

# PHA Plans

## Streamlined 5-Year/Annual Version

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

OMB No. 2577-0226  
(exp 08/31/2009)

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

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

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# Streamlined 5-Year Plan for Fiscal Years 2007 - 2011

## Streamlined Annual Plan for Fiscal Year 2007

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

## Streamlined Five-Year PHA Plan Agency Identification

**PHA Name:** Housing Authority of Billings

**PHA Number:** MT001

**PHA Fiscal Year Beginning: (mm/yyyy) 07/2007**

**PHA Programs Administered:**

**Public Housing and Section 8**       **Section 8 Only**       **Public Housing Only**  
Number of public housing units: 274      Number of S8 units:      Number of public housing units:  
Number of S8 units: 553

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

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

**Public Access to Information**

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

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

**Display Locations For PHA Plans and Supporting Documents**

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

- Main administrative office of the PHA
- 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)

**Streamlined Five-Year PHA Plan**

**PHA FISCAL YEARS 2007 - 2011**

[24 CFR Part 903.12]

**A. Mission**

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

- The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- The PHA's mission is: (state mission here)
  - a. The Housing Authority of Billings helps families and individuals with low incomes to achieve greater stability and self-reliance by providing safe, affordable, quality housing and links to the community.

## **B. Goals**

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

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

- PHA Goal: Expand the supply of assisted housing
 

Objectives:

  - Apply for additional rental vouchers:
  - Reduce public housing vacancies:
  - Leverage private or other public funds to create additional housing opportunities:
  - Acquire or build units or developments
  - Other (list below)
  
- PHA Goal: Improve the quality of assisted housing
 

Objectives:

  - Improve public housing management: (PHAS score) 96%
  - Improve voucher management: (SEMAP score) 100%
  - Increase customer satisfaction:
  - Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)
  - Renovate or modernize public housing units:
  - Demolish or dispose of obsolete public housing:
  - Provide replacement public housing:
  - Provide replacement vouchers:
  - Other: (list below)
    - a. Review and update Section 8 Administrative Plan in its entirety, Admissions & Occupancy Policy, and Procedures Manual
    - b. Update original Procedures Manual for occupancy staff
    - c. Convert to Project-based Accounting Asset Management or dispose of 25 single-family homes to become a small PHA only if PHA finds needed or necessary and if approved by HUD
    - d. Implement Public Housing eligibility briefings
  
- PHA Goal: Increase assisted housing choices
 

Objectives:

  - Provide voucher mobility counseling:

- Conduct outreach efforts to potential voucher landlords
- Increase voucher payment standards
- 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)
  - a. Monitor voucher payment standards to stay within HUD budgets

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

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

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

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

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

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

- c. Provide staff representative to local Community Housing Resource Board
- d. Continue to train staff in Fair Housing

**Other PHA Goals and Objectives: (list below)**

- a. Have staff proficient in current HUD environment-hire consultants when necessary
- b. Provide staff with the technology and training necessary to perform their jobs
- c. Send staff to trainings to stay abreast of changes and learn how to implement them
- d. Provide leadership training for management staff
- e. The PHA has determined that the project groupings to be submitted by April 21, 2006 will be two projects. Project One will be 244 scattered site and small development projects and Project Two will be the MT 1-7 Phyllis Circle (30 unit) Elderly project. This plan was devised as there are no family projects large enough to stand alone, or no geographic areas that could be reasonably divided and be cost efficient.
- f. The PHA will also be developing a Project-based voucher policy in the next few years.
- g. In 2007 the PHA will be moving toward asset management and project-based accounting/management as HUD provides guidance and training.
- h. The Housing Authority in the spring of 2007 developed policies to meet the criteria of VAWA. See attached VAWA policies in the Section 8 Administrative Plan **mt001k07.doc**, the Public Housing ACOP Section II – VAWA **mt001m07.doc** and Public Housing ACOP Section XII – VAWA **mt001n07.doc**, and the HAB VAWA Policy **mt001j07.doc**. The Housing Authority has performed the required notifications and staff has been trained to implement the new policies.

# Streamlined Annual PHA Plan

## PHA Fiscal Year 2007

[24 CFR Part 903.12(b)]

### Table of Contents

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

#### A. ANNUAL STREAMLINED PHA PLAN COMPONENTS

- 1. Housing Needs – **mt001a07.doc**
- 2. Financial Resources
- 3. Policies on Eligibility, Selection and Admissions
- 4. Rent Determination Policies
- 5. Capital Improvements Needs
- 6. Demolition and Disposition
- 7. Homeownership
- 8. Civil Rights Certifications (included with PHA Certifications of Compliance)
- 9. Additional Information
  - a. PHA Progress on Meeting 5-Year Mission and Goals
  - b. Criteria for Substantial Deviations and Significant Amendments
  - c. Other Information Requested by HUD
    - i. Resident Advisory Board Membership and Consultation Process – **mt001b07.doc**
    - ii. Resident Membership on the PHA Governing Board
    - iii. PHA Statement of Consistency with Consolidated Plan
    - iv. Organization Chart – **mt001g07.doc**
    - v. Public Hearing – **mt001h07.doc**
    - vi. Public Housing Lease – **mt001i07.doc**
    - vii. HAB VAWA Policy – **mt001j07.doc**
    - viii. Section 8 Admin Plan Section C - VAWA **mt001k07.doc**
    - ix. Section 8 Admin Plan Section O – Payment Standards – **mt001l07.doc**
    - x. Public Housing ACOP Section II – VAWA – **mt001m07.doc**
    - xi. Public Housing ACOP Section XII – VAWA – **mt001n07.doc**
- 10. Project-Based Voucher Program
- 11. Supporting Documents Available for Review
- 12. **FY 2007** Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report – **mt001d07.doc**
- 13. Capital Fund Program 5-Year Action Plan – **mt001d07.doc**
- 14. Other (List below, providing name for each item)
  - a. **FY 2004** Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report – **mt001e07.doc**
  - b. **FY 2005** Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report – **mt001f07.doc**
  - c. **FY 2006** Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report – **mt001c07.doc**

**B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE**

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

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

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

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

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

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

**Executive Summary (optional)**

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

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

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

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

<b>Housing Needs of Families on the PHA’s Waiting Lists</b>			
Waiting list type: (select one)			
<input type="checkbox"/>	Section 8 tenant-based assistance		
<input checked="" type="checkbox"/>	Public Housing		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	546		
Extremely low income <=30% AMI	438	80.22%	
Very low income (>30% but <=50% AMI)	94	17.22%	
Low income (>50% but <80% AMI)	14	2.56%	
Families with children	300	54.95%	
Elderly families	37	6.78%	
Families with Disabilities	130	23.81%	
Race/ethnicity – White	393	71.98%	
Race/ethnicity – Black	9	1.65%	
Race/ethnicity – American Indian	139	25.46%	
Race/ethnicity –Asian	2	.37%	
Race/ethnicity – Multiracial	3	.55%	
Race/ethnicity – Hispanic	41	7.51%	
Race/ethnicity –non-	505	92.49%	

Housing Needs of Families on the PHA's Waiting Lists			
Hispanic			
Characteristics by Bedroom Size (Public Housing Only)			
1 BR	189	34.62%	
2 BR	291	53.30%	
3 BR	42	7.69%	
4 BR	24	4.39%	
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes: How long has it been closed (# of months)? Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Waiting list type: (select one) <input checked="" type="checkbox"/> Section 8 tenant-based assistance <input type="checkbox"/> Public Housing <input type="checkbox"/> Combined Section 8 and Public Housing <input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional) If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	1267		
Extremely low income <=30% AMI	1023	80.74%	
Very low income (>30% but <=50% AMI)	213	16.81%	
Low income (>50% but <80% AMI)	30	1.02%	
Families with children	695	54.85%	
Elderly families	77	6.08%	
Families with Disabilities	351	27.70%	
Race/ethnicity – White	864	68.19%	
Race/ethnicity – Black	36	2.84%	
Race/ethnicity – American Indian	348	27.47%	
Race/ethnicity – Asian	9	.71%	
Race/ethnicity – Multiracial	10	.79%	
Race/ethnicity – Hispanic	98	7.73%	
Race/ethnicity – Non-hispanic	1169	92.27%	
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes: How long has it been closed (# of months)? Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

## B. Strategy for Addressing Needs

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

### **(1) Strategies**

#### **Need: Shortage of affordable housing for all eligible populations**

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

Select all that apply

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

##### **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)
  - b. What may be available and pertinent at the time

#### **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)
  - c. PHA will review status of income to determine whether to use working preference for wait list.

**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)
  - d. Staff input and local committees that staff attend and other resources received from these groups

**2. Statement of Financial Resources**

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

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

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY 2007 grants)</b>		
a) Public Housing Operating Fund	540,000 est	
b) Public Housing Capital Fund	436,561 est	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	2,730,370 est	
f) Resident Opportunity and Self-Sufficiency Grants		
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
Shelter Plus Care	83,000 est	Budget

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
Sec 8 New Construction HAP	378,588 est	Budget
Sec 8 New Construction Rents	253,783 est	Budget
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>		
<b>3. Public Housing Dwelling Rental Income</b>	497,000 est	Budget
<b>4. Other income (list below)</b>		
Contract with MT State for Section 8 Admin	175,000 est	Budget
Interest-PH, Sec 8, Pleasantview	112,518 est	Budget
Fraud and Laundry	28,700 est	Budget
<b>4. Non-federal sources (list below)</b>		
Interest – Pleasantview Trust	206,556 est	Reserves
<b>Total resources</b>	5,444,076 est	

### **3. PHA Policies Governing Eligibility, Selection, and Admissions**

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

#### **A. Public Housing**

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)

a. When vacancies occur Public Housing administrators mail to several applicants at the time of the waiting list to determine eligibility. Number varies as to how many applicants they feel are needed to fill available units.

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)

b. Landlord references/professional

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)

c. Will examine the need for site-based wait list and put into effect if necessary for asset management needs

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

- PHA main administrative office

d. Will examine the need for site-based wait list and put into effect if necessary for asset management

e.

- PHA development site management office  
 Other (list below)

c. Site-Based Waiting Lists-Previous Year

1. Has the PHA operated one or more site-based waiting lists in the previous year? If yes, complete the following table; if not skip to d. **N/A**

Site-Based Waiting Lists				
Development Information: (Name, number, location)	Date Initiated	Initial mix of Racial, Ethnic or Disability Demographics	Current mix of Racial, Ethnic or Disability Demographics since Initiation of SBWL	Percent change between initial and current mix of Racial, Ethnic, or Disability demographics

2. What is the number of site based waiting list developments to which families may apply at one time? \_\_\_

3. How many unit offers may an applicant turn down before being removed from the site-based waiting list? \_\_\_

4.  Yes  No: Is the PHA the subject of any pending fair housing complaint by HUD or any court order or settlement agreement? If yes, describe the order, agreement or

complaint and describe how use of a site-based waiting list will not violate or be inconsistent with the order, agreement or complaint below:

d. Site-Based Waiting Lists – Coming Year N/A

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
- a. Grouping of available unit(s) at the time. First eligible client on waiting list has first pick of unit, and so on
- 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

- Over-housed
- Under-housed
- 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)

b. After research, the PHA may select working families and those unable to work because of age or disability

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)

c. The Admissions and Occupancy Policy is available in the front lobby

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: Does the PHA have any general occupancy (family) public housing developments covered by the deconcentration rule? If no, this section is complete. If yes, continue to the next question.

b.  Yes  No: Do any of these covered developments have average incomes above or below 85% to 115% of the average incomes of all such developments? If no, this section is complete. If yes, list these developments on the following table:

Deconcentration Policy for Covered Developments			
Development Name	Number of	Explanation (if any) [see step 4 at	Deconcentration policy (if no

	Units	§903.2(c)(1)(iv)]	explanation) [see step 5 at §903.2(c)(1)(v)]

## B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B.  
**Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).**

### (1) Eligibility

- a. What is the extent of screening conducted by the PHA? (select all that apply)
- Criminal or drug-related activity only to the extent required by law or regulation
  - Criminal and drug-related activity, more extensively than required by law or regulation
  - More general screening than criminal and drug-related activity (list factors):
  - Other (list below)
- b.  Yes  No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
- c.  Yes  No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
- d.  Yes  No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
- e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
- Criminal or drug-related activity
  - Other (describe below)
    - a. Current landlord information and previous if known

### (2) Waiting List Organization

- a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)
- None
  - Federal public housing
  - Federal moderate rehabilitation
  - Federal project-based certificate program
  - Other federal or local program (list below)
- b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)
- PHA main administrative office
  - Other (list below)

### (3) Search Time

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

If yes, state circumstances below:

**(4) Admissions Preferences**

- a. Income targeting

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

- b. Preferences

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

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

Former Federal preferences

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

Other preferences (select all that apply)

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

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

- Date and Time

Former Federal preferences:

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)  
 Victims of domestic violence

- Substandard housing
- Homelessness
- High rent burden

Other preferences (select all that apply)

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

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

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

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

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

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

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

#### **(5) Special Purpose Section 8 Assistance Programs**

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

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

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

- Through published notices
- Other (list below)

#### **4. PHA Rent Determination Policies**

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

## A. Public Housing

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 of the following two)

- 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))
- 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% of 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)
- 95<sup>th</sup> 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**

a. 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)

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)

## **5. Capital Improvement Needs**

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

Exemptions from Component 5: Section 8 only PHAs are not required to complete this component and may skip to Component 6.

