

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

PHA Plans

5 Year Plan for Fiscal Years **2005 - 2009**

Annual Plan for Fiscal Year **2005**

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

**PHA Plan
Agency Identification**

PHA Name: Vallejo Housing Authority

PHA Number: CA055

PHA Fiscal Year Beginning: 07/2005

Public Access to Information

Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices

Display Locations For PHA Plans and Supporting Documents

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

- Main administrative office of the PHA
- PHA development management offices
- PHA local offices
- Main administrative office of the local government
- Main administrative office of the County government
- Main administrative office of the State government
- Public library
- PHA website
- Other (list below)

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

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

5-YEAR PLAN
PHA FISCAL YEARS 2005 - 2009
[24 CFR Part 903.5]

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: (state mission here) **To improve the living environments for low and moderate income persons and communities.**

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 for renters and homeowners.

- PHA Goal: Expand the supply of assisted housing
Objectives:
- Apply for additional rental vouchers:
 - Reduce public housing vacancies:
 - Leverage private or other public funds to create additional housing opportunities: **Assist in the production of 26 units of 2 or more bedrooms for persons at 50% AMI or less.**
 - Acquire or build units or developments
 - Other (list below)
- PHA Goal: Improve the quality of assisted housing
Objectives:
- Improve public housing management: (PHAS score)
 - Improve voucher management: (SEMAP score)
 - Increase customer satisfaction:
 - Concentrate on efforts to improve specific management functions: **Assisted housing finance.**

- Renovate or modernize public housing units:
- Demolish or dispose of obsolete public housing:
- Provide replacement public housing:
- Provide replacement vouchers:
- Other: (list below)

X PHA Goal: Increase assisted housing choices

Objectives:

- Provide voucher mobility counseling:
- Conduct outreach efforts to potential voucher landlords
- Increase voucher payment standards
- X** Implement voucher homeownership program:
- Implement public housing or other homeownership programs:
- Implement public housing site-based waiting lists:
- Convert public housing to vouchers:
- Other: (list below)

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

NOT APPLICABLE – NO PUBLIC HOUSING

PHA Goal: Provide an improved living environment

Objectives:

- Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- Implement public housing security improvements:
- Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
- Other: (list below)

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

X PHA Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

- X** 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.

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

Other PHA Goals and Objectives: (list below)

Annual PHA Plan
PHA Fiscal Year 2005
[24 CFR Part 903.7]

i. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

Standard Plan

Streamlined Plan:

- High Performing PHA**
 **Small Agency (<250 Public Housing Units)
Administering Section 8 Only**

Troubled Agency Plan

ii. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

The Vallejo Housing Authority (VHA) is required by the U. S. Department of Housing and Urban Development (HUD) to adopt five year and annual plans for its Housing Choice Voucher (Section 8 Existing) Program.

Established in 1942, the Authority is overseen by a nine-member board that consists of the Mayor of the City of Vallejo as Chairperson, six Vallejo City Council members, and two tenants. Board members serve four-year terms.

As of February 18, 2005, VHA administers 2,246 units of Section 8 Existing housing in the City of Vallejo. As of February 18, 2005, there were 2,537 families on the Authority's waiting list.

According to the most recent Census (2000), Vallejo has a population of 116,670. As indicated in its Consolidated Plan, the City has large, unmet housing needs. 5,015 very low income households are experiencing a problem with housing, which represents thirteen percent of the total number of households (39,601) in Vallejo.

The Authority budget for Calendar Year 2005 is \$26.7 million, including \$1.5 million in Section 8 operating fees. The Authority had an operating reserve at the end of Fiscal Year (FY) 2003/2004 of \$1.39 million.

In its Five Year Plan, the Authority has established three primary goals: (1) to increase the availability of decent, safe, and affordable housing for renters and

homeowners, (2) to promote self-sufficiency and asset development of families and individuals, and (3) to ensure equal opportunity in housing for all residents.

In addition to offering the tenant-based voucher program, the Housing Authority may wish to offer a project-based voucher program. Project-based assistance may be needed to assure the availability of an adequate number of decent and affordable units, either through new construction, the rehabilitation of units, or existing units. VHA may use up to twenty (20) percent of its voucher funding, the maximum allowed by HUD, for a project-based voucher program in Fiscal Year 2005/2006. If fully funded, this could provide project-based assistance for 450 families.

In 2000, the Housing Authority formed a Resident Advisory Board (RAB) made up of Housing tenants. The Housing Authority is required to consider the recommendations of the RAB when preparing the Five-Year and Annual Plans. The RAB has reviewed the documents, affirmed the goals of the Housing Authority, and is in favor of the Housing Authority making efforts to improve the overall quality of life in and safety of neighborhoods. The RAB meets monthly.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

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Attachments

Indicate which attachments are provided by selecting all that apply. Provide the attachment's name (A, B, etc.) in the space to the left of the name of the attachment. Note: If the attachment is provided as a SEPARATE file submission from the PHA Plans file, provide the file name in parentheses in the space to the right of the title.

Required Attachments:

- Admissions Policy for Deconcentration
- FY 2005 Capital Fund Program Annual Statement
- Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

- PHA Management Organizational Chart
- FY 2005 Capital Fund Program 5 Year Action Plan
- Public Housing Drug Elimination Program (PHDEP) Plan
- Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)
- Other (List below, providing each attachment name)

Supporting Documents Available for Review

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	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public housing rent determination policies, including the methodology for setting public housing flat rents <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 <input 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
	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 type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any	Annual Plan: Capital Needs

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	other approved proposal for development of public housing	
	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact." Use N/A to indicate that no information is available upon which the PHA can make this assessment.

Housing Needs of Families in the Jurisdiction by Family Type

Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	2,724	4*	N/A	N/A	N/A	N/A	N/A
Income >30% but <=50% of AMI	2,291	2*	N/A	N/A	N/A	N/A	N/A
Income >50% but <80% of AMI	3,402	1*	N/A	N/A	N/A	N/A	N/A
Elderly (<= 50% of AMI)	508	3*	N/A	N/A	N/A	N/A	N/A
Families with Disabilities	1,147	3*	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity: African-American, 51-80% MFI	N/A	3*	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity: Hispanic, 0-50% MFI	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Range: 1. "No impact"
5. "Severe impact"

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- Consolidated Plan of the Jurisdiction/s
Indicate year: **2000-2005**
- U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information) **City of Vallejo Housing Element, 2003; 2000 Census**

B. 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 Waiting List

Waiting list type: (select one)

- Section 8 tenant-based assistance
- Public Housing
- Combined Section 8 and Public Housing
- Public Housing Site-Based or sub-jurisdictional waiting list (optional)
If used, identify which development/subjurisdiction:

	# of families	% of total families	Annual Turnover
Waiting list total	2,537		
Extremely low income <=30% AMI	2,118		
Very low income (>30% but <=50% AMI)	419		
Low income (>50% but <80% AMI)	0		
Families with children	1,627		
Elderly families	143		
Families with Disabilities	305		
Race/ethnicity: African-American	1,929	78	
Race/ethnicity: White	269	13	
Race/ethnicity: Asian	165	8	
Race/ethnicity: Native American/Alaskan Native	33	1	
Race/ethnicity: Hawaiian/Pacific Islander	11	<1	

The sum for the race and ethnicity categories adds up to 2,407, and not 2,537. This is because when families apply for a voucher, some do not answer that question on the application. Once the Housing Authority staff has met with the applicant, i. e., proceeds beyond the pre-application phase, the Housing Authority is able to obtain complete information on all of the families. In other words, exact and total numbers on race and ethnicity are not available.

Characteristics by

Housing Needs of Families on the Waiting List			
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)? 16 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			

C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **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
- 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)

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 903.7 9 (b)]

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

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2005 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	26,710,824 (Calendar Year 2005)	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants		
h) Community Development Block Grant		

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
i) 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)		
Total resources	26,710,824	

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing - NOT APPLICABLE

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

(1) Eligibility

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

When families are within a certain number of being offered a unit: (state number)

When families are within a certain time of being offered a unit: (state time)

Other: (describe)

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

- Criminal or Drug-related activity
- Rental history
- Housekeeping
- Other (describe)

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

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

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

(2)Waiting List Organization

a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)

- Community-wide list
- Sub-jurisdictional lists
- Site-based waiting lists
- Other (describe)

b. Where may interested persons apply for admission to public housing?

- PHA main administrative office
- PHA development site management office
- Other (list below)

c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**

1. How many site-based waiting lists will the PHA operate in the coming year?

2. Yes No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists?

3. Yes No: May families be on more than one list simultaneously?
If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- PHA main administrative office
- All PHA development management offices
- Management offices at developments with site-based waiting lists
- At the development to which they would like to apply
- Other (list below)

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- One
- Two
- Three or More

b. Yes No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

- Emergencies
- Overhoused
- Underhoused
- Medical justification
- Administrative reasons determined by the PHA (e.g., to permit modernization work)
- Resident choice: (state circumstances below)
- Other: (list below)

c. Preferences

1. Yes No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection **(5) Occupancy**)
2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

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

Other preferences: (select below)

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

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

Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

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

4. Relationship of preferences to income targeting requirements:

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

(5) Occupancy

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- The PHA-resident lease
- The PHA's Admissions and (Continued) Occupancy policy
- PHA briefing seminars or written materials
- Other source (list)

b. How often must residents notify the PHA of changes in family composition? (select all that apply)

- At an annual reexamination and lease renewal
- Any time family composition changes
- At family request for revision
- Other (list)

(6) Deconcentration and Income Mixing

- a. Yes No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b. Yes No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

- Adoption of site-based waiting lists
If selected, list targeted developments below:
- Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:
- Employing new admission preferences at targeted developments
If selected, list targeted developments below:
- Other (list policies and developments targeted below)

d. Yes No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

- Additional affirmative marketing
- Actions to improve the marketability of certain developments
- Adoption or adjustment of ceiling rents for certain developments
- Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- Other (list below)

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)

- Not applicable: results of analysis did not indicate a need for such efforts
- List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)

- Not applicable: results of analysis did not indicate a need for such efforts
- List (any applicable) developments below:

B. Section 8

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 below)
- 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):
Negative tenancy history, failure to comply with lease.

(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)

- X PHA main administrative office
X Other (list below):
On line, via application printed in the newspaper, via applications located at various social service agencies. Waiting list is currently closed.

(3) Search Time

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

If yes, state circumstances below:

All tenants have 120 days to search for a unit. Non-disabled tenants may request extensions in writing in 30-day increments, for up to two additional months, or for a total of 180 days. Disabled tenants may request extensions in writing in 30 day increments, for eight additional months, or for a total of 365 days.

(4) Admissions Preferences

- a. Income targeting

- Yes X 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. X 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):
Persons with disabilities

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
- 1 Veterans and veterans' families
- 1 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
- 1 Other preference(s) (list below):
Persons with disabilities.

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 903.7 9 (d)]

A. Public Housing - NOT APPLICABLE

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

(1) Income Based Rent Policies

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one)

- The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---OR---

- The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent

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

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

2. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below:

c. Rents set at less than 30% than adjusted income

1. Yes No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

- For the earned income of a previously unemployed household member
 For increases in earned income

- Fixed amount (other than general rent-setting policy)
If yes, state amount/s and circumstances below:
- Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:
- For household heads
- For other family members
- For transportation expenses
- For the non-reimbursed medical expenses of non-disabled or non-elderly families
- Other (describe below)

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income)
(select one)

- Yes for all developments
- Yes but only for some developments
- No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

- For all developments
- For all general occupancy developments (not elderly or disabled or elderly only)
- For specified general occupancy developments
- For certain parts of developments; e.g., the high-rise portion
- For certain size units; e.g., larger bedroom sizes
- Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

- Market comparability study
- Fair market rents (FMR)
- 95th percentile rents
- 75 percent of operating costs
- 100 percent of operating costs for general occupancy (family) developments
- Operating costs plus debt service
- The "rental value" of the unit

Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)

- Never
 At family option
 Any time the family experiences an income increase
 Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) _____
 Other (list below)

g. Yes No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

- The section 8 rent reasonableness study of comparable housing
 Survey of rents listed in local newspaper
 Survey of similar unassisted units in the neighborhood
 Other (list/describe below)

B. Section 8 Tenant-Based Assistance

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

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)
- 0 – Rent. Minimum rent is an option.

5. Operations and Management

[24 CFR Part 903.7 9 (e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

- An organization chart showing the PHA's management structure and organization is attached.
- A brief description of the management structure and organization of the PHA follows:

The Housing Manager is responsible for the operation of the entire Housing and Community Development Division of the Community Development Department, which includes of the Vallejo Housing Authority. The Housing Manager directly supervises the Housing Operations Supervisor, the Senior Community Development Analyst, and the Secretary. The Housing Operations Supervisor supervises three Leased Property Negotiators, four Housing Specialists, a Family Self-sufficiency/Welfare to Work Coordinator, and a Homeownership Coordinator. The Secretary supervises three Administrative Clerks.

B. HUD Programs Under PHA Management

List Federal programs administered by the PHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each. (Use "NA" to indicate that the PHA does not operate any of the programs listed below.)

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing		
Section 8 Vouchers	2,246	400
Section 8 Certificates		
Section 8 Mod Rehab		
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug		

Elimination Program (PHDEP)		
Other Federal Programs(list individually)		

C. Management and Maintenance Policies

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

- (1) Public Housing Maintenance and Management: (list below)
- (2) Section 8 Management: (list below)

Administrative Plan

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

Exemptions from component 6: High performing PHAs are not required to complete component 6. Section 8-Only PHAs are exempt from sub-component 6A.

A. Public Housing – NOT APPLICABLE

1. Yes No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below:

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

- PHA main administrative office
- PHA development management offices
- Other (list below)

B. Section 8 Tenant-Based Assistance

1. Yes No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)
- PHA main administrative office
- Other (list below)

7. Capital Improvement Needs – NOT APPLICABLE

[24 CFR Part 903.7 9 (g)]

Exemptions from Component 7: Section 8 only PHAs are not required to complete this component and may skip to Component 8.

A. Capital Fund Activities

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may skip to component 7B. All other PHAs must complete 7A as instructed.

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD-52837.

Select one:

- The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name)

-or-

- The Capital Fund Program Annual Statement is provided below: (if selected, copy the CFP Annual Statement from the Table Library and insert here)

(2) Optional 5-Year Action Plan

Agencies are encouraged to include a 5-Year Action Plan covering capital work items. This statement can be completed by using the 5 Year Action Plan table provided in the table library at the end of the PHA Plan template **OR** by completing and attaching a properly updated HUD-52834.

a. Yes No: Is the PHA providing an optional 5-Year Action Plan for the Capital Fund? (if no, skip to sub-component 7B)

b. If yes to question a, select one:

The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state name

-or-

The Capital Fund Program 5-Year Action Plan is provided below: (if selected, copy the CFP optional 5 Year Action Plan from the Table Library and insert here)

B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund) – NOT APPLICABLE

Applicability of sub-component 7B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

Yes No: a) Has the PHA received a HOPE VI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)
b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

1. Development name:

2. Development (project) number:

3. Status of grant: (select the statement that best describes the current status)

- Revitalization Plan under development
- Revitalization Plan submitted, pending approval
- Revitalization Plan approved
- Activities pursuant to an approved Revitalization Plan underway

Yes No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?

If yes, list development name/s below:

Yes No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?
If yes, list developments or activities below:

Yes No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
If yes, list developments or activities below:

8. Demolition and Disposition – NOT APPLICABLE

[24 CFR Part 903.7 9 (h)]

Applicability of component 8: Section 8 only PHAs are not required to complete this section.

1. Yes No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

Yes No: Has the PHA provided the activities description information in the optional Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)

Demolition/Disposition Activity Description
1a. Development name: 1b. Development (project) number:
2. Activity type: Demolition <input type="checkbox"/> Disposition <input type="checkbox"/>
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date application approved, submitted, or planned for submission: (DD/MM/YY)
5. Number of units affected: 6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:

9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities – NOT APPLICABLE

[24 CFR Part 903.7 9 (i)]

Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. Yes No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.

Designation of Public Housing Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. Designation type:	
Occupancy by only the elderly <input type="checkbox"/>	
Occupancy by families with disabilities <input type="checkbox"/>	
Occupancy by only elderly families and families with disabilities <input type="checkbox"/>	
3. Application status (select one)	
Approved; included in the PHA’s Designation Plan <input type="checkbox"/>	
Submitted, pending approval <input type="checkbox"/>	
Planned application <input type="checkbox"/>	
4. Date this designation approved, submitted, or planned for submission: (DD/MM/YY)	
5. If approved, will this designation constitute a (select one)	
<input type="checkbox"/> New Designation Plan	
<input type="checkbox"/> Revision of a previously-approved Designation Plan?	

6. Number of units affected:
 7. Coverage of action (select one)
 Part of the development
 Total development

10. Conversion of Public Housing to Tenant-Based Assistance – NOT APPLICABLE

[24 CFR Part 903.79 (j)]

Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

A. Assessments of Reasonable Revitalization Pursuant to section 202 of the HUD FY 1996 HUD Appropriations Act

1. Yes No: Have any of the PHA's developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If "No", skip to component 11; if "yes", complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

- Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If "yes", skip to component 11. If "No", complete the Activity Description table below.

