

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

Small PHA Plan Update
Annual Plan for Fiscal Year: 2003-2004

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

**PHA Plan
Agency Identification**

PHA Name: Municipality of Guayanilla

PHA Number: RQ021

PHA Fiscal Year Beginning: (mm/yyyy) 07/2003

PHA Plan Contact Information:

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Postal Address: PO Box 560550

Address: 7 Jose De Diego Street

Guayanilla, PR 00656-0550

Guayanilla, PR 00656

Phone: 787-825-2660

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Phone: 787-835-3008

Name: Francisco Vega, Section 8 Coordinator

Phone: 787-835-3008

Email (if available): secci8@hotmail.com

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
- 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 2003

[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.

Contents	<u>Page #</u>
Annual Plan	
i. Annual Plan Information	
ii. Table of Contents	1
iii. Executive Summary (optional)	2
1. Description of Policy and Program Changes for the Upcoming Fiscal Year	3
2. Capital Improvement Needs	3
3. Demolition and Disposition	3
4. Homeownership: Voucher Homeownership Program	4
5. Crime and Safety: PHDEP Plan	5
6. Other Information:	5
A. Resident Advisory Board Consultation Process	5
B. Statement of Consistency with Consolidated Plan	6
C. Criteria for Substantial Deviations and Significant Amendments	6
Attachments	
<input checked="" type="checkbox"/> Attachment A: Supporting Documents Available for Review	
<input type="checkbox"/> Attachment B: Capital Fund Program Annual Statement	
<input type="checkbox"/> Attachment C: Capital Fund Program 5 Year Action Plan	
<input type="checkbox"/> Attachment D: Capital Fund Program Replacement Housing Factor Annual Statement	
<input type="checkbox"/> Attachment E: Public Housing Drug Elimination Program (PHDEP) Plan	
<input checked="" type="checkbox"/> Attachment F: Resident Membership on PHA Board or Governing Body	
<input checked="" type="checkbox"/> Attachment G: Membership of Resident Advisory Board or Boards	
<input checked="" type="checkbox"/> Attachment H: Comments of Resident Advisory Board or Boards & Explanation of PHA Response (must be attached if not included in PHA Plan text)	
<input checked="" type="checkbox"/> Attachment I: Required Documents	
<input checked="" type="checkbox"/> Other (List below, providing each attachment name)	
 Annual Plan Supplement – rq021a01	
Organizational Chart - rq021b01	

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 Guayanilla 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.

The purpose of the Municipal Tenant-based (Section 8) Housing Choice Voucher 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 Guayanilla 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 Guayanilla is a Tenant-based (Section 8) only PHA.**

This same Annual Plan of Guayanilla 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 Guayanilla has established a unified vision of community actions. This same Plan will permit Guayanilla 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 Guayanilla 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 2003-2004 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

Demolition/Disposition Activity Description (Not including Activities Associated with HOPE VI or Conversion Activities)
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: <u>(DD/MM/YY)</u>
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) 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 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 CONSOLIDATED PLAN

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 Guayanilla 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 Guayanilla.

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.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan (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 REVISED COPY OF ADM PLAN SUBMITTED WITH 5-YEAR PLAN TO LOCAL HUD OFFICE.	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

Applicable & On Display	Supporting Document	Related Plan Component
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan Section 9, Page 26 Administrative Plan and Section, Section XIII, page 45 of the Annual Plan Supplement.	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 SECTION 26, PAGE 53 ADMINISTRATIVE PLAN	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- Section XVII Page 39 and Section XII, page 43 of the Annual Plan Supplement.	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

Applicable & On Display	Supporting Document	Related Plan Component
	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 (Section IV, PAGE 21 OF THE CURRENT ANNUAL PLAN AND SECTION 26, PAGE 53 of the Section 8 Administrative Plan)	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 COPY OF PLAN SUBMITTED WITH 5-YEAR TO LOCAL HUD OFFICE	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"> · Baseline law enforcement services for public housing developments assisted under the PHDEP plan; · 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); · Partnership agreements (indicating specific leveraged support) with agencies/organizations providing funding, services or other in-kind resources for PHDEP-funded activities; · Coordination with other law enforcement efforts; · Written agreement(s) with local law enforcement agencies (receiving any PHDEP funds); and · 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. 	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

Applicable & On Display	Supporting Document	Related Plan Component
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
X	Other supporting documents (optional) (list individually; use as many lines as necessary) Screening and Eviction or Drug Abuse and Other Criminal Activity Policy, Section XI, Page 40 of the Annual Plan Supplement. PHA CODE OF CONDUCT, Section II, Page 2.	(specify as needed)

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)
Total estimated cost over next 5 years		

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.

Fiscal Year of Funding	PHDEP Funding Received	Grant #	Fund Balance as of Date of this Submission	Grant Extensions or Waivers	Grant Start Date	Grant Term End Date
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.

FFY _____ PHDEP Budget Summary	
Original statement	
Revised statement dated:	
Budget Line Item	Total Funding
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	
TOTAL PHDEP FUNDING	

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.

9110 – Reimbursement of Law Enforcement					Total PHDEP Funding: \$		
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.							

9115 - Special Initiative					Total PHDEP Funding: \$		
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.							

9116 - Gun Buyback TA Match					Total PHDEP Funding: \$		
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.							

9120 - Security Personnel					Total PHDEP Funding: \$		
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.							

9130 – Employment of Investigators					Total PHDEP Funding: \$		
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.							

9140 – Voluntary Tenant Patrol					Total PHDEP Funding: \$		
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.							

9150 - Physical Improvements					Total PHDEP Funding: \$		
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.							

9160 - Drug Prevention					Total PHDEP Funding: \$		
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.							

9170 - Drug Intervention					Total PHDEP Funding: \$		
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.							

9180 - Drug Treatment					Total PHDEP Funding: \$		
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.							

9190 - Other Program Costs					Total PHDEP Funds: \$		
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.							

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 Guayanillas' locally administered Housing Choice Voucher Tenant-based Program, was elected by the families benefiting from the Program. The Board is composed of fifteen (15) 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
Sra. Virginia Batalla
2. Vice-President
Sra. Aida I. Gutierrez
3. Secretary
Sra. Melly D. Vega
4. Vocal
Sra. Zulma Ruiz
5. Vocal
Sra. Monica Rodríguez
6. Vocal
Sr. Frank A. Quiñonez

7. Vocal
Sra. Wanda González
8. Vocal
Sra. Olga Cervoni
9. Vocal
Sr. Juan B. Guigliotty
10. Vocal
Sra. Nelida Pacheco
11. Vocal
Sr. Ferdinand Olivera
12. Vocal
Sra. Migdalia Figueroa
13. Vocal
Sra. Maribel Cedeño
14. Vocal
Sra. Jannette Bulted
15. Vocal
Sr. Efrain Albino

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 thanks the Municipality for allowing them to partake in the preparation of said plan.

