

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

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Small PHA Plan Update  
Annual Plan for Fiscal Year: 2001-2002

**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 Peñuelas

**PHA Number:** RQ019

**PHA Fiscal Year Beginning: (mm/yyyy)** 07/2001

**PHA Plan Contact Information:**

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Phone: 787-836-1218

Name: Zelideth Colon-Laboy, Section 8 Coordinator  
Phone: 787-836-3030

TDD:

Email (if available): opfp@coqui.net

**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

**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
- Main administrative office of the local, county or State government-Mayor's Office
- Public library
- PHA website
- Other (list below)

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

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

**PHA Programs Administered:**

- Public Housing and Section 8       Section 8 Only       Public Housing Only

**Annual PHA Plan**  
**Fiscal Year 2001**  
 [24 CFR Part 903.7]

**i. Table of Contents**

Provide a table of contents for the Plan, including attachments, and a list of supporting documents available for public inspection. For Attachments, indicate which attachments are provided by selecting all that apply. Provide the attachment's name (A, B, etc.) in the space to the left of the name of the attachment. 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.

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**Attachments**

- Attachment A: Supporting Documents Available for Review
- Attachment B: Capital Fund Program Annual Statement
- Attachment C: Capital Fund Program 5 Year Action Plan
- Attachment D: Capital Fund Program Replacement Housing Factor Annual Statement
- Attachment E: Public Housing Drug Elimination Program (PHDEP) Plan
- Attachment F: Resident Membership on PHA Board or Governing Body
- Attachment G: Membership of Resident Advisory Board or Boards
- Attachment H: Comments of Resident Advisory Board or Boards & Explanation of PHA Response (must be attached if not included in PHA Plan text)
- Attachment I: Required Attachments
- Other (List below, providing each attachment name)

**Annual Plan Supplement – rq019a02**  
**Organizational Chart - rq019b02**

## **ii. Executive Summary**

[24 CFR Part 903.7 9 (r)]

At PHA option, provide a brief overview of the information in the Annual Plan

This same **Annual Plan** is a continuation of a process that was started in Fiscal Year 2000 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.

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

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

Because 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 Municipality of Peñuelas administers the following program:

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

The purpose of the Municipal Tenant-based (Section 8) program was conceived to assist the families during financial distress and gradually reduce the amount paid by the program in an efficient manner, while at the same time motivating these same families. Furthermore, there is an undeniable need for low-income housing within the Municipality of Peñuelas as evidenced by the waiting list as well as the latest U.S. Census of Population. There also exists a need for quality housing units for program participants but there is not an abundance of affordable housing for low-income families within this same Municipality. Being cognizant of this, our Municipality has established realistic and

attainable goals, whereby, particular thought has been given to the number of families which can be expected to need and want better housing. By setting attainable goals, the Municipality intends to become a facilitator for those in need and for those who have available units by coming together in a manner beneficial to all principals. This is in direct relation to both the major commitments and priorities of the U. S. Department of Housing and Urban Development (HUD). **The Municipality of Peñuelas is a Tenant-based (Section 8) only PHA.**

This same Annual Plan of Peñuelas 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 Peñuelas has established a unified vision of community actions. This same Plan will permit Peñuelas a chance to shape the various programs presented herein into effective, viable, and coordinated strategies, involving citizen participation.

### **1. Summary of Policy or Program Changes for the Upcoming Year**

In this section, briefly describe changes in policies or programs discussed in last year's PHA Plan that are not covered in other sections of this Update.

The Municipality of Peñuelas does not contemplate any significant changes or deviation in its policies or programs from the previous year's PHA Plan that is not covered in other sections of this same Plan. The following represents what the Municipality will be doing for the fiscal year 2001-2002 in relation to its subsidized housing program.

### **2. Capital Improvement Needs**

[24 CFR Part 903.7 9 (g)]

Exemptions: Section 8 only PHAs are not required to complete this component.

A.  Yes  No: Is the PHA eligible to participate in the CFP in the fiscal year covered by this PHA Plan?

B. What is the amount of the PHA's estimated or actual (if known) Capital Fund Program grant for the upcoming year? \$ \_\_\_\_\_

C.  Yes  No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete the rest of Component 7. If no, skip to next component.

D. Capital Fund Program Grant Submissions

#### **(1) Capital Fund Program 5-Year Action Plan**

The Capital Fund Program 5-Year Action Plan is provided as Attachment

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

The Capital Fund Program Annual Statement is provided as Attachment

### 3. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

Applicability: 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 next component ; if “yes”, complete one activity description for each development.)

#### 2. Activity Description

<b>Demolition/Disposition Activity Description (Not including Activities Associated with HOPE VI or Conversion Activities)</b>
1a. Development name:
1b. Development (project) number:
2. Activity type: Demolition <input type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission: (DD/MM/YY)
5. Number of units affected:
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Relocation resources (select all that apply) <input type="checkbox"/> Section 8 for     units <input type="checkbox"/> Public housing for     units <input type="checkbox"/> Preference for admission to other public housing or section 8 <input type="checkbox"/> Other housing for     units (describe below)
8. Timeline for activity: a. Actual or projected start date of activity: b. Actual or projected start date of relocation activities: c. Projected end date of activity:

#### **4. Voucher Homeownership Program**

[24 CFR Part 903.7 9 (k)]

- A.  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 next component; if “yes”, describe each program using the table below (copy and complete questions for each program identified.)