### **A. Capital Fund Activities**

Exemptions from sub-component 5A: PHAs that will not participate in the Capital Fund Program may skip to component 5B. All other PHAs must complete 5A as instructed.

#### **(1) Capital Fund Program**

- a.  Yes  No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 12 and 13 of this template (Capital Fund Program tables). If no, skip to B.
- b.  Yes  No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to service the debt. (Note that separate HUD approval is required for such financing activities.).

### **B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)**

Applicability of sub-component 5B: 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.

#### **(1) Hope VI Revitalization**

- a.  Yes  No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to next component; if yes, provide responses to questions on chart below 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)  
Development name:  
Development (project) number:

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

- c.  Yes  No: Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year? If yes, list development name/s below:
- d.  Yes  No: 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:
- e.  Yes  No: 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:

### **6. Demolition and Disposition**

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

Applicability of component 6: Section 8 only PHAs are not required to complete this section.

- a.  Yes  No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 or 24 (Hope VI) of the U.S. Housing Act of 1937 (42 U.S.C. 1437p) or Section 202/Section 33 (Mandatory Conversion) in the plan Fiscal Year? (If “No”, skip to component 7; if “yes”, complete one activity description for each development on the following chart.)

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

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

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

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

## (2) Program Description

### a. Size of Program

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

If the answer to the question above was yes, what is the maximum number of participants this fiscal year? 5

### 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:

- i. Must be in good standing for one year. Preference for the elderly, disabled and FSS participants

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

- b. Continue current plan

## (3) Capacity of the PHA to Administer a Section 8 Homeownership Program

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

- a.  Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family’s resources.
- b.  Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
- c.  Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below).
- d.  Demonstrating that it has other relevant experience (list experience below).

## **8. Civil Rights Certifications**

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

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

## **9. Additional Information**

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

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

*(Provide a statement of the PHA's progress against the goals and objectives established in the previous 5-Year Plan for the period FY 2007 - 2011.)*

#### **PHA Goal: Expand the supply of assisted housing.**

The PHA applied for and received three separate allocations of Section 8 tenant based assistance. One welfare to work reallocation and two Fair Share allocations bringing the total base line units to 503.

The PHA also applied for and received a five year grant for 15 shelter-plus-care units, the PHA has been able to increase the number served to 27 units.

The Housing Authority was able to build 8 HOME units using multiple sources of revenues instead of the 12-60 anticipated in 2000. The PHA has purchased two lots for future development.

#### **PHA Goal: Improve the quality of assisted housing.**

The PHA has been a high performer in both the PHAAS and the SEMAP areas for the past five years with a 100% scope in SEMAP and 98% in PHAS. This last year we did not receive a High Performer in SEMAP because of a day after submission which we felt was unjust.

The Resident survey score is higher than what we started in a 9 out of a possible 10.

The Housing Authority converted to GAP accounting and increased its financial management score from a 9 to a 10.

The PHA spent some reserves on the HOME program units. Voucher unit inspections were done before the annual year date.

The Capital Fund dollars have been spent in a cost efficient and effective manner, the priority being energy efficiency and creating as maintenance free exteriors as possible. These funds have always been obligated and expended well before the HUD deadlines.

#### **PHA Goal: Increase assisted housing choices**

The PHA does group mobility counseling in the initial client briefings and one on one if needed in their issuances.

The Housing Authority does bi-annual outreach to landlords in the newspaper. Attends a local property management group monthly and does talks periodically at the two organized landlord groups.

The PHA adjusts annually the payment standards to assisted clients in accessing affordable housing.

The PHA wrote the Homeownership policy in 2003 and started implementing the program in 2004. Last year we had four HAB and two DOC voucher holders become homeowners. The \$5,000 down payment assistance was given to the HAB homeowners. The FSS program had a 42% graduate homeownership rate.

#### **PHA Goal: Improve community quality of life and economic vitality**

Maintain a wait list that is first come first served with no preferences other than the federally mandated 40%, allowing for higher income to be served up to 80% if they apply.

The PHA continued the PHDEP program until the money ran out and we have since been paying for an officer out of our operating subsidy which is becoming more difficult to do with an 89% subsidy payment for 2005. The PHA has also proceeded with various security measures where needed such as deadbolts, lighting etc..

#### **PHA Goal: Promote self-sufficiency and asst development of assisted households.**

The PHA has continued it's FSS program and had various sessions put on that provide for educational and economic counseling. The PHA also does a lot of in house one on one work with good credit counseling and homeownership counseling.

The PHA has continued to do outreach to local agencies and services that may help our clients in becoming self-sufficient. There are monthly meeting with the FSS panel to assist clients in becoming self-sufficient.

We do outreach and interface to groups to assist our elderly and disabled with their specifics needs as they relate to our functions. Groups are invited to our staff meetings to do presentations for our staff to learn what is available to them.

#### **PHA Goal: Ensure equal opportunity in housing for all Americans.**

The PHA will update and do outreach to groups that will further Fair Housing activities.

The PHA provides many reasonable accommodations to clients annually to assist them in their daily living environments.

The PHA changed it's transfer policies to include interprogram transfers to assist clients to find the best accessible housing in the community for their needs.

#### **PHA Goal: Employee training and education.**

The PHA has provided training for management skills via NAHRO, Facilities training via NAHRO, Finance training via Nan McKay and Occupancy trainings via NAHRO while adhering to affirmative action policies.

The PHA keeps staff informed of all HUD regulation changes via notifications and staff training meetings.

## **B. Criteria for Substantial Deviations and Significant Amendments**

### **(1) Amendment and Deviation Definitions**

24 CFR Part 903.7(r)

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

- c. Substantial Deviation from the 5-Year Plan – When the PHA comes up with a line item need that is totally different, then the other line items addressed in the 5-year plan, other than Management improvements. These may be deviated from as long as it is under \$50,000.
- d. Significant Amendment or Modification to the Annual Plan – A significant amendment will be more than \$50,000 for a line item not previously addressed in the plan.

## **C. Other Information**

[24 CFR Part 903.13, 903.15]

### **(1) Resident Advisory Board Recommendations**

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

If yes, provide the comments below:

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

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

### **(2) Resident Membership on PHA Governing Board**

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

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

- Yes  No:

- a. Board member moved out of Public Housing. The Mayor has advertised, the Housing Authority has advertised and will continue to try to fill the position as quickly as possible. Our intent and the Mayor's is to have a Resident Commissioner.

If yes, complete the following:

Name of Resident Member of the PHA Governing Board:

Method of Selection:

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

**Description of Resident Election Process**

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

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

Eligible candidates: (select one)

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

Eligible voters: (select all that apply)

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

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

- The PHA is located in a State that requires the members of a governing board to be salaried and serve on a full time basis
- The PHA has less than 300 public housing units, has provided reasonable notice to the resident advisory board of the opportunity to serve on the governing board, and has not been notified by any resident of their interest to participate in the Board.
- Other (explain):

Date of next term expiration of a governing board member:

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

**(3) PHA Statement of Consistency with the Consolidated Plan**

[24 CFR Part 903.15]

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

necessary).

**Consolidated Plan jurisdiction: (provide name here)**

a. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply):

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

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

**(4) (Reserved)**

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

**10. Project-Based Voucher Program**

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

If yes, check which circumstances apply:

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

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

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

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

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
X – submitted	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans.</i>	Standard 5 Year and Annual Plans; streamlined 5 Year Plans
X – submitted	State/Local Government Certification of Consistency with the Consolidated Plan.	5 Year Plans
X – Office	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X – submitted Office	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA's public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
X – Office	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
X - Office	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input checked="" type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X – submitted Office	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X – Office	Public housing rent determination policies, including the method for setting public housing flat rents. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X – Office	Schedule of flat rents offered at each public housing development. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X – submitted Office	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
X – Office	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
X – Office	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-Sufficiency
X – Office	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
X – submitted Office	Any policies governing any Section 8 special housing types <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
	Consortium agreement(s).	Annual Plan: Agency Identification and Operations/ Management
X - Office	Public housing grievance procedures <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
X - Office	Section 8 informal review and hearing procedures. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
X – submitted Office	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
X – Office	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
X – submitted Office	Policies governing any Section 8 Homeownership program (Section <u>  X  </u> of the Section 8 Administrative Plan)	Annual Plan: Homeownership
X – submitted Office	Public Housing Community Service Policy/Programs <input checked="" type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
X – Office	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
X – Office	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
X – Office	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
X – submitted Office	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Pet Policy
X - Office	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
	Consortium agreement(s), if a consortium administers PHA programs.	Joint PHA Plan for Consortia
	Consortia Joint PHA Plans ONLY: Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection	Joint PHA Plan for Consortia
	Other supporting documents (optional). List individually.	(Specify as needed)

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

<b>Annual Statement/Performance and Evaluation Report</b>					
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
<b>PHA Name: Housing Authority of Billings</b>		<b>Grant Type and Number</b> Capital Fund Program Grant No: <b>MT06P00150107</b> Replacement Housing Factor Grant No:			<b>Federal FY of Grant: 2007</b>
<input checked="" type="checkbox"/> <b>Original Annual Statement</b> <input type="checkbox"/> <b>Reserve for Disasters/ Emergencies</b> <input type="checkbox"/> <b>Revised Annual Statement (revision no: )</b> <input type="checkbox"/> <b>Performance and Evaluation Report for Period Ending:</b> <input type="checkbox"/> <b>Final Performance and Evaluation Report</b>					
<b>Line</b>	<b>Summary by Development Account</b>	<b>Total Estimated Cost</b>		<b>Total Actual Cost</b>	
		<b>Original</b>	<b>Revised</b>	<b>Obligated</b>	<b>Expended</b>
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration	45449			
5	1411 Audit	6914			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	18729			
8	1440 Site Acquisition				
9	1450 Site Improvement	68000			
10	1460 Dwelling Structures	275050			
11	1465.1 Dwelling Equipment—Nonexpendable	22000			
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	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	436142			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	50000			

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: Housing Authority of Billings		Grant Type and Number Capital Fund Program Grant No MT06P00150107 Replacement Housing Factor Grant No:			Federal FY of Grant 2007			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
MT06P0015106 – All	Administration	1410		45449				
-All	Audit	1411		6914				
-All	A & E Service	1430		18729				
-13, -15,-19,-,22	Flooring	1460		5000				
-2	Flooring	1460		130650				
-4,-6	Cabinets	1460		95000				
-13	Sprinkler System	1450		28000				
-All	Door Replacement	1460		7800				
-7	Community Room Update	1460		15000				
-3, -4	Bathroom Rehab	1460		14600				
-2	FIC Cabinets	1460		7000				
-2	FIC Appliances	1465		2000				
-All	Parking Lot & Concrete Work	1450		40000				
-7	Appliance Replacement	1465		20000				