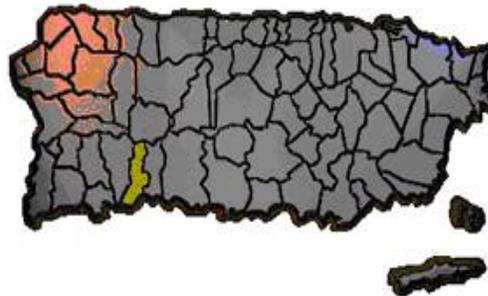
Required Attachment I: Required Attachments

- 1. Statement of Housing Needs is located in the attached annual supplement, Section V, page 24.**
- 2. Statement of PHA's Rent Determination is located in the attached annual supplement, Section XIII, page 45.**
- 3. Statement of PHA's Grievance Procedure is located in the attached annual supplement, Section XII, page 43.**
- 4. Statement of Progress in Meeting the Five Year Plan Mission and Goals is located in the attached supplement, Section XVII, page 50.**
- 5. Statement of PHA Code of Conduct is located in the attached annual supplement, Section II, page 2.**
- 6. Established Policy Concerning Screening and Eviction for Drug Abuse and other Criminal Activity, Section XI, Page 40.**
- 7. Statement Regarding Steps to Further Fair Housing, Section IX, page 37.**



**MUNICIPALITY OF GUAYANILLA
RQ 021**

**ANNUAL PLAN
FY 2003-2003**



**HON. EDGARDO ARLEQUIN VELEZ
MAYOR**

**JUAN TORRES TORRES
FEDERAL FUNDS DIRECTOR**

**FRANCISCO VEGA
SECTION 8 COORDINATOR**



Table of Contents

I	Executive Statement	1
II	PHA's Code of Conduct	2
III	Financial Resources	19
IV	Homeownership Programs Administered by the PHA	21
V	Housing Needs	24
VI	Housing Market Analysis	31
VII	PHA's Community Service and Self-Sufficiency Program	36
VIII	Civil Rights Certification	37
IX	Statement Regarding the Steps the PHA will take to Affirmatively Further Fair Housing	37
X	Established Pet Policy	40
XI	Established Policy Concerning Screening and Eviction For Drug Abuse and other Criminal Activity	40
XII	PHA's Grievance Procedure	43
XIII	PHA's Rent Determination	45
XIV	Recent Results PHA's Audit	49
XV	Additional Information Required	49
XVI	Summary of Policy or Program Changes for the Upcoming Year	50
XVII	Statement of Progress in Meeting the 5-Year Plan Mission & Goals	50
XVIII	Summary	51

I EXECUTIVE STATEMENT

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

The Municipality of Guayanilla has established the Section 8 Office to administer the Housing Choice Voucher Program, as well as any other HUD approved tenant-based (Section 8) subsidized housing programs in order to assist financially distressed families in meeting their housing needs, mainly decent, safe and sanitary housing as well as to their health and well-being.

There are two major philosophy components in the tenant-based subsidized housing program:

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

The purpose of the Municipal tenant-based (Section 8) program was conceived to assist the families who are financially distress, as well as, to 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 PHA jurisdiction as evidenced by the waiting list as well as the 1990 U.S. Census. There also exists a need for quality housing units available for program participants but there is not an abundance of affordable housing for low income families within this same Municipality. Being cognizant of this, our Municipality has established realistic and attainable goals, whereby, particular thought has been given to the number of families which can be expected to need and want better housing. By setting attainable goals, the PHA intends to provide a vehicle for those in need and for those who have available units by coming together in a manner beneficial to both. 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 Guayanilla is a Tenant-based (Section 8) only PHA.**

The Annual Plan of Guayanilla 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 Guayanilla has established a unified vision of community actions. This same Plan will afford Guayanilla an opportunity to shape the various programs presented herein into effective, viable, and coordinated strategies, involving citizen participation.

II PHA CODE OF CONDUCT

The public expects, and has a right to demand, that public employees maintain a high standard of ethical conduct. Maintaining the trust of the public means properly using government resources, information and power, which entails ensuring that the public sector serves the public and the Government of the day. Moreover, it means putting public interest before self interest as well as operating by the rules, the Acts, and guidelines which are designed to protect the public interest.

At all levels of government, officials should be sensitive to the actions they may take to create an appropriate control environment. People within any organization, be it government or private, must be convinced that senior officials believe that effective controls are essential and expect that each member of the organization will adhere to prescribed control procedures. The atmosphere that prevails in the form of control discipline, attitude and awareness significantly affects an organization's ability to achieve an effective level of control, implementation and execution. The factors which influence the level of discipline, attitude and awareness comprise the control environment.

It is useful to reflect on a number of control areas which, in terms of the significance usually attached to them, make an important contribution to the government control environment. The control environment is directly influenced by the degree of oversight formally exercised by a legislative body. While the presence of an appropriate level of legislative oversight can have a positive influence on the control environment, it should also be recognized that an operative but an ineffective oversight role may have the opposite effect. Within most levels of government, a civil service or comparable personal system exists to provide, among other things such as benefits, equity in job assignment, promotion and pay. The existence of a system of control over the establishment of positions, the life of such positions, and the qualifications and status of the employees who occupy positions has a major influence on control discipline and awareness.

Most units of government have instituted sophisticated procurement systems and procedures. These often complex procedures have been adopted in an attempt to:

- To ensure equity in selection of vendors;
- To ensure uniformity in the application of procurement procedures.

Bearing this in mind, the Municipality of Guayanilla established and implemented a Code of Conduct and Ethics, which sets forth the conduct required by Municipality employees, including the staff of the Municipal Housing Department. The Code of Conduct and Ethics derives from various pieces of legislation such as the Human Resources Law for Public Servants (PL#5, October 14,

1975), the Municipal Autonomous Law (P. L. #81, August 30, 1991) , Governmental Ethics Law of the Commonwealth of Puerto Rico, Law #12, July 24, 1985, Article 2 of the Civil Code and Article 20 of the Penal Code, 1974. All applicable regulations regarding the enforcement of the code of ethics are mandated by State regulations and are enforced by the State Office of the Controller and the State Office of Government Ethics.

The Code of Conduct and Ethics is based on principles, values, and behaviors outlined in the legislation and common law which establishes certain minimum standards or general obligations applying to the parties to any employment relationship. The Code is a formulation of policies, rules or guidelines that define the specific actions applicable to the employees of the Municipality of Guayanilla for a range of specific ethical issues, integrity and conduct.

The Municipality is a complex organization comprising a diversity of populations that have different relationships to one another. These may be relations of power and/or status. It is essential in such a society that all members recognize and respect not only their own rights and responsibilities, but also the right and responsibilities of other members of the community and those of the municipal staff. Cognizant of this fact, the Municipality of Guayanilla delineated and adopted a Code of Conduct and Ethics that will hereby adhered to by the employees of the Municipality. The following constitutes the Code:

01 Introduction

The Code of Conduct and Ethics, hereinafter referred to as the Code, is a statement of the ethical principles, values and behaviors expected of the employees of the Municipality of Guayanilla. It stems from the belief that the values of openness, honesty, tolerance, fairness and responsibility in social and moral matters are fostered by the Municipality. The Code is intended to assist employees to identify and resolve ethical issues that might arise during their employment with the Municipality. Moreover, the Code puts forward a set of general principles rather than detailed determinations. The principles of the Code do not specify every potential act of behavior but rather, establish the obligations generally expected of the employees of the Municipality in their relationship with Government, their chief executive, colleagues, and the public. It stands beside, but does not exclude or replace, the rights and obligations of the staff under common law.

The first principle of the Code is concerned with public servants' obligations to Government in the performance of their official duties. In essence, the first priority for public servants is to carry out Government policy. In doing so, they are expected to act in a manner which will bear the closest public scrutiny. Employees are obliged to serve the aims and objectives of the Municipal Government. Employees should ensure that their personal interests or activities do not interfere with, or appear to interfere with this obligation.

