

PHA Plans

Streamlined 5-Year/Annual Version

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

OMB No. 2577-0226
(exp 05/31/2006)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937 that introduced 5-year and annual PHA Plans. The full PHA plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form allows eligible PHAs to make a streamlined annual Plan submission to HUD consistent with HUD's efforts to provide regulatory relief to certain PHAs. Public reporting burden for this information collection is estimated to average 11.7 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development, Federal Housing Administration, is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Information in PHA plans is publicly available.

Streamlined 5-Year Plan for Fiscal Years 2005 - 2009

Streamlined Annual Plan for Fiscal Year 2004

NOTE: This PHA Plan template (HUD-50075-SA) is to be completed in accordance with instructions contained in previous Notices PIH 99-33 (HA), 99-51 (HA), 2000-22 (HA), 2000-36 (HA), 2000-43 (HA), 2001-4 (HA), 2001-26 (HA), 2003-7 (HA), and any related notices HUD may subsequently issue. Full reporting for each component listed in the streamlined Annual Plan submitted with the 5-year plan is required.

Streamlined Five-Year PHA Plan Agency Identification

PHA Name: City of Miami

PHA Number: FL145

PHA Fiscal Year Beginning: (mm/yyyy) 10/2005

PHA Programs Administered:

Public Housing and Section 8

Number of public housing units:
 Number of S8 units:

Section 8 Only

Number of S8 units:
 140

Public Housing Only

Number of public housing units:

PHA Consortia: (check box if submitting a joint PHA Plan and complete table)

Participating PHAs	PHA Code	Program(s) Included in the Consortium	Programs Not in the Consortium	# of Units Each Program
Participating PHA 1:				
Participating PHA 2:				
Participating PHA 3:				

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 444 SW 2nd Ave., 2nd Floor, Miami, FL 33130
- PHA development management offices
- PHA local offices 1313 NW 36th Street, 2nd Floor, Miami, FL 33142

Display Locations For PHA Plans and Supporting Documents

The PHA Plans and attachments (if any) are available for public inspection at: (select all that apply)

- Main administrative office of the PHA 444 SW 2nd Ave., 2nd Floor, Miami, FL 33130
- PHA development management offices
- PHA local offices 1313 NW 36th Street, 2nd Floor, Miami, FL 33142
- Main administrative office of the local government
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
- PHA website www.ci.miami.fl.us/communitydevelopment/
- 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) 444 SW 2nd Ave., 2nd Floor, Miami, FL 33130
 1313 NW 36th Street, 2nd Floor, Miami, FL 33142

Streamlined Five-Year PHA Plan PHA FISCAL YEARS 2005 - 2009 [24 CFR Part 903.12]

A. Mission

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

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The PHA's mission is to provide decent, safe and sanitary rental housing for eligible households.

B. Goals

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

HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:
 - Apply under HUD NOFAS as vouchers become available.
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities:
 - The City of Miami will make available \$1,000,000 in a Miami-Dade County Surtax award to the City (contract pending) for rehabilitation of Section 8 multi-family rental projects with predominately elderly tenants and that have met their affordability term requirements.
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score)
 - Improve voucher management: (SEMAP score) N/A
 - Due to recent conversion of Section 8 moderate rehabilitation subsidy contract to Housing Choice Vouchers, the PHA has not yet been subject to SEMAP review. The PHA's goal is to obtain a high SEMAP score.
 - Increase customer satisfaction:
 - Commence regular customer satisfaction surveying.

- Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)
- Renovate or modernize public housing units:
- Demolish or dispose of obsolete public housing:
- Provide replacement public housing:
- Provide replacement vouchers:
 - Apply for replacement vouchers in the event that expiring Section 8 Moderate Rehabilitation contracts are not renewed.
- Other: (list below)

PHA Goal: Increase assisted housing choices

Objectives:

- Provide voucher mobility counseling:
- Conduct outreach efforts to potential voucher landlords
 - Regular outreach through distribution of program marketing materials targeting multi-family housing landlords.
 - Conduct prospective landlord workshops to explain program rules and administration.
- Increase voucher payment standards
- Implement voucher homeownership program:
 - Commence planning for voucher homeownership program in FY'05 with full program implementation in FY'07.
- Implement public housing or other homeownership programs:
- Implement public housing site-based waiting lists:
- Convert public housing to vouchers:
- Other: (list below)

HUD Strategic Goal: Improve community quality of life and economic vitality

PHA Goal: Provide an improved living environment

Objectives:

- Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- Implement public housing security improvements:
- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
 - The City of Miami will make available \$1,000,000 in a Miami-Dade County Surtax award (contract pending) for rehabilitation of Section 8 multi-family rental projects with predominately elderly tenants and that have met their affordability term requirements.
- Other: (list below):
 - Creation of Homeownership Zones combined with the extensive development of vacant, residential parcels throughout the City of Miami and community revitalization efforts.

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

- PHA Goal: Promote self-sufficiency and asset development of assisted households
Objectives:
 - Increase the number and percentage of employed persons in assisted families:
 - Provide or attract supportive services to improve assistance recipients' employability:
 - Provide or attract supportive services to increase independence for the elderly or families with disabilities.
 - Other: (list below)

HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans

- PHA Goal: Ensure equal opportunity and affirmatively further fair housing
Objectives:
 - Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
 - Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
 - Other: (list below)

Other PHA Goals and Objectives: (list below)

Streamlined Annual PHA Plan

PHA Fiscal Year 2004

[24 CFR Part 903.12(b)]

Table of Contents

Provide the following table of contents for the streamlined Annual Plan submitted with the Five-Year Plan, including all streamlined plan components, and additional requirements, together with the list of supporting documents available for public inspection.

A. ANNUAL STREAMLINED PHA PLAN COMPONENTS

- 1. Housing Needs
- 2. Financial Resources
- 3. Policies on Eligibility, Selection and Admissions
- 4. Rent Determination Policies
- 5. Capital Improvements Needs
- 6. Demolition and Disposition
- 7. Homeownership
- 8. Civil Rights Certifications (included with PHA Certifications of Compliance)
- 9. Additional Information
 - a. PHA Progress on Meeting 5-Year Mission and Goals
 - b. Criteria for Substantial Deviations and Significant Amendments
 - c. Other Information Requested by HUD
 - i. Resident Advisory Board Membership and Consultation Process
 - ii. Resident Membership on the PHA Governing Board
 - iii. PHA Statement of Consistency with Consolidated Plan
 - iv. (Reserved)
- 10. Project-Based Voucher Program
- 11. Supporting Documents Available for Review
- 12. FY 20__ Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report
- 13. Capital Fund Program 5-Year Action Plan
- 14. Other (List below, providing name for each item)

B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE

Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans;

Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.

For PHAs APPLYING FOR CAPITAL FUND PROGRAM (CFP) GRANTS:

Form HUD-50070, Certification for a Drug-Free Workplace;

Form HUD-50071, Certification of Payments to Influence Federal Transactions;

Form SF-LLL & SF-LLLa, Disclosure of Lobbying Activities.

Executive Summary (optional)

[903.7(r)]. If desired, provide a brief overview of the contents of the streamlined 5-Year/Annual Plan.

1. Statement of Housing Needs [24 CFR Part 903.12 (b), 903.7(a)]

A. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists

State the housing needs of the families on the PHA’s waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needs of Families on the PHA’s Waiting Lists			
NOTE: Compilation of race/ethnicity information, based on 20,282 waitlisted households, is in process. Application period closed on 12/31/03.			
Waiting list type: (select one)			
<input checked="" type="checkbox"/>	Section 8 tenant-based assistance combined with Section 8 Moderate Rehabilitation.		
<input type="checkbox"/>	Public Housing		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	20,282	100%	Not available
Extremely low income <=30% AMI	16,532	81.51%	
Very low income (>30% but <=50% AMI)	3,440	16.96%	
Low income (>50% but <80% AMI)	310	1.53%	
Families with children	14,001	69.03%	
Elderly families	2,820	13.91%	
Families with Disabilities	5,040	24.85%	
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? Six months (closed on December 31, 2003).			
Does the PHA expect to reopen the list in the PHA Plan year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed?			
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

B. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families on the PHA's public housing and Section 8 waiting lists **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Other (list below)

Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing:
 - The City of Miami will direct FY'04 CDBG funds towards housing project management support (soft costs and predevelopment) for new construction homeownership projects.
 - The City of Miami will make available \$1,000,000 in a Miami-Dade County Surtax award (contract pending) for rehabilitation of Section 8 multi-family rental projects with predominately elderly tenants that have met their affordability term requirements.
- Pursue housing resources other than public housing or Section 8 tenant-based assistance.

Other: (list below)

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

Select all that apply

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- Employ admissions preferences aimed at families with economic hardships
- Adopt rent policies to support and encourage work
- Other: (list below)

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

Select all that apply

- Employ admissions preferences aimed at families who are working
- Adopt rent policies to support and encourage work
- Other: (list below)

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available
- Other: (list below)

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- Seek designation of public housing for families with disabilities
- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- Affirmatively market to local non-profit agencies that assist families with disabilities
- Other: (list below)
 - Support an intensive effort to educate and encourage housing providers using city funds to use universal design features in new construction and rehabilitation projects whenever

possible.

Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

Select if applicable

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

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Other: (list below)

Other Housing Needs & Strategies: (list needs and strategies below)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups
- Other: (list below)

2. Statement of Financial Resources

[24 CFR Part 903.12 (b), 903.7 (c)]

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

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2004 grants)		
a) Public Housing Operating Fund		
b) Public Housing Capital Fund		
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$1,062,554	Vouchers
f) Resident Opportunity and Self-Sufficiency Grants		
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		
4. Other income (list below)		
4. Non-federal sources (list below)		
Miami-Dade County Surtax (contract pending)	\$1,000,000	Rehabilitation of expired Section 8 projects.
Total resources		

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.12 (b), 903.7 (b)]

B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B.

Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

(1) Eligibility

a. What is the extent of screening conducted by the PHA? (select all that apply)

- Criminal or drug-related activity only to the extent required by law or regulation
- Criminal and drug-related activity, more extensively than required by law or regulation
- More general screening than criminal and drug-related activity (list factors):
- Other (list below)

b. Yes No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

c. Yes No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

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

- Criminal or drug-related activity
- Other (describe below)
- Client's current and prior addresses; current and prior landlord's name and address, if known.

(2) Waiting List Organization

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

- None
- Federal public housing
- Federal moderate rehabilitation
- Federal project-based certificate program
- Other federal or local program (list below)

b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)

- PHA main administrative office
- Other (list below) By mail, whenever program waiting list is opened.

(3) Search Time

- a. Yes No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below:

Pursuant to the Quality Housing and Work Responsibility Act of 1998, the PHA may extend the term of the issued Housing Choice Voucher beyond 60 days as a reasonable accommodation or for other good cause as determined by the PHA, in circumstances such as hospitalization of a family member or a family emergency over an extended period of time that has affected the family's ability to find a unit within the initial 60-day term; if the family has made consistent efforts to locate a unit; if the family requires greater than a 3-bedroom unit, or needs reasonable accommodation due to illness or disability; or if the family has turned in a Request for Tenancy Approval prior to the expiration of the 60-day term but the unit has not passed Housing Quality Standard inspection.

(4) Admissions Preferences

- a. Income targeting

- Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

- b. Preferences

1. Yes No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent (5) Special purpose section 8 assistance programs)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs

- Victims of reprisals or hate crimes Other preference(s) (list below)
- Certain Section Moderate Rehabilitation units are restricted to housing the elderly or disabled. The Section 8 voucher waitlist is merged with the Section 8 Moderate Rehabilitation Program.

3. If the PHA will employ admissions preferences, please prioritize by placing a “1” in the space that represents your first priority, a “2” in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

Date and Time

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden

Other preferences (select all that apply)

- Working families and those unable to work because of age or disability
- Veterans and veterans’ families
- Residents who live and/or work in your jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)
- Certain Section Moderate Rehabilitation units are restricted to housing the elderly or disabled. The Section 8 voucher waitlist is merged with the Section 8 Moderate Rehabilitation Program.

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

- Date and time of application
- Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for “residents who live and/or work in the jurisdiction” (select one)

- This preference has previously been reviewed and approved by HUD
- The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

- The Section 8 Administrative Plan
- Briefing sessions and written materials
- Other (list below)

b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

- Through published notices
- Other (list below)

4. PHA Rent Determination Policies

[24 CFR Part 903.12(b), 903.7(d)]

B. Section 8 Tenant-Based Assistance

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

(1) Payment Standards

Describe the voucher payment standards and policies.

a. What is the PHA's payment standard? (select the category that best describes your standard)

- At or above 90% but below 100% of FMR
- 100% of FMR
- Above 100% but at or below 110% of FMR
- Above 110% of FMR (if HUD approved; describe circumstances below)

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
- The PHA has chosen to serve additional families by lowering the payment standard
- Reflects market or submarket
- Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- Reflects market or submarket
- To increase housing options for families
- Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- Annually
- Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- Success rates of assisted families
- Rent burdens of assisted families
- Other (list below)

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)

- \$0
- \$1-\$25
- \$26-\$50

b. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

- The family has lost eligibility for, or is awaiting an eligibility determination for a federal, state, or local assistance program, including a family that includes a member who is an alien lawfully admitted for permanent residence under the immigration and nationalization act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
- The family would be evicted as a result of the implementation of the minimum rent.
- The income of the family has decreased because of changed circumstance, including loss of employment.
- A death in the family has occurred which affects the family circumstances.
- Other circumstances which may be decided by the PHA on a case-by-case basis.

7. Section 8 Tenant Based Assistance--Section 8(y) Homeownership Program

[24 CFR Part 903.12(b), 903.7(k)(1)(i)]

- (1) Yes No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If “No”, skip to the next component; if “yes”, complete each program description below (copy and complete questions for each program identified.)

(2) Program Description

a. Size of Program

- Yes No: Will the PHA limit the number of families participating in the Section 8 homeownership option?

If the answer to the question above was yes, what is the maximum number of participants this fiscal year? ___

b. PHA established eligibility criteria

- Yes No: Will the PHA’s program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria? If yes, list criteria below:

c. What actions will the PHA undertake to implement the program this year (list)?

- Develop the policies that demonstrate the PHA’s capacity to administer a Section 8 Homeownership Program.

(3) 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):

- a. Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family’s resources.
- b. 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.
- c. Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below).
- d. Demonstrating that it has other relevant experience (list experience below).

8. Civil Rights Certifications

[24 CFR Part 903.12 (b), 903.7 (o)]

Civil rights certifications are included in the *PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans*, which is submitted to the Field Office in hard copy—see Table of Contents.

9. Additional Information

[24 CFR Part 903.12 (b), 903.7 (r)]

A. PHA Progress in Meeting the Mission and Goals Described in the 5-Year Plan

(Provide a statement of the PHA's progress against the goals and objectives established in the previous 5-Year Plan for the period FY 2000 - 2004.

The Section 8 Program is experiencing a ninety percent (90%) utilization rate.

B. Criteria for Substantial Deviations 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

The City of Miami defines a “substantial deviation” from its five-year plan as any discretionary change in its PHA mission, goals and objectives, which would require formal approval by the City of Miami Commission.

b. Significant Amendment or Modification to the Annual Plan

A “significant amendment or modification” to its five-year plan is any discretionary change in non-regulated activities described in the annual plan impacting all program participants and requiring formal action by the City of Miami Commission. Included in such “significant amendment or modification” to the plan may be the following:

- Changes in rent policy,
- Changes to the admissions policy;
- Changes to the organization of the waiting list; and
- Other policy changes requiring Commission approval and resident notification.

An exception to the above definitions will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements. It is our understanding

that HUD does not consider such changes a “substantial deviation” or “substantial amendment or modification.”

C. Other Information

[24 CFR Part 903.13, 903.15]

(1) Resident Advisory Board Recommendations

a. Yes No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

If yes, provide the comments below: Board members were interested in more opportunities to move to homeownership.

b. In what manner did the PHA address those comments? (select all that apply)

- Considered comments, but determined that no changes to the PHA Plan were necessary. (As Plan subject to review incorporated homeownership program goals.)
- The PHA changed portions of the PHA Plan in response to comments
List changes below:
- Other: (list below)

(2) Resident Membership on PHA Governing Board

The governing board of each PHA is required to have at least one member who is directly assisted by the PHA, unless the PHA meets certain exemption criteria. Regulations governing the resident board member are found at 24 CFR Part 964, Subpart E.

a. Does the PHA governing board include at least one member who is directly assisted by the PHA this year?

Yes No:

The City of Miami is exempt from this requirement under section 964.405(b) (2). The Department of Community Development, which administers the Section 8 Tenant-Based Voucher Program and the Section 8 Moderate Rehabilitation Program, is a department of the City of Miami, a unit of general government operating under a charter and governed by a City Commission.

If yes, complete the following:

Name of Resident Member of the PHA Governing Board:

Method of Selection:

Appointment

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

- Election by Residents (if checked, complete next section--Description of Resident Election Process)

Description of Resident Election Process

Nomination of candidates for place on the ballot: (select all that apply)

- Candidates were nominated by resident and assisted family organizations
- Candidates could be nominated by any adult recipient of PHA assistance
- Self-nomination: Candidates registered with the PHA and requested a place on ballot
- Other: (describe)

Eligible candidates: (select one)

- Any recipient of PHA assistance
- Any head of household receiving PHA assistance
- Any adult recipient of PHA assistance
- Any adult member of a resident or assisted family organization
- Other (list)

Eligible voters: (select all that apply)

- All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
- Representatives of all PHA resident and assisted family organizations
- Other (list)

b. 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):

Date of next term expiration of a governing board member:

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

(3) PHA Statement of Consistency with the Consolidated Plan

[24 CFR Part 903.15]

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

Consolidated Plan jurisdiction: City of Miami

a. 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 on its waiting list on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
- Other: (list below)

The City of Miami’s Consolidated Plan agency also serves as the administrator of the PHA’s programs and activities. Therefore, the development of this PHA Plan was coordinated with the development of the Consolidated Plan for FY 2005-2009.

