

U.S.DepartmentofHousingandUrbanDevelopment
OfficeofPublicandIndianHousing

SmallPHAPlanUpdate
AnnualPlanforFiscalYear: 2003-2004

**NOTE:THISPHAPLANSTEMPLATE(HUD -50075SmallPHA)ISTOBECOM PLETEDIN
ACCORDANCEWITHINSTRUCTIONSLOCATEDINAPPLICABLEPIHNOTICES**

**PHA Plan
Agency Identification**

PHAName: Municipality of Juana Díaz

PHANumber: RQ038

PHAFiscalYearBeginning:(mm/yyyy) 07/2003

PHA Plan Contact Information:

Name: Hon. Ramon Hernández Torres, Mayor

Address: 31 Degetau Street
Juana Díaz, PR 00795

Postal Address: PO Box 1409
Juana Díaz, PR 00 795-1409

Phone: 787-837-2185

Name: Tito E. Leon Roche, Section 8 Coordinator

Phone: 787-837-2420

Email (if available): nivari73@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 - **Mayor's Office**
- Public library
- PHA website
- Other (list below)

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

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

PHA Programs Administered :

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

AnnualPHAPlan
FiscalYear20 03
 [24CFRPart903.7]

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 filename 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		4
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, provide each attachment name)		
Annual Plan Supplement – rq038a02		
Organizational Chart - rq038b02		
Capacity Statement - rq038c02		

ii.ExecutiveSummary

[24CFRPart903.79(r)]

AtPHAoption,provideabriefoverviewoftheinformationintheAnnualPlan

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

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

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

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

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

The purpose of the Municipal Tenant-based (Section 8) program was conceived to assist the families during financial distress and gradually reduce the amount paid by the program in an efficient manner, while at the same time motivating these same families. Furthermore, there is an undeniable need for low-income housing within the Municipality of Juana Diaz 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 Juana Diaz is a Tenant-based (Section 8) only PHA.**

This same Annual Plan of Juana Diaz 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 Juana Diaz has established a unified vision of community actions. This same Plan will permit Juana Diaz 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 Juana Diaz 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

[24CFR Part 903.79(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)CapitalFundProgramAnnualStatement

TheCapitalFundProgramAnnualStatementisprovidedasAttachment

3.D emolitionandDisposition

[24CFRPart903.79(h)]

Applicability:Section8onlyPHAsar enotrequiredtocompletethissection.

1. Yes No: DoesthePHApplantconductanydemolitionordispositionactivities(pursuantto section18oftheU.S.HousingActof1937(42U.S.C.1437p))intheplanFiscal Year? (If“No”,skiptonextcomponent;if“yes”,completeoneactivitydescriptionforeach development.)

2.ActivityDescription

Demolition/DispositionActivityDescription (NotincludingActivitiesAssociatedwithHOPEVIorConversionActivities)	
1a.Developmentname:	
1b.Development(project)number:	
2.Activitytype:Demolition <input type="checkbox"/> Disposition <input type="checkbox"/>	
3.Applicationstatus(selectone) Approved <input type="checkbox"/> Submitted,pendingapproval <input type="checkbox"/> Plannedappl ication <input type="checkbox"/>	
4.Dateapplicationapproved,submitted,orplannedforsubmission: <u>(DD/MM/YY)</u>	
5.Numberofunitsaffected:	
6.Coverageofaction(selectone) <input type="checkbox"/> Partofthedevelopment <input type="checkbox"/> To taldevelopment	
7.Relocationresources(selectallthatapply) <input type="checkbox"/> Section8for units <input type="checkbox"/> Publichousingfor units <input type="checkbox"/> Preferenceforadmissiontootherpublichousingorsec tion8 <input type="checkbox"/> Otherhousingfor units(describewhat)	
8.Timelineforactivity: a. Actualorprojectedstartdateofactivity: b. Actualorprojectedstartdateofrelocationactivities: c. Projectedenddateofactivity :	

4. Voucher Homeownership Program

[24CFR Part 903.79(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 24CFR 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 down payment requirement of at least 3 percent and requiring that at least 1 percent of the down payment 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

[24CFR Part 903.7(m)]

Exemptions Section 8 Only PHAs may skip to the next component PHA 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

[24CFR Part 903.79(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 (Filename) 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
All of these changes is included
 Yes No: below
 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 Juana Díaz 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 Juana Díaz.

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 Certification 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 jurisdiction 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 XI, Page 30 Administrative Plan & Annual Supplement Section XII, page 38	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 16, Page 38 Administrative Plan and Section XIV, page 42 of the Current Annual 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 528 25) for any active CIAP grants	Annual Plan: Capital Needs
	Approved HOPEVI applications or, if more recent, approved or submitted HOPEVI 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 home ownership programs/plans	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program (Section VI, Page 16 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 PLANS 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 PHA participating in the consortium and a copy of the payment agreement between the consortium and HUD (applicable only to PHA 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	<p>Other supporting documents (optional) (list individually; use as many lines as necessary)</p> <p>Screening and Eviction or Drug Abuse and Other Criminal Activity Policy, Section XVIII, page 45 of the Current Annual Supplement.</p> <p>PHA CODE OF CONDUCT, Section XIX, Page 47.</p>	(specify as needed)

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

PHAName: 	Grant Type and Number Capital Fund Program: Capital Fund Program Replacement Housing Factor Grant No:	Federal FY of Grant:
-------------------------	---	-------------------------------------

Original Annual Statement
 Reserve for Disasters / Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total Non -CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment — Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1498 Mod Used for Development				
19	1502 Contingency				
20	Amount of Annual Grant: (sum of lines 2 - 19)				
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Compliance				
23	Amount of line 20 Related to Security				

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

PHAName:	Grant Type and Number Capital Fund Program: Capital Fund Program Replacement Housing Factor Grant No:	Federal FY of Grant:
-----------------	---	-----------------------------

Original Annual Statement
 Reserve for Disasters / Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

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

Capital Fund Program 5 - Year Action Plan

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

CFP5 - 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)
Totalestimatedcostovernext5years		

PHAPu blic 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. This 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** _____ **Other** _____

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 havenot been closed out at the time of this submission, indicate the fund balance and anticipated completion date. The Fund Balance should reflect the balance as of Date of Submission of the PHDEP Plan. The Grant Term End Dates 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						
FY 1998						
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 T A 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 PHD EP 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 –ReimbursementofLawEnforcement					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDE P Funding	OtherFunding (Amount/ Source)	PerformanceIndicators
1.							
2.							
3.							