#### **B. Capacity of the PHA to Administer a Section 8 Homeownership Program**

The PHA has demonstrated its capacity to administer the program by (select all that apply):

- Establishing a minimum homeowner downpayment requirement of at least 3 percent and requiring that at least 1 percent of the downpayment comes from the family’s resources
- Requiring that financing for purchase of a home under its section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards
- Demonstrating that it has or will acquire other relevant experience (list PHA experience, or any other organization to be involved and its experience, below):

#### **5. Safety and Crime Prevention: PHDEP Plan**

[24 CFR Part 903.7 (m)]

Exemptions Section 8 Only PHAs may skip to the next component PHAs eligible for PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- A.  Yes  No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?

B. What is the amount of the PHA’s estimated or actual (if known) PHDEP grant for the upcoming year? \$ \_\_\_\_\_

- C.  Yes  No Does the PHA plan to participate in the PHDEP in the upcoming year? If yes, answer question D. If no, skip to next component.

D.  Yes  No: The PHDEP Plan is attached at Attachment \_\_\_\_\_

## **6. Other Information**

[24 CFR Part 903.7 9 (r)]

### **A. Resident Advisory Board (RAB) Recommendations and PHA Response**

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 Attached at Attachment (File name) Required Attachment H
3. In what manner did the PHA address those comments? (select all that apply)
  - The PHA changed portions of the PHA Plan in response to comments  
A list of these changes is included  
 Yes  No: below or  
 Yes  No: at the end of the RAB Comments in Attachment \_\_\_\_.
  - Considered comments, but determined that no changes to the PHA Plan were necessary. An explanation of the PHA's consideration is included at the at the end of the RAB Comments in Attachment H.
  - Other: (list below)

### **B. 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: (provide name here)  
**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.
  - 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 specific initiatives contained in the Consolidated Plan. (list such initiatives below)
  - Other: (list below)
3. PHA Requests for support from the Consolidated Plan Agency  
 Yes  No: Does the PHA request financial or other support from the State or local government agency in order to meet the needs of its public housing residents or inventory? If yes, please list the 5 most important requests below:

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

### **C. Criteria for Substantial Deviation and Significant Amendments**

#### **1. Amendment and Deviation Definitions**

24 CFR Part 903.7(r)

PHAs are required to define and adopt their own standards of substantial deviation from the 5-year Plan and Significant Amendment to the Annual Plan. The definition of significant amendment is important because it defines when the PHA will subject a change to the policies or activities described in the Annual Plan to full public hearing and HUD review before implementation.

#### **A. Substantial Deviation from the 5-year Plan:**

In accordance with established HUD rules and regulations, the following will be the basic criteria that will be utilized by the Municipality of Peñuelas 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 (i.e., minimum rent), admission policies and/or organization of the waiting list;
- Additions of new activities not included in the current Annual Plan;
- Any change with regard to the administration of the current programs handled by the Municipality of Peñuelas.

#### **B. Significant Amendment or Modification to the Annual Plan:**

**SAME AS ABOVE**

**Attachment A**  
**Supporting Documents Available for Review**

PHAs are to indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
x	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
x	State/Local Government Certification of Consistency with the Consolidated Plan (not required for this update)	5 Year and Annual Plans
	Fair Housing Documentation Supporting Fair Housing Certifications: 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	Housing Needs Statement of the Consolidated Plan for the jurisdiction/s in which the PHA is located and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Police Officers in Public Housing <input type="checkbox"/> check here if included in the public housing A&O Policy	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan <b>REVISED COPY OF ADM PLAN SUBMITTED WITH 5-YEAR PLAN TO HUD LOCAL OFFICE.</b>	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public housing rent determination policies, including the method for setting public housing flat rents <input type="checkbox"/> 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 <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Rent Determination

**List of Supporting Documents Available for Review**

<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
x	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan <b>SECTION IX PAGE 28 ADMINISTRATIVE PLAN</b>	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
	Results of latest binding Public Housing Assessment System (PHAS) Assessment	Annual Plan: Management and Operations
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
X	Any required policies governing any Section 8 special housing types <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan <b>SECTION 23, PAGE 48 ADMINISTRATIVE PLAN</b>	Annual Plan: Operations and Maintenance
	Public housing grievance procedures <input type="checkbox"/> check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan <b>SECTION 14, PAGE 36 ADMINISTRATIVE PLAN</b>	Annual Plan: Grievance Procedures
	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for any active grant year	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants	Annual Plan: Capital Needs
	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
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing §504 of the Rehabilitation Act and the Americans with Disabilities Act. See, PIH 99-52 (HA).	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

**List of Supporting Documents Available for Review**

<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
	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, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937	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 <b>(section V, PAGE 5 OF THE CURRENT ANNUAL PLAN AND SECTION 23, PAGE 48 of the Section 8 Administrative Plan)</b>	Annual Plan: Homeownership
	Cooperation agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8 <b>COPY OF PLAN SUBMITTED WITH 5-YEAR TO LOCAL HUD OFFICE</b>	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E	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	Annual Plan: Safety and Crime Prevention
	PHDEP-related documentation: <ul style="list-style-type: none"> <li>· Baseline law enforcement services for public housing developments assisted under the PHDEP plan;</li> <li>· Consortium agreement/s between the PHAs participating in the consortium and a copy of the payment agreement between the consortium and HUD (applicable only to PHAs participating in a consortium as specified under 24 CFR 761.15);</li> <li>· Partnership agreements (indicating specific leveraged support) with agencies/organizations providing funding, services or other in-kind resources for PHDEP-funded activities;</li> <li>· Coordination with other law enforcement efforts;</li> <li>· Written agreement(s) with local law enforcement agencies (receiving any PHDEP funds); and</li> <li>· All crime statistics and other relevant data (including Part I and specified Part II crimes) that establish need for the public housing sites assisted under the PHDEP Plan.</li> </ul>	Annual Plan: Safety and Crime Prevention
	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G) <input type="checkbox"/> check here if included in the public housing A & O Policy	Pet Policy