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

(4) (Reserved)

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

10. Project-Based Voucher Program

- a. Yes No: Does the PHA plan to “project-base” any tenant-based Section 8 vouchers in the coming year? If yes, answer the following questions.
- b. Yes No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option?

If yes, check which circumstances apply:

- Low utilization rate for vouchers due to lack of suitable rental units
- Access to neighborhoods outside of high poverty areas
- Other (describe below:)

- c. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts):

11. List of Supporting Documents Available for Review for Streamlined Five-Year/ Annual PHA Plans

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	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans.</i>	Standard 5 Year and Annual Plans; streamlined 5 Year Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan.	5 Year Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	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] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Police Officers and Over-Income Tenants 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	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
X	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable 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
	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
X	Any policies governing any Section 8 special housing types <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
	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.	Annual Plan: Grievance Procedures
	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 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
	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
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Section _____ of the Section 8 Administrative Plan)	Annual Plan: Homeownership
	Public Housing Community Service Policy/Programs <input type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
	Cooperative 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
	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
	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
X	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
	Consortium agreement(s), if a consortium administers PHA programs.	Joint PHA Plan for Consortia
	Consortia Joint PHA Plans ONLY: Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection	Joint PHA Plan for Consortia

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
	Other supporting documents (optional). List individually.	(Specify as needed)

**CITY OF MIAMI
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**HOUSING CHOICE
VOUCHER PROGRAM
ADMINISTRATIVE PLAN**

Approved by City Commission on July 8, 2004

HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN

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HOUSING CHOICE VOUCHER PROGRAM

1.0 APPLICABILITY AND SCOPE

1.1 MISSION STATEMENT

The primary objective of the City of Miami Section 8 Tenant Based Assistance, Housing Choice Voucher program is to assist eligible low-income families to obtain decent, safe and sanitary housing. The mission of the City of Miami Department of Housing and Community Development through its Section 8 program is to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

1.2 GENERAL

The Department of Community Development is the designated Housing Agency (HA) for the City of Miami. The City of Miami recognizes the housing needs of its low and moderate income residents. The Section 8 Tenant Based Assistance, Housing Choice Voucher program is a responsive mechanism for providing immediate housing assistance for low and very-low income households. The rental subsidy enables tenants to afford standard units while providing rental income sufficient to meet the operating expenses of the landlords.

Hereinafter the administrative plan will refer to the City of Miami Department of Community Development as the HA)

The policies and procedures contained herein are applicable to implementation of housing assistance payments on behalf of eligible families by leasing existing housing pursuant to the provisions of Section 8 of the U. S. Housing Act of 1937 for the Housing Choice and Replacement Voucher programs. The basic guidelines for this plan are governed by requirements of 24 CFR Part 982 and other applicable regulations and requirements of the U.S. Department of Housing and Urban Development (HUD). HUD allows public housing authorities broad discretion to adopt local policies for operation of the tenant-based program. This plan reflects the exercise of these policy choices by the HA and incorporate those policy topics required by HUD regulation. Further, all policies and procedures contained herein are applicable to the administration of the City of Miami's Section 8 Moderate Rehabilitation Program unless such policies and procedures are contrary to, or inconsistent with, the regulations governing the Section 8 Moderate Rehabilitation Program as set forth in 24 CFR Part 882.

The HA's policies and procedures articulated herein are subject to change in accordance with applicable HUD requirements. Any provision of federal law or regulation, or changes in such law or regulation, which is inconsistent with or contrary to the provisions of this Plan shall supersede the provisions of this Plan. Where not inconsistent, the provisions of federal law or regulation shall apply in conjunction with

the provisions of this Plan.

This plan is not a comprehensive statement of HUD's program regulations or the HA's procedures for program administration, but is intended to provide applicants, participants and owners with a basic understanding of the HA's Section 8 Program. For more information, applicants, participants and owners are directed to

- HUD's regulations found in the Code of Federal Regulations under Title 24 and HUD Document 7420.10G, the Housing Choice Voucher Program Guidebook;
- The HA's owners information packet available upon request;
- The HA's information packet for participants that is available upon request;
- The HA's Operating Procedures Manual for its Section 8 Programs.

The HA's primary responsibilities are:

- Informing eligible families of the availability of Section 8 assistance;
- Encouraging owners to make their units available for lease by Section 8 participants;
- Determining the maximum amount of housing assistance payments that can be used for family-paid utilities; and posting the utility allowances annually;
- Receiving applications from families and determining their eligibility for assistance;
- Inspecting Section 8 units to determine that they meet or exceed Section 8 Housing Quality Standards;
- Approving leases;
- Making Housing Assistance Payments to owners;
- Perform annual and periodic re-examinations of income, family composition and re-determination of rent.

1.3 EQUAL OPPORTUNITY STATEMENT

The HA will 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 and all related rules, regulations, and requirements.

The HA will not on account of race, color, creed, national origin, sex, handicap, or familial status deny to any family the opportunity to apply for admission nor deny an eligible applicant the opportunity to lease or rent a dwelling unit; if suitable to its needs. In the selection of families, there will be no discrimination against families otherwise eligible for admission because their income is derived in whole or in part from public assistance.

1. 4 OUTREACH TO FAMILIES AND CONTACT WITH OWNERS

The HA utilizes a variety of means to publicize and disseminate information regarding the Section 8 Tenant Based Assistance, Housing Choice Voucher program for income-eligible households. Aside from the conventional print and broadcast media, the HA meets with community organizations, owner and renter associations, block groups, neighborhood planning and development committees, housing advocates, governmental departments, advocacy agencies, and church groups. The HA will use its management experience and capabilities to disseminate useful relevant information to the widest audience.

The HA also recognizes that special outreach may be necessary to assist the following: families suffering a language barrier, disabled or handicapped persons, and the very low income, or very large families.

2.0 ELIGIBILITY FOR ADMISSION

2. 1 ELIGIBILITY CRITERIA

In order to be eligible for admission to the Housing Choice Voucher program all applicants must meet the following criteria:

1. An applicant's income can not exceed the applicable Section 8 very-low income limits or an applicant must be income eligible according to the HUD Housing Choice Voucher program standards.
2. An applicant must meet the citizenship/ eligible immigrant status criteria. To be eligible each member of the family must be a citizen, national, or a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U. S. C. 1436a(a)).
3. An applicant must provide social security number documentation for all family members 6 years of age or older or certify that they do not have one.
4. An applicant must have each member of the family who is 18 years of age or older and each family head of household and spouse regardless of age sign one or more of the following consent forms; HUD-9886 Authorization for the Release of Information/ Privacy Act Notice, INS consent forms.
5. An applicant head of household and spouse must sign the Applicant Certification form to certify that the information given to the HA on household composition, income, net family assets and allowances and deductions is accurate and complete.

6. An applicant has not committed fraud or misrepresentation in connection with any Federally assisted housing program.
7. An applicant does not owe rent or other amounts to the HA or any public housing in connection with Section 8 or public housing assistance under the U. S. Housing Act of 1937.
8. An applicant has reimbursed the HA or any public housing authority for any amounts paid to an Owner.
9. An applicant must not be evicted from public housing or any Section 8 program for drug-related criminal activity within the last three years.
10. Persons convicted of manufacturing or producing methamphetamine on the premises of federally-assisted housing in violation of any Federal or State law are permanently denied admission to City of Miami Section 8 housing programs. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and grounds.
11. No member of the family may be subject to a life-time registration requirement under Florida's sex offender's program.
12. The head of household or oldest family member is at least 18 years old or emancipated.
13. All applicants will be required to certify prior to admission that they do not have a pattern of illegal use of controlled substance or pattern of abuse of alcohol that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. Applicants may elect not to sign the Non-Alcohol and Drug Abuser Certification provided they demonstrate to the HA's satisfaction that they are no longer engaging in illegal use of a controlled substance or abuse of alcohol through one of the following means:
 - a) Applicant that has successfully completed a supervised drug or alcohol rehabilitation program.
 - b) Applicant has otherwise been rehabilitated successfully.
 - c) Applicant is participating in a supervised drug or alcohol rehabilitation program.

3.0 MANAGING THE WAITING LIST

3.1 OPENING AND CLOSING THE WAITING LIST

The decision to open or close the waiting list will be based on whether the existing waiting list contains an adequate pool of applicants for the use of available program funding.

Opening of the waiting list will be announced via public notice. The public notice will announce that applications for the Housing Choice Voucher program will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation, and also through available minority media. The public notice will state any limitations to who may apply. Closing the waiting list will be advertised through a public notice in a similar manner.

The notice will include the Fair Housing logo and slogan and otherwise be in compliance with Fair Housing requirements.

Public Notice will be provided through purchase of legal notice advertising in the primary local newspapers (English, Spanish, Creole-speaking) and newspapers with primarily minority readership. Notice also will be made available through outreach efforts such as distribution of flyers through community organizations, libraries and churches. Notice and the pre-application form will be posted on the HA's website.

