 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 Housing 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 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.

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

- |    |   |   |
|----|---|---|
| 2. | Family Composition                                | Birth, marriage and birth certificates, a family photograph, sworn statements, school records |
| 3. | Special Medical Needs which require larger units. | Medical Certificates  |

- |     |   |  |
|-----|---|--|
| 4.  | Income from wages                       | Verification from the employer.  |
| 5.  | Social Security                         | Verification the S.S. office or through HUD's website.   |
| 6.  | State Disability and other pensions     | Verification from an employer or any pertinent governmental agency..   |
| 7.  | Welfare payments                        | Verifications from the Commonwealth Department of the Family agency.   |
| 8.  | Unemployment compensation               | Verifications from State Agency (Form W-5).  |
| 8.  | Alimony and child support               | Court Records. A copy of the divorce decree as well as from the appropriate State Agency, namely "ASUME."  |
| 9.  | Family financial Assistance             | Letter form from a benefactor.   |
| 10. | Family type (Elderly or Disabled)       | From appropriate agency granting benefits and birth certificate.   |
| 11. | Full-time student status (18 or older). | A letter from school or college.   |
| 12. | Scholarships-grants                     | A written confirmation from the source of benefits, as well as, a written confirmation from the Education Institution as to cost. The net balance is the amount available for subsistence. |
| 13. | Income Interest and Dividends           | Verification from bank, or financial institution, bank passbooks, etc.   |
| 14. | Assets                                  | Written verification from the appropriate financial institution or source. In case of rental income, a written statement from the person paying the rent.                                  |
| 15. | Applicant Screening                     | 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.

## VII Selection of Applicants

### Q. Admission of a family applicant

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

1. Special admission.
18. 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 Aguas Buenas' 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 Aguas Buenas 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 B of this administrative plan.

### D. Inapplicability of targeting

Admissions of the following categories of families are not subject to targeting under Part V, 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 Aguas Buenas income targeting as set forth in Part V, 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.

2. 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 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 will 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. ***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 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-	-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

1. 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, 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 requested to pass by the Municipality's Housing Department to file an updated application. By visiting the Housing Department, 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 within the time frame established by the Municipality for this purpose, 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 US 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 current 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. 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 Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas will require the family to report their progress in leasing a unit. These same reports may be accomplished by personally 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 of 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, centers 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. The family will be required to sign a certification acknowledging receipt as well as receiving the proper briefing concerning the services offered by the Municipality, rules and regulations in regards to the Program. This procedure complies with 24 CFR Subpart G, Section 982.301.

## VIII Rent Determination

### B. 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.

### C. 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 then 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 Aguas Buenas.

E. Request for hardship exemption

1. If a family requests a hardship exemption, the Municipality of Aguas Buenas will suspend the minimum rent requirement beginning the month following the family's hardship request until the Municipality of Aguas Buenas determines whether there is a qualifying financial hardship and whether it is temporary or long-term.
2. If the Municipality of Aguas Buenas determines that there is a qualifying financial hardship, but that it is temporary, the Municipality of Aguas Buenas 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 Aguas Buenas has determined that there is no qualifying hardship exemption, the Municipality of Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas' grievance procedure, it will be exempt from any escrow deposit that may be required in accordance with 24 CFR Part 5, Section 5.616.

## IX 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 documents 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 of 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. Form 50059 will be prepared and said form will be signed by the family participant or any other designed by the Municipality for this purpose. Form 50058 will also prepared so that the verified information can be entered into the system and electronically sent to MTCS.

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. 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 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 process 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 event, request an adjustment in the family contribution, the documents submitted or the reasons will be verified by the Housing 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 reasonable 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 Housing 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; and
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.

## X Housing Quality Standards and Inspections

### A. 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 item 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 Housing 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.

B. 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.

## XI Lease Approval and Contract Execution

A. Program Requirements

The Municipality of Aguas Buenas 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:

1. The unit has been inspected by the Municipality and it has been determined that the dwelling unit satisfies the HQS;
2. 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.

C. 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 Aguas Buenas 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.

D. Notice to Family and Owner

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

E. Procedure After PHA approval

When the Municipality of Aguas Buenas 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 Housing Director will closely work with both the family and the owner to expedite this same procedure. At this time, the Housing Director will coordinate with the owner, 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 Aguas Buenas.