**List of Supporting Documents Available for Review**

<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
X	The results of 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 PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)



**Annual Statement/Performance and Evaluation Report  
 Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary**

<b>PHA Name:</b>	<b>Grant Type and Number</b> Capital Fund Program: Capital Fund Program Replacement Housing Factor Grant No:	<b>Federal FY of Grant:</b>
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**Original Annual Statement**
 **Reserve for Disasters/ Emergencies**
 **Revised Annual Statement (revision no:    )**  
 **Performance and Evaluation Report for Period Ending:**
 **Final Performance and Evaluation Report**

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
24	Amount of line 20 Related to Energy Conservation Measures				





## Capital Fund Program 5-Year Action Plan

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.

CFP 5-Year Action Plan		
<input type="checkbox"/> Original statement <input type="checkbox"/> Revised statement		
Development Number	Development Name (or indicate PHA wide)	
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>		

## PHA Public Housing Drug Elimination Program Plan

**Note: THIS PHDEP Plan template (HUD 50075-PHDEP Plan) is to be completed in accordance with Instructions located in applicable PIH Notices.**

### **Section 1: General Information/History**

**A. Amount of PHDEP Grant \$** \_\_\_\_\_

**B. Eligibility type (Indicate with an “x”)**      N1 \_\_\_\_\_ N2 \_\_\_\_\_ R \_\_\_\_\_

**C. FFY in which funding is requested** \_\_\_\_\_

### **D. Executive Summary of Annual PHDEP Plan**

In the space below, provide a brief overview of the PHDEP Plan, including highlights of major initiatives or activities undertaken. It may include a description of the expected outcomes. The summary must not be more than five (5) sentences long

### **E. Target Areas**

Complete the following table by indicating each PHDEP Target Area (development or site where activities will be conducted), the total number of units in each PHDEP Target Area, and the total number of individuals expected to participate in PHDEP sponsored activities in each Target Area. Unit count information should be consistent with that available in PIC.

PHDEP Target Areas (Name of development(s) or site)	Total # of Units within the PHDEP Target Area(s)	Total Population to be Served within the PHDEP Target Area(s)

### **F. Duration of Program**

Indicate the duration (number of months funds will be required) of the PHDEP Program proposed under this Plan (place an “x” to indicate the length of program by # of months. For “Other”, identify the # of months).

**12 Months** \_\_\_\_\_ **18 Months** \_\_\_\_\_ **24 Months** \_\_\_\_\_

**G. PHDEP Program History**

Indicate each FY that funding has been received under the PHDEP Program (place an “x” by each applicable Year) and provide amount of funding received. If previously funded programs have not been closed out at the time of this submission, indicate the fund balance and anticipated completion date. The Fund Balances should reflect the balance as of Date of Submission of the PHDEP Plan. The Grant Term End Date should include any HUD-approved extensions or waivers. For grant extensions received, place “GE” in column or “W” for waivers.

<b>Fiscal Year of Funding</b>	<b>PHDEP Funding Received</b>	<b>Grant #</b>	<b>Fund Balance as of Date of this Submission</b>	<b>Grant Extensions or Waivers</b>	<b>Grant Start Date</b>	<b>Grant Term End Date</b>
FY 1995						
FY 1996						
FY 1997						
FY1998						
FY 1999						

**Section 2: PHDEP Plan Goals and Budget**

**A. PHDEP Plan Summary**

In the space below, summarize the PHDEP strategy to address the needs of the target population/target area(s). Your summary should briefly identify: the broad goals and objectives, the role of plan partners, and your system or process for monitoring and evaluating PHDEP-funded activities. This summary should not exceed 5-10 sentences.

## B. PHDEP Budget Summary

Enter the total amount of PHDEP funding allocated to each line item.

<b>FFY _____ PHDEP Budget Summary</b>	
<b>Original statement</b>	
<b>Revised statement dated:</b>	
<b>Budget Line Item</b>	<b>Total Funding</b>
9110 – Reimbursement of Law Enforcement	
9115 - Special Initiative	
9116 - Gun Buyback TA Match	
9120 - Security Personnel	
9130 - Employment of Investigators	
9140 - Voluntary Tenant Patrol	
9150 - Physical Improvements	
9160 - Drug Prevention	
9170 - Drug Intervention	
9180 - Drug Treatment	
9190 - Other Program Costs	
<b>TOTAL PHDEP FUNDING</b>	

## C. PHDEP Plan Goals and Activities

In the tables below, provide information on the PHDEP strategy summarized above by budget line item. Each goal and objective should be numbered sequentially for each budget line item (where applicable). Use as many rows as necessary to list proposed activities (additional rows may be inserted in the tables). PHAs are not required to provide information in shaded boxes. Information provided must be concise—not to exceed two sentences in any column. Tables for line items in which the PHA has no planned goals or activities may be deleted.