3. 2 *TAKING APPLICATIONS*

All applicants will be required to complete a pre-application form, which will contain information necessary for the HA to determine whether the applicant is eligible.

The method that the HA will use to take pre-applications will include advertising that applications will be accepted by mail. Applicants will be required to complete a standardized pre-application form and return by mail, instead of applying in person. The standardize pre-application form will be printed in all public newspaper notices, as well as, distributed by flyers through libraries, community groups, neighborhood groups and social service agencies, including those least likely to apply. This application acceptance process will accommodate an applicant who has difficulty traveling to the HA office, either because of a disability, hospitalization, childcare constraints or employment schedule. Reasonable accommodations will be afforded to those elderly or disabled applicants that need support to make application through this method.

The HA will use the pre-application as the basis for follow-up phone calls, correspondence or direct appointments to obtain additional information and to ascertain the accuracy of all entries on the application form.

Pre-applications accepted through the mail will not be established based on the date and time of application but instead by computer lottery random selection. If the HA anticipates receiving far more applicants than it can assist in a reasonable period of time, the HA reserves the discretion to establish lottery rules in advance of the open application period which limit the number of applicants to be placed on the waitlist. All pre-applications that meet the minimum qualifications will be ranked randomly by a computer lottery. The rules that govern who qualifies to participate in the computer lottery selection are as follows:

1. Only pre-applications that are eligible for admission will be considered.
2. Only one pre-application will be allowed per family.
3. Only pre-applications that are received during the advertised commencement date and deadline date will be considered. (The postmark date on the envelope that contains the mailed pre-application will be the final determining factor on whether a pre-application has been received within the qualified time-period).
4. All pre-applications must be sent by mail to the mailing address designated by the HA.
5. The computer-generated lottery will randomly rank all of the qualified mail-in pre-applications or, if a limit is established in advance, randomly select and rank a designated number of qualified mail-in pre-applications. (In the event that a limited number of randomly selected applicants are to be placed on the waitlist, pre-applications which are not selected will be discarded).

The computer generated random lottery selection will be conducted in the following manner:

After the deadline for submitting pre-applications has expired, a control report will be generated listing all of the pre-applicants alphabetically by name and numerically by social security number (pre-lottery report). Multiple witnesses will observe the computer generated lottery selection (including person(s) that are outside the direct management of the waiting list).

After the lottery selection is conducted, a report will be generated that will list all of the pre-applicants alphabetically by name and numerically by social security number (post-lottery report). The pre-lottery report and the post-lottery report will be maintained for the active duration of waiting list for audit control purposes. The numerical position assigned by the computer will be added to the applicant's pre-application.

3.3 COMPLETION OF APPLICATION

For purposes of applying, the term "family" is defined as a single person or a group of persons and includes but is not limited to: Household with or without children; an elderly person(s) (at least 62 years old or older); a disabled person(s); the remaining member of an assisted tenant family who remains in the unit when other members of the family have left; a displaced person(s) and a single person who is not an elderly or displaced person; or a person with disabilities; or remaining members of a tenant family.

For purposes of applying, the term "continuously assisted" is defined as an applicant who is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program, including a break in assistance due to temporary residence in a domestic violence or homeless emergency shelter.

The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-applications requires the family to

provide basic information including name, address, phone number, family composition, income category, and information establishing any preferences to which they may be entitled. This first phase result in the family's placement on the waiting list.

Upon receipt of the families initial application, the HA will make a preliminary determination of eligibility. If the HA determines the family to be ineligible, a letter will be sent to the applicant. The notice will state the reason(s) and offer the family the opportunity for an informal review of this determination within a set number of days.

An applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The HA will annotate the applicant's file and will update their place on the waiting list.

The HA will provide written notification confirming initial acceptance of pre-application. The notice will also inform applicants that it their responsibility to notify the HA immediately of any changes affecting (1) their eligibility status or (2) the PHA's ability to locate the applicant. The applicant's failure to comply with these requirements is grounds for removal from the waiting list.

The second phase is the final determination of eligibility and verification of information presented. This takes place when the family nears the top of the waiting list. The HA will ensure that verification of all preferences, eligibility, and suitability selection factors are confirmed so as to determine the family's final eligibility for admission into the Housing Choice Voucher program.

Applicant data is maintained on the initial pre-application form. Waiting list reports will maintain data in two different manners first; in chronological order by lottery selection and level of priority and second; alphabetically by applicant's last name, and numerically by head of household's social security number.

The HA reserves the right to screen applicants for criminal or drug-related activity during the intake process if information or allegations are brought to the HA's attention. Ultimately the owner is responsible for screening the applicants' suitability for tenancy.

3. 4 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a waitlisted family approaches the top of the waitlist (i.e. whose waitlist number is ten or higher), the family will be invited to an eligibility screening appointment and the final verification process will completed. It is at this point in time that the family's preference will be verified.

Once the preference has been verified the pre-application process will be completed. All the remaining eligibility related documents must be submitted at this time. All required signatures must be obtained.

3. 5 MISSED APPOINTMENTS

All applicants who fail to keep a scheduled appointment in accordance with the paragraph below will be sent a notice of denial.

The HA will allow the family to reschedule appointments for good cause. Generally, no more than one re-scheduled appointment without good cause and no more than two appointment opportunities with good cause. When a good cause exists, the HA will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

3. 6 PURGING THE WAITING LIST

Periodically the HA conducts mailings to purge inactive applicants from the waiting list. The purging of the waiting list enables the HA to update the information regarding address, family composition, income category and preferences. Applicants will be removed from the waiting list when they have not maintained a current mailing address with the HA or when correspondence to them is unanswered or returned by the post office marked "undeliverable". An exception will be granted when an applicant has demonstrated that they have a disability that prevented them from responding to our correspondence.

3. 7 REMOVAL OF APPLICANTS FROM THE WAITING LIST

Prior to removing an applicant's name from the waiting list, we will examine the applicant's file to ensure that we have exhausted all reasonable means to contact them before we remove the applicant from the waiting list. The HA will not remove an applicant's name from the waiting list unless:

1. The applicant requests that the name be removed.
2. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program or the applicant misses scheduled appointments.
3. The applicant does not meet either the eligibility or screening criteria for the program.
4. The applicant has been offered a housing voucher.

3. 8 GROUNDS FOR DENIAL

The following will constitute grounds for denying assistance to applicants on the waiting list:

1. Failure to supply information or documentation required by the application process.
2. Failure to respond to a written request for information or a request to declare continued interest in the program.

3. Failure to complete any aspect of the application process.
4. The applicant does not meet all of the eligibility for admission criteria.
5. Violation of any of the family obligations under 24 CFR 982.551.
6. A participant or family member engaged in drug-related criminal activity or violent criminal activity or other criminal activity that is a threat to the health, safety or property of others.
7. A participant has committed fraud (bribery or any other corrupt or criminal act) at the time of application or during assisted tenancy.
8. Failure to make payments for monies owed the HA or another HA.
9. If any family members of the family has been evicted from public housing within the last three years.
10. If the family has engaged in or threatened abusive or violent behavior toward HA personnel.
11. If it is determined that a family member has a lifetime registration under a State sex offender registration program.
12. An applicant or participant that abuses alcohol or drugs in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.
13. All applicants that fail to certify prior to admission that they do not have a pattern of illegal use of controlled substance or pattern of abuse of alcohol that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

Applicants may elect not to sign the Non-Alcohol and Drug Abuser Certification provided they demonstrate to the HA's satisfaction that they are no longer engaging in illegal use of a controlled substance or abuse of alcohol through one of the following means:

- a) Applicant that has successfully completed a supervised drug or alcohol rehabilitation program.
- b) Applicant has otherwise been rehabilitated successfully.
- c) Applicant is participating in a supervised drug or alcohol rehabilitation program.

3.9 NOTIFICATION OF NEGATIVE ACTIONS

Any applicant whose name is being removed from the waiting list will be notified by the HA, in writing, that they have ten (10) business days from the date of the written correspondence, to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the specified timeframe. The HA system of removing applicants' names from the waiting list will not violate the rights of persons with disabilities. If an applicant's failure to respond to a request for information or updates was caused by the applicant's disability, the HA will provide a reasonable accommodation. If the applicant indicates that they did not respond due to a disability, the HA will verify that there is in fact a disability and that a reasonable accommodation they are requesting is necessary based on the disability.

3. 10 INFORMAL HEARING

The HA will provide an applicant an opportunity for an informal review of a decision denying an applicant:

1. listing on the waiting list, and/ or
2. participation in the program.

The HA shall give the applicant written notification of its decision denying assistance. The notice shall:

1. may be given personally to the applicant or member of the family, but shall be sent by first class certified mail to the last known address on file;
2. give a brief statement of the reasons for the decision, and
3. inform the applicant that within ten (10) business days of the date of the notice, the applicant may request, in writing, that an informal hearing be held to present oral or written objections and review the decision.