F. Landlord Rejections

It will be the policy of the Municipality of Aguas Buenas 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:

1. 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;
2. 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 Aguas Buenas

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 or 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 noncompliance 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 Aguas Buenas 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.

## XII 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 Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas, 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 Aguas Buenas information requested by the Municipality on rents charged by the owner for other units in the premises or elsewhere.

Additionally, the Housing 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 Housing Director based on the survey conducted by the Housing Inspector in the form used by the Municipality of Aguas Buenas 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.

## XIII 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 Aguas Buenas 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 Aguas Buenas 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.

## XVI 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 Aguas Buenas (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. If the family is an FSS Family and they are in their first year of the

executed contract of participation.

4. The initial PHA may also deny a move under grounds covered by section 982.552 of the Federal Register.
5. 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 QHWRA

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 receiving 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 requisition the 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.

## XV 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 Aguas Buenas 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 San Juan-Bayamon 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 Aguas Buenas 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’.”*

## XVI Policy statement about a family to prospective owners

It is the position of the Municipality of Aguas Buenas, 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:

### A. Payment of rent and utility bills;

- B. Caring for the unit and surrounding premise;
- C. Respect for the rights of others to the peaceful enjoyment of their dwelling unit;
- D. Drug related criminal activity or other criminal activity that may indeed pose a threat to the life, safety or property of others;
- E. Compliance with other essential conditions 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.

## XVII 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 Aguas Buenas 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 Aguas Buenas 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.

## XVIII 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 adequate housing so that the children need not be removed by the pertinent Government Agency into foster care as well as consider whoever retains custody of the minors shall retain possession of the Voucher.
4. The need for housing based upon the size of the family by age groups;
5. 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 Aguas Buenas will at all times an attempt to work with and satisfy the needs of all family members provided that they do in fact qualify for such ssistance and comply with existing federal regulations.

# XIX 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 receipt 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 as a basis for denying assistance to the family participant.

## 2. Hearing Procedures

The following represents the Municipality of Aguas Buenas established procedures for conducting an informal hearing for participants:

a. The family will be afforded an opportunity to review any PHA 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 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.

## XX 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 so informed in writing stating the reason for such a decision.

In the case of an overcrowded unit where it is determined by the Housing 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, thus, 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.

## XXI 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 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.

## XXII EVICTION

In the case where the owner requests an eviction he will be required to follow the contractual obligations and procedures and the Housing Director will be assisted by an-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.

## XXIII SPECIAL POLICIES CONCERNING SPECIAL HOUSING TYPES IN THE PROGRAM

### A. Policy-Type of Unit Required

1. 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:
  - a. The Municipality will give elderly families a preference in admission to projects for the elderly;
  - b. The Municipality has agreed not to set a minimum age for the admission of disabled or physically challenged persons;
  - c. The Municipality will not exclude elderly families with children having units of the appropriate size;
  - d. 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.
2. 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.
3. Moreover, the Municipality is cognizant of the storage of suitable housing units located within Aguas Buenas. Being aware of this, the Municipality of Aguas Buenas will do everything within its means to provide suitable housing that meets with the needs of the families as well as comply with existing HQS regulations as set forth in CFR 982.401.
4. An example of suitable housing would be one located above a bar. Therefore, the Municipality's policy is one where the unit will be approved on a conditional basis. The condition being that the family wishing to relocate to such a unit would not be approved by the PHA if there are minors present, the reasoning being that the location would represent an unsuitable area for the minors. If the family composition consists of adults and the family wishes to occupy such a unit then approval will be granted.
5. Another example is a unit located above a gas station. The policy of the Municipality of Aguas Buenas is one, whereby, the owner will be requested to have the local Fire Marshall inspect such a unit and obtain approval by the Fire Department that such a unit is suitable

for living. Should such approval be received from the Fire Department, then with said certification of suitability, the unit will be approved for the occupancy by the family wishing to relocate there. Also, approval will requested from the local Housing Inspector and should no Housing Inspector be present then approval of compliance with HQS will be needed by the Certified HQS Housing Inspector.