<b>9110 – Reimbursement of Law Enforcement</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDE P Funding	Other Funding (Amount/ Source)	Performance Indicators
1.							
2.							
3.							

<b>9115 - Special Initiative</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount/ Source)	Performance Indicators
1.							
2.							
3.							

<b>9116 - Gun Buyback TA Match</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9120 - Security Personnel</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9130 – Employment of Investigators</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9140 – Voluntary Tenant Patrol</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9150 - Physical Improvements</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9160 - Drug Prevention</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9170 - Drug Intervention</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9180 - Drug Treatment</b>					<b>Total PHDEP Funding: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

<b>9190 - Other Program Costs</b>					<b>Total PHDEP Funds: \$</b>		
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

## Required Attachment F: Resident Member on the PHA Governing Board

1.  Yes  No: Does the PHA governing board include at least one member who is directly assisted by the PHA this year? (if no, skip to #2)

A. Name of resident member(s) on the governing board:

B. How was the resident board member selected: (select one)?

Elected

Appointed

C. The term of appointment is (include the date term expires):

2. A. If the PHA governing board does not have at least one member who is directly assisted by the PHA, why not?

the PHA is located in a State that requires the members of a governing board to be salaried and serve on a full time basis

the PHA has less than 300 public housing units, has provided reasonable notice to the resident advisory board of the opportunity to serve on the governing board, and has not been notified by any resident of their interest to participate in the Board.

Other (explain):

**The PHA is located in a State where the Housing Choice Voucher Program (Section 8 Tenant-Based), which is run by the local municipal government. The executive director of the PHA is the locally elected Mayor of the City.**

B. Date of next term expiration of a governing board member:

C. Name and title of appointing official(s) for governing board (indicate appointing official for the next position):

## **Required Attachment G: Membership of the Resident Advisory Board or Boards**

List members of the Resident Advisory Board or Boards: (If the list would be unreasonably long, list organizations represented or otherwise provide a description sufficient to identify how members are chosen.)

The Resident Advisory Board for the Municipality of Peñuela's locally administered Housing Choice Voucher Tenant-based Program was elected by the families benefiting from the Program. The Board is composed of twelve (12) members and the term for the board is one year. Annually the families come together to vote and elect their board members. The following is a list of the members that make up the board.

1. President  
  
Mrs. Carmen Marin  
PO Box 909  
Peñuelas, PR 00624-0909
2. Vice-President  
  
Mrs. Diana Z. Irizarry  
537 Juan Rodriguez Street  
Peñuelas, PR 00624
3. Secretary  
  
Mrs. Liz Mayra Rosario  
HC-01 Box 9401  
Peñuelas, PR 00624
4. Vocal  
  
Mrs. Omayra Sambolin  
PO Box 1012  
Peñuelas, PR 00624-1012
5. Vocal  
  
Mrs. Norma I. Rodriguez  
HC-01 Box 13314  
Peñuelas, PR 00624

6. Vocal  
  
Mrs. Luz Piñeiro  
HC-01 Box 15507  
Peñuelas, PR 00624
7. Vocal  
  
Ms. Vilmarie Padilla  
PO Box 1159  
Peñuelas, PR 00624-1159
8. Vocal  
  
Mrs. Lila Irizarry  
HC-01 Box 9931  
Peñuelas, PR 00624
9. Vocal  
  
Mrs. Elsie Cruz  
602 Cristobal Colon Street  
Peñuelas, PR 00624
10. Vocal  
  
Mr. Cristino Rodriguez  
PO Box 1193  
Peñuelas, PR 00624
11. Vocal  
  
Mrs. Yamaira Pagan  
201 65<sup>th</sup> Infanteria Street  
Peñuelas, PR 00624
12. Vocal  
  
Mrs. Melinda Ruiz  
RR02 Box 2039  
Peñuelas, PR 00624  
Mrs. María M. Cartagena Malave

**Required Attachment H: Resident Advisory Board (RAB)  
Recommendations and Response**

**The local RAB met and discussed the overall structure of the Annual Plan to be presented to HUD in accordance with established rules and regulations. The board approved the plan and thank the Municipality for allowing them to partake in the preparation of said plan.**

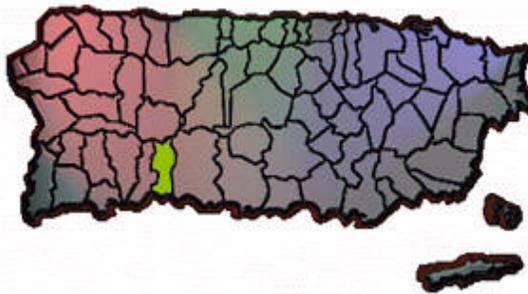
## **Required Attachment I: Required Attachments**

1. **Statement of Housing Needs is located in the attached annual supplement, Section VII, page 8.**
2. **Statement of PHA's Rent Determination is located in the attached annual supplement, Section X, page 24.**
3. **Statement of PHA's Grievance Procedure is located in the attached annual supplement, Section XII, page 29.**
4. **Statement of Progress is located in the attached annual supplement, Section III, page 3.**



**MUNICIPALITY OF  
PEÑUELAS  
RQ 019**

**ANNUAL PLAN  
FY 2001-2002**



**HON.  
TORRES**

**WALTER**

**MALDONADO  
MAYOR**

**JOSÉ L. CAMACHO  
DIRECTOR  
FEDERAL FUNDS OFFICE**

**ZELIDETH COLÓN LABOY  
SECTION 8 COORDINATOR**



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# I EXECUTIVE STATEMENT

This same Annual Plan is a continuation of a process that was started in Fiscal Year 2000 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.