9115 -SpecialInitiative					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/ Source)	PerformanceIndicators
1.							
2.							
3.							

9116 -GunBuybackTAMatch					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
1.							
2.							
3.							

9120 -SecurityPersonnel					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
1.							
2.							
3.							

9130 –EmploymentofInvestigators					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
1.							
2.							
3.							

9140 – VoluntaryTenantPatrol					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
1.							
2.							
3.							

9150 - PhysicalImprovements					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
1.							
2.							
3.							

9160 -DrugPrevention					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
1.							
2.							
3.							

9170 -DrugInt ervention					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
1.							
2.							
3.							

9180 -DrugTreatment					TotalPHDEPFunding:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
1.							
2.							
3.							

9190 -OtherProgramCosts					TotalPHDEPFunds:\$		
Goal(s)							
Objectives							
ProposedActivities	#of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	OtherFunding (Amount/Source)	PerformanceIndicators
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 Juana Díaz's locally administered Housing Choice Voucher Tenant-based Program was elected by the families benefiting from the Program. The Board is composed of seven (7) 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

Luz M. Correa
Urb. Hermanos Santiago
Calle A-14
Juana Díaz, PR 00795

2. Vice-President

Iris N. Santiago
Com. Cristiana
Calle Las Violetas 187A
Juana Díaz, PR 00795

3. Secretary

María I. Vega
Extensión Las Marias B-9
Juana Díaz, PR 00795

4. Vocal

Marta Rivera
PO Box 635
Juana Díaz, PR 00795

5. Vocal

Hilda L. Perez
Urb. Jardines de Santo Domingo
Calle 3 G-8
Juana Díaz, PR 00795

6. Vocal

María M. Aponte
20 Marin Braschi Street
Juana Díaz, PR 00795

7. Vocal

Rosa M. Cintrón
Urb. Jacaguax
61 4th Street
Juana Díaz, PR 0079

**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.

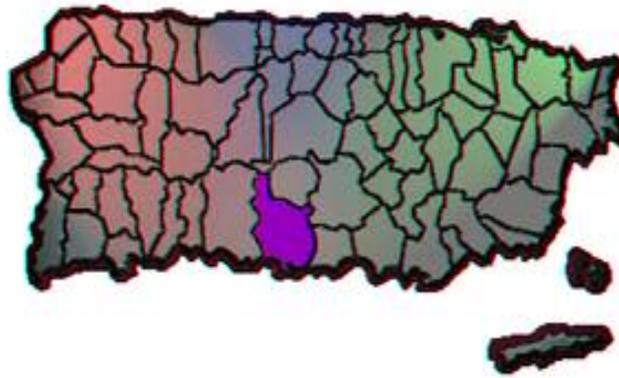
Required Attachment I: Required Attachments

- 1. Statement of Housing Needs is located in the attached annual supplement, Section X, page 25.**
- 2. Statement of PHA's Rent Determination is located in the attached annual supplement, Section XII, page 38.**
- 3. Statement of PHA's Grievance Procedure is located in the attached annual supplement, Section XIV, page 42.**
- 4. Statement of Progress is located in the attached annual supplement, Section III, page 3.**
- 5. PHA Statement concerning Screening and Eviction Policy For Drug Abuse And Other Criminal Activity, Section XVIII, page 45.**
- 6. PHA Code of Conduct, Section XIX, page 47.**
- 7. PHA's policies governing eligibility, selection, and admissions, Section V, page 4.**
- 8. Additional Information Required, Section XVI, page 44.**
- 9. Section 8 Homeownership Program Capacity Statement attached.**
- 10. HUD Standard Form-LLL Disclosure of Lobbying Activities, hardcopy submitted to HUD Local Caribbean Office.**



**MUNICIPALITY OF
JUANA DÍAZ
RQ038**

**ANNUAL PLAN
FY 2003-2004**



**HON. RAMÓN A. HERNÁNDEZ TORRES
MAYOR**

**TITO E. LEÓN ROCHE
SECTION 8 DIRECTOR**



Table of Contents

I	EXECUTIVE SUMMARY	1
II	PHA’S COMMUNITY SERVICE AND SELF-SUFFICIENCY PROGRAM	2
III	STATEMENT OF PROGRESS IN MEETING THE 5-YEAR PLAN MISSION AND GOALS	3
IV	SUMMARY OF POLICY OR PROGRAM CHANGES FOR THE UPCOMING YEAR	4
V	PHA’S POLICIES GOVERNING ELIGIBILITY, SELECTION, AND ADMISSIONS	4
VI	HOMEOWNERSHIP PROGRAMS ADMINISTERED BY THE PHA	16
VII	FINANCIAL RESOURCES	19
VIII	CIVIL RIGHTS CERTIFICATION	21
IX	STATEMENT REGARDING THE STEPS THE MUNICIPALITY WILL TAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING	22
X	HOUSING NEEDS	25
XI	HOUSING MARKET ANALYSIS	32
XII	PHA’S RENT DETERMINATION	38
XIII	RECENT RESULTS OF PHA’S AUDIT	42
XIV	PHA’S GRIEVANCE PROCEDURE	42
XV	ESTABLISHED PHA PET POLICY	44
XVI	ADDITIONAL INFORMATION REQUIRED	44
XVIII	SCREENING AND EVICTION POLICY FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY	45
XIX	PHA CODE OF CONDUCT	47

I EXECUTIVE STATEMENT

This same Annual Plan is a continuation of a process that was started in Fiscal Year 2000 which provides a framework for local accountability and an easily identifiable source by which public housing residents, participants in the tenant-based assistance program, and other members of the public may locate basic PHA policies, rules, and requirements concerning its operations, programs and services.

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

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

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

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

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

organizational structure of the municipality in charge of developing and implementing homeless prevention activities, which will include both food and counseling. Affected persons will be assisted with obtaining permanent housing, medical and psychological counseling and supervision, counseling in employment, nutritional as well as substance abuse treatment and counseling.

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 latest 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 Juana Díaz is a tenant-based (Section 8) only PHA.

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

II 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.

At the current time, the Municipality of Juana Díaz 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.

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

Within the first few years of its 5-Year Plan, the Municipality of Juana Díaz achieved the following:

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

While the Municipality is pleased with what has been accomplished so far, Juana Díaz is very much cognizant of the long road ahead so as to meet the needs of its citizens. On an on-going basis, the Municipality of Juana Díaz continues to

evaluate the goals and strategies that have been established so that it can better meet the demand of housing.