#### 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:

1. Meet with homeowners who posses the proper sized units for the families involved and attempt to persuade them to accept these families;
2. Meet with representatives of the State Housing Department and Family Department in order to obtain assistance to resolve the problems;
3. 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.

## XXIV 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.

## XXV 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.

## XXVI 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 our Family Self Sufficiency Program;
  - d. 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.

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.

## XXVII 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;

## XXVIII THE PROCESS FOR ESTABLISHING AND REVISING PAYMENT STANDARDS, INCLUDING AFFORDABILITY ADJUSTMENTS

### A. 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 Aguas Buenas has a payment standard of 95% 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:

0 BR	1 BR	2 BR	3 BR	4 BR
318	389	459	574	644

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.

B. Determination of Unit Size in Relation to Family Composition

The Municipality of Aguas Buenas 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.

## XXIX MONITORING PROGRAM PERFORMANCE

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

- b. 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.
- c. Determine Reasonableness of Rents prior to signing a HAP contract.
- d. That HAP's and utility payments are completed and made on schedule.
- e. The Housing Quality Standards are met and are conducted in a timely manner as required by QHWRA.
- f. That the income eligibility requirement under the QHWRA is fulfilled.
- g. That families are neither discriminated against nor abused.
- h. That outreach efforts to both, landlords and families, are adequate.
- i. 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.
- j. That reporting to MTCS is fully complied with and on time.
- k. That the PHA annual plan is being adhered to as required under QHWRA.
- l. Adequacy of allowance for utilities and revision of the same at least annually utilizing established procedures.
- m. 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 Housing Director, hence, complementing it with municipal resources.

## XXX POLICIES AND PROCEDURES

- B. 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.

## XXXI 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:

- A. **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.
- B. **Very low-income family** - A family whose income does not exceed 50 percent of the Median Income for the area, as determined by HUD.
- C. **Full-time student** - A person who is attending school or vocational training on a full-time basis.
- D. **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.
- E. **Tenant Rent** - the amount payable monthly by the family as rent to the unit owner.
- F. **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.
- G. **Exception Rent** - an amount that exceeds the published FMR.
- H. **Family Self-Sufficiency Program (FSS Program)** -The program that is established by a PHA in accordance with 24 CFR part 984 to promote self-sufficiency of assisted families, including the coordination of supportive services.
- 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.

## XXXII 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:

- b. 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.
- c. 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 Aguas Buenas and the corresponding actions.

MUNICIPALITY OF AGUAS BUENAS  
RQ 082

ANNUAL PLAN  
FY 2000-2001



Hon. Buenaventura Dávila  
Mayor

Joseph R. Montalvo  
Housing 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 Aguas Buenas has established the Housing Department 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:

- 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.
- C. 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. The programs being administer by the Municipality of Aguas Buenas are as follows:

- 2. HOPWA – a program geared to provide assistance to a member of the family that is HIV positive or has AIDS. This is done in conjunction with the Municipality of San Juan. We have a partnership to administer this same program.

3. Family Unification Program – a program geared to provide assistance to extremely low-income and moderate income families whereby they are threaten by the Commonwealth Child Welfare Agency in the removal of the children from the home due to the environment under which they live, or have already been removed. In essence, the family needs a safe, decent and sanitary dwelling units so that the family maybe united. Our Municipality in conjunction with the Commonwealth Department of the Family administers this program.
4. 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 is 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 families, which is directly related to both the major commitments and priorities of the U. S. Department of Housing and Urban Development (HUD). The Municipality of Aguas Buenas is Tenant-based (Section 8) only PHA.

The Annual Plan of Aguas Buenas as presented herein 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 Aguas Buenas has established a unified vision of community actions. This same Plan will permit Aguas Buenas 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 ensuring 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, as well as 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 Aguas Buenas is not seeking funding on behalf of an eligible metropolitan statistical area under the HOPWA program, the needs described for housing and supportive services DO NOT address the needs of persons with HIV/AIDS and their families throughout the eligible metropolitan statistical area.