02 Code of Conduct and Ethics

The Code of Conduct and Ethics establishes four principles of conduct which all public employees of the Municipality of Guayanilla are to expected to observe and adhere to:

- 11 There are a number of circumstances which may affect an employee's observance of these obligations, and the Code therefore provides guidelines for an appropriate conduct in a variety of contexts.
- 12 In performing their duties, Municipal employees should respect the rights of their colleagues and the public.
- 13 Employees should carry out their duties in an efficient and competent manner, and avoid behavior which might impair their effectiveness.
- 14 Employees should fulfill their lawful obligations with professionalism, honesty, faithfully, efficiently, and avoid situations which might compromise their integrity or otherwise lead to conflicts of interest.
- 15 Develop a consciousness understanding with the Municipal employees about what constitutes just cause in any disciplinary action taken.
- 16 To assist those employees who are demonstrating a conduct that is contrary to these same rules as they are outlined in this chapter.

03 Rules of Conduct

1. A municipal employee must behave honestly and with integrity in the course of employment with the Municipality of Guayanilla.
2. A municipal employee must act with care and diligence in the course of employment with the Municipality of Guayanilla.
3. A municipal employee must comply with lawful and reasonable directive given by someone in the employee's Agency who has authority to give such operating instructions. In other words, the municipal employee shall not commit insubordination. For purposes of this rule, insubordination shall be defined as not submitting to authority, being insolent or refusing without just cause to comply with instructions.
4. A municipal employee, when acting in the course of employment with the Municipality of Guayanilla, must treat everyone with respect, courtesy and without harrasment.
5. A municipal employee must maintain appropriate confidentiality about dealings with the Mayor, the Mayor's Staff Members and the general public.
6. A municipal employee must disclose, and take reasonable steps to avoid any and all conflict of interest (real or apparent) in connection with their employment with the Municipality.
7. A municipal employee must use the Municipality of Guayanilla resources in an efficient and proper manner.

8. A municipal employee must not provide false or misleading information and/or testimony in response to a request for information that is made for official purposes in connection with their employment with the Municipality of Guayanilla.
9. A municipal employee when acting in the course of employment with the Municipality of Guayanilla, must comply with all applicable Commonwealth of Puerto Rico as well as all Federal Laws enacted by the Congress of the United States. For purposes of this rule, Commonwealth of Puerto Rico and Federal Laws, respectively, states:
 - a. Any Act, or any instrument made under an Act;
 - b. Any Law of the Commonwealth of Puerto Rico or Federal, including any instrument made under such a law.
10. A municipal must not make improper use of:
 - 11 Inside information;
 - 12 The employee's duties, status, power, or authority;In order to gain, or seek to gain, a benefit or advantage for the employee or for any other person.
- 011 A municipal employee must at all times behave in a way that upholds the values, integrity and good reputation of the Municipality of Guayanilla.
- 012 A municipal employee representing the Municipality of Guayanilla, within the Commonwealth of Puerto Rico or abroad, must at all times behave in a way that upholds the good reputation of the Municipality. For purposes of this rule, aboard is defined as visiting any foreign country or the United States mainland.
- 013 Accept or solicit any gift, favor or service that might reasonably tend to influence the office or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the independence of judgement in the performance of the officer's or employees' official duties.
- 014 No municipal employee may engage in business or professional activity for personal gain on Municipal property. For purposes of this rule, business or professional shall be defined as selling, buying, loaning or any other particular activity so as to benefit and/or obtain benefit from it.
- 015 Failure to follow instructions, inattentiveness or inability by the employees of the Municipality of Guayanilla from the Agency head constitutes an infringement upon the rights and privileges of other employees.

016 No employee of the Municipality shall intentionally intercept either verbal or written communication, be that as it may, official and/or private.

017 Any employee shall be subject to disciplinary action as provided for in this chapter who, either as a principal actor, aider, abettor, or accomplice and interferes with the personal rights and privileges of others or the municipal functions which violates any provision of this division and/or commits any of the following personal, property, or status offenses which are hereby prohibited:

11 Property Offenses related to the work area:

20 It shall be considered an offense by an employee who commits malicious mischief. Intentional or negligent damage to, or destruction of, any municipal facility or any other public and/or private real or personal property.

21 Employees of the Municipality of Guayanilla are expected to use all municipal facilities and equipment efficiently, carefully and honestly. Resources should be used economically, secured against theft or misuse and wasted avoided.

22 Unauthorized use of municipal equipment, personal and/or public property, or supplies shall be considered an offense as well as permit that this same equipment, property or supplies are destroyed, lost and/or harm comes to it. Converting of municipal equipment or supplies for personal gain or use with proper authority is not permitted.

23 Theft and robbery. It will consider an offense, punishable under the Penal Code of the Commonwealth of Puerto Rico, of any theft, robbery and improper use of public and/or personal property, supplies, and services of the Municipality as defined in Art. 166, 33 L.P.R.A., sect. 4272 of the Penal Code.

02 Personal Offense related to the work area:

(1) Assault, reckless endangerment, intimidation or interference upon another person.

(2) Disorderly, abusive, bothersome conduct. Disorderly or abusive behavior which interferes with the rights of others or which obstructs or disrupts the work area or administrative functions.

(3) Derogatory statement or physical contact. Engaging in unwelcome derogatory statement, other verbal and/or

physical contact which causes discomfort or humiliation and interfere with job performance.

- (4) False complaint, defamation of character and/or bearing false witnesses. Filing a formal complaint falsely accusing another employee or official of the Municipality with violating a provision of this chapter.
- (5) Refraining from any conduct arising from malice or negligence of rules and regulations as well as generally accepted security norms that would harm and/or place in danger, directly or indirectly, the lives of municipal employees or general public.
- (6) Municipal employees may not get involved in or perpetuate a quarrel within municipal facilities during working hours.
- (7) Employees should refrain from utilizing their public post for politically oriented purposes or other purposes which are not compatible with the public service being rendered by the municipal administration.
- (8) Employees which have been charged with a criminal act which implies a moral deprivation shall be dismissed.
- (9) Employees shall refrain from violent or forcible acts in trying to bring the downfall of the governments of the Commonwealth of Puerto Rico or the United States of America.

03 Status Offenses related to the work area:

- (1) Refusing to disclose information concerning a physical or contagious medical condition affecting the employee, and/or family members of this same employee which puts in danger or could present a health hazard to other employees.
- (2) Forgery or alteration of records. Forging or tendering any forged records or instruments as defined in Art. 241, 33 L.P.R.A., sect. 4437, Art. 242, 33 L.P.R.A., sect. 4438, and Art. 272, 33 L.P.R.A., sect. 4592 of the Penal Code of the Commonwealth of Puerto Rico, as now law or hereafter amended, of any municipal record or instrument to an employee acting in his/her official capacity as such.
- (3) To perform the work required in a negligent form or disorderly manner.