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

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

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

This Municipality also administers various tenant-based subsidized housing programs geared towards certain sectors of the population in general to afford them the same opportunities as other extremely low-income and low-income families within the general population. The following program is administered by the Municipality of Peñuelas:

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

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

This same Annual Plan of Peñuelas 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 Peñuelas has established a unified vision of community actions. This same Plan will permit Peñuelas a chance to shape the various programs presented herein into effective, viable, and coordinated strategies, involving citizen participation.

## **II STATEMENT OF PROGRESS IN MEETING THE 5-YEAR PLAN MISSION AND GOALS**

Within the first year of its 5-Year Plan, the Municipality of Peñuelas has achieved the following:

- ❑ Consolidated the Section 8 Voucher and Certificate Program, respectively, into a single market-driven program.
- ❑ Has been actively promoting freedom of housing choice so as to achieve spatial deconcentration of extremely low income families within our homogeneous community.
- ❑ Continue with our established goal of providing improved conditions for extremely low-income families while maintaining their rent payments at an affordable level.

- Provide an incentive to private owners to rent their dwelling units to economically disadvantaged families by offering timely assistance payments and protection against unpaid rent, damages, and vacancy loss.

While the Municipality of Peñuelas is pleased with what has been accomplished so far, Peñuelas is very much cognizant of the long road ahead so as to meet the needs of its citizens. On an on-going basis, the Municipality of Peñuelas continues to evaluate the goals and strategies that have been established so that it can better meet the demand of housing.

### **III SUMMARY OF POLICY OR PROGRAM CHANGES FOR THE UPCOMING YEAR**

The Municipality of Peñuelas does not contemplate any significant changes or deviation in its policies or programs from the previous year's PHA Plan that is not covered in other sections of this same Plan. The following represents what the Municipality will be doing for the fiscal year 2001-2002 in relation to its subsidized housing program.

### **IV FINANCIAL RESOURCES**

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

Renters experience more housing problems than do homeowners as it clearly is demonstrated by the latest 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 Peñuelas has a one year goal to provide assistance of upwards to approximately 25 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 Peñuelas, 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 Peñuelas 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 Self Sufficiency Program.

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

**Family Self Sufficiency Program-**

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

**D. Available Funding Sources**

The Municipality of Peñuelas will submit for HUD's consideration its Annual Plan (FY 2001-2002) in accordance with CFR 24, Section 903.1.

In order to assist the needs of 142 families that are currently enjoying the benefits of the Municipality of Peñuelas's tenant-based housing assistance program, we will be submitting for HUD's approval the following budget:

<b>SUBSIDIZED HOUSING BUDGET FOR HUD APPROVAL</b>	
<b>PROGRAM</b>	<b>BUDGET ESTIMATE</b>
<b>Housing Choice Voucher Program, including Family Self Sufficiency Program</b>  Activities: Tenant-based Housing Assistance for 142 families.	<b>\$630,012.00</b>
<b>Program Administration</b>	<b>\$72,948.00</b>
<b>Total Estimate of Budget to be submitted to HUD for Approval</b>	<b>\$702,960.00</b>
<b>Total for the Municipality of Peñuelas' Housing Budget (Grand Total)</b>	<b>\$702,960.00</b>

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

One of the major objectives of the present Administration within the Municipality of Peñuelas 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.

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

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

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

Bearing this in mind, the Municipality of Peñuelas 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.

**□ PROVIDING FOR THE COORDINATION OF FUNDING:**

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

1. Assistance will be provided for:
  - a. First time homeowner
  - b. Family that owns or is acquiring shares in cooperative.
2. The Program will become available to families participating in our Family Self Sufficiency Program
3. The total family that will be serviced through this program will be limited to approximately 15 families.
4. Funding levels.

The Municipality of Peñuelas will take into account and consider the appropriate changes in order to improve the application process for all federal programs that may have a beneficial impact upon the local housing market and affect programs covered within the Five-Year Plan.

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

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

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

## **VII HOUSING NEEDS**

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

Since this same jurisdiction, namely the Municipality of Peñuelas is not seeking funding on behalf of an eligible metropolitan statistical area

under the HOPWA program, the needs described for housing and supportive services does not address the needs of persons with HIV/AIDS and their families throughout the eligible metropolitan statistical area.

#### 11 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 Peñuelas, has a total of some 5,893 housing units, of which some 4,421 units are occupied by very low income families, 907 units by low income families, 234 units by moderate income families and some 331 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:

- 01 Occupying units having physical defects or being in deteriorated state.
- 02 Classified as being overcrowded.
- 03 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.

#### 2562 Renter Households

Of the total 5,893 year-round housing units within the Municipality of Peñuelas, some 1,119 units are occupied by renter's on a year-round basis, of which 973 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 200 units by the year 2004, for a total renter household size of 1,319. This is assuming, of course, 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 200 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.

2563 Cost Burden

There were out of a total of 1,119, some 242 rental households bearing a cost burden in excess of 30% of income, while at the same time some 135 rental households suffered from a cost burden above the 50% of income level.