### **13. Capital Fund Program Five-Year Action Plan**

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b> <b>Part III: Implementation Schedule</b>							
<b>PHA Name: Housing Authority of Billings</b>		<b>Grant Type and Number</b> Capital Fund Program No: <b>MT06P00150107</b> Replacement Housing Factor No:				<b>Federal FY of Grant: 2007</b>	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
MT06P00150107 – All	07-31-09			07-31-11			
-All	07-31-09			07-31-11			
-All	07-31-09			07-31-11			
-13, -15, -19, -22	07-31-09			07-31-11			
-2	07-31-09			07-31-11			
-4, -6	07-31-09			07-31-11			
-13	07-31-09			07-31-11			
-All	07-31-09			07-31-11			
-7	-07-31-09			07-31-11			
-4	07-31-09			07-31-11			
-2	07-31-09			07-31-11			
-2	07-31-09			07-31-11			
-All	07-31-09			07-31-11			
-7	07-31-09			07-31-11			

### 13. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>					
<b>Part I: Summary</b>					
PHA Name <b>Housing Authority of Billings</b>			<input checked="" type="checkbox"/> <b>Original 5-Year Plan</b> <input type="checkbox"/> <b>Revision No:</b>		
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: 2008 PHA FY: 2009	Work Statement for Year 3 FFY Grant: 2009 PHA FY: 2010	Work Statement for Year 4 FFY Grant: 2010 PHA FY: 2011	Work Statement for Year 5 FFY Grant: 2011 PHA FY: 2012
	Annual Statement				
Operations		54086	59000	60000	61000
Administration		46991	46983	46895	47000
Audit		6914	6914	6914	7000
A & E		0	22688	20000	0
Site Improvement		73800	28950	192200	50000
Dwelling Structures		243750	190011	145441	126011
Non-Dwelling Equipment		4000	45200	0	54050
Management Improvements		0	20000	0	0
CFP Funds Listed for 5-year planning		429541	419746	471450	345061
Replacement Housing Factor Funds					

### 13. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>						
<b>Part II: Supporting Pages—Work Activities</b>						
Activities for Year 1	Activities for Year : 2 FFY Grant: 2008 PHA FY: 2009			Activities for Year: 3 FFY Grant: 2009 PHA FY: 2010		
	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>
<b>See</b>	MT06P0015107			MT06P0015107		
<b>Annual</b>	-All	Operations	54086	-All	Operations	59000
<b>Statement</b>	-All	Administration	46991	-All	Administration	46983
	-ALL	Audit	6914	-All	Audit	6914
	-All	A & E	0	-All	A & E	22688
	-13, -15, -19, -22	Furnace Replacement	4000	-All	Roof Replacement	40800
	West Wicks, 3314 Windmill, Acorn, Caravan, 1025 Nutter	Cabinets & Tops	29500	-4	Locking Mailboxes	2450
	-5, -3	Deadbolt for Storage	3000	-13	Patio Dividers	1500
	-3, -5	Flooring	179000	-2	Concrete Steps	25000
	Windmill, 4435 Clevenger	Deck Replacement	20000	-2	Shower Surrounds	15000
	Bunting, 1025 Nutter	Fence Replacement	6000	-7	Insulate Crawlspace	5000
	-All	Concrete Work	40000	-4, -8	Appliance Replacement	14000
	-6, -3, Patricia	Garage Doors	2750	-3	Refrigerator Replacement	16200
	-2	FIC Windows	3000	-All	Deck Replacement	46011
	-5, West Side	Privacy Fence	11800	-All	Landscaping	25000
	Ave E, 2425 Cook	Drop Ceilings	3000	-3	Storage Sheds	35000
	-7	Dielectric Unions	3500	-All	Automotive Equipment	20000
	-All	Fence Replacement	16000	-All	Water Heaters	23200
				-7	Air Conditioners	15000
	<b>Total CFP Estimated Cost</b>		<b>429541</b>			<b>419746</b>

### 13. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>					
<b>Part II: Supporting Pages—Work Activities</b>					
Activities for Year: 4 FFY Grant: 2010 PHA FY: 2011			Activities for Year: 5 FFY Grant: 2011 PHA FY: 2012		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
MT06P00150107			MT06P00150107		
-All	Operations	60000	-All	Operations	61000
-All	Administration	46895	-All	Administration	47000
-All	Audit	6914	-All	Audit	7000
-All	A & E Services	20000	-All	A & E Services	0
-4	Boiler Replacement	21160	-13, -15, -19, -22	Accordion Doors	40000
-7	Parking Lot Canopies	188200	-3	Exterior Doors	30642
-2	FIC Flooring	5000	-All	G Doors & Windows	7000
Cambridge, 344 Phyllis, Calico, 561 Coliseum, Lake Elmo	Fences	4000	2425 Cook, Manhattan, 561 Coliseum	Cabinets & Tops	18619
-7	Tub Faucets	10000	-7	Flooring	14750
-2	Storage Sheds	44000	-5	Baseboard Replacement	5000
Lake Elmo, Golden, Custer	Cabinets & Tops	15000	-3, -6	Mow Strip in Concrete	20000
2934 Lewis, 760 Coliseum, 1025 Nutter, Caravan, 456 Greenspring, 561 Coliseum, Manhattan	Deck Replacements	50281	-All	Baseboard Heater Fronts	10000
			-13, -15, -19, -22	Water Heater Replacement	35000
			-All	Concrete Work	30000
			-All	C.O. Detectors	19050
<b>Total CFP Estimated Cost</b>		471450			345061



**City Of Billings**  
Community Development Division

# **BILLINGS HOUSING NEEDS ASSESSMENT**

*Prepared by*



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**JANUARY 2005**





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## INTRODUCTION

The U.S. Department of Housing and Urban Development (HUD) seeks to build communities “through the development of partnerships among all levels of government and the private sector, including for-profit and non-profit organizations”. Consistent with these objectives, HUD’s Office of Community Planning and Development has developed underlying principles that are used in carrying out its mission. These principles include:

1. Community building begins with job creation, employment, and *the creation of safe, decent and affordable housing*.
2. Planning and execution of community development initiatives must be *bottom up and community driven*.

For the City of Billings, HUD’s Consolidated Planning Process includes the planning, application, reporting and community development participation processes of the Community Development Block Grant (CDBG) and the Home Investment Partnerships (HOME) programs.

The purpose of the Billings Housing Needs Assessment is to quantify the estimated housing needs from 2006 – 2010 and to establish priorities for these needs. The report is organized as follows. First, an economic and demographic analysis of Billings is presented. Second, a profile of the housing stock is outlined. Third, the results of two housing needs surveys are presented. Last, the combination of the household forecast and housing needs surveys are the basis for the housing needs assessment and the determination of the priorities to meet those needs.

## ECONOMIC AND DEMOGRAPHIC ANALYSIS

### Labor Force and Employment

Labor force statistics are collected by the Montana Department of Labor and Industry, under rules established by the U.S. Bureau of Labor Statistics. The primary source for these statistics is a monthly survey of 950 households throughout Montana. These statistics are reported by County.

Labor Force: Number of persons 16 years and older, excluding armed forces members.

Employment: Number of persons 16 years and older who work for pay (employees) or profit (self employed).

Unemployment Rate: Expressed as a percentage, by dividing unemployed persons (labor force minus employment) by the labor force.

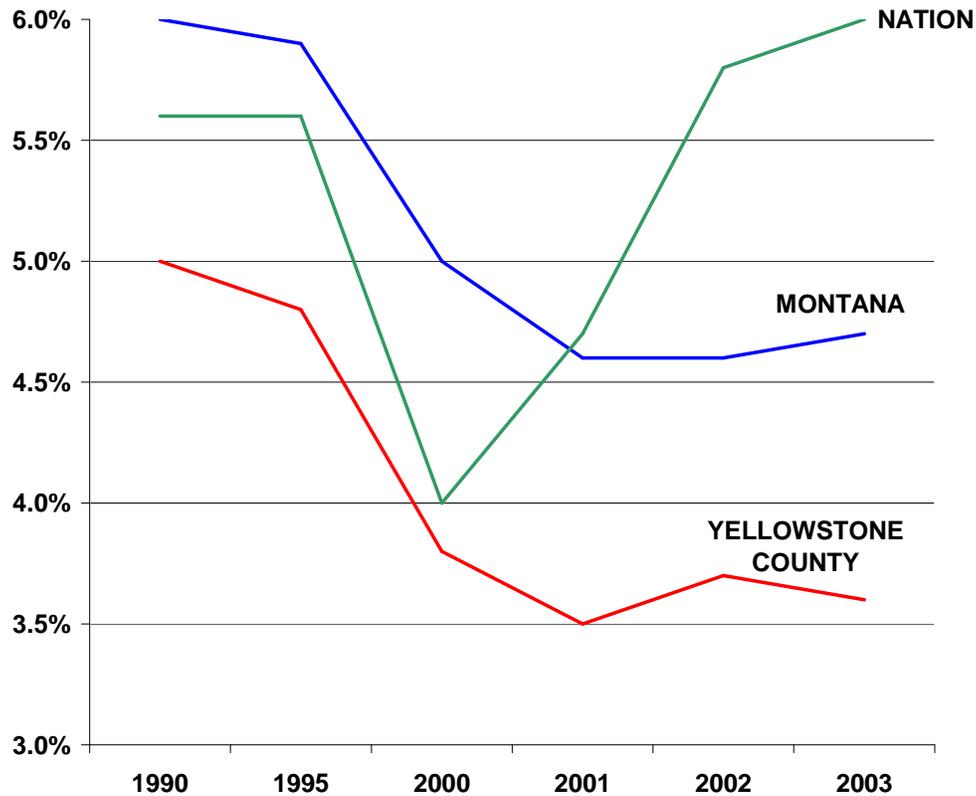
Below is a summary of the labor force, employment, and the unemployment rate for Yellowstone County. From 1990 to 2003, Yellowstone County's unemployment rate decreased by 1.4 percentage points, or by 28%.

### YELLOWSTONE COUNTY LABOR STATISTICS

	<u>1990</u>	<u>1995</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
<b>Labor Force</b>	61,613	66,500	72,307	67,806	70,226	72,032
<b>Employment</b>	58,563	63,611	69,648	65,457	65,647	69,436
<b>Unemployment Rate</b>	5.0%	4.8%	3.8%	3.5%	3.7%	3.6%
<b>State Unemployment Rate</b>	6.0%	5.9%	5.0%	4.6%	4.6%	4.7%
<b>National Unemployment Rate</b>	5.6%	5.6%	4.0%	4.7%	5.8%	6.0%

Yellowstone County's unemployment rate mirrors the State unemployment rate, although Montana's rate is on average 1.0% higher than the unemployment rate in Yellowstone County. Over that last two years, Yellowstone County's unemployment rate has decreased, while Montana and the Nation's unemployment rate have increased.

### UNEMPLOYMENT RATE



The U.S. Census Bureau collects data on the class of workers. Classes include private, government, self-employed, and unpaid family workers. In 2000, Montana's workers were classified as follows.

**CLASS OF WORKER  
Census 2000**

	<u>Yellowstone Co.</u>	<u>Montana</u>
<b>Private</b>	79.4%	69.2%
<b>Government</b>	11.9%	18.3%
<b>Self-Employed</b>	8.4%	11.8%
<b>Unpaid Family</b>	0.3%	0.7%

In Yellowstone County, a greater percentage of private workers are offset by a greater percentage of government workers statewide. Employment data by industry sector is available from the U.S. Bureau of Economic Statistics (BEA), including employment by industry sector. Below is a comparison of employment by industry in Yellowstone County in 1990 and 2002.

**YELLOWSTONE COUNTY EMPLOYMENT BY INDUSTRY<sup>1</sup>**

	<u>1990</u>	<u>2002</u>	<u>Montana 2002</u>
<b>Retail Trade</b>	20%	14%	13%
<b>Healthcare Services</b>		12%	11%
<b>Accommodation &amp; Food Services</b>		8%	8%
<b>Professional &amp; Technical Services</b>		6%	5%
<b>Other Services</b>		16%	13%
<b>Total Services</b>	32%	42%	37%
<b>Government</b>	12%	10%	16%
<b>Finance, Insurance, Real Estate</b>	8%	8%	7%
<b>Construction</b>	4%	7%	7%
<b>Transportation, Information, Utilities</b>	7%	6%	5%
<b>Wholesale Trade</b>	8%	6%	3%
<b>Manufacturing</b>	5%	4%	4%
<b>Agriculture, Forestry &amp; Mining</b>	4%	3%	8%

Between 1990 and 2002, the largest increase in employment occurred in the construction sector, followed by the retail trade and services sectors combined. Montana as a whole has a higher percentage of government and agricultural, forestry & mining employment than Yellowstone County. Yellowstone County has a higher percentage of services (including healthcare services), retail trade and wholesale trade, reflecting its status as a medical, retail, trade and distribution center.