- (4) Refusal to do the work assigned or not do it in the time allotted, deliberate idleness or wasting time during working hours.
- (5) Departing from the job route without just cause or authorization.
- (6) Refusing to work overtime without just cause.
- (7) Reporting late to work without justification.
- (8) Absent from the work area without authorization or consistently being absent from work or tardiness without just cause.
- (9) Falling asleep on the job or abandoning work area without proper authorization.
- (10) Forging another employee's signature on time card or any assistance record.
- (11) Not undertaking work, for which they are inadequately trained or experienced.
- (12) Employees of the Municipality of Guayanilla should avoid any activities, whether in connection with their official duties or otherwise, which might bring their department or the municipal government into disrepute, or jeopardize its relationship with the Mayor, clients, or the general public.
- (13) Alcoholic beverages. Being demonstrably under the influence of any form of an alcoholic beverage. Possessing or consuming any form of an alcoholic beverage on municipal property.
- (14) Weapons, explosives, and dangerous chemicals. Illegal or unauthorized use or possession of any device or substance which can be used to inflict bodily harm or to damage public or personal property.
- (15) Controlled substances. Using, possessing, being demonstrably under the influence of, or selling any narcotic or controlled substance as defined by law on municipal property, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist.
- (16) Employees may distribute and post any notice, posters or printed material within the municipal facilities with the consent of the Mayor.

- (17) Employees may not take part in or get involved with games which are prohibited by law on municipal facilities during working hours.

04 Code of Ethics

The Code of Ethics for the Municipality of Guayanilla is based on three universal and fundamental ethical principles. These are as follows:

11 Equity and Justice

People are to be treated fairly and will not be discriminated against, abused or exploited. Just is concerned with power sharing and preventing the abuse of power. In a just society all members can access opportunities that allow for their full participation within the community.

2562 Respect for People

Individuals should be treated as human beings with rights to be honored and defended. Respect empowers others to claim their rights and achieve their potential. Respect for the rights of others is the foundation on which individuals become members of the community and accept their social responsibilities to behave with sincerity and integrity. Membership of a community means that individuals not only have rights but that they also have duties and responsibilities to others to act openly and honestly.

2563 Personal and Professional Responsibility

The main idea of taking personal and professional responsibility requires not only that people avoid doing harm to others but that they exhibit courteous behavior as well as upholding the standards expected of all employees of the Municipality of Guayanilla as part of achieving a common good. Moreover, the employees are expected to protect the rights of others as well as respect the diversity of all cultures and peoples. Those individuals who assert their rights have a reciprocal duty to exercise care towards those who depend on them for their well being. This principle involves stewardship of assets, resources and the environment.

E. Rules of Ethics

The following principles will hereby be adhered to by the employees of the Municipality of Guayanilla. The following factors are the foundation of our Code of Conduct and Ethics.

11 Fair, Equitable and Impartial Decisions and Procedures

Fairness requires that your decisions be honest, candid and impartial. Equity requires that each individual be given his/her due. Essentially, everyone deserves a fair chance.

2562 Conflict of Interest

Municipal employees should take suitable measures to avoid, or appropriately deal with, any situation in which they may have, or be seen to have, a conflict of interest that could,

directly or indirectly, compromises the performance of their duties. When staff members become aware of such a situation they should take appropriate steps to disclose the conflict. Failure to do as well as a continuation of such a conflict of interest may lead to disciplinary action.

In accordance with 24 CFR Part 982.161 of the Federal Regulation, the following will hereby be adhered to by the staff members of the Municipal Housing Department:

- a. Neither the PHA nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with the tenant-based programs in which any of the following classes of persons have an interest, director or indirect, during tenure or for one year thereafter:
 - 11 Any present or former member or officer of the PHA (except a participant commissioner);
 - 12 Any employee of the PHA, or any contractor, subcontractor or agent of the PHA, who formulates policy or who influences decisions with respect to the programs;
 - 13 Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs;
 - 14 Any member of the Congress of the United States.
- b. Any member of the classes described in Section E, subpart2 (a) of this code must disclose their interest or prospective interest to the PHA and HUD.
- c. The conflict of interest prohibition under this section may be waived by the HUD field office for good cause.

2563 Confidentially

Staff members who have access to official Municipal documentation and information must take due care to maintain the integrity, confidentiality and privacy of such information to protect any individual concerned. Municipal employees should also undertake to maintain the privacy of oral communication where that has been requested.

Furthermore, staff members of the Municipal Housing Department must take due care to respect the confidentiality and privacy of all concerned with the tenant-based housing programs administered and only provide information when authorized by the parties concerned, the Mayor or for legitimate legal purposes and/or request by the Judicial system.

2564 Acceptance of Gifts or Benefits

All municipal employees are aware of the fact their official position is a position of public trust and the public good will be compromised by seeking private gain. Municipal employees will not solicit, encourage or accept gifts or benefits that could be reasonably seen as an inducement to act in a particular way or to place a staff member under any obligation that may either

directly or indirectly compromise or influence them in their official capacity. Likewise, staff members are aware of the fact that it is a crime punishable under the Penal Code of the Commonwealth of Puerto Rico to use their official position to seek or obtain any financial or other advantage for oneself, their family, any other person and/or organization and to harass or oppress another person.

2565 Patronage and Nepotism is Unacceptable

Municipal employees should take great care in treating colleagues, coworkers, and general public fairly. Employees should not favor friends or relatives when in dealing with Municipal programs of public interest, contracts for the supply of goods and services and/or appointing new staff members. Any appointments should be merit based and legislative requirements should be strictly adhered to. It is an unacceptable practice and contrary to abstracts emitted by the Puerto Rico Governmental Ethics Office to hire friends or relatives for a position without designating the position.

Employees are obliged to serve the aims and objectives of the Municipal Government through its elected official. Municipal employees should ensure that their personal interests or activities do not interfere with, or appear to interfere with, this obligation. As public servants are required to serve the Government of the day regardless of which political party is in office, they must act not only to ensure that their department maintains the confidence of its Mayor, but also that is able to establish the same relationship with future Mayors.

Public servants have a recognized role in assisting with the development as well as the implementation of public policy. This may occur in different ways and at different levels within each department. It is the responsibility of public servants to provide honest, candid, impartial, and comprehensive advice to the Mayor, and to alert them to the possible consequences of following particular policies, whether or not such advice accords with the Mayor's views. Essentially, the municipal employees should exercise their judgement within the confines of legislative requirements, Government policy, ministerial direction and considerations of equity, efficiency and effectiveness. Furthermore, the final decision on policy is the prerogative of the Mayor, and public servants may not withhold relevant information from the Mayor, nor seek to obstruct or delay a decision, nor attempt to undermine or improperly influence Government policy (for example, by the unauthorized release of official information).

The dilemma for public servants who hold strong personal beliefs on certain issues is recognized, but it is one which must be managed so as to avoid conflict with their official duties. It is the Mayor who bears the political responsibility for Government policies, and it is the role of the public servant to faithfully implement those policies to the best of their abilities. Once the Mayor has made a decision, it is the duty of the public servant to implement that decision within the law, whether or not they personally agree with it, with integrity, and to the best of their ability.

06 Procedural Fairness

The Municipality of Guayanilla' procedures will have due regard for procedural fairness as called for under existing laws of the Commonwealth of Puerto Rico, namely the Municipal Autonomous Law of August 30, 1991. The principles of procedural fairness require people whose interests will be adversely affected by a decision to be given an opportunity to be heard, and decision makers to act without bias or self-interest, and to base their decisions on compelling or "logically probative" evidence.

The application of the principles of procedural fairness may vary, depending on the circumstances of the particular case or the way in which the particular statutory power is framed. In its fullest application, procedural fairness requires that:

- 01 People against whom an adverse decision may be made must be informed of any allegations against them in as much detail as possible;
- 02 Wherever possible people must be provided with an opportunity to put their case, and to hear the case against them, whether at an oral hearing or otherwise;
- 03 Where a decision has to be made between competing interests, all parties to a matter must be heard and all arguments considered;

- 04 No person judges their own case or a case in which they have a direct interest;
- 05 Decision makers must act fairly and without bias.