#### E. 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 Aguas Buenas, has a total of some 7,142 housing units, of which some 4,843 units are occupied by very low income families, 1,205 units by low income families, 351 units by moderate income families and some 717 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 7,142 year-round housing units within the Municipality of Aguas Buenas, some 1,738 units are occupied by renter's on a year-round basis, of which 1,498 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 510 units by the year 2004, for a total renter household size of 2,248. 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 510 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 1,738, some 805 rental households bearing a cost burden in excess of 30% of income, while at the same time some 328 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 342 units were found to be in deteriorating or dilapidated condition.

E. Overcrowded Units

According to the CHAS Data book dated 1990 there were some 298 renters occupied housing units which were classified as being in an overcrowded condition. Additionally, some 44.4% 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 AGUAS BUENAS

### RENTER HOUSEHOLDS BY INCOME GROUPS: 1990

RENTER HOUSEHOLDS	EXTREMELY LOW INCOME (0-30%)	VERY LOW INCOME (31-50%)	LOW INCOME (51-80%)	MODERATE INCOME (81-95%)	TOTAL
ELDERLY	98	61	13	0	172
SMALL FAMILIES	621	198	147	37	1,003
LARGE FAMILIES	307	54	70	0	431
OTHER	68	42	22	0	132
TOTAL	1094	355	252	37	1738

#### F. Elderly Rental Households

According to the 1990, CHAS Data book, there was a total of some 172 renter households within the Municipality of Aguas Buenas of which 98 were classified as being of extremely low income, 61 households classified as being very low income and 13 households classified as being of low income.

#### G. Cost Burden

Within this same income category involving elderly households, some 98 were within the 0-30%, 61 households were within 21-50% range while 13 households were within 51-80% range for a total 172.

#### H. Small Family Rental Households

The small family rental household category, some 1,003 households, represented the following numbers:

2. 621 units were classified as being of extremely low income;
3. 198 units were classified as being of very low income;
4. 147 units were classified as being of low income;
5. 37 units were classified as being of moderate income.

#### I. Cost Burden

Within this same Small Family renter's household group some 61.9% of the households were classified as being of extremely low income, 19.7% households of very low income, 14.65% households of low income, and finally, 3.69% 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 431 large rental household families, of which some 307 were classified as being of extremely low income; 54 were classified as very low income and some 70 large family renter households representing low income families.

#### K. Cost Burden

Within this same large family renter's household income group of some 307 households fall within the 0-30% group, 54 such households are within the 31-50% range, and 70 households are classified within the 51-80% range.

#### L. Homeless Persons

From a review of available reliable statistical data available at the present time, the Municipality of Aguas Buenas does not possess any

homeless persons. Perhaps one of the reasons may be, that (1) Aguas Buenas is a rather small community 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 Aguas Buenas is adjacent to such major metropolitan areas such as Bayamon, San Juan, Guaynabo, and Caguas which possess the latter sites which attract homeless persons, they would tend to relocate to these other areas and thus freeing Aguas Buenas of having to deal with this same problem.

Since Aguas Buenas 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 Aguas Buenas 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, Aguas Buenas with a 1990 total population of some 25,424, it is estimated that 458 persons are classified as having a developmental disability.

N. Persons With Physical and Developmental Disabilities

Within Aguas Buenas the 458 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 Aguas Buenas. These same services are rendered in all adjacent municipalities - Guaynabo, Caguas, San Juan and Bayamon.

Within Aguas Buenas 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 Aguas Buenas will require some 150 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 Aguas Buenas were estimated based on various sources such as the 1990 Census, Puerto Rico Planning Board, Puerto Rico Department of Housing, and the local Housing Department. Housing needs in most communities of which Aguas Buenas 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 cost;
- 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 Aguas Buenas 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 2,428 housing units within the Municipality of Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas 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 \$30,000. 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 \$375 to \$700 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 300 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 Aguas Buenas area as follows:

<b>HOUSEHOLDS</b>	<b>TOTAL</b>
YEAR ROUND UNITS	8,083
VACANT	942
FOR RENT	145
FOR SALE	57
OCCUPIED	7,096
RENTER OCCUPIED	1,814
OWNERS PAYING >30% HOUSING RATES	822
RENTERS PAYING >30% HOUSING RATES	605
UNITS LACKING COMPLETE PLUMBING FACILITIES	510
VERY LOW INCOME (UNITS)	1,100
LOW INCOME (UNITS)	1,723
MODERATE INCOME (UNITS)	1,614