Conversion of Public Housing Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. What is the status of the required assessment?	
<input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)	
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)	
4. Status of Conversion Plan (select the statement that best describes the current	

status)

- Conversion Plan in development
- Conversion Plan submitted to HUD on: (DD/MM/YYYY)
- Conversion Plan approved by HUD on: (DD/MM/YYYY)
- Activities pursuant to HUD-approved Conversion Plan underway

5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)

- Units addressed in a pending or approved demolition application (date submitted or approved: _____)
- Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: _____)
- Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: _____)
- Requirements no longer applicable: vacancy rates are less than 10 percent
- Requirements no longer applicable: site now has less than 300 units
- Other: (describe below)

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

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

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing – NOT APPLICABLE

Exemptions from Component 11A: Section 8 only PHAs are not required to complete 11A.

1. Yes No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved HOPE I program (42 U.S.C. 1437aaa) or has the PHA applied or plan to apply to administer any homeownership programs under section 5(h), the HOPE I program, or section 32 of the U.S. Housing Act of 1937 (42 U.S.C. 1437z-4). (If “No”, skip to

component 11B; if “yes”, complete one activity description for each applicable program/plan, unless eligible to complete a streamlined submission due to **small PHA** or **high performing PHA** status. PHAs completing streamlined submissions may skip to component 11B.)

2. Activity Description

Yes No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 12. If “No”, complete the Activity Description table below.)

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

B. Section 8 Tenant Based Assistance

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

2. Program Description: **VHA administers a Section 8 Homeownership Program. Preference for participation in this program will be given to families working or engaging in training or education. VHA estimates that 25 or fewer participants will purchase homes during the life of the Five Year Plan, or a maximum of five each year.**

a. Size of Program

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

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

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

b. PHA-established eligibility criteria

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

If yes, list criteria below:

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (1)]

Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8-Only PHAs are not required to complete sub-component C.

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

Yes No: Has the PHA has entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

If yes, what was the date that agreement was signed? 21/04/99

2. Other coordination efforts between the PHA and TANF agency (select all that apply)

- Client referrals
 Information sharing regarding mutual clients (for rent determinations and otherwise)

- Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
- Jointly administer programs
- Partner to administer a HUD Welfare-to-Work voucher program
- Joint administration of other demonstration program
- Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas? (select all that apply)

- Public housing rent determination policies
- Public housing admissions policies
- Section 8 admissions policies
- Preference in admission to section 8 for certain public housing families
- Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- Preference/eligibility for public housing homeownership option participation
- Preference/eligibility for section 8 homeownership option participation
- Other policies (list below)

b. Economic and Social self-sufficiency programs

- Yes No: Does the PHA coordinate, promote or provide any programs to enhance the economic and social self-sufficiency of residents? (If "yes", complete the following table; if "no" skip to sub-component 2, Family Self Sufficiency Programs. The position of the table may be altered to facilitate its use.)

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or

		selection/specific criteria/other)		both)

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2005 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8	60	269 (as of 04/03/05)

b. Yes No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent FSS Action Plan address the steps the PHA plans to take to achieve at least the minimum program size?
If no, list steps the PHA will take below:

The Vallejo Housing Authority is exceeding the minimum program size required for FSS.

C. Welfare Benefit Reductions

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)

- Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
- Informing residents of new policy on admission and reexamination
- Actively notifying residents of new policy at times in addition to admission and reexamination.
- Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services

- Establishing a protocol for exchange of information with all appropriate TANF agencies
- Other: (list below)

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

12. PHA Safety and Crime Prevention Measures – NOT APPLICABLE

[24 CFR Part 903.7 9 (m)]

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

A. Need for measures to ensure the safety of public housing residents

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)

- High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
- Residents fearful for their safety and/or the safety of their children
- Observed lower-level crime, vandalism and/or graffiti
- People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- Other (describe below)

2. What information or data did the PHA used to determine the need for PHA actions to improve safety of residents (select all that apply).

- Safety and security survey of residents
- Analysis of crime statistics over time for crimes committed "in and around" public housing authority
- Analysis of cost trends over time for repair of vandalism and removal of graffiti
- Resident reports
- PHA employee reports
- Police reports
- Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- Other (describe below)

3. Which developments are most affected? (list below)

B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year

1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply)

- Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- Crime Prevention Through Environmental Design
- Activities targeted to at-risk youth, adults, or seniors
- Volunteer Resident Patrol/Block Watchers Program
- Other (describe below)

2. Which developments are most affected? (list below)

C. Coordination between PHA and the police

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- Police provide crime data to housing authority staff for analysis and action
- Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- Police regularly testify in and otherwise support eviction cases
- Police regularly meet with the PHA management and residents
- Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- Other activities (list below)

2. Which developments are most affected? (list below)

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2005 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- Yes No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- Yes No: Has the PHA included the PHDEP Plan for FY 2005 in this PHA Plan?
- Yes No: This PHDEP Plan is an Attachment. (Attachment Filename: ____)

14. RESERVED FOR PET POLICY – NOT APPLICABLE

[24 CFR Part 903.7 9 (n)]

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations.

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. Yes No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))? (If no, skip to component 17.)
2. Yes No: Was the most recent fiscal audit submitted to HUD?
3. Yes No: Were there any findings as the result of that audit?
4. Yes No: If there were any findings, do any remain unresolved? If yes, how many unresolved findings remain? ____
5. Yes No: Have responses to any unresolved findings been submitted to HUD? If not, when are they due (state below)?

17. PHA Asset Management – NOT APPLICABLE

[24 CFR Part 903.7 9 (q)]

Exemptions from component 17: Section 8 Only PHAs are not required to complete this component. High performing and small PHAs are not required to complete this component.

1. Yes No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?

2. What types of asset management activities will the PHA undertake? (select all that apply)

- Not applicable
- Private management
- Development-based accounting
- Comprehensive stock assessment
- Other: (list below)

3. Yes No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

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

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)

Attached at Attachment (File name)

Provided below:

At RAB meetings on 2/24/05 and 3/31/05 , the RAB was asked for comments on the proposed goals in the Five Year Plan and the Annual Plan. The RAB has also expressed support for the Housing Authority taking actions to improve the overall quality of life in and safety of neighborhoods.

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

Considered comments, but determined that no changes to the PHA Plan were necessary.

The PHA changed portions of the PHA Plan in response to comments
List changes below:

Other: (list below)

The RAB has affirmed the proposed Five Year Plan and Annual Plan goals. The mission of the Housing Authority is to improve the living environments of low and moderate income persons and communities.

B. Description of Election process for Residents on the PHA Board

1. Yes No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)
2. Yes No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process

a. 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)

b. 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)

c. Eligible voters: (select all that apply)

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

C. Statement of Consistency with the Consolidated Plan

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

1. Consolidated Plan jurisdiction: City of Vallejo
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
- The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.

- X The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- X Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)

- Other: (list below)

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

The one year Action Plan for FY 2005/2006 in the Consolidated Plan will outline a program of investment of over \$2.4 million in new Federal Community Development Block Grant (CDBG) Program funds, HOME Investment Partnerships Program funds, and program income (revenue). Funds will primarily be spent on housing, neighborhood improvements, and social services. The next Action Plan includes the period beginning July 1, 2005 and ending June 30, 2006.

The Consolidated Plan establishes priorities for various housing programs by weighing the severity of needs for assistance among the groups most in need, analyzing the housing stock and market conditions, and assessing the resources likely to be available over the life of the Plan (Fiscal Years 2005/2006 through 2009/2010).

Based on the above, one of the groups that has been identified as a high priority for assistance is very low-income renters, through HUD Section 8/Family Self-sufficiency/Welfare to Work, and the preservation, rehabilitation, and construction of housing for very low-income persons.

D. Other Information Required by HUD

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

The following documents are attached:

1. Transmittal letter dated April 13, 2005 from Vallejo Housing Authority to HUD;
2. Staff report to the Vallejo Housing Authority dated April 12, 2005 regarding Five Year Plan and Annual Plan;
3. Certified copy of Resolution No. 05-04 dated April 12, 2005 approving Housing Authority Plans;
4. Copy of notice of April 12, 2005 public hearing;

5. Written comments received on Plans: (i) letter dated March 7, 2005 from North Bay Housing Coalition; and (ii) e-mail communication dated April 12, 2005 from Mustafa Abdul-Ghaneec.

Vallejo Housing Authority response to written comments received from North Bay Housing Coalition:

1. The Housing Authority establishes partnerships with other agencies. However, the waiting list is now closed, until it has been diminished and it is reopened.
2. The Housing Authority provides reasonable accommodations, which complies with its Administrative Plan policies, i. e., requests must be in writing and request a specific accommodation. However, as stated in #1 above, the waiting list is currently closed.
3. Current preferences use elderly/disabled as the second preference.
4. When clients are denied participation in the program due to drugs/alcohol, etc. they are given the right to appeal in an informal review with the Housing Manager or the Housing Operations Supervisor. Mitigating circumstances are considered.
5. The Housing Authority conducts client briefings at Vallejo City Hall at 555 Santa Clara Street, Vallejo, which is handicapped-accessible, or at the Vallejo Housing Authority office at 200 Georgia Street, Vallejo. The Housing Authority will replace its front door in 2005/2006, which will make the entire facility handicapped-accessible.
6. Written policies in the Housing Authority's Administrative Plan give clear direction on the procedures to request an extension. Disabled persons are given up to one year, as opposed to non-disabled persons who may obtain up to a six-month extension.
7. Providing exception payment standards is included in HUD regulations, and the Housing Authority applies it on a case-by-case basis.
8. Per the Administrative Plan, the use of vouchers in special housing types is eligible, only for persons with disabilities.
9. The Housing Authority does not have enough funds available through administrative fees or other sources for security deposits and other one-time move-in expenses. In addition, the collection of loans is too labor-intensive.
10. Outreach to owners is in Housing Authority Administrative Plan policy.

Vallejo Housing Authority response to written comments receive Mustafa Abdul-Ghaneec:

The Plans have been revised to make a distinction between statistics or statements about housing needs in Vallejo attributable to HUD, or to data provided by HUD or the Census, and those provided by the Housing Authority or the City of

Vallejo. The Housing Authority also agrees that there is a need to increase the number of higher paying jobs in the community.

Public comment received at the Vallejo Housing Authority public hearing held on April 12, 2005:

1. Mustafa Abdul-Ghane, P. O. Box 1632, Vallejo, CA 94590 referred to page 36 of the Plan and asked for clarification as to whether the Housing Authority provides any "economic and social self-sufficiency programs". Staff responded at the hearing that the Housing Authority's Welfare to Work Program, when active, was considered an economic and social self-sufficiency program. Staff also stated that currently, the Housing Authority achieves the goal of client self-sufficiency through its Family Self-Sufficiency Program, which as of March 4, 2005 had 269 participants enrolled. The required number of participants is 60.

Attachments

Use this section to provide any additional attachments referenced in the Plans.

See:

- (1) Attached excerpt from VHA Administrative Plan regarding Admissions Policy for Deconcentration**
- (2) Statement of Progress in Meeting 5-Year Plan Mission and Goals, (July 1, 2000 – June 30, 2005)**
- (3) Resident Membership of the Governing Board**
- (4) Membership of the Resident Advisory Board (RAB)**
- (5) Definition of Substantial Deviation and Significant Amendment**
- (6) Homeownership Capacity Statement**

In addition, refer to previous section, “D. Other Information Required by HUD”.

(1) ATTACHMENT: ADMISSIONS POLICY FOR DECONCENTRATION

The HA will communicate the status of housing availability to other service providers in the community, and advise them of housing eligibility factors and guidelines in order that they can make proper referrals for housing assistance.

N. OWNER OUTREACH

The HA makes a concerted effort to keep private owners informed of legislative changes in the tenant-based program, which are designed to make the program more attractive to owners. This includes informing participant owners of applicable legislative changes in program requirements.

The HA encourages owners of decent, safe and sanitary housing units to lease to Section 8 families.

The HA conducts periodic meetings with participating owners to improve owner relations and to recruit new owners.

The HA maintains a list of interested landlords and a list of units available for the Section 8 Program and updates this list at least monthly. When listings from owners are received, they will be compiled by the HA staff by bedroom size.

The HA will maintain lists of available housing submitted by owners in all neighborhoods within the Housing Authority's jurisdiction to ensure greater mobility and housing choice to very low income households. The lists of owners/units will be provided at the front desk and provided at briefings.

The staff of the HA initiates personal contact with private property owners and managers by conducting formal and informal discussions and meetings.

Printed material is offered to acquaint owners and managers with the opportunities available under the program.

The HA has active participation in a community based organization(s) comprised of private property and apartment owners and managers.

The HA will actively recruit property owners with property located outside areas of minority and poverty concentration and apply for exception payment standards if the HA determines it is necessary to make the program more accessible in the HA's jurisdiction.

The HA encourages program participation by owners of units located outside areas of poverty or minority concentration. The HA periodically evaluates the demographic distribution of assisted families to identify areas within the jurisdiction where owner outreach should be targeted. The purpose of these activities is to provide more choices and better housing opportunities to families. Voucher holders are informed of a broad range of areas where they may lease units inside the HA's jurisdiction and given a list of landlords or other parties who are willing to lease units or help families who desire to live outside areas of poverty or minority concentration.

In the event that the HA determines families are leasing in areas of high minority or poverty concentration, the HA will work with a nonprofit agency through the regional counseling program who contacts others in the area, identifies families in the program, and counsels the families on their prospective move and services available in the areas in which the family is interested.

The HA shall endeavor to:

Develop working relationships with owners and real estate broker associations.

Establish contact with civic, charitable or neighborhood organizations which have an interest in housing for low-income families and public agencies concerned with obtaining housing for displacements.

Explain the program, including equal opportunity requirements and nondiscrimination requirements, including Fair Housing Amendments Act of 1988 and Americans with Disabilities Act, to real estate agents, landlords, and other groups that have dealings with low-income families or are interested in housing such families.

(2) Statement of Progress in Meeting 5-Year Plan Mission and Goals, (July 1, 2000 – June 30, 2005)

Since July 1, 2000, the Vallejo Housing Authority has made steady progress in meeting its mission and goals, as follows:

Mission - The Vallejo Housing Authority, through the City of Vallejo's Housing and Community Development Division in the Community Development Department, has improved the living environments of low- and moderate-income persons and communities in the City of Vallejo. The Authority has furthered its mission, in part, by adopting a role that extends beyond housing assistance. The Authority supported families, neighborhoods, and economic self-sufficiency of low-income residents. The Authority provided housing and services that deconcentrated poverty and fostered independence.

Goals – 1. Increase the availability of decent, safe, and affordable housing: The Authority expanded the supply of assisted housing by applying and receiving more than 1,000 additional rental vouchers. In addition, private and public (Vallejo Redevelopment Agency) funds were leveraged to create over 350 additional affordable rental housing units. The Authority's management of the voucher program was improved by its attainment of a SEMAP score, as of June 30, 2003, of 87 percent. The Authority's goal in the Five-Year Plan was to achieve a Fiscal Year 2003 SEMAP score of at least 80 percent. The Authority also increased assisted housing choices by (1) conducting outreach efforts to potential voucher landlords through such things as low-interest and deferred property rehabilitation loans, and (2) implementing a voucher homeownership program. Six Housing Authority tenants became homeowners during the life of the Plan.

2. Promote self-sufficiency and asset development of families and individuals: The Authority promoted self-sufficiency and asset development of assisted households through the Family Self-sufficiency and Welfare to Work Programs. As of March 4, 2005, 269 individuals were enrolled in the Family Self-sufficiency Program, which far exceeds the required number of participants, (60 tenants). The Housing Authority also provided and attracted supportive services to improve assisted recipients' employability. To assist in achieving this, on April 21, 1999 the Authority entered into an Agreement with the County of Solano (the local Temporary Assistance to Needy Families (TANF) agency), to share information and target supportive services to Authority clients.

3. Ensure equal opportunity in housing: The Housing Authority undertook affirmative measures to: (1) ensure access to assisted housing, and to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability; and (2) ensure accessible housing to persons with all varieties of disabilities, regardless of unit size required. In addition, the Authority hosted a fair housing workshop in June 2004 presented by Sentinel Fair Housing under HUD's Fair Housing Initiatives Program to Authority staff, non-profit housing providers, Housing Commissioners, and Legal Services.

(3) Resident Membership of the Governing Board

Established in 1942, the Vallejo Housing Authority is overseen by a nine-member board that consists of the Mayor of the City of Vallejo as Chairperson, six Vallejo City Council members, and two tenants. Board members serve four-year terms.