G. Action that may be taken if breach found to have occurred

- 11 If a determination is made that a municipal employee has breached either the Code of Conduct and/or Ethics, the employee may be counseled or a sanction may be imposed.
- 12 If a sanction is imposed on the employee, the employee must be given a written statement setting out the reasons for the determination and the imposition of the sanction as called for under Article III, Section I of this same directive.
- 13 Once a scrupulous investigation has been carried out and concluded by the Agency Head as authorized and called for in Article III, Section H of this same regulation.
- 04 It shall be the responsibility of the Agency Head to recommend in the written statement what action is to be taken based on the findings and which Code did the employee violate.
- 05 If a breach of the Code entail violating the Article III subsection B and C, respectively, as described within this same directive, then the disciplinary procedures set forth in Article III, Section H will be adhered to.
- 06 If a breach of the Code entail violating the Article III, Sections D and C, respectively, as described within this same directive, then the following shall take place:

2561 Setup of the Municipal Ethics Board

In accordance with the Government Ethics Law of the Commonwealth of Puerto Rico as amended on July 18, 1999, herein after to be known as the Ethics Law. The Municipality of Guayanilla is required to establish and implement a local Ethics Board. At a minimum the board shall consist of six members as dictated by Article IV, section B of the Ethics Law and all shall be so designated by the Mayor.

02 Ethics Board Procedures

After the Mayor and/or the Human Resources Director receives the report filled by the Agency Head, who did the investigation over the alleged breach of the Code of Ethics, the municipal Ethics Board will be convened. Upon presenting the report to the Ethics Board, the veracity of the report will be determined. Should the board determine that there exist a violation of the Code of Ethics or any section of the Ethics Law, a report with all of the Ethics Board's finding, including the original report, shall be forward to the Puerto Rico Office of Governmental Ethics (O.E.G. as it is known in Spanish).

The Puerto Rico Office of Governmental Ethics will then proceed to investigate and determine the veracity of the reports in accordance with the Ethics Law as amended. Upon completing the investigation by the Puerto Rico Office of Governmental Ethics a determination will be rendered which could imply, but not necessarily, referring the case to the Puerto Rico Justice Department for processing as well as imposing economic sanctions for violating the Ethics Law. Based on the decision rendered by the Puerto Rico Office of Governmental Ethics, the Municipality could also process and impose their own sanctions as stipulated in Article VIII within this same directive.

H. Disciplinary Procedures

Section 1: Investigation

Agency heads are hereby authorized to make an administrative inquiry, when it is understood that an employee has committed a breach of the Code of Conduct and Ethics or has observed a breach that is not written and/or included in the Code that affects the image of the Municipality. Once the investigation has been concluded in relation to a suspected breach of the Code, a written record stating whether the employee has been found to have breached the Code must be prepared and presented to the Mayor or the Human Resources Director.

Section 2: Procedures of the Presentation of Formal Charges

After having been officially appraised of the misconduct by an employee, the Mayor has 10 days to make a determination and upon doing so will send a written notification titled "A Notice of Formal Charges", to the employee who committed the breach. The notice will contain the following:

- 11 Name and last known address of the employee;
- 12 A brief detailed description of the suspected breach of the Code as well as specifying the grounds in which it must also set out the findings on material questions of fact and refer to the evidence or other material on which those findings were based;
- 13 The notification will contain the range of sanctions that may be imposed should there be a finding that the employee indeed breached the Code of Conduct and Ethics;
- 14 The notification will state that the employee has a right to request an administrative review before the Official Examiner of Disciplinary Matters. The employee will be afforded 15 working days after receiving the official notification to request such a review;
- 15 The notification will state where the review may be requested.
- 16 The notification will also state that the employee has a right to have legal representation present or any other qualified representation as well as witnesses present should there exist any.

Section 3: Procedures of an Administrative Review

Any employee who has been served with a "Notice of Formal Charges", which specifies the grounds for suspension, with or without remuneration, or termination of employment will have a right to request an administrative review before the Official Examiner of Disciplinary Matters within 15 working days from the time that the employee was served the official notice.

The administrative review will consist of an informal hearing presided by the Official Examiner of Disciplinary Matters, who shall be recognized as being competent in the field of Administration of Human Resources and shall so be designated by the Mayor. The proceedings of the hearing shall be taped-recorded and maintained in a file labeled "In Confidence" along with the employees' file located within the Human Resources Department.

Should the employee not solicit an administrative review, for he/she has a right, within the time stipulated of 15 working days, the Mayor will have the discretion to impose the sanctions called for within the office notice.

Section 4: Right to Present Admissible Evidence and Dispute of Misconduct Allegations

Every employee, who has been charge with breach of the Code, will have the right to present evidence or testimony on his/her defense and to dispute any and all evidence that the Municipality might have against him/her which lead to the belief that the accused employee is guilty of violating the Code of Conduct and Ethics.

Section 5: Official Examiner of Disciplinary Matters Report

Upon conclusion of the administrative review, the Official Examiner of Disciplinary Matters shall consider all the evidence therein presented and decide whether to uphold the decision of the disciplinary sanction proposed or not in a written report to the Mayor or Human Resources Director.

Section 6: Final Letter and Right to Appeal

Once the Mayor or Human Resources Director adopts the final decision or recommendation made by the Official Examiner of Disciplinary Matters, the employee will be notified of said decision in writing. The adopted sanction will take effect as soon as the employee has been notified. It will be an indispensable requisite that the Mayor notify the employee aggrieved by the findings or conclusions of his/her right to appeal pursuant to existing State Law and Regulations before the Appeals Board of the Personal Administration System (J.A.S.A.P as it is known in Spanish). The employee may appeal in writing to the aforementioned Appeals Board within thirty (30) days following notification or letter of the final action taken.

I. Sanctions or Disciplinary Actions

The following disciplinary actions are hereby established and shall be imposed upon violators of the Code of Conduct and Ethics enumerated in this directive, and pursuant to the right of appeal as outlined in this chapter. These same actions can be imposed on an employee only after it has been determined that the employee has breached the Code.

Where such a determination has been made the Mayor and/or Human Resources Director may impose one or more of the following sanctions on the employee:

- Verbal Warning;
- Written Warning;
- Termination of Employment;
- Suspension of employment and wages for a maximum period of thirty (30) days;
- Suspension of employment, with remuneration;

It should be noted that where the sanction imposed is a warning, either verbal or written, the Mayor's decision shall be final and said decision can only be revised by the Appeals Board for the Personal Administration System (J.A.S.A.P). The sanction involving the suspension of employment and wages or suspension with remuneration as well as termination of employment, the employee has a right to request an administrative review before the Official Examiner of Disciplinary Matters prior to the Mayor making a final determination.

III 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 Guayanilla has a one year goal to provide assistance of upwards to approximately 45 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 Guayanilla, 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 Guayanilla 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 Family Self-Sufficiency Program so as to assist the extremely low and low income families becomes self-sufficient.

**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 auspices of the Tenant-based Voucher Program achieve economic independence and self-sufficiency.

We currently do not have this program but are desirous to start the same program so as to achieve HUD's goal and priority which is to allow families to become self-sufficient.

D. Available Funding Sources

The Municipality of Guayanilla will submit for HUD's consideration its Annual Plan (FY 2003-2004) in accordance with CFR 24, Section 903.1.