<sup>1</sup> In 2002, the BEA changed from the SIC system (Standard Industrial Classification) to the NAICS (North American Industry Classification System) for data collection. While the industry sectors are not the same between the two classification systems, care has been taken to make the data as comparable as possible. Prior to 2002, eating and drinking places were classified in the retail trade category, while they are now classified in the services category.

Billings' largest employers encompass a broad range of educational requirements and wage levels. The services sector includes physicians, public school teachers, and fast-food workers. According to the Montana Department of Labor and Industry, the majority of Montana's jobs require a 2-year degree or less. Yellowstone County has an educated population: 32% (compared with 30% statewide) have an associate degree or higher and 26% (compared with 24% statewide) have a bachelor degree or higher. Using Montana's Job Service clients in Yellowstone County in 2000, it was estimated that 25% of those individuals seeking better employment were overqualified ("underemployed") for their job, based on a comparison of job requirements to educational attainment. Below are the major Billings area employers with 400 or more employees.

<b><u>EMPLOYER</u></b>	<b><u>EMPLOYEES</u></b>	<b><u>SECTOR</u></b>
<b>Deaconess Billings Clinic</b>	<b>2,158</b>	<b>Services</b>
<b>School District #2</b>	<b>1,939</b>	<b>Services</b>
<b>St. Vincent Healthcare</b>	<b>1,739</b>	<b>Services</b>
<b>City of Billings</b>	<b>1,080</b>	<b>Government</b>
<b>Stillwater Mining Company</b>	<b>964</b>	<b>Mining</b>
<b>Montana State University- Billings</b>	<b>915</b>	<b>Services</b>
<b>Wells Fargo Bank</b>	<b>615</b>	<b>Finance</b>
<b>U.S. Postal Service</b>	<b>528</b>	<b>Government</b>
<b>First Interstate BancSystems</b>	<b>478</b>	<b>Finance</b>
<b>Albertson's</b>	<b>472</b>	<b>Retail Trade</b>
<b>Interstate Brands/Sweetheart Bread Bakers</b>	<b>453</b>	<b>Manufacturing</b>
<b>Wal-Mart</b>	<b>440</b>	<b>Retail Trade</b>
<b>Sysco Food Services</b>	<b>435</b>	<b>Wholesale Trade</b>

## Income

The Census Bureau provides data on family income and household income. A family is defined as a household with two or more related persons. Household income is for all persons living together in a household, not necessarily related.

### INCOME DATA- BILLINGS Census 2000

<u>Income Range</u>	<u>Percent of Families</u>	<u>Percent of Homeowners</u>	<u>Percent of Renters</u>
< \$20,000	17%	16%	48%
\$20,000 - 34,999	19%	19%	27%
\$35,000 - 49,999	20%	20%	14%
\$50,000 - 74,999	25%	25%	8%
\$75,000 - 99,999	10%	10%	2%
\$100,000 - 149,999	6%	6%	1%
\$150,000 +	3%	4%	0%

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Median Family Income	\$45,032
Median Household (family & non-family) Income	\$35,147

While 36% of families earn less than \$35,000 annually, 35% of homeowners and 75% of renters earn less than \$35,000 per year in Billings. Comparing this to statewide figures, 42% of families earn less than \$35,000, 43% of homeowners and 75% of renters earn less than \$35,000 per year in Montana. Montana's median family income was \$40,487 and median household income was \$33,024 as of Census 2000. On average, Billings' median income is 8% higher than the State's median income. Nationwide, 33% of families earn less than \$35,000 annually.

In 2003, Montana's poverty<sup>2</sup> rate was 15.1%, up from 14.1% in 2000. According to Census 2000, Yellowstone County's poverty rate was 11.1%, the 4<sup>th</sup> lowest in the State (behind Jefferson, Broadwater, and Lewis & Clark counties). Almost 3,000 families in Yellowstone County, or 8.5% of total families, are under the poverty level. Of these 3,000 families, almost half are a female head-of household with children under 18 (single mother/grandmother household). Poverty is determined by the Census Bureau based on family size, age of household members, income level, and the Consumer Price Index.

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<sup>2</sup> The poverty rate is calculated by the Census Bureau, comparing income to needs based on the size and age of household members, and CPI data.

## Population

The population of Billings and Yellowstone County has grown at a higher rate than Montana and the Nation over the past 33 years. Census population counts and the most current population estimate are below.

### POPULATION STATISTICS U.S. Census Bureau

	<u>1970</u>	<u>1980</u>	<u>1990</u>	<u>Census 2000</u>	<u>Estimate 7/1/2003</u>	<u>30-year Growth Rate</u>	<u>10-year Growth Rate</u>
Billings	61,581	66,842	81,151	89,847	92,542	46%	11%
Unincorporated County	21,209	35,575	26,475	33,100	34,093	56%	25%
Total Yellowstone County	87,367	108,035	113,419	129,352	133,191	48%	14%
Montana						30%	13%
United States						38%	13%

With much of the growth occurring in the unincorporated area of Yellowstone County, many of these areas may likely require major infrastructure improvements, which increases the cost of housing in the area.

**PROFILE OF GENERAL DEMOGRAPHIC CHARACTERISTICS – BILLINGS**  
**U.S. Census Bureau**

<b>CATEGORY</b>	<b>1990</b>	<b>2000</b>	<b>% TOTAL</b>	<b>% CHANGE</b>
<b>TOTAL POPULATION</b>	<b>81,151</b>	<b>89,847</b>	<b>100%</b>	<b>11%</b>
<b>GENDER</b>				
Male	38,718	43,214	48%	12%
Female	42,433	46,633	52%	10%
<b>AGE</b>				
Under 20 years	24,406	24,220	27%	-1%
21 to 24 years	4,328	6,483	7%	50%
25 to 44 years	26,350	25,751	29%	-2%
45 to 54 years	8,015	12,284	14%	53%
55 to 64 years	7,049	7,770	9%	10%
65 & over	11,003	13,339	15%	21%
<b>RACE</b>				
White	76,738	82,539	92%	8%
Black or African American	439	495	1%	13%
American Indian or Alaska Native	2,569	3,088	3%	20%
Asian, Native Hawaiian or Pacific Islander	479	571	1%	19%
Some Other Race	926	1,300	1%	40%
Two or More Races		1,854	2%	
<b>TOTAL HOUSEHOLDS</b>				
	<b>33,181</b>	<b>37,525</b>	<b>100%</b>	<b>13%</b>
Married Couple Families w/o Children		10,238	27%	
Married Couple Families w/Children		7,491	20%	
Total Married Couple Families	17,162	17,729	47%	3%
Female Householder w/o Children		1,411	4%	
Female Householder w/ Children		2,634	7%	
Total Female Householder	3,493	4,045	11%	16%
Householder Living Alone under 65	6,284	7,470	20%	19%
Householder Living Alone 65 and Older	3,458	4,269	11%	23%
Other Households	2,784	4,012	11%	44%
Average Household Size	2.39	2.32		-3%

### Householders Living Alone

Over 30% of Billings' residents live alone: one-third are made up of elderly members and two-thirds are made up of non-elderly members. This represents almost 12,000 single member households in the City of Billings.

### Minority Population

While Billings' overall population increased 11% between Census 1990 and Census 2000, the minority population residing in Billings increased 66%. The largest increases were in the American Indian or Alaska Native, Some Other Race, and Two or More Races categories. In 1990, the minority population represented 5.4% of the total population in Billings; in 2000, the minority population represented 8.1% of the total population in Billings.

## Elderly Population

In 2000, 15% of Billings' population was 65 years and older. The population 65 years and older statewide was 13%, and nationwide was 12%. While total population increased 11% from 1990 to 2000, the population in the age categories 21 to 24 and 45 to 54 increased 50% or more, while the increase in the elderly population was 21%. Elderly persons living alone accounted for 11% of the Billings' population in 2000.

## Group Quarters Population

The Housing Profile section of this report contains information on housing units. Every person not living in a housing unit is considered to live in group quarters. Group quarters include institutional quarters such as correctional institutions, nursing homes, and hospitals or schools for persons with a mental or physical disability. Non-institutional group quarters include group homes (communes/foster homes), emergency and transitional shelters, college housing, military quarters and religious quarters. Of the 2,683 persons living in group housing in 2000, 1,572 were in institutional group quarters, and 1,111 were in non-institutional group quarters.

From 1990 to 2000, the Billings' population living in group quarters increased from 1,783 to 2,683 persons, or a 50% increase:

	<u>Increase</u>
Correctional institutions	19%
Nursing homes	14%
College dormitories	8%
Other	9%

## Disabled Population

The U.S. Census Bureau provides numerous statistics on the disabled population. Typically, individuals are classified as having a disability *if any* of the following three conditions are true:

1. They were five-years old and over with a sensory (vision, hearing), physical (condition that limits basic physical activity such as walking, reaching, lifting) mental (learning, remembering, concentrating) or self-care (bathing, dressing, getting around inside the home) disability;
2. They were 16 years old and over with a going outside the home disability (leaving the home alone to shop or visit the doctor); or
3. They were 16 to 64 years old with an employment disability.

Disability statistics for Billings from Census 2000 are below.

**DISABILITY STATUS OF THE NON-INSTITUTIONALIZED POPULATION – BILLINGS  
Census 2000**

Population 5 to 15 years with a disability	7%
Population 16 to 64 years with a disability	16%
Population 65 years and over with a disability	41%

Clearly, disability increases significantly with age, as illustrated by the above figures. The aging population and disability status present unique challenges for housing needs.

# HOUSING PROFILE

## Housing Inventory

The Census Bureau defines a housing unit as a house, an apartment, a mobile home, a group of rooms, or a single room, intended for occupancy as separate living quarters.

Housing units in Billings from Census 1990 and 2000 are summarized below. These units represent permanent housing, and the “other” category includes boats, RV’s, and vans that are used by households as their permanent home.

### SUMMARY HOUSING CHARACTERISTICS FOR BILLINGS U.S. Census Bureau

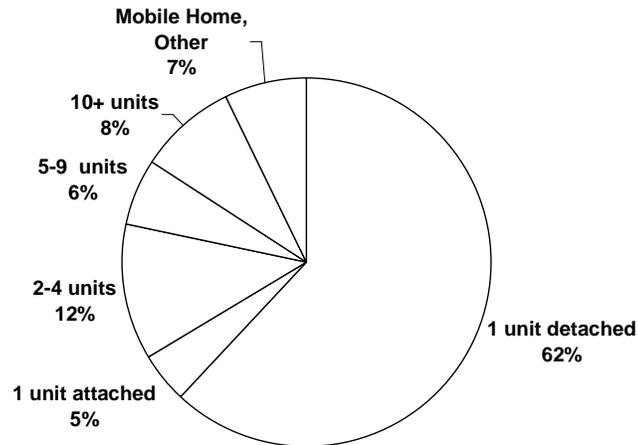
	1990	2000	% TOTAL	% CHANGE
TOTAL HOUSING UNITS	35,964	39,151	100.0%	8.9%
<b>Units in Structure</b>				
1 unit detached	21,809	24,221	61.9%	11.1%
1 unit attached	1,279	1,811	4.6%	41.6%
2-4 units	4,963	4,652	11.9%	-6.3%
5-9 units	2,241	2,277	5.8%	1.6%
10+ units	2,670	3,325	8.5%	24.5%
Mobile Home, Other	3,002	2,865	7.3%	-4.6%
<b>Occupants per Room</b>				
Occupied Housing Units	33,181	37,401	100.0%	12.7%
1.00 or less	32,625	36,549	97.7%	12.0%
1.01 to 1.50	403	588	1.6%	45.9%
1.51 +	153	264	0.7%	72.5%
<b>Lacking Facilities</b>				
Lack Complete Plumbing	118	177	0.5%	50.0%
Lack Complete Kitchen	260	418	1.1%	60.8%

Housing units are described as lacking complete plumbing facilities if there is an absence of hot and cold piped water, or a flushing toilet, or a bathtub or shower. Units are described as lacking complete kitchen facilities in the absence of a sink with piped water, or a range/stove, or a refrigerator. Although total housing units lacking either complete plumbing or complete kitchen facilities are less than 2% of total units, the number of units lacking these facilities increased by more than 50% between 1990 and 2000.