IV SUMMARY OF POLICY OR PROGRAM CHANGES FOR THE UPCOMING YEAR

The Municipality of Juana Díaz 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.

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

A. Determination of Family Eligibility

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

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

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

People with applications not expected to be awarded vouchers upon completion of their files because their number in the waiting list is far higher than

the number of available vouchers as per the ACC and number of bedrooms which may be available will be so advised. If a date can be determined as to when the voucher can be issued they will in fact be told, otherwise, they will be advised that based on the date and time of the completed application, if the family was found to be eligible, and once there are additional vouchers, they will be notified of the same. The families will be informed that their applications are valid for one year only and in order to maintain their case file opened they must renew their application on a yearly basis. The PHA will inform the families accordingly in writing.

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

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

B. Verification Procedures

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

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

After families complete their applications, except those that for obvious reasons will not qualify, a series of documents will be requested from them and they will be required to bring these documents within a period of 30 days. The family will be given a sheet outlining the necessary documents needed to complete

their file. The municipal staff will go over the list and inform the family that, should they not be able to comply with the time set, their respective application will be withdrawn and case considered closed. To ensure that the family understands, the form will be signed by the family and the Municipal staff attending the family. A copy will be given to the family.

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

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

01 Family Composition	Birth, marriage and birth certificates, a family photograph, sworn statements, school records
02 Special Medical Needs which require larger units.	Medical Certificates
03 Income from wages	Verification forms from the employer.
04 Social Security	Verification from the S.S. office or through HUD's website.
05 State Disability and other pensions	Verification forms from an employer.
06 Welfare repayments	Verifications form from State Department of the Family agency.
07 Unemployment compensation	Verifications form from State Agency (Form W -5).
09 Alimony and child support	Court Records. A copy of the divorce decree as well as form from the appropriate State Agency "ASUME."
09 Family financial Assistance	Letter form from a benefactor.
010 Family type (Elderly or Disabled)	From appropriate agency granting benefits and birth certificate.
011 Full-time student status (18 or older).	A letter from school or college
012 Scholarships-grants	A written confirmation from the source of benefits, as well as, a written confirmation

from Education Institution as to cost. The net balance is the amount available for

013 Income Interest and Dividends

subsistence.

Verification from bank, or financial institution, bank passbooks, etc.

014 Assets

Written form from appropriate financial institution or source. In case of rental income, a written statement from the person paying the rent.

015 Applicant Screening

A Certificate of Good Conduct from State Police Department this as per QHWRA of 1998.

016 Other

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

D. Factors that will be used to Determine Eligibility

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

01 Family income so as to comply with Part V, Section B of this supplemental annual action plan for fiscal year 2003 -2004.

02 The health condition of the family.

03 The conditions under which the family is currently living at the time of the application .

E. Selection and Admission of Applicants

1. Admission of a family applicant

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

11 Special admission.

12 Waiting list admission

02 Targeting

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

- 01 30 percent of the area median income, with adjustments for smaller and larger families.
- 02 A higher or lower percent of the area median income, if HUD determines a higher or lower percent is necessary because of usually high or low family incomes.
- 03 Bearing this mind, the following definitions shall be used to define the families applying for the Tenant -based housing assistance program:
 - 11 Extremely-low income: A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.
 - 12 Low-income: A family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

03 Conversion of Assistance

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

04 Inapplicability of Targeting

Admissions of the following categories of families are not subject to targeting under Part V, section E, subpart 2 of this action plan:

01 A low income family that is continuously assisted under the 1937 Act.

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

05 Use of Family’s Income

The annual income (gross income) of an applicant family is used both for determination of income -eligibility under 24 CFR part 5, section 5.601(c) and for the Municipality of Juan Díaz’s income targeting as set forth in Part V, section E, subpart 2 of this plan.

06 Administration of Waiting List

11 Except for special admissions participants must be selected from the PHA waiting list. The PHA must select participants from the waiting list on a first -come, first -served basis, in accordance with this same plan, which includes Equal Opportunity.

12 The PHA has agreed to cooperate fully with HUD, in respect to when HUD provides funding to the PHA for a special purpose such as desegregation, Family Unification, etc., including but not limited to including funding for specified families and/or a specified category of families. The PHA has further agreed to issue the required voucher.

12 Organization of the Waiting List

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

01 Applicant names

11 Family composition (adults / children, age/sex)

12 Date and time of application

13 Bedroom size

14 Qualification for any ranking preference or local preference

f. Racial or ethnic designation of the head of household

02 Programs for which the PHA feels that the family qualifies for and would be interested in participating in under the umbrella of the subsidized housing program being administered by the PHA. Should the family not be interested in participating in any specific program, this will not affect the place and position of the family on the waiting list.

18 Occupancy Standards

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

Unit Size	MinimumNo.of PersonsinHousehold	MaximumNo.of PersonsinHousehold
0BR	1	0
2BR	-2-	-4-
3BR	-4-	-6-
4BR	-6-	-8-
5BR	-8-	-10-

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

19 Opening the Waiting List

01 When the PHA opens a waiting list, it will publish a public notice informing all interested families and homeowners of the opening of a new waiting list. The public notice will state where and when to apply and/or to receive additional information on all aspects of the program.

02 The PHA must provide the public notice publication in a local newspaper of general circulation, which should also include minority media.

03 The public notice among other things must state any limitations if any, on whom may apply.

04 When the waiting list is open, the PHA must accept applications from families for whom the list is open, unless there is good cause for not accepting the application.

10. Closing the Waiting List

01 The PHA at its discretion will determine that the existing waiting list does contain an adequate pool for use of available program funding may stop accepting new applications.

02 However, even if the PHA is not otherwise accepting additional applications from those applicants who demonstrate a need beyond extraordinary circumstances and/or qualify under of the programs being offered by the PHA, said application will be accepted and so classified when placed on the waiting list.

03 When a decision has been made to close the existing waiting list, the PHA will publish a public notice in a local newspaper of general circulation advising all interested persons, parties, and groups of the same.

11. Updating the Waiting List

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

a. A letter will be mailed to the applicant's last known address.

12 The notice will inform the applicant's family that a year has passed and information will be requested regarding their continued interest in maintaining a place on the waiting list.

13 A time limit will be established in the notice, whereby, the applicant will be requested to pass by the Municipality's Section 8 Office to file an updated application. By visiting the Section 8 Office, the family has demonstrated interest as well as assure itself of continuing their position for one year on the waiting list.