In order to assist the needs of 146 families that are currently enjoying the benefits of the Municipality of Guayanilla's tenant-based housing assistance

program, we will be submitting for HUD's approval the following budget as illustrated by Table I.

TABLE I	
SUBSIDIZED HOUSING BUDGET FOR HUD APPROVAL	
Program	Budget Estimate
Housing Choice Voucher Program Activities: Tenant-based Housing Assistance for 146 families.	\$ 594,364.00
Program Administration	\$ 86,076.00
Total Estimate of Budget to be submitted to HUD for Approval	\$ 680,440.00
Total for the Municipality of Guayanilla's Housing Budget (Grand Total)	\$ <u>680,440.00</u>

IV HOMEOWNERSHIP PROGRAMS ADMINISTERED BY THE PHA

One of the major objectives of the present Administration within the Municipality of Guayanilla 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 an established goal of implementing a viable 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 Guayanilla 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 Guayanilla 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 Housing Choice Voucher Program and have been fully employed for well over a year as well as in good standing with the Section 8 Office.
3. The total family that will be initially serviced through this program will be limited to approximately 15 families.
4. Funding levels.

The Municipality of Guayanilla 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 5-Year Plan.

V 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 Guayanilla is not seeking funding on behalf of an eligible metropolitan statistical area under the HOPWA program, the needs described for housing and supportive services DO NOT address the needs of persons with HIV/AIDS and their families throughout the eligible metropolitan statistical area.

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 Guayanilla, has a total of some 6,030 housing units, of which some 4,439 units are occupied by very low income families, 971 units by low income families, 241 units by moderate income families and some 379 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:

- 12 Occupying units having physical defects or being in deteriorated state.
- 13 Classified as being overcrowded.
- 14 Meet the definition of having a cost burden of more than 30 percent.
- 15 Lacking a complete kitchen or sanitary facilities.

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

There exist a total of 8,147 year-round housing units within the Municipality of Guayanilla according to the 2000 U.S. Census of Population. Of this total some 1,384 units are occupied by renter's on a year-round basis and 1,312 units were found to experience some type of housing problem.

It is estimated from figures obtained from such sources as the Department of Housing, the Department of the Family, the 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 300 units by the year 2004, for a total renter household size of 1,684. This is assuming that the present economic conditions will stabilize at present levels, and that all social programs currently in place, will continue to be funded at present levels over the next five years. Should any existing social program be eliminated and/or receive severe cutbacks, the demand for renter households will then sky-rocket at unpredictable levels.

It should be noted, that this same increase of 300 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 Substandard Units

Within the category of defining a substandard unit within the rental household group, it was determined that of these 250 units were found to be in deteriorating or dilapidated condition.

2564 Overcrowded Units

According to the CHAS Data book dated 1990 there were some 307 renters occupied housing units which were classified as being in an overcrowded condition. Additionally, some 74.0% of large family renter households likewise, represented overcrowded conditions.

In this regard, and based upon the statistical data presented herein and from such reliable sources as the Planning Board, Housing, Social Services, and our own local appraisal, we have identified the following Renter Households by Income Groups and categories. This information is shown in Table II.

TABLE II
MUNICIPALITY OF GUAYANILLA
RENTER HOUSEHOLDS BY INCOME GROUPS: 1990

RENTER HOUSEHOLDS	EXTREMELY LOW INCOME (0-30%)	VERY LOW INCOME (31-51%)	LOW INCOME (51-80%)	MODERATE INCOME (81-95%)	TOTAL
ELDERLY	85	32	-0-	6	123
SMALL FAMILIES	380	82	82	45	589
LARGE FAMILIES	267	42	26	0	335
OTHER	78	11	8	0	97
TOTAL	810	167	116	51	1,144

2565 Elderly Rental Households

According to the 1990, CHAS Data book, there was a total of some 123 renter households within the Municipality of Guayanilla of which 85 were classified as being of extremely low income, 32 households classified as being very low income and 6 households were classified as moderate income.

2566 Cost Burden

Within this same income category involving elderly households, some 20 were within the 0-30% and 5 households were within 31-50% range.

2567 Small Family Rental Households

The small family rental household category, some 589 households, represented the following numbers:

- 11 380 units were classified as being of extremely low income;
- 12 82 units were classified as being of very low income;
- 13 82 units were classified as being of low income;

14 45 units were classified as being of moderate income.

2568 Cost Burden

Within this same Small Family renter's household group some 65% of the households were classified as being of extremely low income, 14% households of very low income, 14% households of low income, and finally, 8% represented moderate were classified as very low income and some 26 large family renter households representing low income families.

2561 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 335 large rental household families, of which some 267 were classified as very low income and 26 large family renter households representing low income families.

25610 Cost Burden

Within this same large family renter's household income group of some 124 households fall within the 0-30% group and 101 such households are within the 31-50% range.

25611 Homeless Persons

From a review of available reliable statistical data available at the present time, the Municipality of Guayanilla does not possess any homeless persons. Perhaps one of the reasons may be, that (1) Guayanilla is a rather small community in terms of population and therefore does not possess a highly developed central business district with all-night bars, cafeterias, bus stations, etc., where homeless people tend to congregate with total immunity, and (2) Since Guayanilla is in close proximity to the metropolitan area of Ponce, which possesses the latter sites which attract homeless persons, they would tend to relocate to these other areas and thus freeing Guayanilla of having to deal with this same problem.

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

L. Persons with Disabilities

Utilizing various information available to the Municipality of Guayanilla including both the U.S. Census (2000), 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, Guayanilla with a 2000 total population of some 23,072, it is estimated that 415 persons are classified as having a developmental disability.

25613 Persons With Physical and Developmental Disabilities

Within Guayanilla the 415 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 Guayanilla. These same services are rendered in the metropolitan area of Ponce.

Within Guayanilla 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 Guayanilla 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.

25614 Estimate of Housing Needs Projected

The projected housing needs within Guayanilla were estimated based on various sources such as the 2000 Census, Puerto Rico Planning Board, Puerto Rico Department of Housing,

and the local Housing Department. Housing needs in most communities of which Guayanilla 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 costs;
- 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 Guayanilla 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 1,684 housing units within the Municipality of Guayanilla 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 Guayanilla is desirous in obtaining additional housing units over the next five years and preserving existing housing stock.

25615 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 Guayanilla are:

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

These combined factors representing the high cost, clearly indicates that better than 80% of the total population of Guayanilla 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 Guayanilla 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 \$40,000. 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 \$700 a month, that without some form of a rental subsidy, are indeed beyond the low and moderate income families. This can be verified, since some 300 families are currently awaiting placement on a waiting list, seeking assistance under our own Tenant-based Subsidized Housing Assistance Program.

VI HOUSING MARKET ANALYSIS

The significant characteristics of the housing market within the Municipality of Guayanilla area, according to the 2000 U.S. Census of Population. This information is shown in Table III.

Table III	
HOUSEHOLDS	TOTAL
YEAR ROUND UNITS	8,147
TOTAL VACANT UNITS	938
FOR SALE	90
FOR RENT	80
FOR USE AS RECREATIONAL, ETC.	124
FOR OTHER USE	644
TOTAL OCCUPIED UNITS	7,209
RENTER OCCUPIED	1,384
OWNERS OCCUPIED	5,825
UNITS LACKING COMPLETE KITCHEN FACILITIES	142
UNITS LACKING COMPLETE PLUMBING FACILITIES	642
AVERAGE VACANCY RATE FOR OWNER OCCUPIED UNITS	1.50%
AVERAGE VACANCY RATE FOR RENTER OCCUPIED UNITS	5.50%
AVERAGE HOUSEHOLD SIZE	3.55%
AVERAGE UNIT SIZE	3.19%
AVERAGE OWNER UNIT SIZE	3.16%
AVERAGE RENTER UNIT SIZE	3.30%

It should be noted, that the total population or some 23,072 persons reside on only some 42.36 square miles, representing a population density of some 544.6 persons per square mile.