While nursing homes are excluded from housing units (they are included with the group quarters population), assisted living facilities are included. Some assisted living facilities in Billings include a sink and toilet, but do not have a bathtub or shower, and would be described as lacking complete plumbing facilities. Assisted living facilities may have a sink and a refrigerator, but not a range or stove, and would be described as lacking complete kitchen facilities.

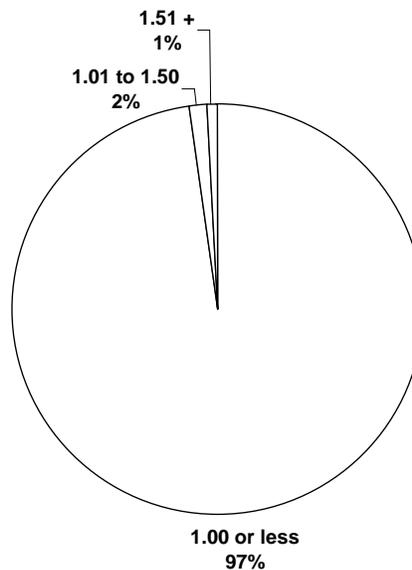
The largest increase in housing units from 1990 to 2000 was in the 1-unit attached category (townhouse or duplex with one common wall, such as a patio home). 1-unit detached homes (traditional single-family home) represent over 60% of the total housing units in Billings.

### TOTAL HOUSING UNITS – by Units per Structure



The Census Bureau defines more than 1.01 to 1.50 persons per room (total rooms in the home, excluding bathrooms and hallways; not just bedrooms) as overcrowding, and 1.51+ persons per room as extreme overcrowding. Although the number of units that are considered overcrowded are less than 3% of total units, the number of overcrowded units increased more than 50% from 1990 to 2000.

### OCCUPANTS PER ROOM

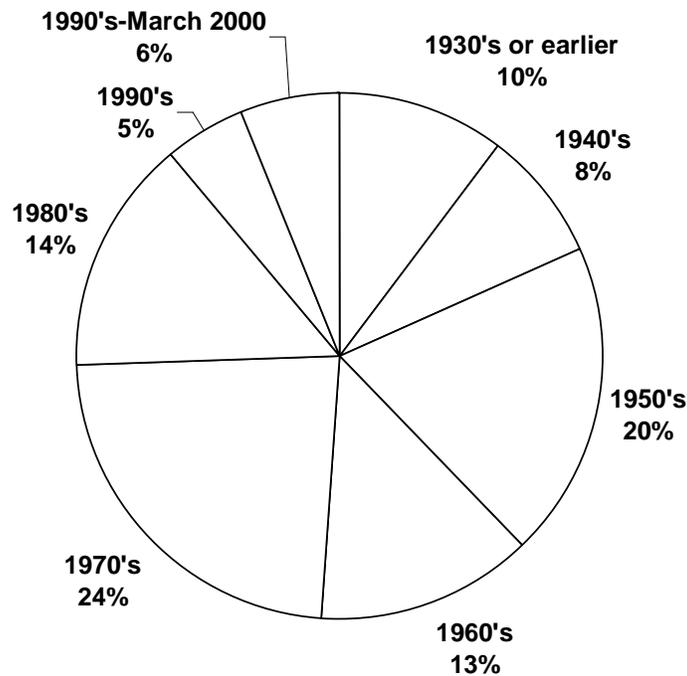


## Year Structure was Built

Housing characteristics collected by the Census Bureau include the year structure was built and the number of rooms per structure. Based on Census 2000, the age of Billing's housing units are as follows:

<u>Year Built</u>	<u>Approximate Age</u>	<u>% of Total Units</u>
1939 or earlier	61+ years	10%
1940-1949	51-60 years	8%
1950-1959	41-50 years	19%
1960-1969	31-40 years	13%
1970-1979	21-30 years	23%
1980-1989	11-20 years	14%
1990-1994	6-10 years	5%
1995-1998	2-5 years	6%
1999-March 2000	1 year or less	2%

As of March 2000, one-half of Billing's housing units were 31 years old or older (built in the 1960's or earlier), while 13% were 10 years old or less.



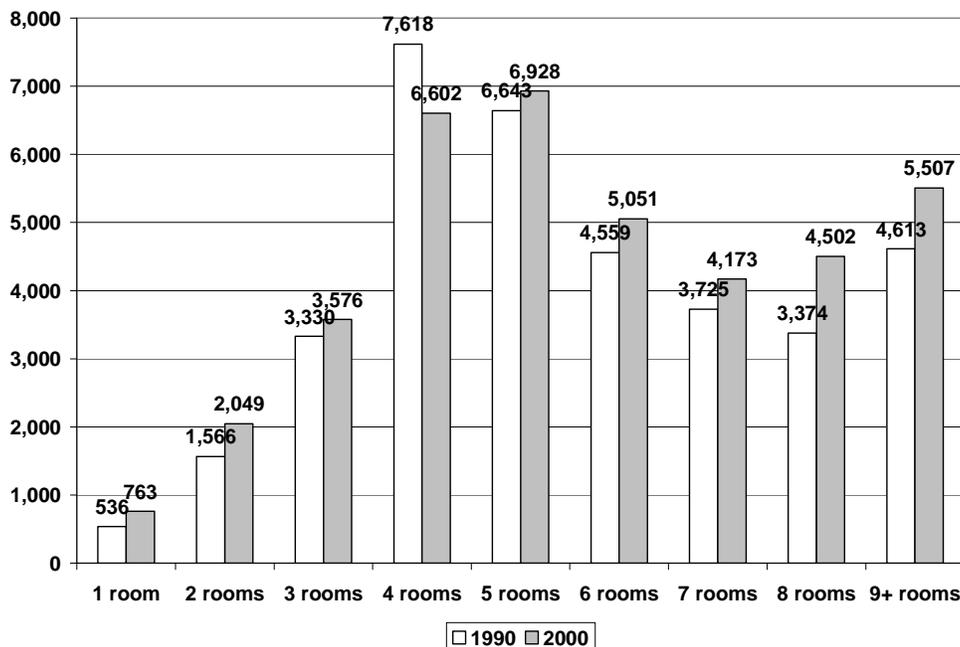
## Number of Rooms per Structure

The number of total rooms per structure in Billings is reported by room for 1 to 8 rooms and for 9+ rooms. The purpose of this Census question is to compare total rooms to total residents in the structure to determine if a unit is overcrowded. Rooms *do not include* bathrooms, balconies/porches, or hallways.

<u>Total Number Of Rooms</u>	<u>% of Total Housing Units</u>	<u>% Change 1990 to 2000</u>
1	2%	42%
2	5%	31%
3	9%	7%
4	17%	-13%
5	18%	4%
6	13%	11%
7	11%	12%
8	11%	33%
9+	14%	19%

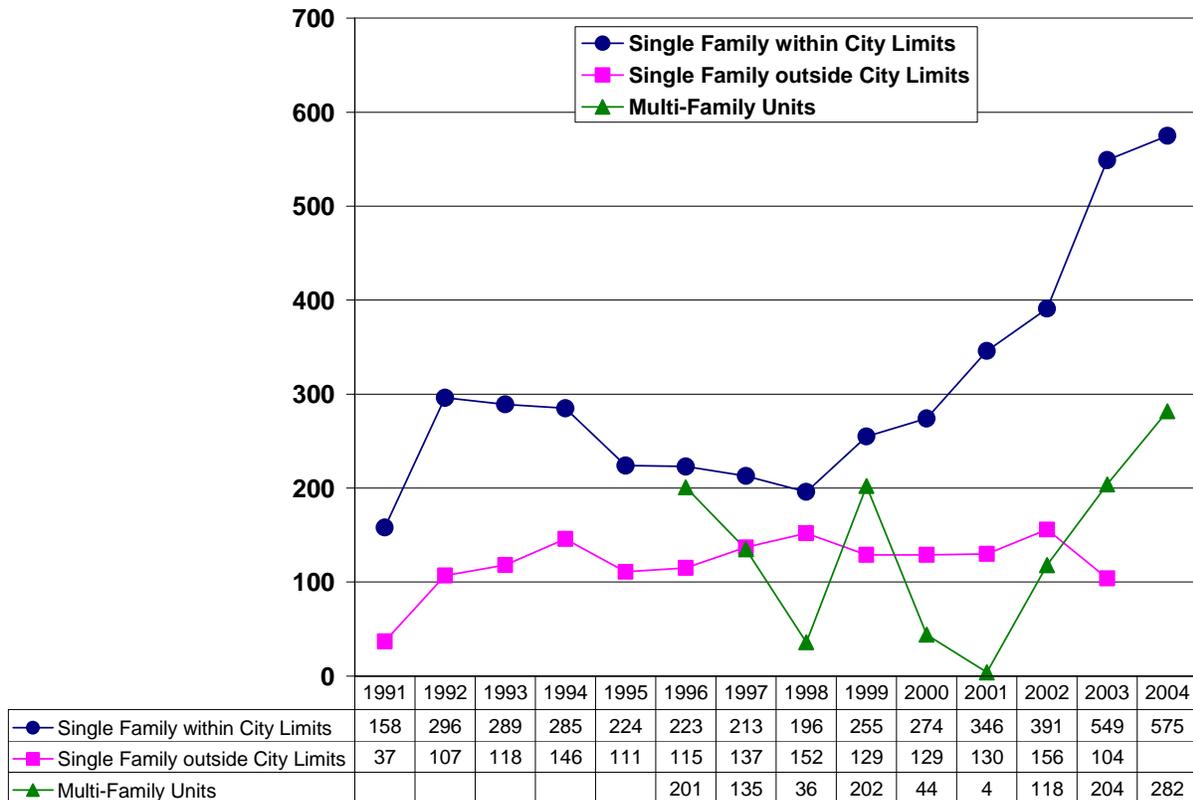
A one-room structure could be a studio or assisted living unit. In 2000, the category with the highest percentage increase was 1 room, however this category only makes up 2% of the housing units. One of the reasons for the increase in one-room units is the increase in assisted living facilities. The category with the second largest increase was 8 rooms. This is consistent with the trend of larger homes being built. An example of an eight-room home would be four-bedrooms, a kitchen, a living room, a family room, and an office. Almost one-half of Billings' housing units have 4 to 6 rooms, despite a decrease of 13% in 4 room housing units from 1990 to 2000. An example of a four-room home would be two-bedrooms, a kitchen, and a living room, while an example of a six-room home would be three-bedrooms, a kitchen, a living room, and a family room.

### NUMBER OF ROOMS PER STRUCTURE



## New Construction

While Billings' population increased by 8,696 persons from 1990 to 2000, over 3,100 housing units were added. Single family building permit statistics were obtained from the City Building Inspection Division<sup>3</sup> (beginning in 2004, single family permits are combined for those within and outside the City limits), and multi-family statistics were obtained from the Census Bureau.



Single family permits within the city limits have increased over the past 6 years, in part due to annexation of new developments into the city. Multi-family permitted units have fluctuated widely over the past 8 years, but show an increase beginning in 2002 and continuing through 2004.

<sup>3</sup> Beginning in 2004, single family permits are combined for those within and outside the City limits.

Combing Census 2000 data with building permit data from 1999<sup>4</sup> through 2004, estimated housing units in Billings<sup>5</sup> are below:

	<b>Census 2000</b>	<b>Permits 1999-2004</b>	<b>Estimated Units</b>	<b>Percentage Increase</b>
Single-family units	26,032	2,390	28,422	9.2%
Multi-family units	10,254	854	11,108	8.3%
<b>TOTAL HOUSING UNITS</b>	<b>36,286</b>	<b>3,244</b>	<b>39,530</b>	<b>8.9%</b>

Comparing the estimated increase in housing units with increase in population, housing units have increased 9% while population has increased 3%.