Members:

Chairman Anthony J. Intintoli, Jr.
Vice Chairman Joanne Schivley
Commissioner Gary Cloutier
Commissioner Gerald Davis
Commissioner Tony Pearsall
Commissioner Pamela Pitts
Commissioner Tom Bartee

Tenant Commissioners:

Commissioner Addie J. Everheart
Commissioner Lydia Pitchford

(4) Membership of the Resident Advisory Board (RAB)

KURT BOARDMAN
173 HILBORN AVE.
VALLEJO, CA 94590

VERDELL CROCHETT
141 DOLPHIN CT.
VALLEJO, CA 94589

CYNTHIA EDWARDS
2 PARROTT ST.
VALLEJO, CA 94590

ADDIE EVERHEART
40 VALLE VISTA AVE., #208
VALLEJO, CA 94590

SHERRELL FERNANDO
750 ILLINOIS ST.
VALLEJO, CA 94590

JAMES ILES, JR.
188 FARRAGUT AVE.
VALLEJO, CA 94590

JANICE LEWIS-COLEMAN
A PLACE 2 LIVE
301 GEORGIA ST., SUITE 221
VALLEJO, CA 94590

NICHOLE MUSE
3268 ARKANSAS ST.
VALLEJO, CA 94590

DIANE OROZCO
606 SONOMA BLVD.
VALLEJO, CA 94590

TERESA PAPILLON
40 VALLE VISTA AVE., #219
VALLEJO, CA 94590

ROSHELLE PIERCE
1401 ROLEEN DR.
VALLEJO, CA 94590

LYDIA PITCHFORD
410 ALABAMA ST.
VALLEJO, CA 94590

REGINA SANGSTER
3366 TENNESSEE ST., #13
VALLEJO, CA 94591

**(5) Definition of Substantial Deviation and Significant Amendment
(approved by the Vallejo Housing Authority on March 4, 2003):**

**To be inserted in the Fiscal Year 2000 – 2004 City of Vallejo Housing
Authority Five Year Plan:**

"Substantial Deviation

A substantial deviation is defined as the addition or deletion of any City of Vallejo Housing Authority program or service, or any change in statistical data of twenty (20) percent or more, in the Five Year Plan. Deviations that are **not** substantial are increases or decreases in the amount of funds allocated to an approved program or service, to achieve the original purpose of the program or service."

**To be inserted in the Fiscal Year 2000 – 2004 City of Vallejo Housing
Authority Five Year Plan, and Fiscal Year 2002/2003 City of Vallejo Housing
Authority Annual Plan:**

"Significant Amendment or Modification

A significant amendment or modification is defined as the addition or deletion of any City of Vallejo Housing Authority program or service, or any change in statistical data of twenty (20) percent or more, in the Five Year Plan or Annual Plan. Amendments or modifications that are **not** significant are increases or decreases in the amount of funds allocated to an approved program or service, to achieve the original purpose of the program or service."

(6) Homeownership Capacity Statement

The Vallejo Housing Authority's Section 8 Homeownership Program has established a minimum homeowner downpayment requirement of at least three percent, and requires that at least one percent of the downpayment come from the family's resources. The Authority also requires that financing for the purchase of a home under its Section 8 Homeownership Program is provided, insured, or guaranteed by the state or Federal government, complies with secondary mortgage market underwriting requirements; and complies with generally accepted private sector underwriting standards.

PHA Plan Table Library

Component 7 Capital Fund Program Annual Statement – NOT APPLICABLE Parts I, II, and III

Annual Statement Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number FFY of Grant Approval: (MM/YYYY)

Original Annual Statement

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

Annual Statement
Capital Fund Program (CFP) Part II: Supporting Table

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost

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

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)

Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

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

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
Description of Needed Physical Improvements or Management Improvements		Estimated Cost		Planned Start Date (HA Fiscal Year)
Total estimated cost over next 5 years				



CITY OF VALLEJO

COMMUNITY DEVELOPMENT DEPARTMENT
Housing and Community Development Division

200 GEORGIA STREET • P.O. BOX 1432 • VALLEJO • CALIFORNIA • 94590-5905 • (707) 648-4507
FAX (707) 648-5249

April 13, 2005

Melina Whitehead, Acting Director
U. S. Department of Housing and Urban Development
Office of Public Housing – San Francisco
450 Golden Gate Avenue
San Francisco, CA 94102-3488

Dear Ms. Whitehead:

I am enclosing the City of Vallejo Housing Authority's Five Year Plan for Fiscal Year 2005/2006 – 2009/2010, and its Annual Plan for Fiscal Year 2005/2006, as required by HUD.

A public comment period was held on these plans between February 27 and April 12, 2005. On April 12th, the Housing Authority conducted a public hearing on these documents and approved them. There was one speaker at the hearing. Written comments were also received. The Housing Authority's response to the comments is contained in the document.

Should you have any questions, please call Guy L. Ricca, Senior Community Development Analyst, at (707) 648-4395, or you may e-mail Mr. Ricca at gricca@ci.vallejo.ca.us.

Sincerely,

GARY W. TRUELSEN
Housing Manager

enclosure



BOARD COMMUNICATION

Date: April 12, 2005

TO: Chair and Commissioners of the Housing Authority

FROM: Roger L. Kemp, Executive Director *OK*
Craig Whittom, Community Development Director *by for*
Gary W. Truelsen, Housing Manager *Gary W. Truelsen* *JWS*

SUBJECT: PUBLIC HEARING: APPROVAL OF TWO PLANS FOR THE HOUSING AUTHORITY: (1) THE FIVE YEAR PLAN, AND (2) THE ANNUAL PLAN

RECOMMENDATION

Conduct a public hearing to receive comments on the draft Five Year Plan and Annual Plan. Adopt the enclosed resolution approving the Plans.

SUMMARY

The U. S. Department of Housing and Urban Development (HUD) requires Housing Authorities to prepare Five Year Plans and Annual Plans. The Housing Authority adopted its first Five Year Plan and Annual Plan in 2000. It is now time to prepare and submit a new Five Year Plan for Fiscal Year (FY) 2005/2006 – 2009/2010, and an Annual Plan for FY 2005/2006. The draft Five Year and Annual Plans are enclosed. These Plans must be submitted to HUD by April 15, 2005.

BACKGROUND AND DISCUSSION

The Vallejo Housing Authority (VHA) is required by the U. S. Department of Housing and Urban Development to adopt Five Year and Annual Plans.

The Five Year Plan includes the mission and long-range goals of the Authority. The Housing Authority's mission is to improve the living environments for low and moderate income persons and communities.

The Annual Plan provides more specific details regarding the Authority's immediate operations.

The following summarizes the key elements of the Plans. The draft Five Year Plan and Annual Plan are enclosed as Exhibit "A".

Services

VHA was established in 1942 pursuant to the State of California Housing Authorities Law. This law states that there is a shortage of safe or sanitary housing at rents affordable to low-income families. The State of California declared the provision of affordable housing as a public purpose.

VHA has adopted By-Laws that empower the Authority to utilize all the powers granted pursuant to the Housing Authorities Law.

VHA's current source of rental assistance is the U. S. Department of Housing and Urban Development's (HUD) Section 8 Program. The Federal Government (in the original Housing Act of 1937) has also declared that citizens are entitled to safe, decent housing. VHA has entered into an agreement with HUD, which allows it to provide Section 8 assistance to low-income families. VHA has also agreed to comply with the regulations, requirements, and laws associated with the Section 8 program.

VHA administered 2,246 units of Section 8 housing in the City of Vallejo as of February 18, 2005. As of February 18, 2005 there were also 2,537 families on the Authority's waiting list.

Housing Need

According to the 2000 Census, Vallejo has a population of 116,760. As indicated in its Consolidated Plan, the City has large, unmet housing needs. 5,015 very low-income households are in need of rental assistance, which represents thirteen percent of the total number of households (39,601) in Vallejo. It is estimated that 70 percent of all very low-income renters (3,590 of 5,015 very low-income households) receive some form of housing assistance (Section 8 housing and/or bond-financed housing).

Funding

The Authority's budget for Calendar Year 2005 is \$26.7 million, including \$1.5 million in Section 8 operating fees. According to the Treasurer, the Authority had an operating reserve at the end of FY 2003/2004 of \$1.39 million.

Goals

In its draft Five Year Plan, the Authority has established three primary goals: (1) to improve the availability of decent, safe, and affordable housing, (2) to promote self-sufficiency and asset development of families and individuals, and (3) to ensure equal opportunity in housing for all residents.

To achieve these goals, the Housing Authority will provide various services and programs, which will include: administering a Section 8 Homeownership Program; and administering the

Family Self-sufficiency and Welfare to Work Programs, which provides tenants with the opportunity to obtain education, job training, employment, and homeownership training and opportunities.

Project-Based Vouchers

In addition to offering the tenant-based voucher program, the Housing Authority may wish to offer a project-based voucher program. Project-based assistance may be needed to assure the availability of an adequate number of decent and affordable units, either through new construction, the rehabilitation of units, or existing units. VHA may use up to twenty (20) percent of its voucher funding, the maximum allowed by HUD, for a project-based voucher program in FY 2005/2006. If fully funded, this could provide project-based assistance for 450 families.

To create a project-based Voucher, the Housing Authority must sacrifice a tenant-based Voucher. The Housing Authority's ability to convert to project-based Vouchers is dependent upon the availability of tenant-based Vouchers. With a current lease-up rate of around 99%, staff expects that there may be few tenant-based units available for conversion to project-based Vouchers.

Resident Advisory Board

In 2000, the Housing Authority formed a Resident Advisory Board (RAB) made up of Housing tenants. The Housing Authority is required to consider the recommendations of the RAB when preparing the Five Year and Annual Plans. The RAB reviewed the draft documents at its February and March meetings, and has affirmed the goals in the Plans. The RAB meets monthly.

Housing and Redevelopment Commission

At its March meeting, the Housing and Redevelopment Commission was scheduled to review the draft Five Year and Annual Plans, and make a recommendation to the Board on their adoption. However, a quorum was not present. Because these documents must be submitted to HUD by April 15, 2005, they are being presented to the Board at this time to meet the deadline.

FISCAL IMPACT

The submission of the Five Year and Annual Plans are requirements associated with the Housing Choice Voucher (Section 8) Program. By submitting these documents, the VHA meets these requirements and maintains its eligibility for Federal housing program funding.

ENVIRONMENTAL REVIEW

There is no environmental impact associated with this action.

DOCUMENTS ATTACHED

Resolution

Exhibit "A" - Draft Five Year and Annual Plans, Housing Authority of the City of Vallejo

PREPARED BY:

Guy L. Ricca, Senior Community Development Analyst, (707) 648-4395, or gricca@ci.vallejo.ca.us.

CONTACT:

Guy L. Ricca, Senior Community Development Analyst, (707) 648-4395, or gricca@ci.vallejo.ca.us.

RESOLUTION NO. 05 - 04

BE IT RESOLVED by the Housing Authority of the City of Vallejo as follows:

THAT WHEREAS, housing authorities are required by the U. S. Department of Housing and Urban Development (HUD) to prepare five year and annual plans for their Housing Choice Voucher (Section 8 Existing) Programs.

WHEREAS, the Housing Authority has conducted a public hearing to receive comments on the attached draft plans, and has reviewed the plans.

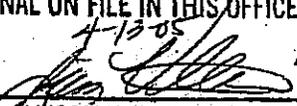
NOW THEREFORE BE IT RESOLVED that the Vallejo Housing Authority hereby approves the Five Year Plan for Fiscal Year (FY) 2005/2006 - 2009/2010, and the Annual Plan for FY 2005/2006, (Exhibit "A" in the attached staff report); and

BE IT FURTHER RESOLVED that the Vallejo Housing Authority hereby authorizes the Executive Director, or either of his designees, the Director of Community Development and the Housing Manager, to prepare and submit the Five Year Plan and Annual Plan, and all related documents and any amendments or corrections as needed to such plans, and documents, to HUD.

ADOPTED by the Housing Authority of the City of Vallejo at a special meeting held on April 12, 2005 with the following vote:

AYES: Chairman Intintoli, Vice Chairman Schivley, Members Cloutier, Davis, Everheart, Pearsall, Pitchford, and Pitts
NOES: None
ABSENT: None
ABSTENTIONS: None

THE WITHIN INSTRUMENT IS A
CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE.

DATE 4-13-05
ATTEST: 
ALLISON VILLARANTE
CITY CLERK & EX-OFFICIO CLERK OF THE
COUNCIL OF THE CITY OF VALLEJO

//s//
ANTHONY J. INTINTOLI, JR., Chairman

//s//
ALLISON VILLARANTE, Secretary

04/12/05

K:\PUBLIC\AVHA and CD Division staff reports\HA041205resolution 5 Yr plan 2010 annual plan 2006.doc

HOUSING AUTHORITY OF THE CITY OF VALLEJO
FIVE YEAR PLAN, FISCAL YEARS 2005/2006 – 2009/2010
ANNUAL PLAN, FISCAL YEAR 2005/2006

The Vallejo Housing Authority (VHA) is required by the U. S. Department of Housing and Urban Development (HUD) to prepare a Five Year Plan and an Annual Plan for its Housing Choice Voucher (Section 8) Program for the City of Vallejo.

Drafts of these documents are available for review at the following locations:

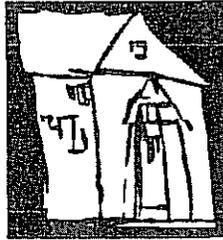
Housing and Community Development Division, at 200 Georgia Street

The City's Web Page at: <http://www.ci.vallejo.ca.us/> (for Internet access, you may go to John F. Kennedy Library, at 505 Santa Clara Street)

Anyone interested in commenting on these documents is invited to attend a public hearing scheduled by the Vallejo Housing Authority on Tuesday, April 12, 2005 in the Council Chambers of City Hall, 555 Santa Clara Street. Written or verbal comments may also be submitted until 4:00 p. m. on April 12, 2005 to: Guy L. Ricca, Senior Community Development Analyst, Vallejo Housing Authority, P. O. Box 1432, Vallejo, CA 94590, or 200 Georgia Street, Vallejo, CA 94590, Tel: (707) 648-4395. E-mail: gricca@ci.vallejo.ca.us.

If you have any questions concerning this public notice, please call the Housing and Community Development Division at (707) 648-4507.

The City of Vallejo provides its programs and services in a non-discriminatory manner, and is an Equal Opportunity Employer. The City also encourages women and minority-owned businesses to submit bids and proposals for Federal Community Development Block Grant (CDBG) Program contracts. These contracts are typically for general contractors to make public or facility improvements. For further information on this public notice, the hearing-impaired may call the California Relay Service at 1-800-735-2922 without a TTY/TDD, or 1-800-735-2020 with a TTY/TDD.



NORTH BAY HOUSING COALITION

650 Imperial Way, Suite 202
Napa, CA 94559
www.northbayhousingcoalition.org

(707) 259-6121
(707) 259-6131 Fax
nbhc@worldnet.att.net

7 March 2005

Guy Ricca
City of Vallejo Housing Authority
Housing and Community Development Division
200 Georgia Street
Vallejo, CA 94590

RECEIVED
City of Vallejo
Housing and Community
Development Division

MAR 08 2005

RE: PHA Admin Plan: Public Comments

Referred to GR

Dear Mr. Ricca:

Our organization, the North Bay Housing Coalition (NBHC)'s mission is to expand housing opportunities for persons with developmental disabilities in Solano, Napa, and Sonoma Counties.

Research has shown that, in 2000, there was not a single housing market in the country where a person with a disability receiving SSI benefits could afford to rent a modest efficiency or one-bedroom unit. One would need to utilize 102% of these benefits in order to rent a simple one bedroom unit in the Vallejo-Fairfield-Napa metropolitan area. One cannot afford decent housing without some type of government assistance; therefore, it is critical that the City of Vallejo continue its Section 8 Housing Choice Voucher Program.

Enclosed are suggested items to incorporate into the annual PHA Admin Plan. NBHC is committed to assisting you and your staff in whatever way possible to strengthen the Housing Choice Voucher program for persons with disabilities.

Thank you again for your assistance and your commitment to serving the citizens of the City of Vallejo.

Sincerely,

Mary Eble, MSW
Project Coordinator

Strategies to Help People with Disabilities Be Successful in the Housing Choice Voucher Program (see enclosed publication):

1. Establishing partnerships with human service and disability agencies to assist in outreach activities, the application process, locating suitable housing, etc.

See pages 3-4

2. Providing reasonable accommodations in policies and procedures for accepting applications such as allowing applications to be mailed or faxed; offering assistance, completing the application; providing the application form in alternative formats such as large print; etc.

See pages 4-5

3. Using a preference in the HCV program waiting list that addresses the needs of people with disabilities.
4. Consider mitigating circumstances with regards to drug, alcohol, or criminal histories when making eligibility determinations.
5. Make briefing sessions more accessible to people with disabilities and provide clear written materials. Allow a friend, family member, or advocate to accompany the applicant to the briefing session.

See page 9

6. Develop a process to streamline requests for housing search extensions.
7. Provide exception payment standards on a case-by-case basis as a reasonable accommodation for a person with a disability.
8. Permit vouchers to be used in special housing types

See p. 13-15, p. 7 (promising practices)

9. Provide funding (possibly from administrative fees) for security deposits and other one-time move-in expenses
10. Conduct outreach to owners of housing units with accessible features and provide a list of these units to HCV households.

Reasonable accommodations

(source: Fred Nisen, Protection & Advocacy, Inc.)

Under state and federal fair housing laws, a landlord must provide reasonable accommodations to people with disabilities when necessary to enable them to use and enjoy housing. Under the Section 8 program, there are a number of specifically identified reasonable accommodations that must be available to individuals with disabilities who receive Section 8. Below is a summary of these reasonable accommodations.

A. Higher Rent:

Generally, the Public Housing Authority (PHA) may set a payment standard amount for a unit size at any level between 90 % and 110% of the published fair market rate (FMR) for that unit size. 24 C.F.R. § 982.503(b)(1)(i). However, the U.S. Department of Housing and Urban Development (HUD) Field Office may approve an exception payment rent between 110% and 120% of the FMR. *See* 24 C.F.R. § 982.503(c)(2)(i). A housing authority must approve an exception rent as a reasonable accommodation FMR if necessary for a family that includes a person with a disability to obtain housing within the voucher term. 24 C.F.R. § 8.28(a)(5).