2564 Substandard Units

Within the category of defining a substandard unit within the rental household group, it was determined that of these 300 units were found to be in deteriorating or dilapidated condition.

2565 Overcrowded Units

According to the CHAS Data book dated 1990 there were some 298 or 26.6% renters occupied housing units which were classified as being in an overcrowded condition. Additionally, some 59.5% 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 PEÑUELAS**  
**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	42	7	6	0	55
SMALL FAMILIES	358	100	50	41	549
LARGE FAMILIES	213	118	52	21	404
OTHER	71	17	16	0	104
<b>TOTAL</b>	<b>684</b>	<b>242</b>	<b>124</b>	<b>62</b>	<b>1,112</b>

2566 Elderly Rental Households

According to the 1990, CHAS Data book, there was a total of some 55 enter households within the Municipality of Peñuelas of which 42 were classified as being of extremely low income, 7 households classified as being very low income, and 6 households classified as being low income.

2567 Cost Burden

Within this same income category involving elderly households, some 21 were within the 0-30% and 7 households were within 31-50% range.

2568 Small Family Rental Households

Within the small family rental household category, some 549 households, represented the following numbers:

- 01 358 units were classified as being of extremely low income;
- 02 100 units were classified as being of very low income;
- 03 50 units were classified as being of low income;
- 04 41 units were classified as being of moderate income.

2561 Cost Burden

Within this same Small Family renter's household group some 76.36% of the households were classified as being of extremely low income, 18.2% households of very low income, 9.11% households of low income, and finally, 7.46% represented moderate income levels.

25610 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 404 large rental household families, of which some 213 were classified as being of extremely low income; 118 were classified as very low income and some 52 large family renter households representing low income families, as well as 21 large family renter households representing moderate income.

#### 25611 Cost Burden

Within this same large family renter's household income group of some 42 households fall within the 0-30% group and 29 such households are within the 31-50% range.

#### 25612 Homeless Persons

From a review of available reliable statistical data available at the present time, the Municipality of Peñuelas does not possess any homeless persons. Perhaps one of the reasons may be, that (1) Peñuelas is a rather tight-knit 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 Peñuelas is adjacent to the metropolitan area of Ponce which possesses the latter sites that tend to attract homeless persons, they would tend to relocate to these other areas and thus free Peñuelas of having to deal with this same problem.

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

#### 25613 Persons with Disabilities

Utilizing various information available to the Municipality of Peñuelas 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, Peñuelas with a 1990 total population of some 22,515 it is estimated that 399 persons are classified as having a developmental disability.

#### 25614 Persons With Physical and Developmental Disabilities

Within Peñuelas the 399 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 Peñuelas. These same services are rendered in the adjacent municipality of Bayamon.

Within Peñuelas 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 Peñuelas will require some 200 additional supportive units over the next five years in order to serve both existing and anticipated needs within this same segment of its society.

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

#### 25615 Estimate of Housing Needs Projected

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

- 01 High housing costs;
- 02 Housing located in areas subject to landslides, or unstable terrain;
- 03 Physically deteriorated housing;

04 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:

01 High Housing cost;

02 Being overcrowded;

03 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:

01 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.

02 Single person paying more than 35 percent of their income for rent;

03 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 Peñuelas was based on the various sources previously noted, regarding each of the three components of housing need. From this analysis it was concluded that there exist housing needs for 1,319 housing units within the Municipality of Peñuelas 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 Peñuelas is desirous in obtaining additional housing units over the next five years and preserving existing housing stock.

## 25616 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 Peñuelas are:

- 11 The high cost of land development due to general lack of both vacant and available land;
- 12 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 70% of the total population of Peñuelas 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 Peñuelas 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 \$400 to \$600 a month, that without some form of a rental subsidy, are indeed beyond the low and moderate income families. This can be verified, since some 200 families are currently awaiting placement on a waiting list, seeking assistance under our own Tenant -based Subsidized Housing Assistance Program.

## **VIII HOUSING MARKET ANALYSIS**

### **II** General Characteristics

The significant characteristics of the housing market within the Municipality of Peñuelas area as follows:

<b>HOUSEHOLDS</b>	<b>TOTAL</b>
YEAR ROUND UNITS	6,821
VACANT	965
FOR RENT	60
FOR SALE	47
OWNER OCCUPIED	5,856
RENTER OCCUPIED	1,915
OWNERS PAYING >30% HOUSING RATES	242
RENTERS PAYING >30% HOUSING RATES	135
UNITS LACKING COMPLETE PLUMBING FACILITIES	1,424
VERY LOW INCOME (UNITS)	881
LOW INCOME (UNITS)	1,089
MODERATE INCOME (UNITS)	1,114

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

**HAMFI:**

<b>Elderly</b>	<b>100.0%</b>
<b>Small Family</b>	<b>84.7%</b>
<b>Large Family</b>	<b>84.6%</b>

**INCIDENCE OF OVERCROWDED HOUSEHOLDS:**

<b>Renters</b>	<b>26.6%</b>
<b>Owners</b>	<b>21.8%</b>

**BEDROOM SIZE:**

<u>Renter Occupied -</u>		<u>Owner Occupied -</u>	
<b>0-1</b>	136	<b>0-1</b>	364
<b>2</b>	262	<b>2</b>	1,126
<b>3</b>	721	<b>3</b>	3,247
<b>TOTAL</b>	1,119	<b>TOTAL</b>	4,737

It should be noted, that the total population of some 34,559 persons reside on only some 44.6 square miles, representing a population density of some 504.8 persons per square mile.