	<b>Census 2000</b>	<b>Estimate 7/1/2003</b>	<b>Percentage Change</b>
Billings	89,847	92,542	3.00%
Unincorporated County	33,100	34,093	3.00%
Total Yellowstone County	129,352	133,191	2.97%
Montana	902,165	918,157	1.77%

<sup>4</sup> Given the timing of Census 2000 and assuming a one-year average construction period, 1999 permits are assumed to be added to the housing stock after the Census 2000 count.

<sup>5</sup> For single-family homes, permits from 1999 – 2004 include only those issued within the city limits, as Census 2000 data is for the City of Billings. Total housing units exclude mobile homes.

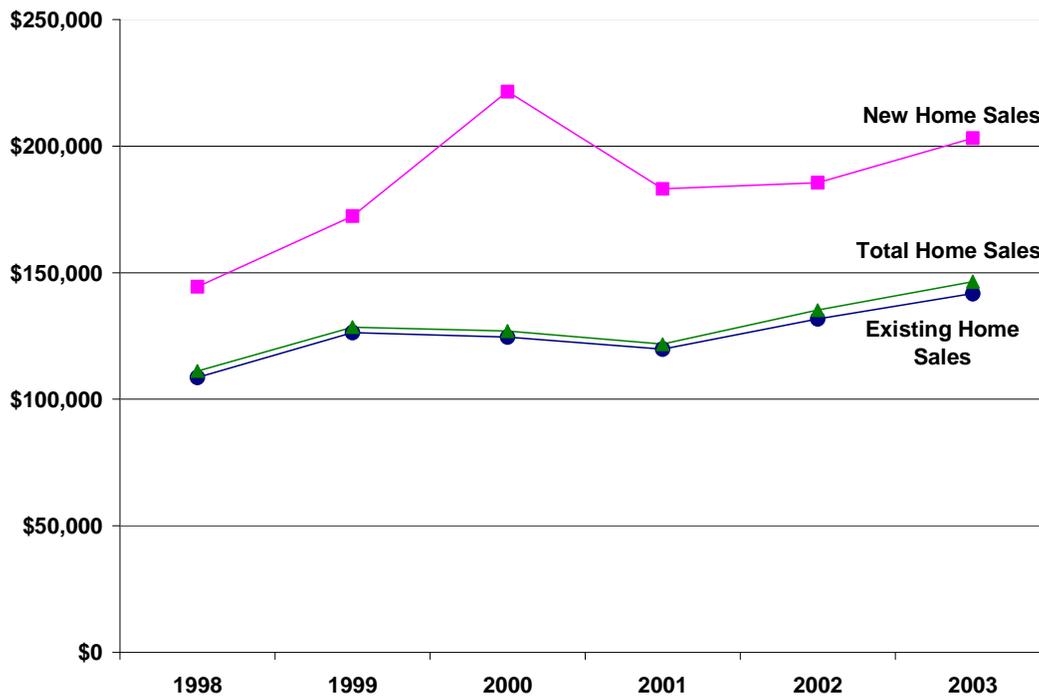
## Housing Costs

One way to analyze housing costs is by the sale of homes. Since 1998, the Center for Applied Economic Research has collected and analyzed homes sales statistics on behalf of the Montana Board of Housing. These statistics represent a sample from all home sales are collected from banks, title companies, and local real estate associations. Since 1998, the sample size has more than doubled, from 5,066 sales in 1998 to 10,600 sales in 2003.

The median has increased (6.8%) slightly more than the average (6.3%) , indicating that prices are skewed toward the higher end. From this sample, historical housing prices in Billings have been as follows:

	1998	1999	2000	2001	2002	2003	Average Annual Increase
<b>Average</b>							
Existing Homes	\$108,575	\$126,345	\$124,512	\$119,752	\$131,734	\$141,744	6.1%
New Homes	\$144,408	\$172,354	\$221,568	\$183,084	\$185,472	\$203,152	8.1%
Total Homes	\$111,163	\$128,500	\$126,938	\$121,760	\$135,139	\$146,418	6.3%
<b>Median</b>							
Existing Homes	\$92,950	\$106,000	\$106,000	\$107,000	\$115,000	\$126,650	7.3%
New Homes	\$123,700	\$135,000	\$170,488	\$148,000	\$167,500	\$182,020	9.4%
Total Homes	\$97,000	\$107,000	\$107,750	\$108,000	\$118,500	\$129,900	6.8%

### AVERAGE PRICE OF HOUSING IN MONTANA



New home sales peaked in 2000 at an average price of \$222,000. On average, new homes sold for \$59,000 more than existing homes. Part of this difference is due to higher construction costs, and part of this difference is due to the larger size (and thus higher cost) of many newly constructed homes.

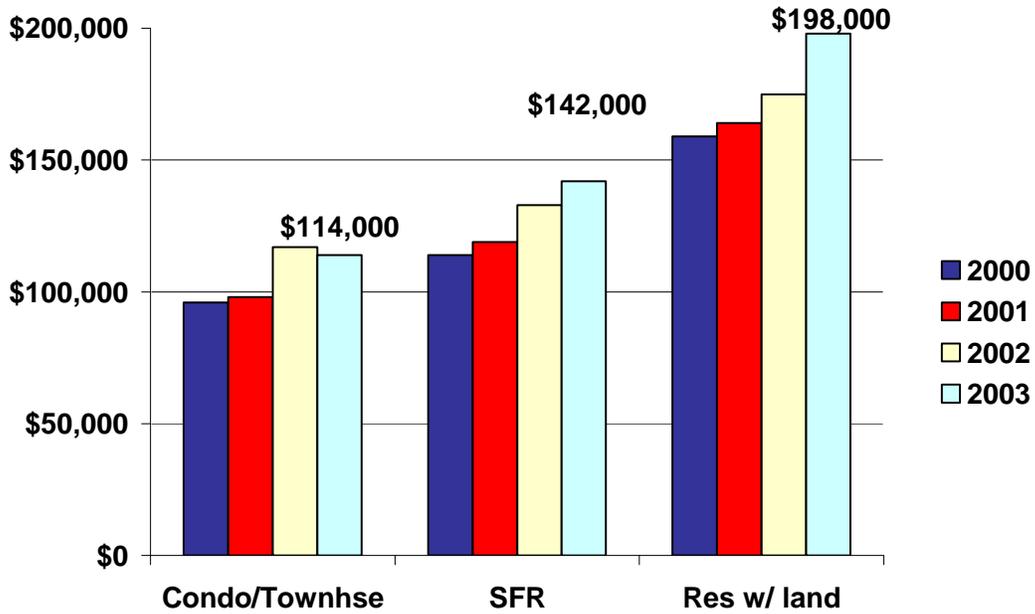
The Center has also analyzed sales recorded in the Billings Association of Realtors Multiple Listing Service (MLS) since 1998. One caveat of using this data is that some newly constructed homes are not recorded in the MLS system. However, since the Billings MLS home sales data can be categorized by type of home and area, it is extremely useful.

From this system, historical housing prices in Billings have been as follows:

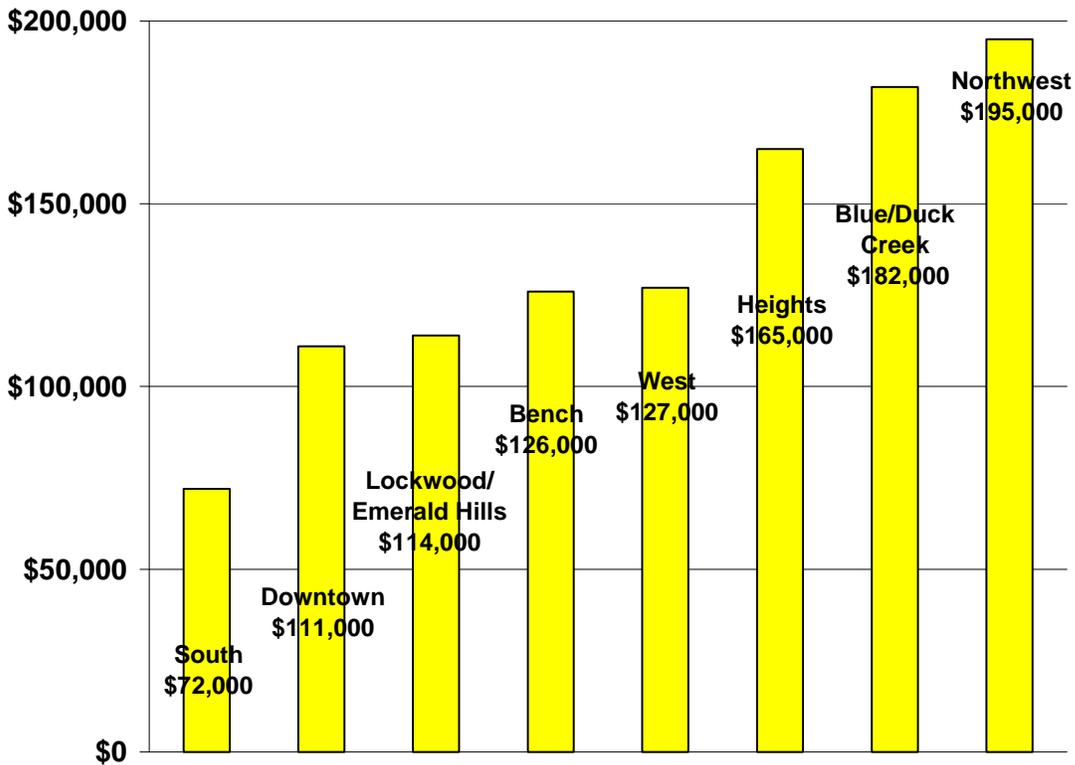
### AVERAGE SALES PRICE- NEW & EXISTING HOMES

	1998	1999	2000	2001	2002	2003	Average Annual Change
<b>Billings Heights (West of Bench)</b>							
Single	\$116,939	\$129,278	\$132,755	\$140,964	\$153,799	\$164,697	8%
Residential w/ Land	\$45,000	\$157,000	\$108,000	\$189,500	\$74,900	\$115,333	31%
Condo/Townhouse			\$70,189	\$70,910	\$91,931	\$94,895	3%
<b>Billings Bench (East of Bench)</b>							
Single	\$95,688	\$100,277	\$101,731	\$111,136	\$117,895	\$125,670	6%
Residential w/ Land	\$130,591	\$115,473	\$135,143	\$165,481	\$169,017	\$175,376	7%
Condo/Townhouse			\$98,500	\$114,306	\$103,622	\$111,333	7%
<b>Lockwood/Emerald Hills</b>							
Single	\$89,239	\$95,006	\$92,693	\$96,071	\$109,376	\$113,617	5%
Residential w/ Land	\$144,605	\$139,411	\$215,781	\$159,653	\$170,080	\$191,322	6%
<b>South Billings</b>							
Single	\$58,003	\$61,644	\$58,810	\$64,605	\$66,568	\$72,176	5%
Residential w/ Land			\$109,000			\$108,000	
Condo/Townhouse			\$35,000	\$38,770	\$48,325	\$44,780	-7%
<b>Blue Creek/Duck Creek</b>							
Single	\$146,230	\$139,462	\$155,187	\$171,360	\$167,978	\$182,443	5%
Residential w/ Land	\$173,567	\$194,700	\$236,625	\$254,173	\$226,967	\$292,577	14%
Condo/Townhouse			\$160,200	\$177,500	\$243,800	\$194,300	-20%
<b>Downtown</b>							
Single	\$86,983	\$80,529	\$86,986	\$95,652	\$103,226	\$110,569	5%
Condo/Townhouse			\$45,000	\$70,250	\$101,250	\$140,000	38%
<b>Northwest Billings</b>							
Single	\$140,377	\$146,724	\$156,604	\$161,806	\$180,240	\$195,109	8%
Residential w/ Land	\$220,667	\$122,000	\$225,614	\$166,636	\$237,833	\$334,200	10%
Condo/Townhouse			\$139,064	\$133,824	\$147,544	\$152,191	3%
<b>West Billings</b>							
Single	\$97,309	\$99,113	\$106,386	\$108,449	\$124,855	\$126,801	6%
Residential w/ Land	\$110,610	\$158,975	\$167,422	\$259,773	\$227,876	\$212,569	18%
Condo/Townhouse			\$89,573	\$95,246	\$100,589	\$106,988	6%