B. Higher Utility Allowance:

Under the Section 8 regulations, a family with a person with a disability can make a request for a higher utility allowance as a reasonable accommodation. Upon such a request, the PHA must approve a utility allowance which is higher than the applicable amount on the utility allowance schedule maintained by the PHA if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the person with a disability. 24 C.F.R. § 982.517(e).

C. Longer Search Time

The term of a Section 8 voucher is at least sixty (60) calendar days. 24 C.F.R. § 982.303(a). Hence, once a person receives a Section 8 voucher, he or she must find an apartment within 60 days. However, if a family needs and requests an extension of this initial voucher term of 60 days as a reasonable accommodation to make the program accessible to a person with a disability, the PHA must extend the term of the voucher up to the term reasonably required to accommodate the disability. 24 C.F.R. § 982.303(b)(2); *see also* 24 C.F.R. § 8.28(a)(4) (A PHA must "[t]ake into account the special problem of ability to locate an accessible unit when considering requests by eligible individuals with handicaps for extensions of Housing Certificates or Housing Vouchers.")

D. Live-In Aides:

A person with a disability can request that the PHA approve a live-in aide to live in the unit with the person with a disability. The PHA must approve a live-in aide if the live-in aide is needed as a reasonable accommodation to make the program accessible to and usable by the person with a disability. 24 C.F.R. § 982.316(a). A live-in aide affects the size of the family unit and, therefore, may increase the number of bedrooms a person can receive. See 24 C.F.R. § 982.402(a)(6). For example, a single person is entitled to a studio or one-bedroom apartment, but if there is a live-in aide, that person is eligible for a two-bedroom apartment. However, the PHA can refuse a particular live-in aide if that person committed a corrupt or criminal act against the PHA; has committed drug-related or violent criminal activity; or owes money to any PHA under a federal housing program. 24 C.F.R. § 982.316(b).

E. Reinstatement on Waiting List:

A PHA may remove from the waiting list names of applicants who do not respond to PHA requests for information and updates. 24 C.F.R. § 982.204(c)(1). However, a decision to remove the name of a family with a person with a disability is subject to reasonable accommodation. 24 C.F.R. § 982.204(c)(2). If the applicant did not respond to the PHA request for information or updates because of the person's disability, the PHA must reinstate the applicant in the family's former position on the waiting list. *Id.*

F. Renting From a Relative:

Generally, a PHA must not approve an owner under Section 8 if he or she is a relative of a tenant. 24 C.F.R. § 982.306(d). However, the PHA may approve such an owner if it would be a reasonable accommodation for the family member, who is a person with a disability. *Id.*

G. Assistance with Finding Accessible Unit:

When A PHA issues a voucher to a family with a person with a disability, it must provide a current listing of available accessible units known to the PHA and, if necessary, otherwise assist the family in locating an accessible unit. 24 C.F.R. § 8.28(a)(3).

Strategies to Help People with Disabilities Be Successful in the Housing Choice Voucher Program



*Guidance for PUBLIC HOUSING
AGENCIES Administering
Housing Choice Vouchers
Targeted to People with
Disabilities through the
Mainstream, Certain
Developments, or Designated
Housing Programs*

April 2002

Strategies to Help People with Disabilities Be Successful in the Housing Choice Voucher Program

Guidance for PUBLIC HOUSING AGENCIES Administering Housing Choice Vouchers Targeted to People with Disabilities through the Mainstream, Certain Developments, or Designated Housing Programs

Technical Assistance Collaborative, Inc.
One Center Plaza, Suite 310
Boston, MA 02108
www.tacinc.org

under subcontract to:

Abt Associates Inc.
Hampden Square, Suite 600
4800 Montgomery Lane
Bethesda, MD 20814-5341
www.abtassoc.com

Prepared under contract to:

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Real Estate and Housing Performance Division
Washington, DC
www.hud.gov

Contract # C-OPC-21702, Task Order DEN-T0004

Strategies to Help People with Disabilities be Successful in the Housing Choice Voucher Program

Guidance for Public Housing Agencies Administering Housing Choice Vouchers Targeted to People with Disabilities through the Mainstream, Certain Developments, or Designated Housing Programs

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—Chapter 1—

Strategies to Increase Utilization of Housing Choice Vouchers by People with Disabilities

Introduction

Since 1997, the U.S. Department of Housing and Urban Development (HUD) has made available Housing Choice Vouchers (HCV) targeted to people with disabilities through the *Mainstream Housing Opportunities for People with Disabilities Program*, the *Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Developments* program, and *Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans* (referred to as the “Mainstream,” “Certain Developments,” and “Designated Housing” programs, respectively). Through these programs over 50,000 vouchers have been awarded to approximately 440 PHAs to date. Vouchers made available through these “set-asides” are considered part of the HCV program and are governed by the same federal rules and regulations.

Even for the most seasoned HCV administrator, managing targeted programs can be challenging. Tight housing markets, inadequate payment standards, and other factors make it difficult to achieve high utilization rates – especially for vouchers targeted to people with disabilities.

The goal of this chapter is to provide Public Housing Agencies (PHAs) with new ideas to increase utilization rates in HCV programs targeted to people with disabilities. Many – but not all – of the ideas involve outreach and collaboration with local disability and human services organizations in the community. These agencies are a PHA’s natural allies in making these targeted programs work. Their staff works with people with disabilities, many of whom have housing needs. PHAs have the vouchers to address these needs. In partnership, these agencies can both streamline the lease-up process – by working together to identify eligible applicants and assisting them in locating suitable housing – and ensure that people with disabilities, once housed, get access to the supports needed to maintain residential stability.

Importance of Fair Housing Laws and Reasonable Accommodation

Since the 1970s, there have been many federal and state laws passed in an effort to ensure that people with disabilities can participate fully and equally in federal and state housing programs. It is important to understand that, as a result of these laws, PHAs are obligated to make reasonable changes – known as “reasonable accommodation” – in HCV program policies and procedures to ensure equal participation in the program by people with

disabilities. Examples of these types of changes in policies and procedures are highlighted throughout this chapter. For more information about reasonable accommodation and the federal fair housing laws, see chapter 3.

Outreach

When first awarded Mainstream, Certain Developments, or Designated Housing vouchers, the PHA must determine if the existing HCV waiting list includes a sufficient pool of eligible applicants with disabilities. A separate waiting list cannot be established for these programs.

In order to assess whether there are sufficient applicants, the PHA may have to address several issues. PHAs may find that their lists are “old” and the information outdated. Despite concerns that many of the applicants on the list may no longer need housing, the PHA must contact eligible applicants on the existing list prior to offering housing to new applicants. If a PHA uses a HCV application (or pre-application) that asks applicants to indicate their disability status, a PHA can limit its outreach to just those applicants identified on the application as disabled. However, if a PHA does not request information about disability status on its HCV application, it is not sufficient to simply contact those households on the HCV waiting list who indicated on their application that they receive disability benefits [such as Supplemental Security Income (SSI) or Social Security Disability Income (SSDI)]. This method would exclude those eligible disabled applicants on the list who are working or receiving income from other sources.

One method of identifying applicants with disabilities is to send a notice announcing the targeted vouchers to all households on the HCV waiting list. The notice would inform the applicants of the availability of the vouchers, outline the eligibility requirements, and ask any household that meets the qualifications to contact the PHA.

Some PHAs may have an insufficient number of eligible applicants with disabilities on their existing waiting lists. This may be because:

- People with disabilities and their advocates might not be aware of the HCV program.
- People with specific disabilities and their advocates might think they are not eligible for HCV assistance.
- People with certain types of disabilities – such as those who are visually or hearing impaired – may need special outreach activities.

If there are not enough applicants with disabilities on the PHA’s existing waiting list, the PHA should open its waiting list and conduct outreach targeted to eligible people with disabilities. Ideally, these outreach activities should reach not only people with disabilities, but may also target their families, advocates, and service providers.

PROMISING PRACTICE: Linking PHAs to Disability Service Providers

The Massachusetts Department of Housing and Community Development (DHCD), a statewide PHA, is working in partnership with six other state health and human service agencies to target HCVs to homeless people with disabilities through the Housing Options Program (HOP). Initially funded through a set-aside of 170 vouchers made available through a HUD Notice of Funding Availability, HOP brings together the housing resources needed by homeless people with disabilities and a range of support services. These services are funded by the Department of Mental Health, Department of Mental Retardation, Massachusetts Rehabilitation Commission, and two offices within the Department of Public Health (the bureaus of Substance Abuse Services and HIV/AIDS). This program has proven to be such a success that DHCD has recently set-aside an additional 170 vouchers from their HCV portfolio for HOP.

The 345 HOP vouchers are divided among the five human service agencies in relation to the amount of funding and staffing the agency contributes to HOP. The allocation of vouchers is not a fixed number. It varies depending on the number of eligible referrals from each agency. Each human service agency manages its own waiting list and refers eligible applicants to a lead agency – JRI Health. JRI Health screens applicants for initial program eligibility with regards to homeless status, income, and current household composition. All applicants sign a Program Participation Agreement that lays out the expectations of the program. Participating in ongoing supportive services is not mandatory and the rental assistance is not contingent upon the receipt of services. However, the expectations are stipulated to encourage the ongoing acceptance of services.

After the initial screening, JRI health forwards HOP applications to the Metropolitan Boston Housing Partnership (MBHP) – one of eight regional non-profit organizations that contracts with DHCD to administer the state's HCV program. From JRI Health MBHP receives all the information necessary to conduct a HCV screening, make an eligibility determination, and issue a voucher.

A service counselor accompanies each HOP applicant to the HCV briefing at MBHP. These counselors also assist with housing search and provide ongoing housing stabilization to the HOP household to ensure residential stability. Certain state service agencies also assist HOP households with security deposits, first and last month's rent, and other one-time moving costs.

According to DHCD and the other agencies involved, this program is successful because of the high level of collaboration from all of the agencies involved. The human service agencies participating in the program have high-level professionals involved in the program who are decision makers. Representatives from each human service agency staff a HOP Interagency Advisory Team. This team meets quarterly to review voucher utilization, provide programmatic guidance, and trouble-shoot issues related to specific HOP households.

Another strength of the program is the existence of a lead agency, JRI Health. Supported with funding from each participating state agency, JRI Health provides overall coordination of all HOP activities, minimizes the administrative burden, and ensures that HOP offers a seamless system of housing and supports for homeless people with disabilities.

As part of this outreach effort, it is helpful to compile a list of local organizations working with people with disabilities such as:

- ② Local Independent Living Centers (ILCs) (available at www.ncil.org)
- ② Local mental health organizations (available at www.nami.org)

- Local agencies serving people with mental retardation/developmental disabilities (available at www.thearc.org or www.ancor.org)
- Local veterans organizations (available at www.pva.org)
- Local HIV/AIDS organizations (available at www.aidshousing.org)
- Other agencies such as rehabilitation commissions, commissions for deaf or blind people, local hospitals discharge or social workers.

Each agency on this list could be sent outreach materials describing the program and how eligible applicants can apply. The more comprehensive the list, the more successful the outreach efforts will be at reaching people with disabilities in the community who may be eligible for these targeted vouchers.

Consider following up the mailing with a meeting with local disability and human services organizations. Face-to-face contact usually improves outreach results. If these organizations are not aware of or do not understand the HCV program, it will be difficult for them to assist their clients in utilizing it. This meeting can provide an opportunity for the PHA to explain the program, distribute copies of the application, answer questions, and enlist assistance that may be necessary in ensuring that these vouchers are effectively utilized – such as help in identifying potential applicants, collecting applications, and locating suitable housing that meets HCV guidelines.

In order to ensure that all people with disabilities are able to participate in the HCV program, HUD requires that outreach be made equally accessible to people with disabilities. For example, it may be difficult to reach persons with visual disabilities if outreach efforts are limited to written materials. A PHA may want to use radio advertisements instead. The PHA needs to ensure that outreach activities reach people with a broad range of disabilities.

Accepting Applications

As with outreach efforts, in opening the waiting list, PHAs must also ensure the application process is equally accessible to people with all types of disabilities. According to HUD, PHAs may use either of two methods for placing an application on the HCV program waiting list before applying any waiting list preferences (described on the next page): (1) by date and time of the application; or (2) by using a “drawing or other random-choice technique” (e.g. lottery).

While a date and time method is permitted, it may present hardships to people with mobility impairments or other disabilities unless they have adequate time to submit an application. With this in mind, a PHA should offer reasonable accommodations for people with disabilities in its policies and procedures for accepting applications. Examples of these types of accommodations include:

- ④ Providing alternatives to standing in line for either receiving or returning applications including: receiving applications by mail or fax, and/or allowing a proxy to stand in line for an applicant.
- ④ Mailing out application forms in advance in order to provide a person with a disability sufficient time to apply.
- ④ Accepting preliminary applications by telephone. Many PHAs have found that a telephone application process, if properly publicized, allows them to accept a large number of applications in a short period of time, while also accommodating the needs of applicants with disabilities.
- ④ Using a simplified initial application form; applicants can complete a more detailed application when they reach the top of the waiting list.
- ④ Allowing disability and human services agencies to copy the application and distribute them to the people they work with. This will help maximize the number of applications submitted.
- ④ Offering assistance in completing the applications; some applicants may have difficulty writing or understanding what information is needed.
- ④ Providing a place on the application for the applicant to voluntarily provide a secondary contact such as family member, friend, or advocate who the PHA can contact with questions and who can receive copies of correspondence sent to the applicant.
- ④ Making sure the application states that the PHA provides reasonable accommodations and the process to request a reasonable accommodation.

Waiting List Preferences

PHAs may want to consider using waiting list preferences or set-asides for their HCV program waiting list. For example, PHAs can establish a preference for people with disabilities who are homeless or people in transitional housing. It is important to note that PHAs cannot use preferences that target specific disability sub-groups such as people with mental retardation, HIV or AIDS, etc. A set-aside allows a PHA to apply a preference to limited number of people on the waiting list.

Preferences can be used to address local needs and public policies. For example, providing a preference for persons with disabilities in nursing facilities or institutions may help the state meet *Olmstead* obligations (see chapter 4 for a complete explanation of the U.S. Supreme Court *Olmstead* decision).

Preferences can also be used to target people with disabilities who may be better positioned to move into the community. For example, people who have Medicaid Home and Community Based Services Waivers (see chapter 3 for a discussion of the Medicaid program) may already have the services and supports they need to help them move into the community.

Other preferences might include:

- People using “bridge subsidies” or time-limited subsidies (e.g., HOME subsidies, temporary subsidies funded by state or local mental health authorities or developmental disability agencies, etc.) that can be linked to the HCV program.
- People who live in group homes or congregate housing. Some people with disabilities in these settings may be interested in moving into their own apartment while others may want to use the voucher to lease-in-place in their current housing.

Eligibility

Vouchers made available through the Mainstream, Certain Developments, or Designated Housing programs must be used by people with disabilities in households that qualify as “disabled households” according to HUD regulations. HUD has specific definitions for a person with a disability and for disabled households.

- *A person with a disability* is defined as an individual who:
 1. Has a disability as defined in Section 223 of the Social Security Act; OR
 2. Is determined to have a physical, mental, or emotional impairment which is
 - Expected to be of long-continued and indefinite duration; AND
 - Substantially impedes his or her ability to live independently; AND
 - Is of such a nature that such ability could be improved by more suitable housing conditions; OR
 3. Has a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act.

This definition includes persons who have the disease of acquired immunodeficiency syndrome. Similarly, for the purposes of qualifying for HCV assistance this definition excludes a person whose disability is based solely on any drug or alcohol dependence

- *A disabled household* is defined as a family whose head, spouse, or sole member is an adult with a disability. Disabled households can be:
 - A single individual with a disability living alone;
 - A related family in which the head of household or spouse is a disabled person;
 - Two or more related adults with disabilities living together;
 - Two or more unrelated disabled adults living together; or
 - One or more unrelated disabled adults living with one or more live-in aides.

It is important to note that, according to 24 CFR Part 5.403, for the HCV program, a disabled household does **not** include those households in which a minor child is the **only** family member with a disability. To qualify as a disabled family, a person with a disability

must be an adult member of the household who is considered the head of household or spouse.

Verifying Disability Status

PHAS can verify an applicant's disability status in a number of ways. PHAs may use the receipt of SSI or SSDI as sufficient proof of disability. However, PHAs may not limit proof of disability to this type of verification. Other acceptable methods of verifying disability include (but are not limited to):

- A statement from a physician or other reliable source. Reliable sources might include the state Departments of Mental Health, Mental Retardation or Public Health or a local Association for Retarded Citizens (ARC), Mental Health Center or Independent Living Center.

PROMISING PRACTICE: Using Housing Choice Vouchers with Unrelated Disabled Households

There are many tools a PHA can use to increase its utilization of HCVs by people with disabilities. In 1997 the Housing Commission of Anne Arundel County (HCAAC) in Maryland saw an opportunity to use some of these tools when it applied for and received 200 HCVs targeted to people with disabilities. At that time they were actively working with two non-profit disability organizations in the community – the Arc of Anne Arundel County (serving people with mental retardation) and OMNI House (serving people with mental illness). These disability organizations wanted to expand the housing options available to people with disabilities in the community and were interested in partnering with HCAAC to access these new targeted vouchers. Through this partnership, the Arc, OMNI House, and HCAAC have worked together to effectively utilize these targeted vouchers (as well as vouchers in HCAAC regular HCV program) by emphasizing the flexible use of the definition of "disabled household" and leasing vouchers in housing owned by service providers. The success of this partnership has encouraged HCAAC to pursue partnerships with other disability service providers in the community.