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

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

<b>Housing Choice Vouchers</b>	<b>-136-</b>
<b>Family Self-Sufficiency</b>	<b>- 06-</b>
<b>Total Tenant-based units</b>	<b><u>-142-</u></b>
<b>Administered by the Municipality</b>	<b>142</b>

The need for secure, decent and sanitary housing within the Municipality of Peñuelas, is the fact that there is some 1,181 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 1,181 families requesting housing under the Tenant-based Subsidized Housing Program which is representative of some 4,134 persons or 18.36% of the total Municipal population.**

The following table represents the households by income groups within Peñuelas:

ALL HOUSEHOLDS				
TOTAL	INCOME GROUPS			
	Very Low	Other Low	Moderate	Above
5,893	4,421	907	234	331

02 Structural/Vacancy Characteristics

The 1990 U.S. Census of Population and Housing, indicate that of a total of some 6,821 housing units within the Municipality of Peñuelas, some 6,120 are classified as being single detached units while 533 units are one unit attached (duplex) units, and 87 housing units being within the 2 to 4 unit complex, and finally 70 housing units being classified as being within the five or more unit category.

This same U.S. Census of Population indicates that some 1,424 housing units are lacking complete plumbing facilities with a mean number of rooms being 4.7. The rental vacancy rate is listed as being 4.9, while the owners' vacancy rate stands at .9.

03 Demand for Housing

There clearly is a demand for housing within Peñuelas, due primarily to its location. The Municipality of Peñuelas is adjacent to the metropolitan area of Ponce, as well as possess the necessary major highways connecting with each of these same areas. The desire for housing within Peñuelas is primarily among the residents - sons and daughters of residents of Peñuelas, as a result of it being such a close-knit community.

Nevertheless, 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 75% of the total population of Peñuelas 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:

- 01 Population growth;
- 02 Economic factor;
- 03 Family Income;
- 04 Land costs;

- 05 Construction costs;
- 06 Financing;
- 07 Interest payments;
- 08 Return of investment by either a financial institution and/or developer.

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

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

**04 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 Peñuelas, has a total of 85.5 percent in which renter households with incomes below 51% HAMFI have any housing problems. The following chart provides the percent of incidence by family type:

<b>PERCENT OF RENTER HOUSEHOLDS WITH ANY HOUSING PROBLEMS: 1990</b>			
<b>ALL HOUSEHOLDS</b>			
<b>PERCENT OF INCIDENCE BY INCOME GROUP</b>			
<b>TOTAL</b>	<b>0-30%</b>	<b>31-50%</b>	<b>51-80%</b>
85.5	100.0	84.7	84.6

Source: CHAS Data Book (1990)

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

<b>Market and Inventory Conditions</b>					
<b>CATEGORY</b>	<b>TOTAL</b>	<b>VACANCY</b>	<b>BEDROO</b>	<b>BEDROO</b>	<b>BEDROOM</b>

		RATE %	M (0-1)	M (2-4)	(5 OR MORE)
TOTAL YEAR	6,821		643	1,737	4,441
OCCUPIED UNITS	5,856	5.8	500	1,388	3,968
OWNER	4,737	.9	364	1,126	3,247
RENTER	1,915	4.9	136	262	721
VACANT UNITS	965	5.8	143	349	473
FOR SALE	47	.9	11	7	29
FOR RENT	60	4.9	11	27	22
OTHER	858		121	315	422

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

#### 05 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 Peñuelas.

Without exception of the total housing units (6,821), some 5,856 are occupied on a year round basis. In this regard, of the total occupied units (5,856), some 4,737 are occupied by the owner while the remainder 1,119 are occupied by renters, with the balance or 965 units being vacant.

It should be noted again, that the 965 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.

#### 06 Overcrowded Households

The Municipality of Peñuelas has according to the CHAS Data Book on Puerto Rico has among renters a total of 26.6 percent the incidence by income groups of being overcrowded, as that of some 21.8 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>	26.6	27.0	31.8	19.3
<i>Large Renters</i>	59.5	62.9	65.3	40.4
<i>All Owners</i>	21.8	26.4	20.3	19.6
<i>Owners Other than elderly</i>	26.2	33.8	24.1	21.8

07 Identification of Concentrations of Low Income Areas/Racial-Ethnic Minorities

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

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

## IX 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 Peñuelas 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 Peñuelas 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 Peñuelas, 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 Peñuelas were constructed prior to being informed that lead base paint represented a health hazard to all the members of the household, and the effect this same problem has upon children, the Municipality of Peñuelas 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.

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

Peñuelas 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 Peñuelas, 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.

## **X PHA'S RENT DETERMINATION**

### 01 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

02 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.

01 The following will be considered as financial hardship:

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

11 When the family would be evicted as a result of the imposition of the minimum rent requirement;

12 When the income of the family has decreased because of a changed circumstances, including loss of employment;

13 When a death has occurred in the family;

14 Other circumstances as determined by the Municipality of Peñuelas.

05 Request for hardship exemption

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

12 If the Municipality of Peñuelas determines that there is a qualifying financial hardship, but that it is temporary, the Municipality of Peñuelas 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.

13 If the Municipality of Peñuelas has determined that there is no qualifying hardship exemption, the Municipality of Peñuelas 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.