14 If the PHA fails to receive the applicant notice or renewed application of continuance within the time frame established by the Municipality for this purpose, the applicant's name will be removed from the waiting list.

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

F. Selection Preferences

01 Local Preferences

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

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

01 Victims of Domestic violence;

11 Families that will be broken up due to removal of young children by the State Family Department or families that will be united by the return of the children but do not have decent housing;

12 Involuntarily displaced;

13 Homeless or living in substandard housing;

14 Paying more than 50 percent of income for rent

15 Single person with a disability or any member of the family applicant with a disability except under the provision set forth in Section 5, subsection E(2) of this administrative plan

16 Single elderly person or family applicants with an elderly person.

17 Other Preferences such as:

11 Working families and those unable to work because of age or disability;

12 Veterans and veterans' families;

13 Those enrolled currently in educational, training, or upward mobility programs -for participants who wish to enroll in our Family Self Sufficiency Program;

14 Households that contribute to meeting income requirements -for participants who wish to enroll in our FSS and Homeownership Programs, respectively.

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

2567 Qualifying for a local Preference

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

An applicant that is homeless, living in overcrowded conditions or in a shelter for the homeless will be considered as living in substandard housing.

04 Rent Burden: An applicant qualifies for this preference if the applicant is paying more than 50 percent of family income in rent.

05 Certification of Preference: An applicant may claim qualification for a Local Preference by certifying to us as the PHA, that the family qualifies for a local preference. The PHA has agreed to accept this certification, unless we as the PHA verify that the applicant is not qualified for a local preference.

06 Verification of Preference: Before an applicant is admitted on the basis of the local preference, the applicant must provide information needed by us as the PHA in order to verify that the applicant qualifies for a local preference because of the applicant's current status. It is further agreed, that the applicant's current status must be determined without regard as to whether there has been a change in the applicant's qualification of a local preference between the certification and selection for admission, including a change from one local preference category to another.

07 Retention of Preference: The PHA has agreed, that if a Housing Choice Voucher Program applicant is currently receiving tenant-based assistance under the "HOME" program (24 CFR part 92), the PHA determines whether the applicant qualifies for the Housing Choice Voucher Program local preference based upon the situation of the applicant at the time the applicant began to receive tenant-based assistance under this same "HOME" program.

08 Persons with disabilities: No individual will be considered to be a person with disabilities for purposes of eligibility solely due to their drug or alcohol dependence.

2568 Notice and Opportunity for a Meeting where the Local Preference is denied

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

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

VI HOMEOWNERSHIP PROGRAMS ADMINISTERED BY THE PHA

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

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

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

Housing, the Housing Development Bank, and other similar public private agencies in order to accomplish this same goal.

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

Activities:

❑ Provide Greater Assistance in Meeting both Down payment and closing cost Requirements:

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

Objective: Create Affordable Housing Within the Community:

Affordable housing within the Municipality of Juana Díaz 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 Juana Díaz 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.

Provide 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:

01 Assistance will be provided for:

01 Firsttime homeowner.

02 Family that owns or is acquiring shares in a cooperative.

02 The total family that will be serviced through this program will be limited to approximately 20% of participating families, who are currently in good standing within our Housing Choice Voucher Program and who have been working in a verifiable job for over a year.

03 Funding levels.

The Municipality of Juana Díaz 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 our 5 -Year Plan.

VII FINANCIAL RESOURCES

OBJECTIVE: IMPROVE OPPORTUNITIES UNDER RENTAL HOUSING

Renters experience more housing problems than do homeowners as it clearly is demonstrated by the 1990 U.S. Census of Population as well as has been our own

experience under our own local Housing Choice Voucher Program (Section 8). When renters are compared to homeowners of the same household type and income levels, the percentage of renters with housing problems is higher than owners.

We have identified the need for rental housing based upon the number of requests made to the Municipality by the populations at large to numerous Municipal Agencies. In most cases, it was primarily a general need for more rental housing, since better than 80% of the population does not qualify to purchase a dwelling unit and require some type of rental assistance. It is in this regard that the Municipality of Juana Díaz has a one year goal to provide assistance of upwards to approximately 60 households with rental housing assistance.

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

A. Housing Funding Sources -

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

Additionally, work with island housing contractors that may be interested in constructing housing units within Juana Díaz, 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 Juana Díaz will work closely with the U.S. Department of Housing and Urban Development (HUD) in attempting to obtain additional vouchers if and when they become available. The Municipality will also petition HUD to become a participant under the Welfare-to-Work Program so as to assist the extremely low and low income families, become self-sufficient.

C. Available Funding Sources

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

In order to assist the needs of 115 families that are currently enjoying the benefits of the Municipality of Juana Díaz’s tenant-based housing assistance program, we will be submitting for HUD approval the following budget:

SUBSIDIZED HOUSING BUDGET FOR HUD APPROVAL	
Program	Budget Estimate
Housing Choice Voucher Activities: Tenant-Based Housing Assistance for 91 Families	\$ 408,294
Family Self Sufficiency Program Activities: Tenant-Based Housing Assistance for 24 families.	\$ 145,422
Program Administration	\$ 51,805
Total Estimate of Budget to be submitted to HUD for Approval	\$ <u>605,521</u>
Portability Program Activities: Tenant-Based Housing Assistance for 20 Families.	\$ 105,300
Total for the Municipality of Juana Díaz Housing Budget (Grand Total)	\$ <u>710,821</u>

The Municipality of Juana Díaz has within its organizational structure an agency entitled, "Clinica Especial De La Salud", under HUD's Emergency Shelter Grant Program: Stewart B. McKinney Homeless Assistance Act (24 CFR Part 576). The following is a breakdown of its proposed budget for fiscal year 2003-2004:

CLINICA ESPECIAL DE LA SALUD RESOURCES AVAILABLE	
Source	Budget Amount
Ryan White Program Title I	\$ 122,72
Congressional Black Caucus	\$ 24,36
Local Matching (Cash)	\$ 80,00
Emergency Shelter Grant (HUD)	\$ 80,00
Sub-Total	\$ 307,08
Consolidated Budget	\$ 1,017,904

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); and
6. Title II of the Americans with Disabilities Act, 42 U.S.C. 12101, et. Esq.

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

IX STATEMENT REGARDING THE STEPS THE MUNICIPALITY 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. This requires the 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 Juana Díaz 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 Juana Díaz 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 -

incomerenters 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 Municipality 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 areas follows:

- (1) 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.
- (2) 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.
- (3) 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 Juana Díaz, 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 Juana Díaz 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 Juana Díaz 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.