Because of Guayanilla'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 acquiring individual units way beyond the reach of low income families.

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

Housing Choice Vouchers 146
Total Tenant-based units 146
Administered by the Municipality 146

The need for secure, decent and sanitary housing within the Municipality of Guayanilla, is the fact that there is some 300 family currently on a waiting list seeking housing under this same program. When an acceptable rate per family within Puerto Rico is 3.5 persons per family, these same 300 families requesting housing under the Tenant-based Subsidized Housing Program which is representative of some 1,050 persons or 4.55% of the total Municipal population.

The following Table IV represents the households by income groups within Guayanilla as well as percent of renter households with incomes below 51% according to the 1990 CHAS Data Book.

TABLE IV				
ALL HOUSEHOLDS				
TOTAL	INCOME GROUPS			
	VERY LOW	OTHER LOW	MODERATE	ABOVE
6,030	4,439	971	241	379

Percent of Renter Households with Incomes Below 51%

HAMFI:

Elderly	12.00%
Small Family	47.30%
Large Family	31.60%

BEDROOM SIZE:

Renter Occupied -

Owner Occupied -

0-1	197	0-1	381
2	344	2	1,055
3	643	3	3,429
TOTAL	1,184	TOTAL	4,865

12 Demand for Housing

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

However, as was stated earlier on this same submission, the general lack of availability of land for development, along with the high cost of acquisition coupled with the high cost of construction and the general lack of governmental subsidized houses, places almost 65% of the total population of Guayanilla 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:

- 20 Population growth;
- 21 Economic factors;
- 22 Family Incomes;
- 23 Land costs;
- 24 Construction costs;
- 25 Financing;
- 26 Interest payments;
- 27 Return of investment by either a financial institution and/or developer.

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

While the population continues to grow, this same growth is primarily among the low and very low income groups, who are unable to deal with a mortgage payment of roughly \$650 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.

03 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 Guayanilla, has a total of 95.3% percent in which renter households with incomes below 51% HAMFI have any housing problems. The following Chart I illustrate the percent of incidence by family type.

CHART I

PERCENT OF RENTER HOUSEHOLDS WITH ANY HOUSING PROBLEMS: 1990

PERCENT OF INCIDENCE BY INCOME GROUP

TOTAL	0-30%	31-50%	51-80%
95.3%	97.3%	100.0%	81.0%

Source: CHAS Data Book (1990)

04 Housing Market and Inventory Conditions

Both the 2000 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 Guayanilla.

Without exception of the total housing units (8,147), some 7,209 are occupied on a year round basis. In this regard, of the total occupied units (7,209), some 5,825 are occupied by the owner while the remainder 1,384 are occupied by renters, with the balance or 938 units being vacant.

It should be noted again, that the 938 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.

05 Overcrowded Households

The Municipality of Guayanilla has according to the CHAS Data Book on Puerto Rico has among renters a total of 26.3 percent the incidence by income groups of being overcrowded, as that of some 15.2 percent for owners.

The following Chart II clearly indicates the incidence of overcrowded households by both tenure and income groups for all households and large related households.

CHART II				
INCIDENCE OF OVERCROWDED HOUSEHOLDS: 1990				
PERCENT INCIDENCE BY INCOME GROUP				
CATEGORY	TOTAL	0-30%	31-50%	51-80%
ALL RENTERS	26.3%	30.0%	21.0%	25.0%
LARGE RENTERS	74.0%	74.5%	54.8%	100.0%
ALL OWNERS	15.2%	16.8%	13.8%	15.7%
OWNERS OTHER THAN ELDERLY	18.8%	22.3%	17.7%	17.8%

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

Due to Guayanilla'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".

VII 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 Guayanilla 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 16 families of low and very low income. At the current time the Municipality of Guayanilla is in the process of reengineering the way the Family Self Sufficiency Program is being administered so as to comply with established federal regulations.

The Municipality is in the process of appointing the essential resources to carry out the necessary functions in the formal structure of the Coordinating Committee. The Program Coordinating Committee (PCC) will be 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:

- 11 Developing a working relationship with the Federal Funds Director as well as the Program Coordinator and other related Program Staff in the achievement of the program objectives.
- 12 Coordinating the needed actions for the selection of committee representatives.
- 13 Making specific commitments of time, staff, and resources to the program.
- 14 Providing input into the program research and evaluation process.

At the current time, the Municipality of Guayanilla does not have a fully developed FSS Program but is striving to assist families who are participants in the Housing Choice Voucher Program to achieve economic independence as well as become self-sufficient. This is accomplished by motivating the families to become fully employed or assist them in seeking the proper training so that they may acquire the necessary marketable skills to become fully employed.

VIII 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);

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.

IX STATEMENT REGARDING THE STEPS THE PHA WILL TAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING

It is Congress' intent upon the enactment of the legislation under the "Quality Housing and Work Responsibility Act of 1998" that created the merger of the Certificate and Voucher Programs into one market-driven program such as the Housing Choice Voucher Program. Thus, requires 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 Guayanilla anticipates that the following activities will further fair housing, thereby benefitting 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 Guayanilla will, in order to further fair housing within the community, review all existing dwellings and housing programs currently being carried out so as to assure that these very same programs and/or projects are implemented in total compliance in accordance with existing applicable regulations.

In addition, the Municipality will undertake the following steps to ascertain that owners and participants are in compliance with fair housing laws as they are established by the Federal, State and Local governments, respectively:

- 01 In order to promote fair housing and remedy discrimination as well as encourage fair housing choice, our Program, which permits low-income renters access to assisted housing regardless of race, color, religion, national origin, sex, familial status and disability, will be assured of this with the orientation which will be given to new as well as incumbent owners during the briefing session prior to execution of the housing assistance contract. Brochures will be prepared and handed out covering Fair Housing in both Spanish and English, which will form part of the owner's packet.
- 02 In order to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability will be assured of because of the orientation offered to new or incumbent families and owners during their prospective briefing sessions which are held before the execution of the HAP contract and during the initial session held for prospective participants. Brochures will be prepared and handed out covering Fair Housing in both Spanish and English and these same brochures will be included in the owners' and participants' packet, respectively.
- 03 After a thorough review of our records and programs, each staff member of our PHA is uniquely aware of the existing Fair Housing laws and the importance of adherence to these same laws by the family, owner and staff. They have been instructed on the applicability of these same laws and how they must brief and/or provide proper orientation to a new as well as actual owner or family.
- 04 Where a family alleges that illegal discrimination is preventing them from finding a suitable unit within the community our local housing staff will provide reasonable assistance in this matter by directing the aggrieved to the necessary agencies.
- 05 The measures that will be undertaken to insure accessible housing to persons with all varieties of disabilities regardless of unit size are as follows:
 - 11 The local Housing Inspector will receive the proper training so that when a prospective home has been inspected, it complies not only with established HQS but also with the American Disabilities Act.
 - 12 Brief the owner concerning established local and federal laws on how to make the prospective dwelling unit comply with said laws and HQS as established by HUD.