3. 11 CONDUCT OF HEARING

If an applicant or participant requests an informal hearing within the time frame set forth above, the HA shall conduct a hearing in accordance with the following procedures:

1. The HA shall appoint a hearing officer to conduct the hearing who must be an employee or outside person other than the person who made or approved the decision under review or a subordinate of such person.
2. The hearing officer shall issue a written decision stating briefly the factual and other basis for the decision, a copy of which shall be furnished promptly to the applicant.

4. 0 SELECTING FAMILIES FROM THE WAITING LIST

4. 1 MAINTENANCE OF THE WAITING LIST AND SELECTION OF FAMILIES

The HA may admit an applicant for participation in the program either as special admission or as a waiting list admission. If HUD awards funding that is targeted for families with specific characteristics or families living in specific units, the HA will use the assistance for those families living in these units. The HA will maintain records showing that the family was issued a HUD-targeted Voucher.

There is one waiting list for all applicants regardless of the bedroom size the applicant may need. This waitlist is also serves as the waitlist for the HA's Section 8 Moderate Rehabilitation (project-based) Program. These project-based units are restricted to occupancy by elderly and disabled households. Each applicant shall be assigned an appropriate place on the waiting list in sequence based upon lottery assigned number

(lower digit numbers have priority over higher digit numbers), as well as the following identified preference factors.

4. 2 IDENTIFICATION OF PREFERENCES

The following categories represent preferences on the waiting list:

Elderly family -A family whose head or spouse (or sole member) is 62 years or older and a family that includes a elderly person(s).

Disabled family –A family whose member(s) include a person(s) who is under a disability as defined in Section 223 of the Social Security Act (42 U. S. C. 423) or has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U. S. C. 6001(7)); or

A family whose member(s) include a person(s) having a physical or mental impairment that (a) is expected to be of a long-continued and indefinite duration, (b) substantially impedes his or her ability to live independently, and (c) is of such nature that such ability could be improved by more suitable housing.

4. 3 RANKING OF THE PREFERENCES

Ranking preferences are identified below by the numeric value next to the preference category (example: a "1" in the space that represents the first priority, a "2" in the box representing the second priority, and so on.) If equal weight is given to one or more of these choices the same number will be next to both.

Preferences:

- 1 Elderly family as defined above.
- 1 Disabled family as defined above.
- 2 No Preference – All other qualified applicants with no preference.

4. 4 VERIFICATION REQUIREMENTS OF PREFERENCES CATEGORIES

In order to be eligible to apply and to qualify for the preference categories, sufficient documentation must be provided by the applicant prior to admission. Applicants may provide additional documentation while on the waiting list that may improve their ranking.

Elderly family member(s) – documentation must be provided of birth date or senior citizen/ elderly status. A birth certificate, third-party verification or sworn affidavit will constitute sufficient documentation.

Disabled family member(s) – documentation must be provided that an applicant family member(s) is disabled. A social security disability award letter or a medical letter that supports that the applicants meet the definition will constitute sufficient documentation.

4.5 SELECTION FROM THE WAITING LIST

Families will be selected from the waiting list based on the numerical position assigned by the lottery and above the stated preferences. If it is necessary to meet the statutory requirements that 75% of newly admitted families in any fiscal year be families who are extremely low-income, the HA retains the right to skip higher income families on the waiting list to reach extremely low-income families. This measure will only be taken if it appears the goal will not otherwise be met. To ensure that this goal is met, the HA will monitor incomes of newly admitted families and the income of the families on the waiting list. If there are not enough extremely low-income families on the waiting list we will conduct outreach on a non-discriminatory basis to attract extremely low-income families to reach the statutory requirement.

When it is determined that there are openings in the voucher program, a letter is sent to the next eligible applicant from the waiting list regardless of the bedroom size that the applicant needs. The letter explains the papers needed in order to document eligibility, i. e., pay stubs, social security award letters, savings account books, daycare receipts, etc. The family is assigned to a Housing Specialist who certifies the family's eligibility, conducts an orientation and issues the Housing Choice Voucher.

An applicant's income status may change while on the waiting list. Occasionally, a family who has been contacted for the purposes of enrollment may no longer meet the income eligibility requirements. When this happens, the reasons are fully explained by the HA at the time of the enrollment interview. Ineligible applicants may request an informal review.

Applicants may obtain their numerical position on the waiting list by requesting it in writing or in person. The request must include the applicant's name, current address and social security number. All requests will be responded to in writing promptly. This waiting list information will not be provided to applicants via the telephone or in person for security concerns. Once on the waiting list, it is the applicant's responsibility to maintain their current address. Failure to do so may result in removal from the waiting list. Update of applicant's address must be done in writing or in person.

Section 8 Moderate Rehabilitation Project owners must select from applicants of the City of Miami waiting list (unless the waiting list is exhausted or property owner can demonstrate that waiting list applicants are not sufficiently meeting the property owners' selection criteria). Upon notice of a vacancy or prospective vacancy, the HA shall refer applicants whose housing unit size need and preference status matches the available project-based unit in the order in which they appear on the waitlist. Such applicants will receive a referral letter to present to the project owner to confirm that they are qualified City of Miami applicants. The HA is responsible for screening applicants for program

eligibility and the project owner is responsible for screening applicants for suitability of tenancy.

Project-based tenants are permitted to apply to the HA’s Section 8 waitlist. Program rules, however, prohibit a Mod Rehab participant to move during the first year of their lease. Should the participant’s name reach the top of the waiting list during this time frame, the HA will allow them to retain their place on the waiting list if their application number is passed when pulling from the waiting list. Applicants who elect to accept an available Mod Rehab unit are eligible to remain on the waiting list upon acceptance of the Mod Rehab units, however, they must remain in the unit for at least one year.

Families may also be absorbed directly onto the program through portability if properly referred and authorized.

5. 0 SUBSIDY STANDARDS AND BRIEFING

5. 1 BEDROOM SIZE DETERMINATION (SUBSIDY STANDARDS)

The HA will issue a voucher for a particular bedroom size – the bedroom size is the factor in determining the family's level of assistance. The following guidelines will determine each family's level of assistance. To avoid overcrowding and prevent waste of space and program funds, units shall be leased in accordance with the subsidy standards set below.

<u>Number of Bedrooms</u>	<u>Number of Persons</u>	
	<u>Minimum</u>	<u>Maximum</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	5	8
5	8	10

The family's unit size shall be determined using the following criteria:

1. The bedroom size assigned shall provide for the smallest number of bedrooms needed to house a family without overcrowding.
2. The bedroom size assigned shall not require more than two persons to occupy the same bedroom.
3. The bedroom size assigned shall not require persons of the opposite sex other than an adult couple to occupy the same bedroom with the exception of infants and very young children.

4. A family that consists of a pregnant woman only, and (no other persons), will be treated as a two-person family.
5. Foster adults and children will not be required to share a bedroom with family members.
6. Live-in aides will get a separate bedroom, however, the HA must certify the live-in aide. A live-in-aide is defined by 24 CFR 813.102 as a person who resides with an elderly, disabled, or handicapped person who:
 - a) is determined to be essential to the care and well-being of the person(s)
 - b) is not obligated to support the person(s); and
 - c) would not be living in the unit except to provide necessary supportive services, which are being provided through an “arms length transaction” (i.e. under a service contract), supported with documentation.
7. The family has the option to select a smaller-sized unit provided there is at least one bedroom of appropriate size for each two persons in the household. (For example, a two-bedroom voucher holder with a mother with an infant may select a one-bedroom unit.) For the Voucher Program, the payment standard that is used for the family will be the lower of the subsidy standard that the family qualifies for or the payment standard for the unit rented by the family.
8. Provided there is adequate documentation, a child who is temporarily away from the house because of placement in foster care will be considered a member of the family for purposes of determining the family unit size.
9. The bedroom size assigned may be increased to a larger size than the family would ordinarily need if there is a documented medical reason that adequately supports the need for a larger size unit.

The HA will grant exceptions to the subsidy standards when a family request a larger size than the guidelines allow based on a documented medical reason.

5. 2 BRIEFING OF FAMILIES AND ISSUANCE OF HOUSING CHOICE VOUCHER

If a person is determined to be eligible by the HA and is selected for participation, the applicant will be notified of an orientation meeting.

When a family initially receives its Housing Choice Voucher, a full explanation of the following shall be provided to assist the family in finding a suitable unit and to apprise the family of its responsibilities and the responsibilities of the owner.

Full opportunity shall be provided to the families to ask questions and receive answers.