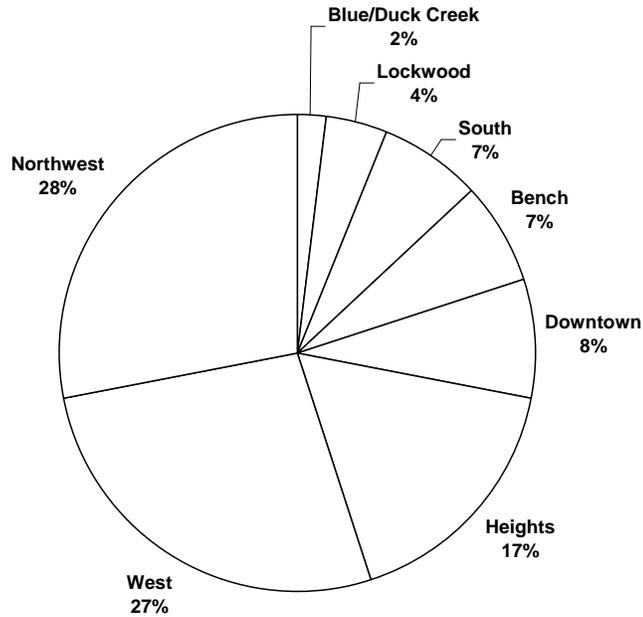
**AVERAGE SALES PRICE by TYPE**  
Billings Association of Realtors



**2003 AVERAGE SINGLE FAMILY HOME SALES PRICE by AREA**  
Billings Association of Realtors



**2003 SINGLE FAMILY SALES VOLUME by AREA**  
 Billings Association of Realtors



Over one-half of the single-family homes sold in 2003 were in the West and Northwest areas of Billings, while almost one-fourth were in the Heights (including Bench).

Other home sale statistics for 2003 using MLS data from the Billings Association of Realtors are as follows:

<b>2003 Sales Volume</b>	<b>Percentage Of Sales</b>	<b>Average Days On Market</b>	<b>Average Sales Price</b>
<b><u>By Bedrooms:</u></b>			
1	1%	105	\$64,000
2	20%	102	\$99,000
3	37%	91	\$133,000
4	30%	88	\$169,000
5	11%	99	\$191,000
6+	1%	107	\$263,000
<b><u>By Area:</u></b>			
Downtown	8%	66	\$111,000
West	27%	75	\$127,000
South	7%	80	\$72,000
Heights	17%	83	\$165,000
Lockwood	4%	84	\$114,000
Bench	7%	86	\$126,000
Northwest	28%	88	\$195,000
Blue/Duck Creek	2%	110	\$182,000

The final method used to analyze housing costs is based on data collected from newspaper classified advertisements. Since 2003, the Center has collected data on advertised housing prices statewide on behalf of the Montana Department of Commerce. The data collected includes advertised for-sale prices for single-family homes, condos, and townhouses, and for-rent prices for apartments, condos, townhouses, single-family homes, and mobile homes, as well as lots suitable for a double-wide manufactured home. The data is further segregated by of number of bedrooms.

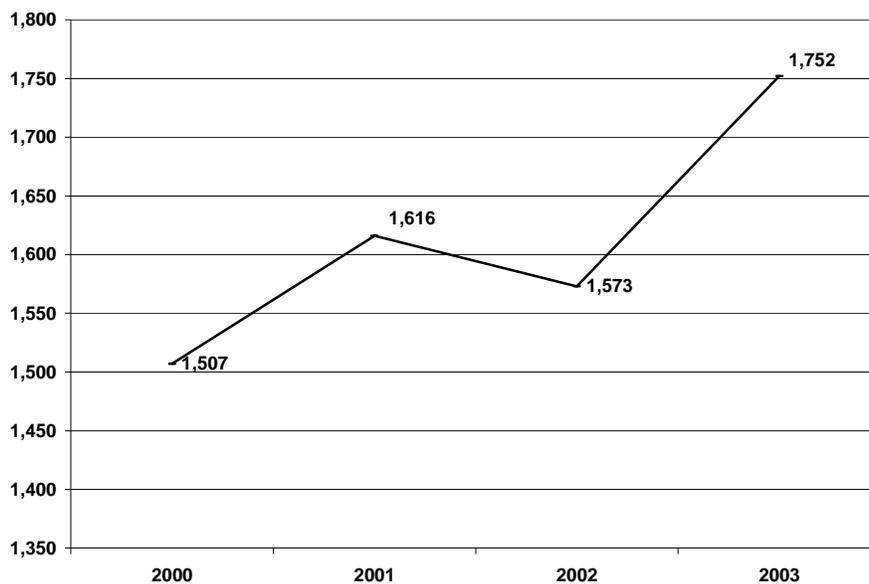
**ADVERTISED AVERAGE PRICE in BILLINGS**  
Newspaper Survey

	2003	2004	% Change
<b>Monthly Rent</b>			
1 bedroom	\$395	\$390	-1.3%
2 bedrooms	\$569	\$558	-1.9%
3 bedrooms	\$785	\$738	-6.0%
<b>For-Sale Price</b>			
Lot	\$29,461	\$44,988	52.7%
2 bedrooms	\$95,721	\$128,913	34.7%
3 bedrooms	\$97,742	\$169,736	73.7%
4 bedrooms	\$157,473	\$208,688	32.5%
5+ bedrooms	\$259,666	\$286,351	10.3%

The advertised price of rentals has decreased, most likely due to competition and the increasing homeownership rate, while the advertised price of homes for sale has increased significantly. This increase reflects market conditions, including lower interest.

The increase in sales volume from 2002 to 2003 is also indicative of the market conditions.

**SINGLE FAMILY HOME SALES**  
Billings Association of Realtors



# HOUSING NEEDS SURVEY

## Survey Methodology

From a database of households in Montana, 2,250 households in zip codes 59101, 59102, 59105, 59106, and 59108 were randomly selected. These 2,250 surveys were addressed to each householder by name (as opposed to “occupant” or “resident”). Out of the 2,250 surveys mailed, only four were returned by the Post Office as undeliverable. A total of 617 households (27.5%) responded to the survey.

## Respondent’s Housing Situation

The first 10 survey questions related to each respondent’s housing situation. Eighty-eight percent, or 544 respondents, indicated that they own their dwelling, and 12%, or 73 respondents, indicated that they rent their dwelling. The homeownership rate for Billings according to Census 2000 was 64%. In 2003, the homeownership rate for Montana is 71.5%

Over 75% of the respondents indicated that they live in a single-family detached house. According to Census 2000, 62% of the housing units in Billings were 1-unit, detached dwellings.

Just over 1/3 of the respondents indicated that they live in a three-bedroom dwelling. This is consistent with home sales in Billings; approximately 1/3 of the homes sold through the Billings Association of Realtors are 3-bedroom dwellings. According to Census 2000, just over 30% of the dwellings in Billings have three bedrooms.

Respondents were asked where their home is located, and whether or not they live within the Billings city limits. 85% of the respondents indicated that they live within the city limits. They were also asked how long they have lived in their home and how long they have lived in Yellowstone County. Over 50% have lived in their home more than 10 years, and over 60% have lived in Yellowstone County more than 20 years. According to Census 2000, the median year a resident of Billings moved into their home was 1991 for owners (over 44% moved into their home in 1989 or earlier), and the median year for renters was 1999 (9% moved into their home in 1989 or earlier). When Census 2000 was taken in March of 2000, a resident who moved into their home in 1989 or earlier had lived in their home 11 years or more.

Questions were asked related to monthly housing costs. Only 13 respondents, or 2%, indicated that they received rental or mortgage assistance from the government. One-fourth of the respondents indicated that they did not have any mortgage or rental payment, while one-fourth indicated that they spent 31-50% of their gross income on housing costs (considered a cost-burden). Only 4.5% of the respondents indicated that they spent more than 50% of their gross income on housing costs (a severe cost burden).

Summarized responses to the questions on “Your Housing” are on the following page.

## YOUR HOUSING

1. Check the description that best describes your dwelling:
 

<u>77.3%</u> Single family, detached house	<u>1.8%</u> Manufactured house on permanent foundation
<u>1.6%</u> Town house	<u>5.3%</u> Apartment
<u>1.9%</u> Condominium	<u>0.2%</u> Rooming house/boarding house
<u>7.0%</u> Mobile home/trailer	<u>3.6%</u> Duplex
<u>1.3%</u> Other	
  
2. How many bedrooms are there in your home?
 

<u>0.0%</u> 0 bedrooms	<u>34.8%</u> 3 bedrooms
<u>3.2%</u> 1 bedroom	<u>29.7%</u> 4 bedrooms
<u>21.4%</u> 2 bedrooms	<u>10.9%</u> 5 or more bedrooms
  
3. Where is your home located?
 

<u>20.1%</u> Central Billings (east of 17 <sup>th</sup> Street West)
<u>6.2%</u> South Billings
<u>3.2%</u> Southwest Billings
<u>25.4%</u> West Billings (west of 17 <sup>th</sup> Street West, south of Grand Avenue)
<u>20.1%</u> Northwest Billings (west of 17 <sup>th</sup> Street West, north of Grand Avenue)
<u>20.3%</u> Billings Heights
<u>4.7%</u> Lockwood
  
4. Do you live inside or outside the Billings city limits?
 

<u>84.6%</u> inside Billings city limits	<u>15.4%</u> outside Billings city limits
--	---
  
5. How long have you lived in your current home?
 

<u>1.0%</u> Less than 6 months	<u>20.4%</u> 5 to 10 years
<u>14.9%</u> 6 months to 2 years	<u>50.6%</u> More than 10 years
<u>12.2%</u> 3 to 4 years	<u>0.9%</u> <b>Did not answer question</b>
  
6. How long have you lived in Yellowstone County?
 

<u>0.3%</u> Less than 6 months	<u>9.1%</u> 11 to 15 years
<u>4.7%</u> 6 months to 2 years	<u>5.3%</u> 16 to 20 years
<u>5.3%</u> 3 to 4 years	<u>62.6%</u> More than 20 years
<u>12.5%</u> 5 to 10 years	<u>0.2%</u> <b>Did not answer question</b>
  
7. What is your total monthly *contract* rent or mortgage payment?
 

<u>4.7%</u> Less than \$300	<u>9.1%</u> \$600 to \$699	<u>14.4%</u> \$1,000 to \$1,499
<u>3.8%</u> \$300 to \$399	<u>9.2%</u> \$700 to \$799	<u>2.9%</u> \$1,500 or more
<u>4.5%</u> \$400 to \$499	<u>6.5%</u> \$800 to \$899	<u>0.6%</u> No rent payment
<u>8.8%</u> \$500 to \$599	<u>4.4%</u> \$900 to \$999	<u>29.8%</u> Home paid for
<u>1.3%</u> <b>Did not answer question</b>		
  
8. Do you receive rental or mortgage assistance from the government?
 

<u>2.1%</u> Yes	<u>96.6%</u> No	<u>1.3%</u> <b>Did not answer question</b>
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9. How much of your gross (before taxes) monthly household income do you pay in total for your rent or mortgage payment, and utilities?
 

<u>38.6%</u> Less than 30 percent	<u>4.6%</u> More than 50 percent
<u>25.4%</u> More than 30 percent but less than 50 percent	<u>25.4%</u> No mortgage / rent pmt.
	<u>6.0%</u> <b>Did not answer question</b>
  
10. Do you own or rent your home?
 

<u>88.2%</u> Own	<u>11.8%</u> Rent
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## Homeowners

The next eight questions were answered only by homeowner households (544 respondents). The purpose of these questions was to assess the condition of their housing.

Almost 60% of the respondents indicated that their dwelling was built in the 1970's or earlier. According to Census 2000, 73.5% of the dwellings in Billings were built in 1970 or earlier. 11% of the respondents indicated that they did not know when their dwelling was constructed.