One of the key ingredients in this initiative is HCAAC's ability to use its discretionary authority to establish HCV policies that facilitate use of vouchers by people with disabilities. For example, HCAAC amended its Section 8 Administrative Plan to permit two or more unrelated people with disabilities living together to be considered a household.¹ In this situation, the household shares one voucher (assigned to a designated Head of Household) and the number of people in the household determines the voucher unit size. Each adult has a separate bedroom and additional bedrooms can be requested for any overnight support staff that may be necessary. There is usually one lease with the owner with every adult tenant's name on it. In this situation, the subsidy and total tenant payment is calculated based on the total household income. Only one elderly/disability deduction is allowed per family; thus, even though there is more than one person with a disability living in the unit, the deduction only applies once.

The program has been very successful, according to HCAAC. There are currently 246 disabled households using HCVs administered by HCAAC (including both HCVs set-aside for people with disabilities and regular vouchers). These households include 620 adults with disabilities. This indicates how successful the model has been in providing housing for the greatest number of individuals with disabilities. Also, there have been no evictions to date as a part of this program.

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The partnering disability agencies also feel that this model is a good strategy for people with disabilities who prefer not to live alone. These agencies encourage people with disabilities to apply to HCAAC for HCV rental assistance. When a person with a disability is offered a voucher, they can invite another person with a disability – who may also be on the waiting list – to live with him/her using the same voucher. The disability agency helps select roommates who may be compatible and helps to mediate any conflicts that may arise. HCV households often lease housing units in properties owned by these disability agencies.

By facilitating the use of HCV's by unrelated disabled individuals in one household, HCAAC has been able to maximize its HCV budget authority. Two-bedroom units that can accommodate two people with disabilities cost far less than two one-bedroom units would. HCAAC is therefore able to serve a greater number of people at a lower cost. HCAAC attributes their success to their willingness to be creative in their program design and also their partnerships with local organizations that serve people with disabilities.

- ☉ Telephone contact with a physician or other reliable source, followed by PHA documentation of contact in the applicant file.
- ☉ In-person contact with a physician or other reliable source, followed by PHA documentation of contact in the applicant file.

PHAs may not ask whether an applicant with a disability can live independently. The PHA must ensure the application does not include any illegal questions regarding the nature or severity of the disability or ability to live independently.

Screening for Drug Abuse and Other Criminal Activities

The Screening and Eviction for Drug and Abuse and Other Criminal Activities Final Rule (published May 24, 2001) requires PHAs to establish stricter standards and procedures for screenings applicants for drug, alcohol, and criminal histories. PHAs must use the same screening criteria and procedures for both the regular HCV program and any vouchers targeted to specific groups –such as people with disabilities – made available through HCV set-asides.

HUD also requires that “in determining whether to deny admission,” PHAs consider “reasonable accommodation in accordance with Part 8” [24 CFR Part 8, section 504] “if the family includes a person with disabilities” (24 CFR 982.552(c)(2)(iii).

To understand the relationship between this Final Rule and reasonable accommodation requirements, consider an applicant with a psychiatric disability who also has a criminal record. If the criminal record is disability-related, the applicant could request that the PHA make a reasonable accommodation in its screening policies that would make the applicant eligible for the program. For example, if the applicant has a criminal record for repeated loitering, *and* can show that the loitering was due to a disability, *and* can show that the

loitering is unlikely to be repeated (e.g. applicant is now receiving support services), the PHA should provide an accommodation in the screening policy and admit this applicant.

If, on the other hand, the criminal record is for repeated assaults, *and* the applicant cannot show that the assaults are disability related *or* the PHA determines that the applicant may repeat the assaults, the PHA is not obligated to provide the accommodation.

It is important to carefully screen applicants for the program, however, HUD has also determined that it is important to take into consideration rehabilitation and mitigating circumstances.

Briefing and Voucher Issuance

The briefing is an important opportunity to ensure that new HCV households and their advocates fully understand the program and how to search for suitable housing. There are a few simple strategies PHAs can use to communicate more effectively and ensure that people with disabilities get the most helpful information possible during the briefing session.

People with disabilities should be sent a written notice about the briefing session. Both in order to comply with HUD's fair housing requirements (see chapter 2) and to ensure participants are able to fully participate in the briefing, this notice should state that the PHA provides reasonable accommodations upon request. Examples of reasonable accommodation requests might include a sign language interpreter or materials in Braille or on tape. PHAs should include a deadline for such accommodation requests. Some accommodations – such as securing interpreters – can take time and often cannot be arranged at the last minute. As a reasonable accommodation, PHAs could also allow the applicant to bring a friend, family member, advocate, or service provider to the briefing session with them.

Making Briefings More User-Friendly and Accessible to People with Disabilities

- ☉ Hold the briefing in a location that is wheelchair accessible and includes an accessible bathroom.
- ☉ Hold the briefing in a location that is accessible by bus or other public transportation.
- ☉ Ensure the briefing is understandable.
- ☉ Use clear, non-technical language in all written materials. Speak slowly and clearly in making any presentations.
- ☉ Make sure the notice inviting the participant to the briefing states that they can bring a family, member, friend or advocate to the briefing.
- ☉ Make sure the briefing letter is sent to any secondary contacts listed on the application.
- ☉ Make sure the letter inviting the participant to the briefing states that the PHA provides reasonable accommodations and how to request one.
- ☉ Be prepared to provide requested accommodations. Know beforehand how to secure a sign language interpreter. Call the state agency that serves people who are deaf, look at the state government's main web site and/or contact the local Independent Living Center to find out how to secure an interpreter. Be prepared to provide materials on tape, computer disk or in Braille. Call the state agency that serves people who are blind or the local ILC to find out how to have materials translated into Braille.
- ☉ Provide the name and phone number of a person who can be readily contacted by the participant with any questions or concerns after the briefing.

PHAs should make the information provided in the briefing as clear and understandable as possible. The PHA should ensure that when the household and/or the advocate assisting them know what to do when they leave the briefing session. Some PHAs find it useful to hold individual or small group briefing sessions (i.e., 10 people or fewer) for people with disabilities.

HUD regulations require that PHAs make briefing materials and the briefing presentation as accessible as possible to people with various disabilities. For example:

- A participant who is blind may request that copies of forms be provided in alternative formats such as in Braille, on tape or on computer disk. They may ask that materials be read to them if they are not readily available in alternative formats.
- A participant who is deaf may request a sign language interpreter to assist them in the briefing.
- A person with cognitive disabilities such as mental retardation may request simplified materials.
- A person with memory issues, such as someone with a head injury, may request to have written materials provided before the briefing.

PHAs should hold briefing sessions in wheelchair accessible locations and have paper and pencils available to offer participants for note taking even if this is not their usual practice.

Housing Search and Unit Identification

Housing search is the most important and perhaps the most difficult task in the HCV program. While housing search can be difficult for all participants, it can often be particularly challenging for people with disabilities. Some people with disabilities may not have previously conducted an independent housing search. This lack of skills and experience may mean that, without assistance, they make take longer to locate suitable housing in the community. Many people with disabilities also encounter unique barriers to housing search. These include discrimination as well as difficulty locating units with special features such as wheelchair accessible units.

Housing Search Policies and Reasonable Accommodation

The new HCV program regulations require that PHAs provide certain accommodations to persons with disabilities to assist them in addressing these barriers to housing search. These regulations apply to both the targeted vouchers awarded through the Mainstream, Certain Developments, and Designated Housing programs as well as those in the general HCV program.

PROMISING PRACTICE: Mass Access – An Accessible Housing Registry

In 1990, the Massachusetts legislature enacted the Housing Bill of Rights for Persons with Disabilities. This legislation is similar to the federal fair housing laws in that it established accessibility and adaptability requirements in residential new construction. Included in this legislation was the requirement a "central registry" of accessible and adaptable housing be established, now known as the Mass Access Housing Registry computer database. This database includes every accessible and adaptable residential unit in Massachusetts, including subsidized and market rate units of all sizes. Mass Access not only tracks units that are wheelchair accessible or adaptable, but also those units that are accessible to people with sensory disabilities and other disabilities. In 2000, the Mass Access database included 2,406 developments, 206,851 total units, and 11,362 accessible units. In 2000, 421 vacancies were reported to Mass Access; 63 percent of these had subsidized rents, 26 percent were market rate units.

The primary objective of Mass Access is to help with the housing search process and to "match" accessible units to people who need them. Mass Access provides a housing seeker with 1) a list of currently vacant accessible and adaptable units across the Commonwealth; and/or 2) a list of units in the particular cities or towns they prefer. The housing seeker can designate a number of variables for the housing search such as location, bedroom size, rent level, and accessibility features. The service is free to the consumer as well as the housing manager. There is no limit to the number of contacts an individual or agency can have with the system.

Housing managers participate in Mass Access for several reasons. First, the system has been successful in "matching" housing seekers with vacant units. In 2000, 97 percent of the vacancies reported were successfully leased. Second, the fair housing legislation described earlier, requires owners to list units with Mass Access and prohibits them from leasing the units to individuals who do not require the design features for 15 days.

The database is administered by Citizens Housing and Planning Association (CHAPA), a nonprofit statewide housing organization, under contract with the Commonwealth's vocational rehabilitation agency, the Massachusetts Rehabilitation Commission. CHAPA was selected as the administrator through a public bidding process and has good relationships with both the real estate/housing and disability communities. CHAPA's responsibilities include posting vacancy listings daily as well as conducting an annual update with housing managers. As part of the annual process, managers are asked to provide updated information about their development such as any units that have been rehabilitated, changes in rents or financing, etc.

Until recently, the Mass Access information was available to people with disabilities, their advocates and families primarily through a network of local Independent Living Centers (ILCs). Housing seekers would contact their local ILC and receive the requested information over the phone or through the mail. Recently, Mass Access also became available on-line at no cost. The web site (www.massaccesshousingregistry.org) includes several new features including housing fact sheets and information regarding the opening of Section 8 waiting lists across Massachusetts.

While the legislature mandated the establishment of the registry, they did not initially appropriate funds for the program. Start-up funds were obtained through a HUD Fair Housing Initiative Program grant. Start-up funds were used to design the database (which has since been updated and revised both by Massachusetts and other states including Connecticut), conduct focus groups, and design the housing questionnaire used to gather the housing information. In 1995, the legislature initiated a \$100,000 budget line item for operation of the database. These funds support CHAPA as well as their computer subcontractor.

- PHAs must provide an extension of the initial 60-day housing search term if requested as a reasonable accommodation (24 CFR 982.303(b)(2)).

As described above, housing search may take longer for people with disabilities and often requires housing search time extensions in order to locate suitable housing. PHAs may want to proactively establish a process for expediting these requests – making the process easier for the PHA as well as the participant.

- PHAs must provide a larger unit size if necessary to accommodate the individual's disability (24 CFR 982.402)(b)(7) and (8)). In a related provision, a live-in aide may reside in the unit as a reasonable accommodation if needed by the person with a disability (24 CFR 982.517).

PHAs may receive requests for increased unit size for a variety of reasons. For example, a person who uses a significant amount of medical equipment may request an additional bedroom to accommodate the equipment. In addition, people with disabilities may request larger unit sizes to house a needed live-in aide. A single individual that requires medical assistance at night, for example, may request a second bedroom for a live-in aide. Two unrelated individuals with cognitive disabilities who choose to live together may require 24-hour assistance and request a third bedroom to accommodate the live-in aide. With appropriate documentation, PHAs can approve any of these types of requests.

- PHAs must provide a list of available wheelchair accessible units to individuals who need such units (24 CFR 8.28(a)(3)).

While listings of rental units can be routinely found in newspapers or through realtors, wheelchair accessible units are rarely listed in this manner. For this reason, HUD requires PHAs to take the extra step of compiling a listing of accessible units (known to the PHA) for people with disabilities who need such units.

- PHAs and/or HUD may approve an exception payment standard if needed as a reasonable accommodation (24 CFR 982.503)(c)(2)(ii)).

PHAs may receive reasonable accommodation requests for payment standard increases for a variety of reasons. Examples include:

- An individual with a disability may make a request to reside in a certain neighborhood where the units exceed the payment standard because of its proximity to family supports, work, medical supports or other disability-related need.
- Wheelchair accessible units may be harder to come by and/or available primarily in newer buildings and therefore more expensive than the average units.
- If no accessible units can be identified, a participant may ask the owner to make modifications for them and request a higher payment standard to cover the cost as long as the unit meets the PHA's rent reasonableness standard.

If the PHA's current applicable payment standard is below 110 percent of the Fair Market Rent (FMR), the PHA may make its own determination about the request and increase the payment standard up to 110 percent of the FMR on a case-by-case basis. However, if the payment standard is already at or above 110 percent of the FMR, the PHA should pass exception payment standard requests on to HUD for review. It is important to note that recently HUD has approved exception payment standards over 120 percent of the FMR as a reasonable accommodation for a person with a disability. HUD Field Offices have the authority to grant requests for exception payment standards between 110 and 120 percent of the FMR as a reasonable accommodation. HUD Headquarters has the authority to grant those requests over 120 percent of the FMR.

Examples of How to Use Housing Choice Vouchers in Special Housing Types

PHAs may allow Housing Choice Vouchers to be used in certain "non-traditional" living situations that HUD regulations refer to as "special housing types." Many individuals with disabilities currently reside in these types of housing situations and/or may prefer to share housing rather than live alone. To meet the needs of people with disabilities, it is important that PHAs establish HCV policies that include these housing settings. In fact, according to HUD regulations, PHAs *must* permit the use of any special housing type if needed as a reasonable accommodation for a person with disabilities.

PHAs that might consider allowing vouchers to be used in these special housing types sometimes are not familiar with the intricacies of various shared housing models. For example in some group homes, the cost of food is included in the "rent" but could not be included for HCV purposes. It is important for PHAs and disability organizations to work together to determine the tenant's share of the rent and calculate the appropriate subsidy amount.

Single Room Occupancy Units

A Single Room Occupancy (SRO) is a unit within a building that may have a shared kitchen and bathroom facilities. For HCV purposes, SROs are occupied only by one individual and are usually found in rooming houses or renovated hotels. According to the HCV special housing type regulations, a PHA can allow a HCV household to use the voucher to rent a SRO unit if it is of good quality and meets HCV affordability standards. For SRO housing, PHAs are instructed to use a payment standard equal to 75 percent of the studio/efficiency payment standard.

In some cities across the nation, there are people with disabilities currently residing in SRO units who are eligible for the HCV program. Although not all SRO properties will be able to meet HCV guidelines, PHAs should permit HCVs to be used in approvable SRO housing as a reasonable accommodation for people with disabilities.

Group Homes

A HCV may also be used in a group home. According to HUD, for the purposes of the HCV program, a group home must be "licensed, certified, or otherwise approved by the State, [as a] facility for elderly persons or persons with disabilities." With the exception of live-in aides, all residents of the group home (whether receiving HCV assistance or not) must be elderly or people with disabilities and must not require continual medical or nursing care (this does not include supportive services and personal care services provided in the group home). Also, no more than 12 people total (including any live-in aides) may reside in a group home.

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PHAs are often unsure whether each person in the group home must have their own voucher or whether one voucher can be used for the entire group home. Both of these approaches are actually permissible according to HUD's rules. However, if all the residents of the group home will share one voucher, they will be considered a "disabled household" as discussed on page 5. If a voucher is given to an individual in a group home, the family unit size is zero or one-bedroom (unless the individual has a live-in aide) depending on the PHA's unit size policies. To determine the portion of the rent for the group home that is attributable to the voucher holder, first, the PHA must divide the rent for the group home (including an allowance for any tenant-paid utilities) by the number of residents in order to determine the prorated rental amount. Then the PHA can set the payment standard as the lesser of the (1) PHA's actual payment standard for a zero or one bedroom unit; or (2) the pro-rata portion of the rent.

Congregate Housing

Congregate housing is also considered a special housing type under the HCV rules. HUD defines "congregate housing" as shared housing arrangements for people with disabilities and/or elderly people (including any needed live-in aides). Unlike group homes, there is no requirement that congregate housing be licensed or certified in any way. Unlicensed group homes or board and care homes are typical examples of congregate housing.

Shared Housing

For a family residing in congregate housing, a PHA must use the zero bedroom payment standard unless there are two or more rooms in the unit (not including the kitchen or bathroom), in which case the one-bedroom payment standard is used.

In addition to the housing situations described above, PHAs may allow HCV program participants to have a roommate in their housing – referred to as "shared housing" – including a live-in aide, another person with a HCV, or a person without any rental assistance. For example, a person with a disability could receive a voucher and share a two-bedroom apartment with a roommate who does not have a voucher. Another example of shared housing could include two people with separate vouchers sharing a two bedroom unit;

In the shared housing situation, the PHA calculates a pro-rata portion of the housing costs to determine the actual rent for the voucher holder and uses this figure when determining the subsidy amount to be paid by the PHA.

- ② PHAs must approve a higher utility allowance if requested as a reasonable accommodation (24 CFR 982.517).