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

11 Housing Needs

The Comprehensive Housing Affordability Strategy (CHAS) Data book issued by the U.S. Department of Housing and Urban Development, indicates that the Municipality of Juana Díaz, has a total of some 12,031 housing units, of which some 9,159 units are occupied by very low income families, 1,713 units by low income families, 466 units by moderate income families and some 693 housing units are being occupied by above income families.

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

01 Occupying unit having physical defects or being in deteriorated state.

02 Classified as being overcrowded.

03 Meet the definition of having a cost burden of more than 30 percent.

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

2562 Renter Households

According to the 2000 U.S. Census of Population, there existed out of a total 16,490 year -round housing units within the Municipality of Juana Díaz, some 2,939 units are occupied by renter' son a year -round basis, of which 2,656 units have some type of housing problem.

It is estimated from figures obtained from such sources as the Department of Housing, the Department of the Family, Planning Board, and our own internal figures based upon demands from the public at large upon local public housing units, and upon our locally administered Tenant -Based Subsidized Housing Program, that rental housing demands will require some additional 350 units by the year 2004, for a total renter household size of 3,289. This is assuming, of course, that the present economic conditions will stabilize at present levels, and that all social programs currently in place, will continue to be funded at present levels over the next five years. Should any existing social program be eliminated and/or receive severe cutbacks, the demand for renter households will then skyrocket at unpredictable levels.

It should be noted, that this same increase of 350 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 300 units were found to be in deteriorating or dilapidated condition.

2564 Overcrowded Units

According to the CHAS Data book dated 1990 there were some 483 renters occupied housing units which were classified as being in an overcrowded condition. Additionally, some 53.7% of large family renter households likewise, represented overcrowded conditions.

In this regard, and based upon the statistical data presented herein and from such reliable sources as the Planning Board, Housing, Social Services, and our own local appraisal based upon our locally administered Tenant -based program. We have identified the following Renter Households by Income Groups and categories as demonstrated in Table I.

TABLE I
MUNICIPALITY OF JUANA DÍAZ
RENTER HOUSEHOLDS BY INCOME GROUPS: 1990

RENTER HOUSEHOLDS	EXTREMELY LOW INCOME (0-30%)	VERY LOW INCOME (31-50%)	LOW INCOME (51-80%)	MODERATE INCOME (81-95%)	TOTAL
ELDERLY	159	47	0	0	206
SMALL FAMILIES	665	252	200	30	1,147
LARGE FAMILIES	432	112	63	16	623
OTHER	124	12	4	0	140
TOTAL	1,380	423	267	46	2,116

2565 Elderly Rental Households

According to the 1990 CHAS Data book, there was a total of some 206 renter households within the Municipality of Juana Díaz of which 159 were reclassified as being of extremely low income and, 47 households classified as being very low income.

2566 Cost Burden

Within this same income category involving elderly households, some 58 were within the 0 -30% and 40 were within the 31 -50% range.

2567 Small Family Rental Households

Within the small family rental household category, some 1,147 households, represented the following numbers:

04 665 units were reclassified as being of extremely low income;

05 252 units were reclassified as being of very low income;

06 200 units were reclassified as being of low income;

07 30 units were reclassified as being of moderate income.

2568 Cost Burden

Within this same Small Family renter' shousehold group some 57.98% of the households were reclassified as being of extremely low income, 21.97% households of very

low income, 17.44% households of low income, and finally, 2.62% represented moderate income levels.

2561 Large Family Renter Households

This same Comprehensive Housing Affordability Strategy (CHAS) Databook covering Puerto Rico and dated 1990, indicated that there was a total of some 623 large rental household families, of which some 432 were classified as being of extremely low income; 112 were classified as very low income and some 63 large family renter households representing low income families, as well as 16 large family renter households representing moderate income.

25610 Cost Burden

Within this same large family renter's household income group of some 392 households fall within the 0 - 30% group and 248 such households are within the 31 - 50% range.

25611 Homeless Persons

The Municipality of Juana Díaz applied for and received an \$80,000 grant under HUD's Emergency Shelter Grant Program. The following is a table with a breakdown of families being serviced through the "Clínica De La Salud". This is demonstrated in Table II.

TABLE II	
NEED OF SUPPORTIVE HOUSING BY HOMELESS AND SPECIAL NEEDS	
Category	Persons in need of Supportive Housing
Elderly	401
Runaway, abandoned, abused, or at risk youth	10
Mental illness	6
Physically/Developmentally Disabled	397
Alcohol/Drug Abuse	400
Persons with AIDS or related diseases	50
Victims of Domestic Violence	25
Homeless Veterans	0

25612 PersonswithDisabilities

Utilizing various information available to the Municipality of Juana Díaz 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, Juana Díaz with a 2000 total population of some 50,531 it is estimated that 910 persons are classified as having a developmental disability.

25613 PersonsWithPhysicalandDevelopmentalDisabilities

Within Juana Díaz the 910 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.

Due to the establishment of the shelter, we are able to service a part of the developmentally disabled population but not all. The remainder of these same services are rendered in the adjacent Metropolitan Municipality of Ponce.

Within Juana Díaz several obstacles prevent the disabled from obtaining adequate housing:

- ✓ Proper accessibility;
- ✓ Centrally located housing convenient to public transportation;

25616 The need for additional rents 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 Juana Díaz will require some 250 additional supportive units 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.

25617 Estimate of Housing Needs Projected

The projected housing needs within Juana Díaz were estimated based on various sources such as the 2000 Census, Puerto Rico Planning Board, Puerto Rico Department of Housing, and the local Section 8 Office. Housing needs in most communities of which Juana Díaz is no different, come about as a result of the following:

- 01 High housing costs;
- 02 Housing located in areas subject to landslides, or unstable terrain;
- 03 Physically deteriorated housing;
- 04 Inadequate and overcrowded units.

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

- 01 High Housing cost;
- 02 Being overcrowded;
- 03 Being in a physical deteriorated condition.

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

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

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

Furthermore, housing units lacking complete indoor plumbing facilities or deteriorated/dilapidated housing units having all plumbing facilities are regarded as being inadequate. In this regard, estimating the total needs for housing within Juana Díaz 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 a housing need for 350 housing units within the Municipality of Juana Díaz 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 Juana Díaz is desirous in obtaining additional housing units over the next five years and preserving existing housing stock.