**PERCENT OF RENTER HOUSEHOLDS WITH INCOMES BELOW 51%:**

HAMFI:

Elderly 95.60%

Small Family	79.0%
Large Family	83.7%

**INCIDENCE OF OVERCROWDED HOUSEHOLDS:**

Renters	16.0%
Owners	18.4%

**BEDROOM SIZE:**

<b><u>Renter Occupied -</u></b>		<b><u>Owner Occupied -</u></b>	
0-1	323	0-1	401
2	690	2	1,448
3	801	3	3,433
<b>TOTAL</b>	<b>1,814</b>	<b>TOTAL</b>	<b>5,282</b>

It should be noted, that the total population or some 25,424 persons reside on only some 30.6 square miles, representing a population density of some 830.8 persons per square mile.

Because of Aguas Buenas 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 acquiring individual units way beyond the reach of low income families.

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

Housing Choice Vouchers -68-

Family Unification Vouchers	-50-
Family Self-Sufficiency	<u>-25-</u>
Total Tenant-based units	
Administered by the Municipality	143

The need for secure, decent and sanitary housing within the Municipality of Aguas Buenas, is the fact that there is some 300 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 300 families requesting housing under the Tenant-based Subsidized Housing Program represent some 1,050 persons or 1.18% of the total Municipal population.

The following table represents the households by income groups within Aguas Buenas:

ALL HOUSEHOLDS				
TOTAL	INCOME GROUPS			
	Very Low	Other Low	Moderate	Above
7,142	4,843	1,231	351	717

**B. Structural/Vacancy Characteristics**

The 1990 U.S. Census of Population and Housing, indicate that of a total of some 8,083 housing units within the Municipality of Aguas Buenas, some 5,815 are classified as being single detached units while 1,651 units are one unit attached (duplex) units, and 339 housing units being within the 2 to 4 unit complex, and finally 203 housing units being classified as being within the five or more unit category.

This same U.S. Census of Population indicates that some 630 housing units are lacking complete plumbing facilities with a mean number of rooms being 4.6. The rental vacancy rate is listed as being 7.3, while the owners' vacancy rate is 1.2.

**C. Demand for Housing**

There clearly is a demand for housing within Aguas

Buenas, due primarily to its location. The Municipality of Aguas Buenas is adjacent to such metropolitan areas such as Guaynabo, San Juan, Bayamon, and Caguas, and possess the necessary major highways connecting with each of these same areas. The desire for housing within Aguas Buenas is primarily among the residents - sons and daughters of residents of Aguas Buenas, as a result of a 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 Aguas Buenas 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 cost;
6. Financing;
7. Interest payments;
8. Return of investment by either a financial institution and/or developer.

Aguas Buenas like so many other communities across this nation, must out of necessity, be forced to deal with one of the basic human needs, 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 Aguas Buenas, has a total of 83.3 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:

PERCENT OF OWNER HOUSEHOLDS WITH ANY HOUSING PROBLEMS: 1990			
ALL HOUSEHOLDS			
PERCENT OF INCIDENCE BY INCOME GROUP			
TOTAL	0-30%	31-50%	51-80%
75.9	89.2	78.3	84.4

Source: CHAS Data Book (1990)

The following table represents a fairly accurate analysis of the Market and Inventory Conditions of the Municipality of Aguas Buenas:

MARKET AND INVENTORY CONDITIONS					
CATEGORY	TOTAL	VACANCY RATE %	BEDROOM (0-1)	BEDROOM (2-4)	BEDROOM (5 OR MORE)
TOTAL YEAR	10,176		884	2,490	6,802
OCCUPIED UNITS	7,096	8.5	724	2,138	6,372
OWNER	5,282	1.2	401	1,448	3,433

RENTER	1,814	7.3	323	690	801
VACANT UNITS	940		160	352	430
FOR SALE	57	1.2	2	27	28
FOR RENT	145	7.3	48	56	41
OTHER	740		110	269	361

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 Aguas Buenas.