For example, a household in which a family member uses extensive medical equipment – such as lifts or monitors – may make a request for an increase in the electricity allowance. Such requests can and should be approved by the PHA.

- ② PHAs must approve the leasing of a unit from a relative if needed as a reasonable accommodation (24 CFR 982.306(d)).

There are numerous situations in which a person with a disability may need to lease a unit from a relative as an accommodation. A person with a disability may be receiving supports – such as assistance with shopping, meal preparation or other tasks – from a relative that can be best provided if the individual is living with or near the relative.

Alternatively, a person with a disability may have resided in a unit owned by a relative for an extensive period prior to receiving the voucher and may be able to document that a move to another unit would be very difficult for them. A person with a physical disability may be able to rent a unit from a relative if the unit has needed accessibility features.

- ④ PHAs must permit vouchers to be used in special housing types such as Single Room Occupancy (SRO) units, shared housing, group homes, congregate housing and assisted living (24 CFR 982 Part M Special Housing Types and PIH Notice 2000-41).

While many people with disabilities prefer to live alone, some people with disabilities still live in shared housing settings such as group homes, SROs, shared housing, and congregate housing. These settings often involve roommates, or housing situations with shared kitchens, common areas, or bathrooms. Sometimes there may be live-in staff. HUD has determined that PHAs must allow vouchers to be used in these settings.

Some PHAs worry about the paperwork associated with special housing types. Using vouchers in these situations and determining the appropriate total tenant payment and subsidy amount can be confusing. However, permitting participants to lease in special housing types can often be beneficial to PHAs since:

- ④ People with disabilities in these living situations may already have a voucher;
- ④ People with disabilities in these living situations may be interested in leasing in place;
- ④ The housing is often of good quality; and
- ④ Supports are often already in place for people with disabilities who need and request them.

Conducting outreach to eligible people with disabilities currently living in these special housing types may help the PHA utilize more vouchers. One way to identify special housing types in the community is through the disability and human services agencies discussed earlier.

- ④ PHAs must provide information on how to complete and file a housing discrimination complaint (24 CFR 982.304).

People with disabilities often face discrimination in the housing marketplace, yet they may be reluctant to file complaints. PHAs are required to inform all HCV households about their rights under the federal fair housing laws; teach them how to identify discrimination; and instruct them on how to file a discrimination complaint.

- ④ HUD has determined (PIH Notice 2000-28) that PHAs are entitled to a one-time “Hard-to-House” fee for assisting people with disabilities to locate housing with a HCV program voucher.

Under this policy, PHAs earn a one-time fee of \$75 each time a disabled household is “housed in a unit other than the family’s preprogram unit.” While a one-time \$75 fee does not seem significant, these fees can add up. A PHA with 100 vouchers targeted to people with disabilities could earn up to \$7,500 in additional administrative fees. These fees could be used to offset administrative costs or to make the program more efficient, such as establishing a revolving loan fund for move-in expenses.

Additional Strategies for Enhancing the Housing Search Process for People with Disabilities

In addition to the accommodations HUD requires PHAs to provide, there are other *voluntary* activities some PHAs have found to be helpful in enhancing the housing search process for people with disabilities. These include:

🕒 Owner Listings

In tight rental markets, owner and/or apartment listings can be extremely helpful in locating vacant units. It is especially useful for PHAs to compile a list of owners who have been willing to accept HCVs.

🕒 Resource Rooms

Some PHAs have developed resource rooms for housing searchers. These rooms often include newspapers (including newspapers in different languages), owner and realtor lists, phone books, and general information about the community such as bus schedules, maps of the area, and other helpful information. Some PHAs even provide free local phone service for use by households.

🕒 Housing Search Assistance

For some people with severe disabilities one-on-one housing search assistance is vital. Sometimes, individuals can obtain such assistance through a case manager or other advocate. In some cases, however, PHAs have partnered with a disability or human services agency to provide formalized housing assistance to all households in a program. Such a partnership between a PHA and a community agency is an ideal way to streamline the housing search process.

🕒 Transportation

Low-income people with disabilities who rely on public transportation may have difficulty getting to appointments with realtors or owners in a timely manner. Arranging transportation assistance through local organizations, volunteers, taxi vouchers, or in other ways may speed up the housing search process.

☉ Move-In Expenses

Many households may not have sufficient funds saved for necessary move-in expenses such as security deposits, utility deposits, and other expenses. Often people with disabilities are discouraged from saving in order not to risk losing eligibility for SSI or other income support programs. In some communities there are security deposit programs in place that HCV households can access. In some cases, the PHA has used its administrative fees or other resources to develop its own security deposit program.

In other situations, PHAs have worked with local human services agencies to create a pool of loan or grant funds to assist HCV households with security deposits and other one-time costs.

Disability organizations often have better access to funding that can be used for these types of expenses. Without this assistance, even when suitable housing is available, people with disabilities may not be able to move in.

☉ Access Modifications

Many communities, especially those with older housing, do not have a sufficient supply of wheelchair accessible housing units. Some people with disabilities who require accessible features may be able to use a conventional unit with some modifications. HUD has encouraged PHAs to assist both participants and owners in identifying funds for such modifications. Possible sources include Community Development Block Grant funds, HOME funds, funds from Rural Housing Services, etc. In addition, as discussed earlier, as a reasonable accommodation, the PHA can also increase the payment standard for a unit that an owner is willing to modify for a HCV household.

Local Independent Living Centers (ILCs) often can assist PHAs and people with disabilities in obtaining funds for access modifications. The web site for the National Resource Center on Supportive Housing and Home Modification www.homemods.org includes a directory of home modification programs in each state.

☉ Piggyback Subsidies

HUD recently approved a waiver to allow the “piggy-backing” of two subsidies to facilitate the rental of units in a very competitive rental market. The first subsidy was a HCV program subsidy. The second was a rent subsidy paid by a social services agency for the household. PHAs could discuss this strategy with local disability agencies if tight rental markets are making it extremely difficult to locate decent and affordable housing units that meet HCV guidelines (see Federal Register November 7, 2001).

PROMISING PRACTICE: Linking Bridge Subsidies to Housing Choice Vouchers

As a way to deal with the housing crisis facing people with disabilities, human service agencies at the state and local level are funding temporary "bridge subsidies," which are designed to eventually link people to the HCV program. A bridge subsidy is temporary rental assistance funding that mirrors the local HCV program, and can also include other one-time moving expenses such as security deposits, first month's rent, etc.

Bridge subsidies can help a person obtain affordable housing while they apply for and/or wait for a permanent housing subsidy. People who receive bridge subsidies are usually required to apply for a HCV as soon as applications are available. Recipients of bridge subsidies typically pay less than 50 percent of their income toward rent, higher than in the HCV program as an incentive to accept the permanent voucher. Units are usually inspected in accordance with HUD's HQS and owners are asked to agree to accept a HCV when one becomes available. Bridge subsidy programs can also include a supportive services component which helps people with disabilities successfully obtain and maintain affordable rental housing in the community.

The two bridge subsidy programs described below have used partnerships between the local human service agencies, PHAs, and non-profit affordable housing agencies to link people receiving bridge subsidy assistance to permanent programs such as the HCV program.

State of Hawaii – The State of Hawaii's Adult Mental Health Division's (AMHD) bridge subsidy program began in 1998 and is administered in the same way as the HCV program. The assistance is available to AMHD clients for up to two years or until a HCV is available. When a HCV is issued to a person participating in the program, the AMHD bridge subsidy is re-issued to another participant.

AMHD has partnered with Steadfast Housing Development Corporation (SHDC), a private non-profit housing organization that administers the bridge subsidy on behalf of AMHD. SHDC also offers participants housing support service, and – with permission – contacts case managers if clinical assistance is needed by a consumer. However, participation in the bridge subsidy program is not contingent on the receipt of supportive services.

AMHD works closely with all program PHAs to encourage them to apply for new HCVs, including those set aside for people with disabilities. This advocacy ensures that people with mental illness consumers have better access to HCVs and helps more people move off the bridge subsidy program and onto permanent housing assistance.

Oakland County Community Mental Health Authority – Oakland County Community Mental Health Authority (OCCMHA) funded a 100 unit bridge subsidy program to assist people with disabilities waiting for Mainstream HCVs. The program required that people pay 40 percent of their income for rent and recipients must apply for HCVs as soon as possible. OCCMHA also created a Housing Contingency Fund and a security deposit program to pay for one-time housing related expenses.

While the bridge subsidy program was being developed, OCCMHA worked with the county's six PHAs to inform them about the Mainstream program and encourage them to apply. Local PHAs received hundreds of new HCVs from HUD. To facilitate access to all these resources, OCMCHA – again in collaboration with several PHAs – developed a streamlined application process for people with disabilities. OCCMHA consumers received assistance with the housing application and housing search process, and had immediate access to housing stabilization services through.

Conclusion – Several state mental health and mental retardation agencies – including Oregon, Ohio, and Connecticut – have also implemented bridge subsidy programs to assist people during the long waiting period for a permanent subsidy from HUD. PHAs working with these programs have found that providing HCVs to applicants with bridge subsidies can help increase utilization rates and also bring new owners into the program.

—Chapter 2—

A Guide to Fair Housing And Reasonable Accommodation in the Housing Choice Voucher Program

Introduction

“Reasonable accommodation” is the key to providing fair housing opportunities for people with disabilities. It embodies the law’s requirement that housing providers must sometimes change a policy or procedure so that people with disabilities have equal access to housing opportunities. This chapter explains how Public Housing Agencies (PHAs) can meet their reasonable accommodation obligations and create Housing Choice Voucher (HCV) program policies that meet the needs of people with disabilities. Specifically, this chapter describes the federal fair housing laws that frame accommodation, provides examples of reasonable accommodations in HCV policies, and provides resources for obtaining additional information.

Federal Fair Housing Laws

Three federal laws protect the housing rights of people with disabilities. These laws rely on the concept of reasonable accommodation as a vehicle for providing nondiscriminatory services to people with disabilities, and they all share the same definition of “disability.”

1. Section 504 of the Rehabilitation Act²

Section 504 of the Rehabilitation Act of 1973 bars recipients of federal funds from discriminating on the basis of disability. PHAs are covered under this law because they receive funding from HUD. PHAs must follow Section 504 requirements in their HCV program and other housing programs. According to this law, private owners who participate in the HCV program are barred from discriminating on the basis of disability under the contracts they sign with PHAs.

2. Fair Housing Amendments Act of 1988³

The Fair Housing Amendments Act applies to public and private housing providers alike – including PHAs. Under the Fair Housing Amendments Act, a housing provider is

² Section 504 of the Rehabilitation Act is codified at 29 U.S.C. §794, and HUD’s implementing regulations can be found at 24 CFR Part 8.

³ The Fair Housing Amendments Act modified Title VIII of the Civil Rights Act of 1968, which appears at 42 U.S.C. §3601. Implementing regulations can be found at 24 CFR Part 14.

required to make reasonable accommodations in rules, policies, practices, or services, when such accommodations are necessary to afford such a person equal opportunity to use and enjoy a dwelling.

3. Americans with Disabilities Act of 1990⁴

Title II of the Americans with Disabilities Act (ADA) applies to all services provided by state and local governments. This law applies to PHAs that administer a HCV program.

Title III of the ADA covers public accommodations of all types, including facilities such as PHA rental offices, meeting rooms, childcare centers, and educational or vocational training programs. Private housing providers (including HCV owners) who provide such services and facilities, such as laundry rooms, are covered by this law and must make sure that common areas are accessible to tenants with disabilities.

Housing Choice Voucher Program Owner Obligations

It is important to note that all private owners of rental housing, including HCV owners, have specific obligations under the Fair Housing Act. In addition, HCV program regulations specifically require owners to comply with equal opportunity laws.⁵ In the Housing Assistance Payments contract executed between the owner and the PHA, the owner also agrees not to discriminate on the basis of disability.

HCV owners therefore have very specific obligation to provide reasonable accommodation to HCV participants who are disabled and need such accommodations to use and enjoy their housing. Examples of these types of accommodations might be waiving a “no pet” policy to allow a person with a disability to have an assistive animal or providing rent reminders if a disability causes a tenant to be forgetful.

People Protected by the Federal Fair Housing Laws

The federal fair housing laws protect people whose physical or mental disabilities cause a substantial limitation of one or more major life activities. The term “substantial limitation” means more than a temporary impairment, such as a broken leg. Major life activities include walking, breathing, working, concentrating, and learning.

It is important to note that this definition of disability as it applies to these laws is *broader* than the eligibility criteria for Supplemental Security Income (SSI). PHAs should not assume that only persons who receive SSI benefits are entitled to reasonable

⁴ The ADA can be found at 42 U.S.C. 512131; regulations that implement the Act's prohibition of disability discrimination in state and local government services appear at 28 CFR Part 36.

⁵ 24 CFR 982.452(b)(3).

accommodations. For example, a PHA must extend federal fair housing law protections to people receiving other disability benefits such as Social Security Disability and to elderly people with disabilities who receive retirement benefits.

Reasonable Accommodation

A reasonable accommodation is an action taken by a PHA or other housing provider. It is a change in rules, policies, practices, or services that may be necessary to provide a person with a disability an equal opportunity to obtain housing and to use and enjoy her home. Reasonable accommodations range from providing information in large print to people with sight impairments to allowing a HCV to be used in congregate housing or Group Homes.

There is no list of required reasonable accommodations for PHAs. Each situation creates the opportunity for PHAs and HCV households to identify and eliminate disability-related barriers and to remove them. The provision of reasonable accommodation is a creative process that involves trial and error. Hence a PHA must be prepared to provide a new reasonable accommodation if the first one fails to serve its purpose.

Of course, PHAs are not required to provide “unreasonable” accommodations. An unreasonable accommodation is one that imposes an “undue financial and administrative burden” on the PHA or that would create a “fundamental alteration” in its programs or services. An “undue burden” is an excessive financial or administrative burden relative to the resources available to the housing provider.⁶ Within this framework, a large PHA would be expected to provide more extensive accommodations than a small PHA with only a handful of HCV program vouchers. For example, a large PHA might be expected to have HCV application materials in Braille while a small PHA might be required to assist a visually impaired person with the application process.

PHAs also don't have to provide accommodations that would significantly change the services they provide, thereby creating a “fundamental alteration” of their program. For example, a PHA must provide a larger voucher unit size for a person with a disability with a live-in aide. However, a PHA does not need to help hire the live-in aide for the household. Such a service would be a fundamental alteration to the PHA's program, which is to provide housing.

Finally, PHAs are not required to accommodate a person “whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.”⁷ If a PHA wants to deny rental assistance to an applicant or terminate a HCV household for these reasons, the PHA must be able to support the action with recent, credible, and objective evidence of the “direct threat.”⁸

⁶ United States v. California Mobile Home Park, 29 F.3d 1413, 1416-17 (9th Cir. 1993).

⁷ 42 U.S.C. §3602(h)(3), 3604(f)(9).

⁸ School Board of Nassau County v. Arline, 480 U.S. 273 (1987)

Without such evidence, the PHA must grant any accommodation request which is determined to be reasonable.

Reasonable Modification

Reasonable modification policies under the fair housing laws allow people with disabilities to alter their rental housing units to meet their unique needs. Under reasonable modification, an owner participating in the HCV program must allow a person with a disability – at their own expense – to make certain physical modifications to a unit if needed to fully use and enjoy the housing unit. Owners may require that the modifications be completed in a professional manner and be in compliance with all applicable building codes. In addition, owners may require the tenant to restore the unit to its original condition before vacating. Examples of modifications might be installing an entrance ramp or grab bars in the shower.

Owners do not have to allow the tenant to make modifications that the law deems “unreasonable.” An unreasonable modification would be one that is not related to the person’s disability — the installation of a dishwasher, for example.

Whether a modification is reasonable must be evaluated on a case-by-case basis guided by previous HUD decisions and decisions made in federal court. However, federal fair housing laws make it illegal for owners to refuse to permit tenants make reasonable modifications to their unit if the tenant is willing to pay for the changes.

In the HCV program, owners are generally not required to pay for modifications. However, a PHA may approve a higher rent for an owner who is making accessibility modifications to a unit to meet a HCV household’s needs. By providing a higher rent, the PHA is helping the owner pay for the cost of the modification. It is important to remember that this unit still must meet a PHA’s rent reasonableness standards.

Requesting a Reasonable Accommodation or Modification

Under Section 504, every HCV participant with a disability has the right to request a reasonable accommodation. In addition, PHAs are required to inform HCV households of this right. PHAs should have clear process for hearing for these requests and determining if the accommodation request is reasonable. This process should be documented in a PHA’s Administrative Plan.

To request a reasonable accommodation from the PHA, HCV households must disclose their disability status, unless the disability is obvious or the PHA has otherwise learned of the disability. For example, if PHA staff meets an applicant who is using a wheelchair, the PHA

is assumed to be on notice that the person has a mobility impairment and may need assistance identifying accessible units.

A PHA may respond to a reasonable accommodation request by asking for medical documentation of the disability. A letter from a physician or other health care provider that confirming the disability and describing the functional limitations it causes is adequate for this purpose. A PHA may not request access to any medical records or more detailed information about a disability. PHAs are only entitled to enough information to establish that the person has a disability that is covered under the law and that the requested accommodation is related to the disability.