04 If the Municipality of Peñuelas 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.

06 Appeal of financial hardship

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

07 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 Peñuelas has a payment standard of 100% of the FMR Metro Area.

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

0 BR	1 BR	2 BR	3 BR	4 BR
253	310	365	457	513

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.

08 Determination of Unit Size in Relation to Family Composition

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

- 02 The subsidy standards provide for the smallest number of bedrooms required to house a family without causing overcrowding;
- 03 The subsidy requirements are consistent with space requirements under the Housing Quality Standards;
- 04 The subsidy standards have been applied consistently for all families of like size and composition;
- 05 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;
- 06 A family consisting of only a pregnant woman will be treated as a two-person family;
- 07 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;
- 08 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.
- 09 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.

01 Exceptions to FMR on a Unit by Unit Basis

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

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

#### 010 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.

#### 011 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.

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

The Municipality of Peñuelas has submitted to the HUD local office in Puerto Rico the findings of its most recent Single Audit as well as the action plan that will endeavor to correct the findings. This will be accomplished once the local HUD has approved such plan. Thus, the Municipality will be in compliance with established HUD rules and regulations.

## XII PHA'S GRIEVANCE PROCEDURE

### 110 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.

### 111 Hearing Procedures

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

- 11 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.
- 12 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.

13 Representation of the Family

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

14 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.

15 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.

16 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.

17 Effect of Decision

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

## **XIII ESTABLISHED PHA PET POLICY**

It is the policy of the Municipality of Peñuelas to allow the tenants and owners to agree as to whether pets will be allowed within the dwelling units that are used in the program.

## **XIV 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 Peñuelas 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 (i.e., minimum rent), admission policies and/or organization of the waiting list;
- Additions of new activities not included in the current Annual Plan;
- Any change with regard to the administration of the subsidized housing programs administered by the PHA, including but not limited to the establishment of the homerownership program.

## **XV SUMMARY**

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

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

1. To provide low and very low income families the opportunity of choice and mobility in selecting where they want to live.
2. To maintain the essential elements of a private relationship between the tenant and the landlord on matters other than rent.
3. To develop strategies to coordinate the use of housing assistance under the Housing Choice Voucher Program with public and private resources, to enable families eligible to receive assistance under this same program to achieve economic independence and self-sufficiency.

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

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

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

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

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

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

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;

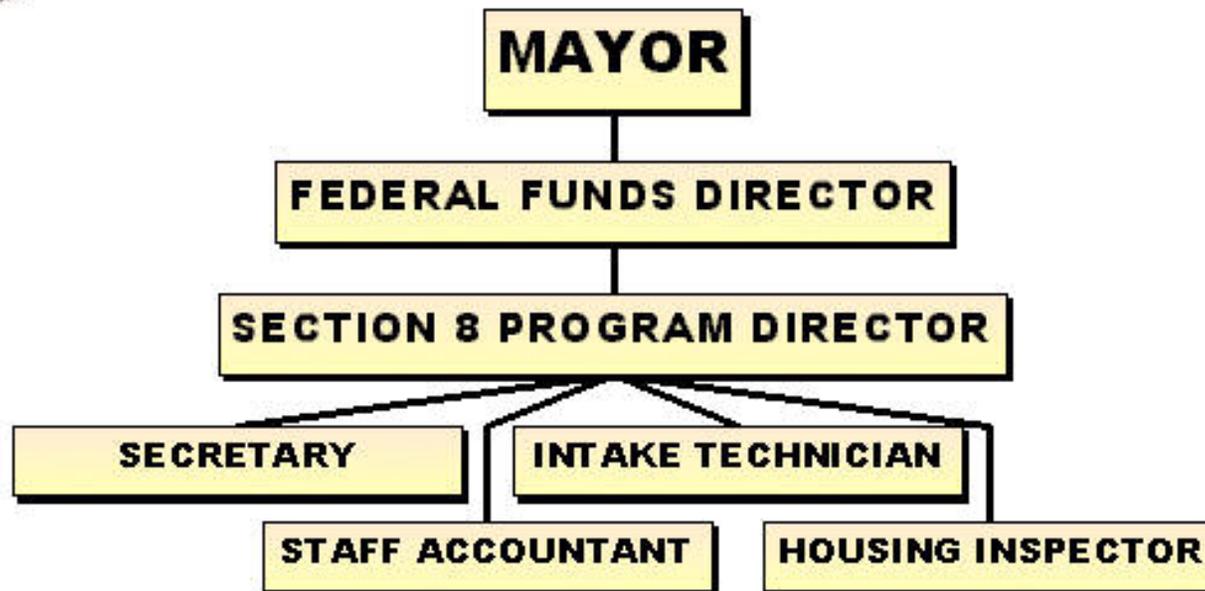
The Municipality of Peñuelas feels rather strongly that procedures contained herein will effectively perform the necessary monitoring of all programs so as to assure that these same programs both initiated and developed are in total compliance with the applicable regulations promulgated by HUD.



# MUNICIPALITY OF PEÑUELAS

## SECTION 8 SUBSIDIZED HOUSING PROGRAM

Hon. Walter Torres Maldonado  
Mayor





# *MUNICIPALITY OF PEÑUELAS*

## *Section 8 Subsidized Housing Program*

*The following programs are administered by the Municipality of Peñuelas:*

- Housing Choice Voucher Program*
- Family Self-Sufficiency Program*