- 13 Revise the payment standard in accordance with our plan so as to assure owner acceptance as well as the incentive to invest and make the dwelling unit an accessible unit for individuals with disabilities.

COORDINATION BETWEEN PUBLIC/PRIVATE RESOURCES

The Municipality will contact public and private operators of housing, including local financial institutions located within Guayanilla, to 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, 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 Guayanilla were constructed prior to being informed that lead-based paint represented a health hazard to all the members of the household, and the effect that this same problem has upon children, the Municipality of Guayanilla is committed both in a short term, 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.

Guayanilla feels rather strongly, that in order to create an effective system of abatement services it must coordinate its activities with other state agencies dealing with this same problem. In cooperation 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 Guayanilla, 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 ESTABLISHED PHA PET POLICY

The Municipality of Guayanilla has determine to allow the owner's and the tenant's come to an agreement on whether the tenant's may or may not have pets.

XI SCREENING AND EVICTION FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

1. Purpose

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of the Municipality of Guayanilla to fully endorse and implement a policy designed to:

- 30 Help create and maintain a safe and drug-free community.
- 31 Keep program participants free from threats to their personal and family safety.
- 32 Assist families in their vocational/educational goals in pursuit of self-sufficiency whenever possible.

2562 Administration

All screening and termination of assistance procedures shall be administered fairly and in such a manner so as not to violate rights to privacy or discriminate on the basis of race, color, nationality, religion, familial status, disability, sex or other legally protected groups.

To the maximum extent possible, the Municipality will involve other community and governmental entities in the promotion and enforcement of this policy.

11 Denial of Admission and Termination of Assistance for Criminals and Alcohol Abusers

10 Prohibiting Admission of Drug Criminals

The Municipality of Guayanilla will prohibit admission to the program of an applicant for five years from the date of conviction if a household member has been evicted from federally assisted housing for drug-related criminal activity. However, the Municipality may admit the household if it is determined:

-That the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the State;

-That the circumstances leading to eviction no longer exist such as that the criminal household member has dies or is imprisoned.

The Municipality has established the following standards for prohibiting admission:

-The Municipality has determined that any household member is currently engaging in illegal use of a drug;

-The Municipality has determined that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents;

-Any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

2. **Prohibiting Admission of Other Criminals**

The Municipality has established standards that prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. The Municipality will screen the family by performing a criminal history background check necessary to determine whether any household member is subject to a lifetime sex offender registration requirement in the State where the housing is located and in other States where the household members are known to have resided. This screening is to be carried-out through the Puerto Rico Police Department, which issues' **Certificate of Good Conduct**.

2563 **Prohibiting Admission of Alcohol Abusers**

The Municipality will prohibit admission to the program if it is determined that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

2564 **Terminating Assistance for Drug Criminals and Other Criminals**

The Municipality will terminate assistance for a family under the program if it is determined that:

-Any household member is currently engaged in any illegal use of a drug;

-A pattern of illegal use of a drug by any household member interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

-The Municipality will immediately terminate assistance for a family under the program if it determined that any member of the household has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

-The Municipality will terminate assistance under the program to a family if it is determined that any family member has violated the family's obligation under Section 982.551 which states that the family will not engage in any drug-related criminal activity.

2565 Terminating Assistance for Alcohol Abusers

The Municipality of Guayanilla will terminate assistance under the Housing Choice Voucher Program if it is determined that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to a peaceful enjoyment of the premises by other residents.

2562 Notice of Termination of Assistance

If the Municipality decides to terminate the assistance to the family, the provisions and procedures set forth in Section E of this chapter shall be adhered to.

XII PHA'S GRIEVANCE PROCEDURE

A. Informal Review

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

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

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

B. Hearing Procedures

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

- 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.
- It is agreed that the PHA must be given the opportunity to examine at its office any family documents that are directly

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

C. Representation of the Family

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

D. Hearing Officers

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

E. Evidence

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

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 PHA'S RENT DETERMINATION

A. Total Tenant Payment

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

B. The total tenant's 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

- 06 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 Guayanilla.

05 Request for hardship exemption

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

G. Payment Standard

A payment standard will be set between 90%-110% of the Fair Market Rent for the PHA jurisdiction as established by QWHRA. The Municipality of Guayanilla 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
266	327	385	483	541

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 Guayanilla 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.

I. Exceptions to FMR on a Unit by Unit Basis

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

J. Affordability Adjustments

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

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.

XIV RECENT RESULTS OF PHA'S AUDIT

The Municipality of Guayanilla has submitted to the HUD local office in Puerto Rico the findings of the most recent Single Audit and the action plan taken to correct the findings found so to be in compliance in compliance with established HUD rules and regulations.

XV 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 Guayanilla 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 program, including but not limited to the establishment of the homeownership program or any other special housing type program.

XVI SUMMARY OF POLICY OR PROGRAM CHANGES FOR THE UPCOMING YEAR

The Municipality of Guayanilla does not contemplate any significant changes and deviation in its policies or programs from the previous year's PHA Plan that is not covered in other sections of this same Plan.

XVII STATEMENT OF PROGRESS IN MEETING THE 5-YEAR PLAN MISSION AND GOALS

Within the first three years of its 5-Year Plan, the Municipality of Guayanilla has achieved the following:

- 02 Consolidated the Tenant-based Section 8 Voucher and Certificate Program, respectively, into a single market-driven program as mandated by law.
- 03 Has been actively promoting freedom of housing choice so as to achieve spatial deconcentration of extremely low-income families within our homogeneous community.
- 04 Continued with our established goal of providing improved conditions for extremely low-income families while maintaining their rent payments at an affordable level.
- 05 Provide an incentive to private owners to rent their dwelling units to economically disadvantaged families by offering timely assistance payments and protections against unpaid rent, damages, and vacancy loss.

- 06 Adopted and implemented a stringent policy to improve the efficiency of the program as well as the integrity.
- 07 Adopted the corrective measure to improve the program so that it can be in compliance with HUD regulations.
- 08 Start the process of reengineering due to the lack of information inherited from the previous administration.

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

XVIII SUMMARY

In order to be in compliance with 24 CFR Part 903 of HUD program regulations, the Municipality of Guayanilla 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 Guayanilla 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;
- Participating families that moved onto become first-time homeowners;
- 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 Guayanilla.

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

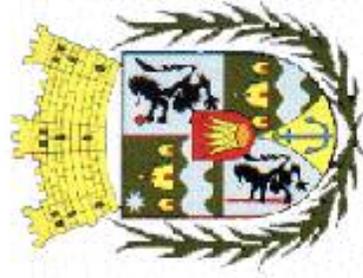
- Cash/Management System;
- Funds committed;
- Families serviced by income level (low, extremely low and moderate);
- Compliance with HQS, Quality control and Targeting as set forth in HUD regulations;
- Identify weakness and problem areas;
- Staff resources and performance;

The Municipality of Guayanilla 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 GUAYANILLA

SECTION 8 SUBSIDIZED HOUSING PROGRAM

Hon. Edgardo Arlequin Velez
Mayor



MAYOR

FEDERAL FUNDS DIRECTOR

SECTION 8 COORDINATOR

STAFF ACCOUNTANT

INSPECTORS

SECRETARY



MUNICIPALITY OF GUAYANILLA

SECTION 8 SUBSIDIZED HOUSING PROGRAM

The following program is administered by the Municipality of Guayanilla:

- ✓ **Housing Choice Voucher Program**