PHAs are not required to grant the exact accommodation requested, so long as the accommodation provided enables the person to fully participate in the HCV program. For example, a PHA must grant an extension of the housing search time if it is needed by a person with a disability to locate suitable housing. However, a PHA is not required to extend the housing search time indefinitely. PHAs may not refuse to provide a reasonable accommodation based on their belief that the accommodation would not be best for the person. PHAs should recognize that in many cases the person with a disability is in the best position to know what he/she needs, and PHAs should strive to provide the accommodation requested if possible.

Sometimes, a person with a disability may not know exactly what accommodation is needed, or may request an accommodation that proves inadequate. The reasonable accommodation process is a mutual search for a solution, and evolves through trial and error. It may take several tries for the HCV household and the PHA to arrive at an accommodation that works. PHAs and HCV households must both engage in this process in good faith.

There is no point at which it is too late to request a reasonable accommodation from a PHA. For example, a person with a disability could request an exception payment standard on the last day of the housing search time. As with PHAs, it is also never too late for person with a disability to request a reasonable accommodation from an owner participating in the HCV program. For example, judges have ruled that an owner who had already begun eviction proceedings violated a tenant's rights by refusing to dismiss the action when he learned that the tenant was disabled and needed a reasonable accommodation to avoid the eviction.⁹

Of course, the best way to avoid last minute requests is to inform all HCV households of their right to request a reasonable accommodation when they first apply for housing assistance, and to train PHA staff to handle such requests. Designating a PHA staff person to handle all reasonable accommodation requests is also helpful. It ensures that HCV households know who to contact and allows this person to develop expertise in the wide variety of accommodations that are possible.

⁹ Radecki v. Jaura, 114 F.3d 115 (8th Cir. 1997).

Reasonable Accommodation and the Housing Choice Voucher Program

The obligation to provide fair housing and reasonable accommodation to people with disabilities extends throughout the entire HCV program process, and applies not only to the PHA, but also to any PHA contractors or agents. PHAs must make sure that the services they provide are fully accessible, and that the owners who participate in the HCV program are informed about and follow their fair housing obligations in each phase of the housing process. Chapter 1 discusses HCV policies and provides examples of ways PHAs can modify these policies or procedures as a reasonable accommodation for a person with a disability.

Additional Resources

Information about the housing rights of people with disabilities is available on the Internet. The following websites are particularly useful.

www.bazelon.org

The Bazelon Center for Mental Health Law is the nation's premiere resource on the civil rights of people with mental disabilities. The website includes fact sheets with useful information on reasonable accommodations, evictions, the right to assistive animals, and other topics as well as information on how to order fair housing publications such as *What Fair Housing Means to People with Disabilities* – an introductory guide to fair housing with an emphasis on information for tenants and housing applicants with mental disabilities.

www.tacinc.org

The Technical Assistance Collaborative publishes information on fair housing as well as on other useful housing topics that range from subsidized housing to supportive housing to federal housing policies. TAC also publishes *Opening Doors*, a quarterly series of monographs on housing for people with disabilities. All TAC publications can be downloaded free of charge from the website.

www.fairhousing.com

This searchable website contains information about fair housing cases affecting all protected classes under the Fair Housing Act, including people with disabilities. On-line searches are free.

www.hudclips.org

This HUD website contains information about HUD's housing programs and how to file a fair housing complaint including filing a complaint on-line. This site is a good way to keep up with HUD's programs.

www.nhlp.org

Although fairly technical and aimed at lawyers, the National Housing Law Project website contains a great deal of information about the HCV program, public housing, and other subsidized housing, as well as some information on fair housing.

—Chapter 3—
**The Medicaid Program:
What Every Public Housing Agency Needs to Know**

Introduction

The federal Medicaid program is a government-funded health insurance program administered by the U.S. Department of Health and Human Services (HHS) Center for Medicare and Medicaid Services (CMS) that assists certain low-income people with disabilities, elderly households, children, and families with children. Many public housing residents and households participating in the Housing Choice Voucher (HCV) program receive assistance through the Medicaid program.

When Medicaid was first created, most of the funding paid for the cost of acute hospital care, outpatient health care, or for long-term care in institutions or nursing homes. During the 1990s, the federal government created several innovative Medicaid approaches to fund long-term support services for people with disabilities. These changes to Medicaid policies are intended to help people with disabilities live as independently as possible in the community, rather than requiring them to live in “restrictive” settings such as nursing homes or other publicly-funded institutions.

Support services provided under these more recent Medicaid policies include case management, home-based nursing services, and other long-term care services. While the majority of Medicaid funding is still spent for hospital or institutional care, every year the percentage of funding spent on these types of community-based care increases as more people with disabilities seek to live in housing of their choice in the community.

However, it is important to note that Medicaid funding can not be used to pay for housing costs in the community. For this reason, many low-income people with disabilities receiving these Medicaid-funded services are in need of subsidized housing assistance. Public Housing Agencies (PHAs) are uniquely positioned to provide this assistance through the HCV program once they learn more about how these Medicaid policies actually work.

During the past two years, HUD provided incentives to PHAs applying for new HCV “fair share” vouchers to set-aside a small percentage of these vouchers for people with disabilities who were receiving Medicaid-funded Home and Community Based Services through the Medicaid 1915 (c) waiver program. In 2001, HUD’s Project Access program awarded 400 vouchers to 11 lead PHAs that will also be assisting people with disabilities who have certain types of Medicaid benefits.

At the state and local level, some PHAs are already working to assist people with disabilities who are receiving Medicaid benefits to help them live in community-based housing. This increased emphasis on the use of Medicaid programs to help people with disabilities in community-based programs has prompted some PHAs to ask for additional information on the Medicaid program.

As with most government programs, the Medicaid program is extremely complicated. PHAs should not be expected to become Medicaid “experts,” nor should they attempt to keep up with every change in Medicaid policy that might occur in the future. However, it is important for PHAs to acquire a basic understanding of how the Medicaid program works, and – in particular – to learn more about how certain Medicaid benefits and waiver programs are assisting people with disabilities who are also in need of housing assistance.

The Medicaid Program

Medicaid is a jointly funded federal-state health insurance program for certain low-income and needy people authorized under Title XIX of the Social Security Act. Medicaid covers approximately 36 million individuals including children, elderly people, people with disabilities (including blind people), and people who are eligible to receive federally assisted income maintenance payments such as Supplemental Security Income benefits (SSI) and Temporary Assistance to Needy Families (TANF). The Medicaid program is administered at the federal government level by HHS’s Center for Medicare and Medicaid Services – commonly referred to as CMS.

How States Administer Medicaid

The federal government establishes broad regulations and policies for Medicaid, including the requirement that states “match” federal Medicaid funds based on certain formulas. Using these federal requirements as a framework, each state then establishes its own Medicaid program and decides which Medicaid options it will offer. States have some flexibility to decide Medicaid state policies, including:

- Eligibility standards
- Type, amount, duration, and scope of Medicaid services to be provided
- Medicaid rates that will be paid for Medicaid services

Because of this flexibility, Medicaid programs may vary considerably from state to state. There are certain Medicaid services that states **must** provide, as well as Medicaid optional services that states may – or may not – choose to provide. Each state’s Medicaid program will also change over time as new services are added or deleted and state policies evolve to address emerging health care and long-term care needs.

In each state, there is a Medicaid director responsible for administering the state Medicaid program. Among other things, the Medicaid director is responsible for preparing the State's Medicaid Plan, which is submitted to HHS/CMS. In the Medicaid Plan, the state describes exactly how it will administer its Medicaid program, including (1) required basic Medicaid services; and (2) any optional Medicaid benefits and/or any Medicaid waiver programs. Some states have developed complicated Medicaid Plans that are designed to maximize federal Medicaid revenues and assist people with severe disabilities to live as independently as possible in the community.

Medicaid Basic Services

There is an array of basic services that *must* be offered under state Medicaid programs. Some of the most common services include:

- Inpatient hospital services (not including state mental health institutions)
- Outpatient services
- Physician services
- Medical procedures and surgical services
- Nursing facility services for individuals aged 21 or older (e.g., nursing homes)
- Home health care for persons eligible for nursing facility services
- Laboratory and x-ray services

In addition to the required Medicaid basic services, some state also offer Medicaid community-based services.

Medicaid Optional and Medicaid Waiver Services

Medicaid was always intended as a flexible program that states could use to assist poor people with their health care and long-term care needs. Since 1965, when Medicaid was first created, some states have used the flexibility in Medicaid policy to provide "optional services," including funding certain services and supports for people with severe disabilities living in the community or who want to move from an institutional setting into the community.

Through Medicaid's optional and "waiver" programs, states are given incentives by the federal government to provide community-based support services to certain groups of people with disabilities. These services may include case management, personal care services, respite care, adult day health services, supported employment, homemaker/home health aide services, and others.

There are a variety of Medicaid optional or waiver services that HHS/CMS can approve to allow states more flexibility in administering the Medicaid program. Medicaid officials and

service providers sometimes refer to these initiatives with specific numbers, such as 1915(b), 1915(c), or 1115 waivers. The numbers themselves are not important because they only refer to the Medicaid law and regulations. What is important for housing officials to know is that a person has been “approved” to receive services under a Medicaid waiver, or Medicaid optional services program administered by the state on behalf of people with severe disabilities.

Generally, it is beneficial to both the state and the federal government to proceed with specialized Medicaid services programs because the services may:

- Help a person with a disability move from an institutional setting such as a nursing home into a community-based setting;
- Prevent a person with a disability from having to move to an institution to obtain the services they need; and
- Save money that can be spent to serve more people with disabilities.

How Medicaid Optional Services and Medicaid Waivers Actually Work

Many states are now implementing the Medicaid Rehabilitation Option for people with mental illness as a mechanism to expand community-based services and supports for people with severe mental illness and to prevent expensive hospitalizations. Under the Medicaid Rehabilitation Option, Medicaid may pay for comprehensive mental health services such as intensive case management, assertive community treatment, supported employment, crisis services, etc. These are the type of on-going community-based services that can help people with severe mental illnesses to live independently.

People with physical disabilities and people with mental retardation or other developmental disabilities are also among the groups that states have been targeting for Medicaid “waiver” services. In some states, people with these disabilities were required to move into nursing homes or Intermediate Care Facilities for the Mentally Retarded (ICF/MRs) in order to be able to receive any Medicaid-funded, long-term care services. As long as people with these disabilities live in these institutional settings, the Medicaid program pays for the “all-in” costs of long-term care, food, shelter, etc. Fortunately, the advocacy of the disability community, as well as the U.S. Supreme Court’s *Olmstead* decision (see chapter 4 for more information about the *Olmstead* decision), is slowly but surely changing state Medicaid policies so that people with severe disabilities can receive Medicaid-funded, long-term care supports and services through Medicaid, and not be forced to live in restrictive settings.

When HHS/CMS approves a state’s request to provide these Medicaid-funded services, the approval will be for a specific population (e.g., people leaving nursing homes who need long-term care services in the community). Sometimes, these approvals are described as approval for certain number of Medicaid waiver “slots.” The state, usually through one or more

service providers or disability organizations, then identifies people with disabilities who are eligible for these Medicaid services and “enrolls” them in the service program. Sometimes – such as when the state is targeting people in nursing homes – the state will arrange for “assessments” to be done in order to reach people who will qualify.

Once people are qualified, a plan is developed specifying what services they will need and how those services will be provided. Some people with disabilities who receive Medicaid waiver services can arrange to “purchase” the community-based services they need from one or more service providers. Others may need a case manager or support services agency to assist them with these tasks. Whatever method is used, the services must be provided by an agency or organization that is eligible to bill the state’s Medicaid program for the services rendered.

Why Link Medicaid Services and Subsidized Housing?

There is an important provision of Medicaid policy that explains the need to develop linkages between Medicaid recipients and housing programs administered by PHAs. When a person with a disability is receiving Medicaid benefits and living in an institutional setting – such as a nursing home or an ICF/MR – Medicaid pays the cost of “room and board” in that setting. However, when a person with a disability receives Medicaid-funded services in the community, Medicaid cannot pay for the cost of housing.

A recent study by the Technical Assistance Collaborative Inc. shows that in all 2,700 housing market area of the United States, people with disabilities receiving Supplemental Security Income (SSI) benefits cannot afford community-based housing without some sort of housing assistance. Most people with disabilities receiving Medicaid benefits have SSI as their only source of income. Thus, if housing assistance is not linked to people approved for specialized Medicaid service programs, the state’s effort to meet their obligations to help people with severe disabilities may ultimately fail.

For this reason, HUD has been providing incentives within recent HCV program Notices of Funding Availability (NOFAs) for PHAs to establish linkages between housing programs and state Medicaid policies. In both the 2000 and 2001 Housing Choice Voucher Program Fair Share NOFAs, PHAs were given extra points to set aside at least 3 percent of their new vouchers for people with disabilities with 1915(c) Medicaid Home and Community-Based services waivers. PHAs can also establish a preference in their HCV programs, or their public housing programs, for people with disabilities receiving other Medicaid optional services, such as the Rehabilitation Option. PHAs might want to explore creating a special admissions category within their Administrative Plan for people receiving Medicaid home and community-based waiver services or Rehabilitation Option services under a state Medicaid Plan.

Next Steps

PHAAs interested in developing linkages between state Medicaid policies and subsidized housing programs may want to begin by contacting the state Medicaid program office to learn more about the Medicaid policies in your state. However, keep in mind that the state Medicaid office provides Medicaid-funded services through community-based organizations that work with or on behalf of people with disabilities. Given the typical communication issues within state bureaucracies, it is a good idea for PHAs to begin by talking with local service providers and/or advocacy organizations to learn as much as possible about the Medicaid service programs in the PHA's jurisdiction.

Each state has a Protection and Advocacy organization¹⁰ funded by the federal government. These agencies are often familiar with the types of Medicaid optional programs being administered in states, and could provide information to assist PHAs to learn more about state Medicaid policies and how to contact appropriate community-based organizations.

PHAs can also contact service providers within their jurisdiction to learn which organizations are assisting people with Medicaid-funded, community-based services. Keep in mind that most poor people receive some type of Medicaid-funded support to address their healthcare needs. However, people with disabilities also receive Medicaid-funded, long-term care services or rehabilitation services in order to assist them to live as independently as possible in the community.

These are the individuals who – without housing assistance – may be forced to live in truly substandard housing conditions, such as state mental institutions, nursing homes, emergency shelters, or literally on the streets. Because they are receiving Medicaid-funded, long-term support services to help them live as independently as possible, they may be good candidates for subsidized housing programs and can be easily linked with the support services they need and want to obtain and maintain affordable housing of their choice.

¹⁰ For more information about Protection and Advocacy organizations visit www.protectionandadvocacy.com.

—Chapter 4—

Overview of the Supreme Court *Olmstead* Decision

What is *Olmstead*?

On June 22, 1999, the Supreme Court of the United States issued its decision in *Olmstead v. L.C.* This important lawsuit against the State of Georgia questioned the state's continued confinement of two individuals with disabilities after the state's hospital physicians had determined that they were ready to return to the community. The *Olmstead* decision affirmed that under the Americans with Disabilities Act (ADA), states may no longer confine people with disabilities unnecessarily in "restrictive settings" such as institutions or segregated facilities. As a result of the *Olmstead* decision, states are now exploring ways to incorporate the ADA "integration mandate" into their delivery of Medicaid and other state-funded services for people with disabilities in the United States who are ready to move from hospitals into the community or who are at risk of institutionalization.

Although *Olmstead* is, in essence, a case about de-institutionalization, a key question central to *Olmstead*-planning efforts is "where will people with disabilities live?" As a result of the *Olmstead* decision, certain people currently living in "more restrictive settings" – such as public institutions and nursing homes – must now be offered housing and community-based supports that are consistent with the integration mandate of the ADA. The needs of people with disabilities who are at risk of institutionalization must also be addressed. It is clear that comprehensive *Olmstead* planning activities should consider the availability of permanent, affordable, accessible, and integrated housing in the community.

Who May Be Covered by the *Olmstead* Decision

The U.S. General Accounting Office recently estimated that as many as 4 million people with disabilities could be covered by the *Olmstead* decision, including the following groups:

- ① Adults with disabilities who are currently institutionalized, including people in state facilities, nursing homes, or other restrictive settings;
- ② Adults with disabilities at risk of institutionalization, including those in restrictive community settings, people living at home with aging parents or living elsewhere in the community, and people on residential services waiting lists;
- ③ Adults with disabilities who are homeless as a result of being de-institutionalized; and
- ④ Frail elders at risk of institutionalization, as well as institutionalized elders who could live in the community with appropriate housing and supports.

The Relationship Between *Olmstead* and Affordable Housing

Researchers and practitioners have demonstrated repeatedly that people with severe disabilities living in institutions can live successfully in the community. To succeed, they need decent, safe, and affordable housing, as well as access to the supports and services they want and need to live as independently as possible. Unfortunately, people with disabilities are disproportionately poor – particularly those individuals who must rely on Supplemental Security Income (SSI) benefits. On average, in 2000, people with disabilities receiving SSI had to spend over 98 percent of their monthly income to be able to afford a modest one-bedroom apartment at the Fair Market Rent.

For low-income people with disabilities, affordable housing means subsidized housing that is either developed or rented through government housing resources – such as Housing Choice Vouchers; McKinney/Vento Homeless Assistance programs; HOME and Community Development Block Grant (CDBG) programs; etc. – controlled by state and local housing officials. Partnerships between these housing officials and state officials involved in *Olmstead* planning are critical to ensure that people affected by the *Olmstead* decision have access to safe, decent, and affordable housing. Without this linkage, people with disabilities may continue to be inappropriately housed in “restrictive settings;” may be homeless due to inadequate discharge planning from these settings; may be living in substandard or unsafe housing; or may remain homeless or living at risk of homelessness in the community.