25616 BarrierstoAffordableHousing

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 Juana Díaz are:

04 The high cost of land development due to general lack of both vacant and available land;

05 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 indicate that better than 73.6% or some 37,191 of the total population of Juana Díaz are classified as having incomes below the poverty level and would indeed require some kind of assistance in order to solve their housing problems. **It should be noted, that while the population has since increased over the 1990 figures, and will no doubt continue this trend when the 2000 census is completed, this same growth continues to be within the low and very low income groups, who by their economic status, continue to make demands on both the municipal and state governments, respectively, that at present lack the necessary funds to meet these same demands.**

At the present time the only source of purchasing a home within Juana Díaz 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 credit and employment record 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 rental subsidy, are indeed beyond the low and moderate income families. This can be verified, since some 250 families are currently awaiting placement on a waiting list, seeking assistance under our

Tenant-based Subsidized Housing Assistance Program, unemployment continuation and the demand for some type of public assistance is also on the rise.

017 Removing Barriers to Affordable Housing Strategies -

Programs designed to address the housing needs, operate for the most part on the supply side of the housing market, or on the demand side, or on both sides simultaneously. Various strategies are being considered at the local level to be used to improve upon the availability of affordable housing. On the supply side the cost of providing housing units in the non-market category, could be reduced by programs that lower the cost of land to developers, by implementing tax incentives at the state and local level, by improving upon the infrastructure, such as water, sewer, electrical and telephone service, as well as improved roads and transportation, by expediting the permit process, and eliminating governmental bureaucracy. On the demand side, home acquisition is covered by facilitated through programs that subsidize interest payments or the down payment on a mortgage. In addition the municipality is looking into seeking out when and if they are available, housing programs that will subsidize monthly rental payment for qualified low and very low income families.

The Municipality of Juana Díaz after having been made aware of its responsibilities upon completing a review of its local analysis for removing barriers to affordable housing will, during the coming year meet with public and private sector lending agencies, as well as with private developers to determine how Juana Díaz can provide the necessary affordable housing to its citizens.

XI HOUSING MARKET ANALYSIS

01 General Characteristics

The significant characteristics of the housing market within the Municipality of Juana Díaz are illustrated in Table III.

Table III	
HOUSEHOLDS	TOTAL
YEAR ROUND UNITS	16,490
VACANT	1,536
FOR RENT	130
FOR SALE	218
FOR RECREATIONAL USE, ETC.	114
FOR OTHER REASONS	1,074

Table III	
HOUSEHOLDS	TOTAL
OCCUPIED	14,954
OWNER OCCUPIED	12,015
RENTER OCCUPIED	2,939
UNITS LACKING KITCHEN FACILITIES	308
UNITS LACKING COMPLETE PLUMBING FACILITIES	1,271
VACANCY RATE OWNER OCCUPIED UNITS	1.80%
VACANCY RATE RENTER OCCUPIED UNITS	4.10%
AVERAGE SIZE OF UNIT OCCUPIED BY OWNERS	3.33%
AVERAGE SIZE OF UNIT OCCUPIED BY RENTERS	3.33%
AVERAGE FAMILY SIZE	3.71%

It should be noted, that the total population or some 50,531 persons reside on only some 60.29 square miles, representing a population density of some 838.1 persons per square mile and 273.5 dwelling units per square mile.

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

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

Housing Choice Vouchers	- 82-
Family Self Sufficiency	- 33-
Portability	- 20-
Total Tenant-based units	<u>-135-</u>

Administered by the Municipality -135-

The need for secure, decent and sanitary housing within the Municipality of Juana Díaz, 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 250 families requesting housing under the Tenant-based Subsidized Housing Program which is representative of some 875 persons or 1.7% of the total Municipal population.**

The following table represents the households by income groups within Juana Díaz:

ALL HOUSEHOLDS				
TOTAL	INCOME GROUPS			
	Very Low	Other Low	Moderate	Above
12,031	9,159	1,713	466	693

PERCENT OF RENTER HOUSEHOLDS WITH INCOMES BELOW 51%:

HAMFI:

Elderly 10.3%

Small Family 55.8%

Large Family 27.2%

INCIDENCE OF OVERCROWDED HOUSEHOLDS:

Renters 20.3%

Owners 18.5%

BEDROOM SIZE:

<u>Renter Occupied -</u>		<u>Owner Occupied -</u>	
0-1	346	0-1	615
2	804	2	2,314
3	1,230	3	6,701
TOTAL	2,380	TOTAL	9,630

02 Demand for Housing

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

Nevertheless, the general lack of availability of land for development, along with the high cost of acquisition coupled with the high cost of construction and the general lack of governmental subsidized houses, places almost 73.6% of the total population of Juana Díaz in a position that would require some form of government assistance and/or subsidies in order to purchase a home.

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

01 Population growth;

02 Economic factors;

03 Family Income;

04 Land costs;

05 Construction costs;

06 Financing;

07 Interest payments;

08 Return of investment by either a financial institution and/or developer.

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

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

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 Juana Díaz, has a total of 90.6 percent in which renter households with incomes below 51% HAMFI have any housing problems. The following Table IV provides the percent of incidence by family type.

TABLE IV			
PERCENT OF RENTER HOUSEHOLDS WITH ANY HOUSING PROBLEMS: 1990			
ALL HOUSEHOLDS			
PERCENT OF INCIDENCE BY INCOME GROUP			
TOTAL	0-30%	31-50%	51-80%
90.6	75.2	91.2	95.0

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 Juana Díaz.

Without exception of the total housing units (16,490), some 14,954 are occupied on a year round basis. In this regard, of the total occupied units (14,954), some 12,015 are occupied by the owner while the remainder 2,939 are occupied by renters, with the balance or 1,536 units being vacant.

It should be noted again, that the 1,536 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 Juana Díaz has according to the CHAS Data Book on Puerto Rico has among renters a total of 20.3 percent the incidence by income groups of being overcrowded, as that of some 18.5 percent for owners.

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

TABLE V				
INCIDENCE OF OVERCROWDED HOUSEHOLDS: 1990				
PERCENT INCIDENCE BY INCOME GROUP				
CATEGORY	TOTAL	0-30%	31-50%	51-80%
ALL RENTERS	20.3	22.1	15.1	19.9
LARGE RENTERS	53.7	53.0	51.8	66.7
ALL OWNERS	18.5	21.8	20.5	11.3
OWNERS OTHER THAN ELDERLY	22.6	27.8	25.3	13.2

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

Due to Juana Díaz' 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 73.6% 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".

XII PHA'S RENT DETERMINATION

01 Total Tenant Payment

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

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 payments 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 QHWRAs of income on the family's 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

01 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.