5.3 ORIENTATION PACKET

The Housing Choice Voucher Holder's packet shall include the following:

1. Mobility Program Notice explaining where a family may lease a unit.
2. The HUD-required "Lease Addendum".
3. The "Request for Tenancy Approval" form.
4. The subsidy standards applicable to the applicant's household composition and income.
5. The HUD lead-based paint (LBP) form.
6. Protect Your Family From Lead In Your Home Booklet
7. Copy of Form Letter for Property Owners "Disclosure of Information on Lead-Based Paint Hazards.
8. Move-In Move-Out Checklist
9. Owner Certification of Rent Reasonableness
10. A listing of available housing units. (Including handicap accessible units if applicable.)
11. Housing discrimination complaint form HUD-903 (2/ 89) and HUD 928.1 (3-89) form.
12. A guide booklet to the Section 8 Tenant Based Assistance Housing Voucher program which includes information pertaining to the following:
 - a) Obligations of being a participant in the Voucher Program and as a tenant in the State of Florida.
 - b) Term of the voucher and policy regarding extensions or suspensions.
 - c) How the housing assistance payment is calculated.
 - d) The Utility Allowance Schedule and information on the Fair Market and Payment Standard.
 - e) What the family should consider in deciding whether to lease a unit, including guidance on the program's HQS requirements.
 - f) Information on how to select unit similar to the HUD brochure on how to select a unit.
 - g) The policy of providing information about the family to prospective owners.
 - h) Grounds for termination.
 - i) Informal hearing procedures.

5.4 INFORMATION TO BE PROVIDED PROSPECTIVE OWNERS

Selection of a family for participation in the voucher program is not a representation by the HA of the family's suitability for tenancy. Determining suitability for tenancy is the owner's responsibility. Owners are permitted and encouraged to screen families on the basis of their tenancy history. An owner may consider the following factors:

1. Payment of rent and utilities;
2. Care of their unit and premises;

3. Respect for the rights of other residents to the peaceful enjoyment of their housing;
4. Drug-related criminal activity or other criminal activity that threatens the health, safety, or property of others (criminal convictions are a matter of public record); and
5. Compliance with other essential conditions of tenancy.

To assist the owner in obtaining this information, the HA will give prospective owners:

1. The family's current and prior addresses.
2. The name and address, if known by the HA, of the prospective tenant's current and prior landlord.

5.5 ASSISTANCE TO APPLICANTS AND PARTICIPANTS CLAIMING ILLEGAL DISCRIMINATION

If families believe that they have been discriminated against on the basis of race, color, national origin, sex, disability, or familial status, the HA will offer to assist them in filling out HUD form 903 (Housing Discrimination Complaint form). This form is included in their briefing packet or available upon request. If the family request, the HA will also forward the completed Housing Discrimination Complaint form to the Department of Housing and Urban Development's Field Office in Miami. The family will be informed of other available options in which to pursue a discrimination complaint including an appropriate referral to the Miami-Dade Equal Opportunity Board, the Florida Commission on Human Relations, the Housing Opportunities Project for Excellence, Inc. (H.O.P.E.) and Legal Services of Greater Miami.

The HA may approve a request for extension or suspension on the term of the family's Housing Voucher if deemed necessary due to the complaint.

5.6 TERM OF THE HOUSING VOUCHER

The Housing Choice Voucher shall expire at the end of sixty (60) days unless within that time the family locates a housing unit approved by the HA.

If the Housing Voucher expires or is about to expire, a family may submit a written request for an extension. The HA may grant one or more extensions, provided the HA determines that the family's failure to find a suitable unit is not due to the fault or lack of diligence of the family, based on the following grounds:

1. As a reasonable accommodation on the basis of disability
2. As a reasonable accommodation to hospitalization of a family member or a family member's illness over an extended period of time that has affected the family's ability to find a unit within the initial 60-day term;
3. If the family has made consistent efforts to locate a unit, but has faced difficulty rental market difficulties;

4. If the family requires greater than a 3-bedroom unit, or
5. If the family has turned in a Request for Tenancy Approval prior to the expiration of the 60-day term but the unit has not passed Housing Quality Standard inspection.

The HA may require that any extension that is granted on the term of the Housing Voucher be supported by progress reports made by the family during the initial term of the voucher and the HA's review of overall rental market conditions.

The cumulative term of the voucher, however, may not be more than 180 days.

In the event that the voucher expires with or without an extension, the family must reapply when the HA re-opens the waitlist pre-application period. Families unable to lease up during the term of the lease shall not be deemed ineligible for program assistance solely on the basis of their inability to lease up during the period of time provided.

All vouchers are automatically suspended upon submission of a Request for Tenancy Approval. A family may make a written request that the expiration period of their Housing Voucher be suspended for other reasons, provided that the family can submit documentation acceptable to the HA that after the voucher was issued circumstances occurred that halted its housing search as follows:

1. A family member becomes temporarily confined to a hospital, nursing home, etc.;
2. A documented medical reason that justifies the inability of the applicant to make use of the Housing Voucher during that time period.
3. The applicant is admitted to a drug rehab or other rehab program;
4. Circumstances beyond the control of the family that are preventing the family's search.

Requests will be reviewed on a case by case basis. A voucher will not be issued to a single individual who cannot conduct a housing search in the first place, e.g., in the hospital or drug rehab. Where such circumstances prevent a single person from accepting a housing voucher, it may be "frozen" for up to one year, but not if the person is in prison. The suspension request can not exceed 120 days.

5.7 ASSISTANCE PROVIDED TO FAMILIES THAT INCLUDE PERSONS WITH DISABILITIES

The HA will provide additional assistance on behalf families that include persons with disabilities by attempting to collect a listing of available housing units that are handicap accessible units and providing this information to the family. Additional time may be granted as outlined in the "term of the voucher" section and a higher payment standard may be granted (if possible) as a reasonable accommodation due to a disability.

5. 8 EXPANDING HOUSING OPPORTUNITIES

The HA will encourage participation by owners of units outside areas of poverty or minority concentration. Outreach will be conducted on an ongoing basis by the HA.

The booklet "An Owners Guide to the Housing Choice Voucher Program" is to be distributed to all interested parties to answer questions and encourage owner participation in the program. In addition, landlord workshops are to be conducted on a regular basis to encourage participation.

Voucher holders will be counseled regarding the benefits of choosing housing opportunities outside areas of poverty and minority concentration. The HA will make available information about job opportunities, schools, services and maps and related information when briefing voucher holders.

The HA briefing packet includes an explanation of how mobility and portability works and explains how the HA will assist in identifying a portability contact person in other jurisdictions.

The HA will collect and distribute known available housing units to Voucher-holders including subscribing to local newspapers to identify housing rentals. When available the HA will refer clients to agencies that will help support finding units outside areas of poverty or minority concentration.

5. 9 DISAPPROVAL OF OWNER

The HA will disapprove owners as required under regulations governing the Housing Choice Voucher Program (24 CFR Part 982). In addition, the HA reserves the right to deny approval to lease a unit from an owner for any of the following reasons:

1. The owner has violated obligations under a housing assistance payment contract under Section 8 of the 1937 Act.
2. The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing programs.
3. The owner has engaged in drug-trafficking or drug-related criminal activity or violent criminal activity.
4. The owner has a history or practice of noncompliance with the HQS for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing programs.
5. The owner has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8 or any other federally assisted housing program for

activity by the tenant, any member of the household, a guest or another person under the control of any member of the household that: (i) Threatens the right to peaceful enjoyment of the premises by other residents; (ii) Threatens the health or safety of other residents, the employees of the HA, the employees of the owner or other persons engaged in management of the housing; (iii) Threatens the right to peaceful enjoyment of their residences, of persons residing in the immediate vicinity of the premises; or (iv) Is drug-related criminal activity or violent criminal activity.

6. The owner has a history or practice of renting units that fail to meet State or local housing codes.
7. The owner has not paid State or local real estate taxes, fines or assessments.

5.10 SECURITY DEPOSIT

The owner may collect a security deposit from the tenant in an amount not in excess of amounts charged in the private market practice and not in excess of amounts charged by the owner to unassisted tenants.

When the tenant moves out of the dwelling unit and subject to Florida law governing the rights and obligations of landlords and tenants, the owner may use the security deposit, including interest on the deposit, as reimbursement for any unpaid rent payable by the tenant for damages to the unit or for other amounts the tenant owes under the lease.

Following the notice requirements imposed upon landlords under state law, the owner must give the tenant a written list of all items charged against the security deposit and the amount of each item. After deducting the amount, if any, used to reimburse the owner, the owner must promptly refund the full amount of the unused balance to the tenant.

If the security deposit is not sufficient to cover amounts the tenant owes under the lease, the owner may seek to collect the balance from the tenant.

6.0 RECERTIFICATION

6.1 VERIFICATION OF INCOME AND DETERMINATION OF TOTAL TENANT PAYMENT

Verification of income will be obtained by either third-party verification or using documentation provided directly by clients.

Accuracy of calculations of Total Tenant Payments is ensured through the following methods; computer software is programmed to make correct calculations of entered data. The HA has Housing Specialist(s) who review calculations of all executed HAP

contracts, as well as a random sampling of case files is audited to ascertain among other things that the Total Tenant Payment is calculated accurately.

Verification of income and determination of Total Tenant Payment will follow program regulations as identified in 24 CFR Part 982 and other applicable HUD regulations with the exception of the policies and procedures identified below:

6. 2 MISSED RECERTIFICATION APPOINTMENT

If the family fails to respond to the recertification letter and fails to attend the recertification appointment, a second letter will be sent by certified mailed. The second letter will advise the family of their failure to appear, the opportunity to attend a re-scheduled appointment and that termination of their assistance will result if the family fails to appear at the second appointment. The family may request appointment re-scheduling for good cause.