Find Out More About *Olmstead* Planning Activities in Each State

Since housing plays such a critical role in *Olmstead* planning, it is important that Public Housing Agencies (PHAs) and other housing officials be actively involved in *Olmstead* planning activities. Many states have received federal grants to help fund planning activities and help foster collaborations between the housing and service delivery systems. PHAs in 11 states have received special HCVs through Project Access that have to be used to meet the housing needs of people affected by the *Olmstead* decision. A list of the specific PHAs with these vouchers is provided.

Project Access		
State	Public Housing Agencies	# Vouchers
CO	Colorado Department of Human Services, Supportive Housing and Homeless Program	40
FL	Miami-Dade Housing Agency	10
MI	Michigan State Housing Development Authority	40
NH	New Hampshire Housing Finance Authority	50
NJ	New Jersey Department of Community Affairs, Division of Housing and Community Resources	40
NM	Albuquerque Housing Services	40
OK	Oklahoma City Housing Authority	25
OR	Portland Housing Authority	20
PA	Housing Authorities of Dauphin, Lehigh, Cumberland, and Schuylkill counties	50
TX	Texas Department of Housing and Community Affairs	35
WA	Housing Authorities of King County and Thurston County	50
Total		400

Examples of Ways to Link Affordable Housing Resources to People Affected by *Olmstead*

Solving the housing crisis facing those people with disabilities affected by *Olmstead* will require a combination of creativity, commitment, and collaboration on the part of both the human service delivery system – made up of those state and local agencies providing supports to people with disabilities – as well as the affordable housing delivery system – including PHAs, HUD, and state and local housing officials. Working together, these partners can develop strategies to link mainstream affordable housing resources to supportive services enabling people with disabilities to live independently in the community. Creative collaborations can lead to not only more cost effective delivery of services, but also a more efficient and timely utilization of housing resources – such as HCVs. Some examples of ways PHAs and other housing officials can link affordable housing resources to people affected by *Olmstead* include:

- ④ PHAs may create a preference for people with disabilities affected by the *Olmstead* decision.
- ④ PHAs may allow HCVs to be used by people with disabilities in special housing situations such as group homes, congregate settings, or in roommate situations. This may include using vouchers in rental housing owned by social service agencies.
- ④ PHAs may use up to 20 percent of HCV funding to provide project-based assistance. Preference for project-based funding could be given to those agencies that propose to use the funding in housing units targeted to people with disabilities.
- ④ PHAs can work with state and local HOME administrators to link HCV project-based assistance with housing developed with HOME funds. Housing developed with HOME funds can be targeted to people with disabilities and/or to people leaving “restrictive settings.” The HCV funding will provide the needed operating subsidy to make the housing affordable to people with incomes below 30 percent of median.
- ④ HOME administrators can create a tenant-based rental assistance program targeted to people with disabilities affected by the *Olmstead* decision.
- ④ PHAs and local and state government officials can work together with disability providers to submit an application to HUD for McKinney/Vento Shelter Plus Care funding. The proposed project could be targeted to people with disabilities who are homeless and at risk of institutionalization.

—Chapter 5— Frequently Asked Questions

Housing Choice Voucher Program Policies and Definitions

Question: What is a “disabled household”?

There are several different types of households that qualify as a disabled household. For example, a disabled household can include:

- Ⓐ A single individual with a disability living alone;
- Ⓑ A related family in which the head of household or spouse is a disabled person;
- Ⓒ One or more unrelated disabled adults living with one or more live-in-aides;
- Ⓓ Two or more unrelated disabled adults living together; or
- Ⓔ Two or more related adults with disabilities living together.

To qualify as a disabled family, a person with a disability must be an adult member of the household who is considered the head of household or spouse. It is important to note that, according to 24 CFR Part 5.403, for the HCV program, a disabled household does not include those households in which a minor child is the **only** family member with a disability.

Question: What are Special Housing Types?

PHAs may allow HCVs to be used in certain “non-traditional” living situations (known as “special housing types”). Some of these special housing types include:

- Ⓐ Single Room Occupancy units;
- Ⓑ Group homes;
- Ⓒ Congregate housing; and
- Ⓓ Shared Housing.

According to HUD rules, PHAs **must** permit a voucher to be used in a special housing type if needed as a reasonable accommodation so that the HCV program is readily accessible to and useable by people with disabilities.

Question: What are the rules around live-in-aides?

A HCV household may also include a live-in aide who actually resides in the unit. A live-in aide is defined by HUD as a person who resides with an elderly, disabled, or handicapped person or persons and who:

1. Is determined to be essential to the care and well-being of the person(s);
2. Is not obligated for the support of the person(s); and
3. Would not be living in the unit except to provide the necessary supportive services.

Each member of the household with a disability is allowed to have a live-in aide included as part of the household.

Question: What are things PHAs can do to help improve lease up rates for people with disabilities?

Chapter 1 describe many strategies PHAs can employ to assist people with disabilities to utilize HCVs such as:

- Establishing partnerships with human service and disability agencies to assist in outreach activities, the application process, locating suitable housing, etc.
- Providing reasonable accommodations in policies and procedures for accepting applications such as allowing applications to be mailed or faxed; offering assistance completing the application; providing the application form in alternative formats such as large print; etc.
- Using a preference in the HCV program waiting list that addresses the needs of people with disabilities.
- Consider mitigating circumstances with regards to drug, alcohol, or criminal histories when making eligibility determinations.
- Make briefing sessions more accessible to people with disabilities and provide clear written materials. Allow a friend, family member, or advocate to accompany the applicant to the briefing session.
- Develop a process to streamline requests for housing search extensions.
- Provide exception payment standards on a case-by-case basis as a reasonable accommodation for a person with a disability.
- Permit vouchers to be used in special housing types
- Provide funding (possibly from administrative fees) for security deposits and other one-time move-in expenses
- Conduct outreach to owners of housing units with accessible features and provide a list of these units to HCV households.

Some of these strategies may necessitate changes in policies or in the PHA's "normal" operations. However, with some slight – yet significant – modifications, a PHA can increase its voucher utilization rate by people with disabilities.

Fair Housing

Question: What are the federal fair housing laws?

Three federal laws protect the housing rights of people with disabilities:

1. Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act of 1973 bars recipients of federal funds from discriminating on the basis of disability. PHAs are covered under this law because they receive funding from HUD. PHAs must follow Section 504 requirements in their HCV program and other housing programs. According to this law, private owners who participate in the HCV program are also barred from discriminating on the basis of disability under the contracts they sign with PHAs.

2. Fair Housing Amendments Act of 1988

The Fair Housing Amendments Act (FHAA) applies to public and private housing providers alike – including PHAs. Under the FHAA, a housing provider is required to make reasonable accommodations in rules, policies, practices, or services, when such accommodations are necessary to afford such a person equal opportunity to use and enjoy a dwelling.

3. Americans with Disabilities Act of 1990

Title II of the Americans with Disabilities Act (ADA) applies to all services provided by state and local governments, including public housing authorities. Title III of the ADA covers public accommodations of all types, including facilities such as PHA rental offices, meeting rooms, childcare centers, and educational or vocational training programs. Private housing providers (including HCV owners) who provide such services and facilities, such as laundry rooms, are also covered by this law.

Question: Who is covered by the federal fair housing laws?

The federal fair housing laws protect people whose physical or mental disabilities cause a substantial limitation of one or more major life activities. The term “substantial limitation” means more than a temporary impairment, such as a broken leg. Major life activities include walking, breathing, working, concentrating, and learning. It is important to note that this definition of disability as it applies to these laws is broader than the eligibility criteria for Supplemental Security Income (SSI). PHAs should not assume that only persons who receive SSI benefits are entitled to reasonable accommodations.

Question: What is reasonable accommodation?

A reasonable accommodation is a change in rules, policies, practices, or services that may be necessary to provide a person with a disability an equal opportunity to participate in the housing program, obtain housing, and use and enjoy her home.

Question: What are examples of reasonable accommodations in the Housing Choice Voucher program?

There is no list of required reasonable accommodations for PHAs. Reasonable accommodations range from providing information in large print to people with sight impairments to allowing a voucher to be used in congregate housing or group homes.

Question: What is reasonable modification?

Reasonable modification policies under the fair housing laws allow a person with a disability to alter their rental housing unit to meet his/her unique needs. Under reasonable modification, an owner participating in the HCV program must allow a person with a disability to make certain physical modifications to a unit if needed to fully use and enjoy the housing unit. Examples of modifications might be installing an entrance ramp or grab bars in the shower.

Question: Who is responsible for paying for these types of modifications?

In the HCV program, owners are generally not required to pay for modifications. Households should make the modifications at their own expense. However, a PHA may approve a higher rent for an owner who is making accessibility modifications to a unit to meet a household's needs. By providing a higher rent, the PHA is helping the owner pay for the cost of the modification.

Medicaid

Question: What is Medicaid?

The Medicaid program is a government funded health insurance program administered by the U.S. Department of Health and Human Services (HHS) that assists certain low-income people with disabilities, elderly households, children, and families with children. Many public housing residents and HCV households receive assistance through the Medicaid program.

Question: Can Medicaid funding be used to pay for housing costs?

When a person with a disability is receiving Medicaid benefits and living in an institutional setting – such as a nursing home or an ICF/MR – Medicaid pays the cost of

“room and board” in that setting. However, when a person with a disability receives Medicaid-funded services in the community, Medicaid cannot pay for the cost of housing. This is an important provision of Medicaid policy that explains the need to develop linkages between Medicaid recipients and housing programs administered by PHAs.

Question: What is the Medicaid 1915(c) Home and Community-Based Waiver?

States are given incentives by the federal government to provide home and community-based care “waiver” services to people with disabilities who would otherwise be living in restrictive settings, such as institutions or nursing facilities. These services are offered through the Medicaid 1915(c) waiver.

Question: Why should PHAs care about the Medicaid 1915(c) Home and Community-Based Waiver?

There are many reasons why PHAs should learn more about the Medicaid 1915(c) waivers. Some people disabilities receiving services through these waivers may already be receiving the services necessary to help them to use vouchers successfully, such as housing search assistance or case management. There may also be people with disabilities that already live in housing that meets HCV guidelines. These people could lease-in-place and continue to receive Medicaid-funded waiver services.

Finally, during the past two years, HUD provided incentives to PHAs applying for new HCV “fair share” vouchers to set-aside a small percentage of the new vouchers for people with disabilities who were receiving Medicaid-funded Home and Community Based Services through the 1915 (c) waiver program. In 2001, HUD’s Project Access program awarded 400 vouchers to 12 PHAs that will also be assisting people with disabilities who have certain types of Medicaid waiver benefits.

Olmstead Decision

Question: What is the *Olmstead* decision?

On June 22, 1999, the Supreme Court of the United States issued its decision in *Olmstead v. L.C.* This important lawsuit against the State of Georgia questioned the state’s continued confinement of two individuals with disabilities after the state’s hospital physicians had determined that they were ready to return to the community. The *Olmstead* decision affirmed that under the ADA, states may no longer confine people with disabilities unnecessarily in “restrictive settings” such as institutions or segregated facilities. As a result of the *Olmstead* decision, states are now exploring ways to incorporate the ADA “integration mandate” into their delivery of medical and other support services for people with disabilities who are ready to move from hospitals into the community or who are at-risk of institutionalization.

Question: What does *Olmstead* have to do with housing?

Although *Olmstead* is, in essence, a case about de-institutionalization, a key question central to *Olmstead*-planning efforts is “where will people with disabilities live?” As a result of the *Olmstead* decision, certain people currently living in “more restrictive settings” – such as public institutions and nursing homes – must now be offered housing and community based supports that are consistent with the integration mandate of the ADA. The needs of people with disabilities who are at-risk of institutionalization must also be addressed. It is clear that comprehensive *Olmstead* planning activities should consider the availability of permanent, affordable, accessible, and integrated housing in the community.

Partnerships between local and state PHAs and housing officials and state officials involved in *Olmstead* planning are critical to ensure that people affected by the *Olmstead* decision have access to safe, decent, and affordable housing. Without this linkage, people with disabilities may continue to be inappropriately housed in “restrictive settings” (e.g., nursing homes, institutions); may be homeless due to inadequate discharge planning from these settings; may be living in substandard or unsafe housing; or may remain homeless or living at risk of homelessness in the community.

Question: What can a PHA do to assist those disabled households affected by the *Olmstead* decision?

Working together, the human service delivery system – made up of those state and local agencies providing supports to people with disabilities – as well as the affordable housing delivery system – including PHAs, HUD, and state and local housing officials – can develop strategies to link mainstream affordable housing resources to supportive services enabling people with disabilities to live independently in the community.

Some examples of ways PHAs and other housing officials can link affordable housing resources to people affected by *Olmstead* include:

- PHAs may create a preference for people with disabilities affected by the *Olmstead* decision.
- PHAs may allow vouchers to be used by people with disabilities in special housing situations such as group homes, congregate settings, or in roommate situations. This may include using vouchers in rental housing owned by social service agencies.
- PHAs and local and state government officials can work together with disability providers to submit an application to HUD for McKinney/Vento Shelter Plus Care funding. The proposed project could be targeted to people with disabilities who are homeless and at risk of institutionalization.

- PHAs can work with state and local HOME administrators to link HCV project based assistance with housing developed with HOME funds. Housing developed with HOME funds can be targeted to people with disabilities, and/or to people leaving “restrictive settings.” The HCV funding will provide the needed operating subsidy to make the housing affordable to people with incomes below 30 percent of median.
- HOME administrators can create a tenant-based rental assistance program targeted to people with disabilities affected by the *Olmstead* decision.

From: <Mustafagrs@aol.com>
To: <gricca@ci.vallejo.ca.us>, <gtruelsen@ci.vallejo.ca.us>, <cwhittom@ci.vallejo.ca.us>
Date: 4/12/2005 4:49:49 PM
Subject: Comments on the City of Vallejo's Annual PHA Plan

One concern I have regarding the City of Vallejo's Annual Public Housing Authority Plan is that within the document we make statements, which in subsequent discussions, we describe as facts attributable to HUD. However when queried, we are unable to produce evidence of HUD ever having made the statements. An example is the statement, "5,015 very low income households are in need of rental assistance, which represents thirteen percent of the total number of households (39,601) in Vallejo." While the perspective of rental assistance is one vantage point from which to view the data, another way to look at the number of low income households in Vallejo is from the perspective of the need to increase the number of higher paying jobs in the community.

This type of statement and the document on a whole portrays Vallejo as a really poor community, which is badly in need of outside assistance.

My observation of Vallejo is that in many ways we are a rich community that has simply not yet learned how to effectively manage its varied resources. My concern is that if my observation is correct, the type of statement exemplified above destroys the motivation we need to address that issue.

Mustafa Abdul-Ghaneer
P.O. Box 1632
Vallejo CA 94590-0667

**Standard PHA Plan
PHA Certifications of Compliance**

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

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:
Board Resolution to Accompany the *Standard Annual, Standard 5-Year/Annual, and
Streamlined 5-Year/Annual PHA Plans***

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ~~x~~ standard Annual, ~~x~~ standard 5-Year/Annual or streamlined 5-Year/Annual PHA Plan for the PHA fiscal year beginning 7/1/05, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
7. For PHA Plan that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PIH Notice 99-2);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA has submitted with the Plan a certification with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA has submitted with the Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.

13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).

15. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.

16. With respect to public housing the PHA will comply with Davis -Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.

17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.

18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.

19. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.).

20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.

21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

City of Vallejo
Housing Authority

CA055

PHA Name

PHA Number/HA Code

Standard PHA Plan for Fiscal Year: 20__

Standard Five-Year PHA Plan for Fiscal Years 2005 - 2009, including Annual Plan for FY 2005

Streamlined Five-Year PHA Plan for Fiscal Years 20__ - 20__, including Annual Plan for FY 20__

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

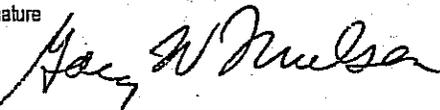
Name of Authorized Official

Gary W. Truelsen

Title

Housing Manager

Signature

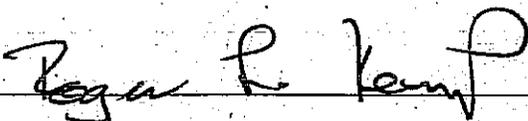
X 

Date

4/13/05

**Certification by State or Local Official of PHA Plans Consistency with
the Consolidated Plan**

I, Roger L. Kemp the Executive Director certify
that the Five Year and Annual PHA Plan of the Vallejo Housing Authority is
consistent with the Consolidated Plan of the City of Vallejo prepared
pursuant to 24 CFR Part 91.

 04.13.05

Signed / Dated by Appropriate State or Local Official

Certification for a Drug-Free Workplace

U.S. Department of Housing
and Urban Development

NOT APPLICABLE

Applicant Name

Program/Activity Receiving Federal Grant Funding

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Title

Signature

Date

X

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Certification of Payments to Influence Federal Transactions

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

Applicant Name

Program/Activity Receiving Federal Grant Funding

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Signature	Date (mm/dd/yyyy)