02 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 Juana Díaz.

05 Request for hardship exemption

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

12 If the Municipality of Juana Díaz determines that there is a qualifying financial hardship, but that it is temporary, the Municipality of Juana Díaz 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 Juana Díaz has determined that there is no qualifying hardship exemption, the Municipality of Juana Díaz 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 Juana Díaz 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 Juana Díaz' 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 Juana Díaz has a payment standard of 100% of the FMR Metro Area.

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

0BR	1BR	2BR	3BR	4BR
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 documentations 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 Juana Díaz has applied the following requirements when determining the unit size in relation to the family composition under our subsidy standards:

- 03 The subsidy standards provide for the smallest number of bedrooms required to house a family without causing overcrowding;
- 04 The subsidy requirements are consistent with space requirements under the Housing Quality Standards;
- 05 The subsidy standards have been applied consistently for all families of like size and composition;
- 06 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;
- 07 A family consisting of only a pregnant woman will be treated as a two-person family;
- 08 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;
- 09 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.
- 010 The Municipality will grant an exception to its established subsidy standards, in determining the family unit size for a dwelling unit, if it determines that the exception is justified by the age, sex, health, handicapped or relationship of family members or other personal circumstances.

01 Exceptions to FMR on a Unit by Unit Basis

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

010 Affordability Adjustments

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

011 Rent Adjustments

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

XIII RECENT RESULTS OF PHA'S AUDIT

The Municipality of Juana Díaz has submitted to the HUD local office in Puerto Rico the findings of the most recent Single Audit which clearly demonstrated that the Municipality of Juana Díaz was in full compliance with existing HUD regulations and there was no findings in the report.

XIV PHA'S GRIEVANCE PROCEDURE

110 Informal Review

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

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

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

111 Hearing Procedures

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

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

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

13 Representation of the Family

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

14 Hearing Officers

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

15 Evidence

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

16 Issuance of Decision

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

17 Effect of Decision

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

XV ESTABLISHED PHA PET POLICY

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

XVI 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 Juana Díaz and it will constitute a substantial deviation from its 5-Year Plan and/or amendment or modification to its Annual Plan that has met full public process requirements including Resident Advisory Board Review:

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

XVIII SCREENING AND EVICTION POLICY 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 Juana Díaz to fully endorse and implement a policy designed to:

a. Help create and maintain a safe and drug-free community.

02 Keep program participants free from threats to their personal and family safety.

03 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 the 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 Juana Díaz 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 died 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 is 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 Juana Díaz 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.

XIX 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 legislation 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 personnel 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:

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

Bearing this in mind, the Municipality of Juana Díaz established and implemented a Code of Conduct and Ethics, which sets forth the conduct required by Municipal employees, including the staff of the Municipal Section 8 Office. 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 Juana Díaz for a range of specific ethical issues, integrity and conduct.

The Municipality is a complex organization comprising a diversity of populations that have a different relationship 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 Juana Díaz 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:

1. 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 Juana Díaz. 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. Essentially, 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.

2. Code of Conduct and Ethics

The Code of Conduct and Ethics establishes six principles of conduct which all public employees of the Municipality of Juana Díaz 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, honestly, 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.

2563 Rules of Conduct

11 A municipal employee must behave honestly and with integrity in the course of employment with the Municipality of Juana Díaz.

12 A municipal employee must act with care and diligence in the course of employment with the Municipality of Juana Díaz.

13 A municipal employee must comply with lawful and reasonable directives 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.

14 A municipal employee, when acting in the course of employment with the Municipality of Juana Díaz, must treat everyone with respect, courtesy and without harassment.

15 A municipal employee must maintain appropriate confidentiality about dealings with the Mayor, the Mayor's Staff Members and the general public.

16 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.

17 A municipal employee must use the Municipality of Juana Díaz resources in an efficient and proper manner.

18 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 Juana Díaz.

19 A municipal employee when acting in the course of employment with the Municipality of Juana Díaz, 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, means:

91 Any Act, or any instrument made under an Act;

92 Any Law of the Commonwealth of Puerto Rico or Federal, including any instrument made under such a law.

110 A municipal employee 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.

012 A municipal employee must at all times behave in a way that upholds the values, integrity and good reputation of the Municipality of Juana Díaz.

013 A municipal employee representing the Municipality of Juana Díaz, 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.

014 No municipal employee may accept or solicit any gift, favor or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer

oremployeeknowsorshouldknowisbeingofferedwiththe intent to influence the independence of judgement in the performanceoftheofficer'soremployees'officialduties.

015 No municipal employee may engage in business or professionalactivityforpersonalgainonMunicipalproperty. Forpurposesofthisrule,businessorprofessionalshallbe defined as selling, buying, loaning or any other particular activitysoastobenefitand/orobtainbenefitfromit.

016 Failuretofollowinstructions,inattentivenessorinabilityby theemployeesoftheMunicipalityofJuanaDíazfromthe Agencyheadconstitutesaninfringementupontherightsand privilegesofotheremployees.

017 NoemployeeoftheMunicipalityshallintentionallyintercept either verbal or written communication, be that as it may, officialand/orprivate.

018 Municipalemployeesshallbesubjecttodisciplinaryactionas providedforinthischapterwho,eitherasaprincipalactor, aider,abettor,oraccompliceandinterferewiththepersonal rightsandprivilegesofothers,orthemunicipalfunctions, whichviolatesanyprovisionofthisdivisionand/orcommits anyofthefollowingpersonnel,property,orstatusoffenses whichareherebyprohibited:

1. PropertyOffensesrelatedtotheworkarea:

21 Itshallbeconsideredanoffensebyanemployee whocommitsmaliciousmischief.Intentional ornegligentdamageto,ordestructionof,any municipalfacilityoranyotherpublicand/or privaterealorpersonalproperty.

22 EmployeesoftheMunicipalityofJuanaDíazare expected to use all municipal facilities and equipmentefficiently,carefullyandhonestly. Resources should be used economically, secured against theft or misuse and waste avoided.

23 Unauthorized use of municipal equipment, personaland/orpublicproperty,orsupplies shall be considered an offense as well as permitthatthissameequipment,propertyorsuppliesaredestroyed,lostand/orharmcomes

to it. Converting of municipal equipment or supplies for personal gain or use with proper authority is not permitted.

24 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:

- a. Assault, reckless endangerment, intimidation or interference upon another person.
- b. 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.
- c. 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.
- d. 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.
- e. 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 employee or general public.