6. 3 INTERIM REEXAMINATIONS OF INCOME AND HOUSEHOLD COMPOSITION

All interim changes of family income or household composition must be reported to the HA within thirty days of the occurrence. The HA must conduct an interim reexamination when the family reports reduction of income or zero income. Any change resulting from an interim reexamination will become effective the month following the reexamination. If changes of income occur frequently, the housing agency reserves the right to review household income changes in terms of a yearly average so as to excuse program participants from excessive reporting.

6. 4 MINIMUM RENT

The HA elects not to impose a minimum rent based on the fact that the majority of clients (if not all) claiming zero income meet the financial hardship exception categories identified below:

QHWRA established certain exemptions to the minimum rent requirements for hardship circumstances. Section 3(a)(3)(B) of the USHA generally states that financial hardship includes the following situations: (1) the family has lost eligibility determinations for a Federal, State, or local assistance program; (2) the family would be evicted as a result of the imposition of the minimum rent requirement; (3) the income of the family has decreased because of changed circumstances, including loss of employment; (4) a death in the family has occurred; and (5) other circumstances determined by the PHA or HUD.)

Families or individuals claiming zero income must make certification of such effect and will need to report income status quarterly.

7. 0 INSPECTION POLICIES

7. 1 HOUSING QUALITY STANDARDS AND INSPECTIONS

The HA will use the guidelines delineated in 24 CFR 982.401 as the appropriate Housing Quality Standards.

Before approving a lease, the HA shall inspect the unit for compliance with the Housing Quality Standards. The inspection will be made as quickly as possible, but no later than five (5) days after the owner's request.

If there are violations that must be corrected in order for the unit to be decent, safe and sanitary, the HA will advise both the owner and tenant of the work required to be done. Such work must be completed within thirty (30). The unit will be re-inspected to ascertain that necessary work has been performed and that the unit meets the Housing Quality Standards before a contract is executed. The HA reserves the right to limit the number of opportunities for such re-inspection, particularly of units desired, but not currently occupied, by a voucher holder.

The Director, or designee, maintains a report to monitor Housing Quality Standards violations and the noncompliance sanctions.

7. 2 DETERIORATED PAINT SURFACES

All painted surfaces of all buildings used or intended to be used in whole or part for human habitation shall be kept free of deteriorated paint surfaces. Deteriorated paint surfaces is defined as any interior or exterior paint or other coating that is peeling, chipping, chalking or cracking, or any paint or coating located on an interior or exterior surface or fixture that is otherwise damaged or separated from the substrate.

All deteriorated paint must be stabilized or abated, even property exempt under the Lead-Based Paint Poisoning Prevention Act (42 U. S. C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U. S. C. 4851-4856), and part 35, subparts A, B, M, and R of Code of Federal Regulations (CFR).

Property with deteriorated paint that is specifically exempt from part 35, subparts A, B, M, and R of the Code of Federal Regulations (*i. e. property where all occupants are age 6 or older; property that is built after January 1, 1978; properties that has zero bedrooms dwelling; property where all lead-based paint has been removed or the property has been found to be free of lead-based paint by a certified lead-based paint inspector*), will not require a clearance examination but will still need to be stabilized or abated according to "safe work practices".

8. 0 RENT AND HOUSING ASSISTANCE PAYMENTS

8. 1 PAYMENT STANDARDS

The HA will set up an applicable payment standard schedule between 90% and 110% of the published FMR for each bedroom size in accordance with HUD regulations. The HA may establish an adjustment standard schedule on an annual basis (prior to FMR increases) in order to assure continued affordability for participating families.

The following factors will be considered in the assessment of the adequacy of the payment standard:

1. *Success rates of program participants:* The HA will review the number of voucher holders whose vouchers expire without having a leased unit. The HA will review the average time required for voucher holders to find units.
2. *Availability of suitable vacant units with rent below the payment standards (Rent survey data):* The HA will review its rent reasonableness data, vacancy rate data, and other relevant information to determine whether there is an ample supply of vacant units with rents below the payment standard amounts in each bedroom category.
3. *Rent burdens of program participants:* The HA will review the percentage of income voucher families use to pay rent to determine the extent to which rent burdens exceed 30 percent of income.
4. *Availability of greater housing choices:* The HA will review the availability of greater housing choices for voucher holders.

The HA will also review on a cases by case basis applying a higher payment standard within the basic range as a reasonable accommodation for a family with a family member with disabilities.

8. 2 REVIEW AND ADJUSTMENT OF ALLOWANCES FOR UTILITIES

The HA shall at least annually determine whether there has been a substantial change in utility rates or other charges of general applicability and whether an adjustment is required in the allowance for utilities and other services by reason of such change or because of errors in the original determination. The procedure for this determination shall be as follows:

The HA will collect Utility Allowance schedules from the Miami-Dade Housing Agency (the HA for Miami-Dade County) and other housing authorities within the county to review ongoing rates currently in use. The HA will request estimates and actual data from utility companies and program participants to compare to such other Utility Allowance schedules. After reviewing the aforementioned data decisions will be made to determine if utility allowance schedule needs to be adjusted. If the HA determines that an adjustment should be made, the HA shall make the necessary adjustments taking into account the size of dwelling units and other pertinent factors.

8. 3 RENT REASONABLENESS

Rent Reasonableness will be determined using the following method: Rent is reviewed at initial lease-up, as well as, upon an owner's request for a rent increase, to determine whether it is reasonable in relation to rents currently being charged for other comparable unassisted units in the private market.

Initial rents and rent increase requests will be reviewed for reasonableness by referring to the HA's compiled rental survey data for appropriateness. The location, quality, size, unit type, age of the contract unit will be considered when making this determination. The amenities, housing services, maintenance and utilities to be provided by the owner under the lease will also be considered. If the rent is deemed unreasonable the HA may provide the owner with a reasonable rental amount based on the compiled rental survey data. If the owner disputes the HA's determination the owner may be afforded the opportunity to provide additional rental survey data that supports the rent that is being requested. The owner's submission of rental survey information does not ensure approval of the requested rent. The HA will determine the rent based on the best rental survey data that is available.

The rental survey data used to make comparisons may be obtained through the services of a state certified real estate appraiser or through collected rental data information.

Each approved rent will contain a "Certification of Rent Reasonableness" form in the file that will certify and document that the rent has been approved. The "Certification of Rent Reasonableness" form will identify a specific comparable rent for a similar type unit considering the location, quality, size, unit type, and age of the contract unit.

In addition, initial lease-up rent request will require the owner to sign the "Owner's Certification of Rent Reasonableness" form to require owners to support the rent they are charging. The "Owner's Certification of Rent Reasonableness" form will require the owner to acknowledge that acceptance of housing assistance payments certifies that the rent is not more than rent charged by the owner for comparable unassisted units in the premises. The HA reserves the right to request and obtain information on the rents being charged by the owner for other units in the premises or elsewhere. Each case-file will contain this certification at initial lease-up.

Each file is subject to file review for completeness before payment is authorized. Payment will not be authorized unless the "Certification of Rent Reasonableness" form and the "Owner's Certification of Rent Reasonableness" form is contained in the file.

If the compiled rental survey data does not have a comparable unit by location, quality, size, or unit type, then the next best comparable unit from the compiled rental survey data may be used to support the approved rent.

8. 4 ANNUAL REVIEW OF FAMILY CIRCUMSTANCES, RENTS, UTILITIES AND HOUSING QUALITY STANDARDS.

The HA's Director, or designee, assigns annual re-examinations three (3) months prior to each lease anniversary date, based on a computer generated monthly report intended for such purposes. The HA's Housing Specialist(s) thereby have sufficient opportunity to notify, in writing, both the owner and the tenant. Should either party have issues to resolve there is then adequate time to explore the issues, and to work toward their resolution prior to the expiration of the lease.

Changes in tenant income are processed upon verification throughout the lease term. All tenants who report zero income are asked to certify their income status at least every three months.

As detailed above, the HA will assign new cases, as well as annual recertifications, to Housing Specialist(s). The Housing Specialist determines tenants continued eligibility and payment amounts.

Reinspection of the assisted unit is initiated four (4) months in advance of each lease anniversary date and may be requested at any time by the tenant or owner.

At annual reinspections or during the lease term, should the housing fail an inspection, the following will occur:

1. The owner is notified in writing as to the deficiencies. The owner is given thirty (30) days in which to make the necessary repairs. If the deficiencies are serious the family is issued a new Voucher and advised to relocate.
2. Housing Specialists may initiate abatement of all or part of the housing assistance payment if the owner fails to correct HQS deficiencies in the time period allowed in accordance with HUD regulations governing abatement practices.

The Director, or designee, maintains a record of all requested repairs and a report to monitor HQS violations and the noncompliance sanctions. The completion dates are monitored monthly to ensure that reinspection deadlines are met or if not, then the appropriate administrative sanctions are taken. Before monthly housing assistance payments are made, all repairs that are requested are reviewed to ensure that the Housing Specialist(s) follow through on administrative sanctions.