**Without exception of the total housing units (10,176), some 7,096 are occupied on a year round basis. In this regard, of the total occupied units (7,096), some 5,282 are occupied by the owner while the remainder 1,814 are occupied by renters, with the balance or 940 units being vacant.**

It should be noted again, that the 940 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 Aguas Buenas has according to the CHAS Data Book on Puerto Rico has among renters a total of 16 percent the incidence by income groups of being overcrowded, as that of some 18.4 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:

INCIDENCE OF OVERCROWDED HOUSEHOLDS: 1990				
PERCENT INCIDENCE BY INCOME GROUP				
CATEGORY	TOTAL	0-30%	31-50%	51-80%
<i>All Renters</i>	16.0	18.6	7.0	11.5
<i>Large Renters</i>	44.4	50.2	24.1	35.7
<i>All Owners</i>	18.4	20.0	22.1	15.5

<b>Owners Other Elderly</b>	22.2	27.3	25.0	17.4
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G. Identification of Concentrations of Low Income Areas/Racial-Ethnic Minorities

Due to Aguas Buenas'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 70% 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 Aguas Buenas has a one year goal to provide assistance of upwards to approximately 60 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 Aguas Buenas, 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 Aguas Buenas 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 successfully administered Self Sufficiency Program.

C. Target available assistance to Families with special needs

1. HOPWA Program-

The Municipality of Aguas Buenas cognizant of the needs of families that are infected with the HIV virus and have very limited economic resources with which to combat this disease has joined a consortium with the Municipality of San Juan to secure the funding necessary to provide safe, decent and sanitary housing for eligible families. The Municipality of San Juan is the lead PHA in this consortium.

2. Family Unification Program-

Aware of the fact that extremely low income families do not have the means with which to have a decent, secure and sanitary housing due to other hardships that they encounter on a day to day basis, the Municipality of Aguas Buenas has developed and implemented a Program to maintain families together. Victims of domestic violence

face financial hardships when the main bread winner is the aggressor and threatens the lives of his family as well as the one that has to vacate the dwelling or the family must separate because of the volatile situation in which they must endure.

Furthermore, these same families must also face social as well as psychological problems which in turns lower their self esteem. This effect as a wall for the family, whereby, they are unable to overcome these obstacles. When the family becomes frustrated they then become abusers themselves and take out their frustration on the children. Because of this, the Family Department or rather, the Child Welfare Agency, must intervene on behalf of the young and remove them to a safe place until the Courts decide what the next step will be.

To avoid the aforementioned situations, the Municipality of Aguas Buenas and the Commonwealth of Puerto Rico, Department of the Family, has joined forces to provide this same families decent, secure and sanitary housing. For the first time in the history of the Municipality, a Memo of Understanding was signed so that information could be exchanged between the two government agencies and the proper referrals can be made so to assist these families in need.

### 3. 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 Aguas Buenas 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 175 families that are currently enjoying the benefits of the Municipality of Aguas Buenas' tenant-based housing assistance program, we will be submitting for HUD approval the following budget:

SUBSIDIZED HOUSING BUDGET FOR HUD APPROVAL	
PROGRAM	BUDGET ESTIMATE
<b>Housing Choice Voucher Program</b> Activities: Tenant-based Housing Assistance for 68 families.	\$ 385,640.00
<b>Family Self Sufficiency Program</b> Activities: Tenant-based Housing Assistance for 25 families.	\$ 144,000.00
<b>Family Unification Program</b> Activities: Tenant-based Housing Assistance for 50 families.	\$ 383,900.00
<b>TOTAL ESTIMATE OF BUDGET TO BE SUBMITTED TO HUD FOR APPROVAL</b>	\$ 913,540.00
OTHER PROGRAMS ADMINISTERED BY PHA	BUDGET ESTIMATE
<b>HOPWA Program</b> Activities: Tenant -based Housing Assistance for 24 families.	\$ 85,000.00
<b>Portability Program</b> Activities: Tenant-based Housing Assistance for 13 families.	\$ 45,000.00
<b>Program Administration</b>	\$ 157,822.00
<b>SUB-TOTAL FOR BUDGET NOT APPROVED BY HUD</b>	\$ 287,822.00
<b>TOTAL FOR THE MUNICIPALITY OF AGUAS</b>	\$ 1,201,362.00

## 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 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 Housing 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:

- |   |  |
|---|--|
| <u>2. Family Composition</u>                                | <u>Birth, marriage and birth certificates, a family photograph, sworn statements, school records</u> |
| <u>3. Special Medical Needs which require larger units.</u> | <u>Medical Certificates</u>  |
| <u>4. Income from wages</u>                                 | <u>Verification forms from the employer.</u>   |
| <u>5. Social Security</u>                                   | <u>Verification from the S.S. office or through HUD's website.</u>                                   |
| <u>6. State Disability and other pensions</u>               | <u>Verification forms from an employer.</u>  |
| <u>7. Welfare payments</u>                                  | <u>Verifications form from State Department of the Family agency.</u>                                |
| <u>8. Unemployment compensation</u>                         | <u>Verifications form from State Agency (Form W-5).</u>  |
| <u>9. Alimony and child support</u>                         | <u>Court Records. A copy of the divorce decree as well as form from the appropriate State</u>        |

Agency "ASUME."

- |  |                  |   |
|--|------------------|---|
| <u>10. Family Assistance</u>                       | <u>financial</u> | <u>Letter form from a benefactor.</u>   |
| <u>11. Family type (Elderly or Disabled)</u>       |                  | <u>From appropriate agency granting benefits and birth certificate.</u>   |
| <u>12. Full-time student status (18 or older).</u> |                  | <u>A letter from school or college</u>  |
| <u>13. Scholarships-grants</u>                     |                  | <u>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.</u> |
| <u>14. Income Interest and Dividends</u>           |                  | <u>Verification from bank, or financial institution, bank passbooks, etc.</u>   |
| <u>15. Assets</u>                                  |                  | <u>Written form from appropriate financial institution or source. In case of rental income, a written statement from the person paying the rent.</u>  |
| <u>16. Applicant Screening</u>                     |                  | <u>A Certificate of Good Conduct from State Police Department this as per QHWRA of 1998.</u>  |

16. Other

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

Q. 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 Aguas Buenas' 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 Aguas Buenas 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 Aguas Buenas 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. Applicant names

b. Family composition (adults/children, age/sex)

c. Date and time of application

d. Qualification for any ranking preference or local preference

e. Racial or ethnic designation of the head of household

f. **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.**

8. 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:

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

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.

9. 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 Housing Department to file an updated application. By visiting the Housing Department, 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 Aguas Buenas.

E. Request for hardship exemption

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

2. If the Municipality of Aguas Buenas determines that

there is a qualifying financial hardship, but that it is temporary, the Municipality of Aguas Buenas 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 Aguas Buenas has determined that there is no qualifying hardship exemption, the Municipality of Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas' 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 Aguas Buenas has a payment standard of 95% 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:

<u>0 BR</u>	<u>1 BR</u>	<u>2 BR</u>	<u>3 BR</u>	<u>4 BR</u>
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316	387	456	571	640
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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 Aguas Buenas 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 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.

J. Affordability Adjustments

Upon recertification/redetermination of the applicant, any adjustments will be to the appropriate Payment Standard established by the PHA. Where it is 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 Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas 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.**

With this in mind, the Municipality of Aguas Buenas 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 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 provide 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 15 families.
4. Funding levels.

The Municipality of Aguas Buenas will take deliberate 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 Aguas Buenas 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 25 families of low and very low income. It has been successful in the implementation of said programs due to the hard work and motivation provide by not only the Housing 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, actual FSS participants, 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 Aguas Buenas 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 Aguas Buenas 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 Aguas Buenas, 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 Aguas Buenas were constructed prior to being informed that lead based paint represented a health hazard to all the members of the household, and the effect this same problem has upon children, the Municipality of Aguas Buenas 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.

Aguas Buenas feels rather strongly, that in order to create an

effective system of abatement services it must coordinate its activities with other state agencies dealing with this same problem.

Aguas Buenas 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 Aguas Buenas, 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 Aguas Buenas has submitted to the HUD local office in Puerto Rico the findings of the most recent Single Audit which found the locally administered Tenant-based Assistance Program (Section 8) to be in compliance with established HUD rules and regulations.

#### 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 Aguas Buenas 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 Aguas Buenas 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 Housing Department within the Municipality of Aguas Buenas 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 Family Unification 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 Aguas Buenas.

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 Aguas Buenas 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.