- f. Municipalemployeesmaynotgetinvolvedin or perpetuate a quarrel within municipal facilitiesduringworkinghours.
- g. Employeesshouldrefrainfromutilizingtheir publicpostforp oliticallyorientedpurposesor otherpurposeswhicharenotcompatiblewith the public service being rendered by the municipaladministration.
- h. Employees which have been charged with a criminal act which implies a moral depravationshallbedismissed.
- i. Employees shall refrain from violent or forcibleactsintryingtobringthefallof the governments of the Commonwealth of PuertoRicoortheUnitedStatesofAmerica.

03 StatusOffensesrelatedtotheworkarea:

01 Refusing to disclose information concerning a physical or contagious medical condition affecting the employee, and/or family membersofhissameemployeewhichputsin danger or could present a health hazard to otheremployees.

02 Forgery or alteration of records. Forging or tenderinganyforgedrecordsorinstrumentsas definedinArt.241,33L.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 CodeoftheCommonwealthofPue rtoRico, as now law or hereafter amended, of any municipal record or instrument to an employeeactinginhis/herofficialcapacityas such.

03 Toperformtheworkrequiredinanegligentform ordisorderlymanner.

- 04 Refusal to do the work assigned or not do it in the time allotted, deliberate idleness or wasting time during working hours.
- 05 Departing from the job routew without just cause or authorization.
- 06 Refusing to work overtime without just cause.
- 07 Reporting late to work without justification.
- 08 Absent from the work area without authorization or consistently being absent from work or tardiness without just cause.
- 09 Falling asleep on the job or abandoning work area without proper authorization.
- 010 Forging another employee's signature on time card or any assistance record.
- 011 Not undertaking work, for which they are inadequately trained or experienced.
- 012 Employees of the Municipality of Juana Díaz 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.
- 013 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.
- 014 Weapons, explosives, and dangerous chemicals. Illegal or unauthorized use of possession of any device or substance which can be used to inflict bodily harm or to damage public or personal property.
- 015 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

by law on municipal property, except when these or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist.

016 Employees may distribute and post any notice, posters or printed material within the municipal facilities with the consent of the Mayor.

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

14 Code of Ethics

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

2561 Equity and Justice

People are to be treated fairly and will not be discriminated against, abused or exploited. Justice 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 Juana Díaz 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 toward those who depend on them for their well being. This principle involves stewardship of assets, resources and the environment.

2565 Rules of Ethics

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

a. 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.

b. 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, compromise 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 so 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 Section 8 Office:

11 Neither the Municipality 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, direct or indirect, during tenure or for one year thereafter;

12 Any present or former member or officer of the Municipality (except a participant commissioner);

13 Any employee of the Municipality, or any contractor, subcontractor or agent of the Municipality, who formulates policy or who influences decisions with respect to the programs;

14 Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs;

41 Any member of the Congress of the United States.

42 Any members of the classes described in section 5(B), part 1, of this section must disclose their interest or prospective interest to the Municipality and HUD.

05 The conflict of interest prohibition under this section may be waived by the HUD field office for good cause.

13 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 so 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 Section 8 Office 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.

2566 Obligation to Government and Political Neutrality

Employees are obliged to serve the aims and objectives of the Municipal Government through its selected 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 it 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. ally

2566 Procedural Fairness

The Municipality of Juana Díaz' 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:

- 101 People against whom an adverse decision may be made must be informed of any allegations against them in as much detail as possible;
- 102 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;
- 103 Where a decision has to be made between competing interests, all parties to a matter must be heard and all arguments considered;
- 104 No person judges their own case or a case in which they have a direct interest;
- 105 Decision makers must act fairly and without bias.

2567 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 IV, Section 6, subpart A, 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 IV, Section 8, subsection 1 of this same regulation.

14 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 entails violating the Article XIX, Section 3, parts R (1 -3), respectively, as described within this same directive, then the disciplinary procedures set forth in Section 9 will be adhered to.

06 If a breach of the Code entails violating the Article XIX, Section 5, subsection B and C, respectively, as described within this same directive, then the disciplinary procedures set forth in Article IV, Section 9.

07 If a breach of the Code entails violating the Article IV, Section 5, parts D and C, respectively, as described within this same directive, then the following shall take place:

11 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, hereinafter to be known as the Ethics Law. The Municipality of Juana Díaz is required to establish and implement a local Ethics Board. At a minimum the board shall consist of six members as dictated by Article XIX, section B of the Ethics Law and all shall be so designated by the Mayor.

12 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.

2568 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:

01 Name and last known address of the employee;

- 02 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;
- 03 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;
- 04 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;
- 05 The notification will state where the review may be requested.
- 06 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, which is 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 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 charged 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.

09 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.

XX SUMMARY

In order to be in compliance with 24 CFR Part 903 of HUD program regulations, the Municipality of Juana Díaz 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 Juana Díaz 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;

- ❑ 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.

Furthermore, 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 Juana Díaz.

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 Juana Díaz 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.¹

MUNICIPALITY OF JUANA DIAZ

Hon. Ramon A. Hernandez Torres
Mayor

MAYOR

SECTION 8 DIRECTOR

ADMINISTRATIVE ASSISTANT

STAFF ACCOUNTANT

HOUSING INSPECTOR

SOCIAL WORKER

OFFICE CLERK

HOUSING CHOICE VOUCHER PROGRAM



MUNICIPALITY OF JUANA DÍAZ

HOUSING CHOICE VOUCHER PROGRAM

The following programs are administered by the Municipality of Juana Díaz:

- Housing Choice Voucher Program**
- Family Self-Sufficiency**
- Emergency Shelter - “Clinica Especial De La Salud”**

MUNICIPALITY OF JUANADÍAZ

SECTION 8 HOMEOWNERSHIP PROGRAM

Capacity Statement

As a result of the “ Section 8 Homeownership Program; Final Rule” issued in the September 12, 2000 Federal Register, PHA’s such as the Municipality of Juana Díaz are now permitted to administer a voucher homeownership program, as provided within Section 8(y) of the U.S. Housing Act of 1937. In this regard the Municipality of Juana Díaz, in desiring to administer such a program hereby wishes to demonstrate to HUD, its capacity to administer this program by:

- (1) Establishing a minimum homeowner down payment requirement of at least 3 percent and requiring that at least 1 percent of the down payment come from the family’s resources;
- (2) Have clearly demonstrated within our annual plan that we have the capacity and will improve upon this same capacity, to successfully operate a Section 8 Homeownership Program.