8. 5 REQUESTS TO MOVE

Families must submit a written request to move and obtain the HA's approval. Families are prohibited from moving during the initial twelve months of their lease for the assisted unit. Thereafter, families are limited to one move during any twelve month period.

A request to move may only be approved under the following circumstances:

1. The lease has been terminated because the HA terminated the HAP contract for the owner's breach or by mutual agreement of the owner and tenant;
2. The family has received a notice to vacate the premises or the owner has secured court authority to evict the family; or
3. The family has given notice lease termination if such right is afforded under the lease (the family must send notice to the HA at the same time).

8. 6 FAMILY BREAK-UP

In the event that a family break-up occurs in an assisted household, the HA will review the following factors to determine, in its discretion, which members of the family continue to receive assistance in the program:

1. What is in the best interest of minor children or ill, elderly or disabled family members.
2. Whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household.
3. Which family member has recognized custody of minor children in family.

8. 7 ABSENCE FROM UNIT

The family may be absent from the unit for brief periods. For longer absences the following HA policy shall apply:

Absence is defined as no family member residing in the unit. Family members may not be absent from the unit for a period of more than thirty (30) consecutive calendar days. If the family will be absent from the unit for more than thirty (30) days, the family shall promptly notify both the HA and the owner in writing and obtain the HA's approval. The HA will require the family to document the reason for the extended absence.

To obtain the HA's approval, the family must:

1. Comply with the notice requirements above;
2. Provide documentation acceptable to the HA regarding the length of the absence and the reason for the absence;
3. Affirm their intent to return to the unit at the end of the leave period;
4. Agree to be responsible for receiving and responding to all notices sent by the HA to the unit during the period of absence;
5. Pay rent to the owner and pay for utilities while the family is absent;

6. Make arrangements for HA's inspection of the unit as necessary.

If the above procedure is not followed, the unit will be considered abandoned and termination of Housing Assistance Payments will commence. The term of the HAP Contract and the assisted lease also will terminate. The HA reserves the right to consider special circumstances (such as absence due to hospitalization, medical emergency, etc.) as a basis to determine whether the HA may want to allow a resumption of assistance to the family. The family must supply any information requested by the HA to verify the special circumstances.

In no event shall the absence be for a period greater than ninety (90) days. Absences are permitted for:

1. Hospitalization
2. Commitment to short-term drug or alcohol treatment
3. Verifiable family illness or other family emergency
4. Other reasons to be determined by the HA

Imprisonment is not a valid reason for an absence and if imprisonment resulted from drug related or criminal activity, the participant may be terminated under the termination policy.

The HA conducts a random mailing to a sample of all program participants to verify continued occupancy.

8.8 PAYMENT OF MONIES OWED BY OWNER OR FAMILY TO THE HA

The HA staff must report all cases of suspected overpayments of program funds to the Director, or designee. In every case, efforts will be undertaken to recover actual overpayments. The money may be recovered by withholding future HAP or utility payments, or by written mutual agreement to a repayment schedule approved by the Program Management. A monthly Accounts Receivable Report, which tracks all such activity, is generated by the finance coordinator for the program and available for review by the Program Management staff.

If reasonable efforts do not result in repayment, the Program Management will re-evaluate each account for referral of legal action where appropriate.

If reasonable efforts do not result in repayment, the Program Management will re-evaluate each account for referral of legal action where appropriate.

Accounts receivable procedures for Payments made to a landlord for damages, unpaid rent or vacancy reimbursement or overpayments made on behalf of a tenant.

1. *Cancelled or inactive tenants* -for tenants who owe money and whose rental assistance benefits have been terminated either voluntarily or involuntarily the

following will occur: The amount that the tenant owes will be maintained in the tenant's permanent file for future reference. Clients cannot reapply without paying money owed in full or entering into a repayment schedule if offered to them. If other Housing Authorities request status information, balance owed will be reported.

2. *Active tenants* -for tenants on the program who owe money as a result of payments being made on their behalf for damages, unpaid rent or vacancy reimbursement or overpayments the following will occur: Clients will enter into a repayment agreement for the amount of the monies owed. The terms and conditions of the payment schedule will be based on a reasonable standard. Tenant's name, allocation code, and the amount owed is entered onto the "Active Tenants with Damages Report". This report is updated monthly to identify delinquent accounts for subsequent mailing notices. Tenant's name and the total amount owed is entered into the Accounts Receivable computer program.

Failure to cure a breach of the repayment agreement will result in the termination of program assistance.

9. 0 SPECIAL HOUSING

The HA shall allow for special housing types as set forth in 24 CFR Part 982 and shall follow the regulations set forth under s. 982.601 through s. 982.64.

10. 0 TERMINATION OF ASSISTANCE TO THE FAMILY

10. 1 TERMINATION POLICY AND PROCEDURE

The following will constitute grounds for removal of a tenant from the Housing Choice Voucher programs or deny assistance for an applicant:

1. Failure to make payments for monies owed the HA or another HA.
2. Violation of any of the family obligations under 24 CFR 982.551 or set forth herein.
3. A participant or family member engaged in drug-related criminal activity or violent criminal activity.
4. A participant has committed fraud (bribery or any other corrupt or criminal act) at the time of application or during assisted tenancy.
5. A participant has failed to comply with the requirements under the family's contract of participation in the Family Self-Sufficiency program if participating.
6. If any family members of the family has been evicted from public housing.

7. If the family has engaged in or threatened abusive or violent behavior toward HA personnel.
8. An applicant or participant that abuses alcohol or drugs in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.

All applicants will be required to certify prior to admission that they do not have a pattern of illegal use of controlled substance or pattern of abuse of alcohol that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

Applicants may elect not to sign the Non-Alcohol and Drug Abuser Certification provided they demonstrate to the HA's satisfaction that they are no longer engaging in illegal use of a controlled substance or abuse of alcohol through one of the following means:

- a) Applicant that has successfully completed a supervised drug or alcohol rehabilitation program.
- b) Applicant has otherwise been rehabilitated successfully.
- c) Applicant is participating in a supervised drug or alcohol rehabilitation program.

10. 2 PROCEDURE FOR REMOVING A SECTION 8 TENANT FROM THE PROGRAM:

1. The tenant and landlord will be mailed a notice of intent to terminate Section 8 benefits. The notice shall state the grounds for removal. It shall advise the tenant that they have ten (10) business days in which to respond and contest the action by requesting a hearing.
2. The tenant may have an advocate or attorney present at the hearing.
3. If the tenant does not respond, they may be automatically removed from the program effective one month following the date of the notice. Notice of termination will be sent to the tenant and landlord simultaneously.

11. 0 COMPLAINTS AND APPEALS

11. 1 INFORMAL HEARING FOR PARTICIPANTS

The HA will provide an opportunity for an informal hearing to a participant to consider whether decisions made against participants are in accordance with HUD regulations and the HA rules in the following situations:

1. A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment;
2. A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the HA's Utility Allowance schedule. This hearing requirement does not apply to the utility allowance schedule, itself;
3. A determination that a participant is residing in an overcrowded or under utilized unit;
4. In the case of a participant who wants to move to another dwelling unit a determination of the number of bedrooms to be entered on a voucher when a participant family desires to move to another unit;
5. A determination to terminate assistance to a participant family because of the family's action or failure to act (see §982.552) as well as failure to fulfill the family's obligations under the program regulations or hereunder; or
6. A determination to terminate assistance due to an absence beyond the permissible period set forth herein without the HA's approval.

In the case of a decision to deny or terminate assistance, the HA shall give the applicant written notification of its decision denying or terminating assistance. The notice shall:

1. may be given personally to the applicant or member of the family, but must be sent by first class certified mail to the last known address on file;
2. give a brief statement of the reasons for the decision, and
3. inform the applicant that within ten (10) business days of the date of the notice, the applicant may request, in writing, that an informal hearing be held to present written or oral objections and review the decision.

11. 2 CONDUCT OF HEARINGS

If an applicant or participant requests an informal hearing within the time frame set forth above, the HA shall conduct a hearing in accordance with the following procedures:

1. The HA shall appoint a hearing officer to conduct the hearing who must be an employee or outside person other than the person who made or approved the decision under review or a subordinate of such person.
2. Discovery – The family can examine before the HA hearing any HA documents that are directly relevant to the hearing. The family can make copies at its own expense. If the HA fails to make requested documents available, it cannot then rely on the

document(s) at the hearing. Similarly, HA must be given the opportunity at its offices prior to the hearing any family documents directly relevant to the hearing and may make copies at its own expense. Failure to produce such document(s) upon the HA's request precludes the family from relying upon such document(s) at the hearing.

3. The family may be represented by a lawyer or other representative.
4. The hearing officer shall issue a written decision stating briefly the factual and other basis for the decision, a copy of which shall be furnished promptly to the applicant.

12. 0 ADMINISTRATIVE FEE RESERVE

The Director of the City of Miami Department of Community Development is authorized to approve the use of funds in the Section 8 administrative fee reserve and can expend up to \$25,000 of Section 8 administrative fee reserve during any one fiscal year without direct City Commission approval.