Homeowners were then asked about the types and dollar amounts of repairs that were made to their home over the past five years. The most common types of repairs made were painting (70%), appliances (55%), plumbing (47%), windows/doors (37%), heating (36%) and electric (31%). Almost 63% of homeowners were able to make some or all of these repairs themselves; 90% paid for the repairs without assistance from a government or non-profit agency, and 70% paid for the repairs with cash (without credit or a home-equity loan).

The next questions addressed whether their home needed repairs that they are unable to afford. 37% of the homeowners indicated that they had deferred repairs because they could not afford to pay for them. The most common types of repairs needed were windows/doors (59%), roofing and painting (35% each) and siding (29%).

Last, homeowners were asked if they planned to move to a rental within the next five years. Over 84% of homeowners responded that they do not plan to move to a rental within this time period.

Summarized responses to the "Homeowners" questions are on the following page.

## HOMEOWNERS

11. When was your home built?

<u>5.7%</u>	2000 or later	<u>20.1%</u>	1970's	<u>4.5%</u>	1940's
<u>13.0%</u>	1990's	<u>13.6%</u>	1960's	<u>3.7%</u>	1939 or earlier
<u>12.0%</u>	1980's	<u>16.7%</u>	1950's	<u>10.7%</u>	Unknown

12. Please check all the types of repairs you have made to your home over the past five years by indicating the approximate cost of those repairs.

Repair Type	Under \$1,000	\$1,000 - \$2,500	Over \$2,500	TOTAL
Painting	45.0%	18.2%	6.4%	69.6%
Appliances	28.3%	20.6%	6.3%	55.2%
Electric	24.8%	4.4%	1.5%	30.7%
Plumbing	36.6%	6.4%	3.7%	46.7%
Heating	14.2%	13.6%	8.6%	36.4%
Roofing	9.2%	9.0%	9.6%	27.8%
Siding	6.4%	3.3%	9.9%	19.6%
Windows/Doors	17.1%	10.3%	9.9%	37.3%
Insulation	12.1%	2.0%	0.9%	15.0%
Foundation	5.1%	0.7%	0.9%	6.7%
Accessibility (ramps, grab bars, etc.)	8.8%	0.9%	0.6%	10.3%
Other	5.7%	6.6%	9.2%	21.5%

13. Were you able to make some or all of those repairs yourself?

62.9% Yes    37.1% No

14. Were you able to pay for those repairs without assistance from a government or non-profit agency?

90.1% Yes    9.9% No

15. Were you able to pay for those repairs in cash (not on credit or with a home equity loan)?

70.0% Yes    30.0% No

16. Are there needed repairs that you have not made to your home because you cannot afford to pay for them?

37.3% Yes    62.7% No

17. If you answered "Yes" to Question 16, please indicate what repairs are needed by indicating approximately how much those repairs are anticipated to cost.

Repair Type	Under \$1,000	\$1,000 - \$2,500	Over \$2,500	TOTAL
Painting	17.7%	13.3%	4.4%	35.4%
Appliances	8.4%	7.9%	2.5%	18.8%
Electric	6.9%	12.8%	3.0%	22.7%
Plumbing	7.9%	3.9%	3.0%	14.8%
Heating	2.5%	4.4%	5.4%	12.3%
Roofing	5.9%	10.8%	18.7%	35.4%
Siding	3.4%	6.9%	18.7%	29.0%
Windows/Doors	14.8%	18.7%	25.1%	58.6%
Insulation	6.4%	9.4%	3.0%	18.8%
Foundation	1.0%	2.5%	2.0%	5.5%
Accessibility (ramps, grab bars, etc.)	4.9%	2.0%	0.0%	6.9%
Other	3.9%	5.9%	8.4%	18.2%

18. If you own your home, do you plan to move to a rental within the next five years?

83.8% plan to stay in current home  
2.6% plan to move to a rental: please indicate type of rental  
 43% retirement or assisted living facility  
 29% condo or patio home  
 28% other / no answer  
13.6% Did not answer the question

## **Renters**

The next seven questions were answered only by renter households (73 households). These questions were twofold: first, to assess the condition of their rental housing, and second, to determine their desire to purchase their own home.

About one-fourth of the respondents indicated that the property owner made repairs promptly when asked, and one-fourth also indicated that these repairs were adequately completed.

Renters were then asked about the types and dollar amounts of repairs that their dwelling currently needs. Of the 12 renter households indicating repairs were needed, the most common types of repairs needed were painting (75%), windows/doors (75%), plumbing (58%), appliances (50%) and other (50%).

Renter households were then asked about their desire to own a home. Almost 60% of renter respondents indicated that they desire to own their own home. For these households, over 65% indicated that they desire to own a single family, detached house. Renters were also asked why they are currently unable to own a home. Of the 43 renter households that indicated they would like to own a home, over 75% indicated that they lacked the funds for a down payment, and over 40% indicated that they could not qualify for a mortgage because of past credit problems. Being unable to afford the monthly mortgage payments and being unable to qualify for a mortgage because of other debts were other barriers to homeownership selected by 35% of the respondents.

Summarized responses to the "Renters" questions are on the following page.



## People In The Respondent's Household

The next nine questions were asked of both owner and renter households, and related to the characteristics of the respondent's household. Just over 45% of the households in the survey have a two-person household. According to Census 2000, almost 35% of the households in Billings were two-person households. One-person households accounted for 22% of the survey respondents and 31% of Census 2000 households.

Thirty-seven percent of the respondents indicated that the head-of-household was 35 to 54 years old. According to Census 2000, 45% of households had a head-of-household 35 to 54 years old. While 23% of Census 2000 head-of-households were 65 years or older, 32% of the survey households were in the same age category.

When asked for annual household income, the income category from \$50,000 to \$74,999 was the most reported category, with 19% of respondents. Household income was reported as follows:

	Survey <u>Households</u>	Census 2000 <u>Households</u>
Less than \$25,000	20%	35%
\$25,000 to \$50,000	34%	32%
\$50,000 to \$74,999	19%	19%
\$75,000 or more	22%	14%

Five percent of the respondents declined to report their household income.

By far, the most common race reported by the household respondents was white, at 97%.

Thirty-three percent of the households reported having a household member over 65, and 16% reported having a disabled household member. Of those households that indicated a disabled member, 41% had a disability that limited their mobility within the home (such as climbing stairs, reaching, bathing, or getting around inside their home).

The last two questions related to the respondent's satisfaction with their current living situation (both owner and renter households). Over 61% of respondents indicated that they were very satisfied with their current living situation, while 2% indicated they were very dissatisfied. Just over 27% responded that they were somewhat satisfied with their current living situation. Of the 9% that indicated they were somewhat or very dissatisfied, over 80% indicated that financial or credit problems prevent them from moving.

Summarized responses to "The People in Your Household" questions are on the following page.

## THE PEOPLE IN YOUR HOUSEHOLD

26. How many people (including yourself) live in your home?

<u>22.1%</u>	1	<u>11.0%</u>	4	<u>0.3%</u>	7	<u>0.0%</u>	10 or more
<u>45.7%</u>	2	<u>4.7%</u>	5	<u>0.3%</u>	8	<u>0.5%</u>	Did not answer question
<u>14.4%</u>	3	<u>1.0%</u>	6	<u>0.0%</u>	9		

27. Which age category describes the head of your household?

<u>0.0%</u>	Under 21	<u>36.8%</u>	35 to 54	<u>32.3%</u>	65 or over
<u>9.6%</u>	21 to 34	<u>20.9%</u>	55 to 64	<u>0.4%</u>	Did not answer question

28. Which category describes your annual household income (total for all people 18 and older that live in your home)?

<u>1.1%</u>	Under \$5,000	<u>8.3%</u>	\$20,000 to 24,999	<u>18.5%</u>	\$50,000 to 74,999
<u>0.8%</u>	\$5,000 to 6,999	<u>8.6%</u>	\$25,000 to 29,999	<u>11.8%</u>	\$75,000 to 99,999
<u>1.1%</u>	\$7,000 to 9,999	<u>6.5%</u>	\$30,000 to 34,999	<u>6.3%</u>	\$100,000 to 149,999
<u>3.7%</u>	\$10,000 to 14,999	<u>8.3%</u>	\$35,000 to 39,999	<u>3.6%</u>	\$150,000 and over
<u>5.5%</u>	\$15,000 to 19,999	<u>10.5%</u>	\$40,000 to 49,999	<u>5.4%</u>	Did not answer

29. Which category (or categories) below best describes the race(s) of the people in your household? (Please check all that apply.)

<u>97.0%</u>	White	<u>2.2%</u>	Hispanic
<u>0.6%</u>	Black or African American	<u>1.6%</u>	American Indian or Alaska Native
<u>1.0%</u>	Asian	<u>0.7%</u>	Native Hawaiian or Other Pacific Islander
<u>0.5%</u>	Multiracial	<u>1.3%</u>	Did not answer question

30. Are any members of your household over 65?

<u>33.2%</u>	Yes	<u>66.5%</u>	No	<u>0.3%</u>	Did not answer question
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31. Do you or do any members of your household have a mental or physical disability?

<u>15.9%</u>	Yes	<u>84.0%</u>	No	<u>0.1%</u>	Did not answer question
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32. If you answered yes to Question 31, does this disability limit mobility inside your home (climbing stairs, reaching, bathing, or getting around inside the home)?

<u>40.8%</u>	Yes	<u>59.2%</u>	No
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33. What is your overall satisfaction level with your current living situation?

<u>61.3%</u>	Very satisfied	<u>6.6%</u>	Somewhat dissatisfied
<u>27.6%</u>	Somewhat satisfied	<u>2.1%</u>	Very dissatisfied
<u>1.9%</u>	Neither satisfied or dissatisfied	<u>0.5%</u>	Did not answer question

34. If you are somewhat or very dissatisfied, what prevents you from moving?

<u>94.4%</u>	Lack of affordable housing
<u>33.3%</u>	Lack of suitable housing
<u>83.3%</u>	Financial or credit problems
<u>77.8%</u>	Other <b>Home needs repairs in order to sell, age-related concerns, too much trouble to move, waiting for retirement, family commitments.</b>

## **Housing In The Billing's Community**

The last five questions were asked of both owner and renter households, and asked for the respondent's opinion regarding housing needs and housing conditions in Billings.

First, the survey asked respondents to rate how well 13 different housing needs are being met in Billings. A need that is perceived as well met is low-interest mortgage loans. Needs that are perceived as being poorly met are the availability of both affordable homes for purchase and affordable rental housing, as well as housing for the homeless. Well above the majority of respondents had no opinion or did not know how well the following needs are being met: deposit assistance for rental housing, deposit assistance for utilities, mortgage down payment assistance, housing rehabilitation/repair assistance, tenant-landlord mediation, housing referral information and compliance with fair housing requirements.

Next, respondents were asked to indicate their agreement with the statements "the housing stock in this area is in good condition" and "many houses and apartments in this area are overcrowded". As they were asked to answer these questions based on their own neighborhood, the results are summarized by area. Overall, 72.8% of the respondents either strongly agree or agree that the housing stock is in good condition. While 25.6% of respondents strongly disagree that housing is overcrowded in Billings, 48.9% do not know or do not have an opinion on overcrowding.

Last, respondents were asked what types of housing are most needed in Billings, and which group of people has the greatest unmet housing need. Affordable single family homes for purchase were perceived as the highest need, with 44.4% of respondents selecting this type of housing.

Summarized responses to "Housing in Your Community" questions are on the following page.

## HOUSING IN YOUR COMMUNITY

35. Please indicate how well you believe that the following needs are being met in your community.

Need	Need Well Met	Need Somewhat Met	Need Poorly Met	Need Not Met	No Opinion/ Don't Know	Did Not Answer
Availability of affordable homes to buy	8.6%	34.4%	23.2%	9.2%	14.4%	10.2%
Availability of affordable rental housing	6.6%	24.1%	24.1%	9.6%	24.3%	11.2%
Deposit assistance for rental housing	2.3%	9.6%	8.8%	5.7%	60.5%	13.3%
Deposit assistance for utilities	3.4%	11.7%	7.9%	5.0%	58.5%	13.5%
Mortgage down payment assistance	4.5%	15.6%	10.2%	4.1%	52.0%	13.6%
Low-interest mortgage loans	16.4%	28.4%	7.0%	3.1%	31.1%	14.1%
Housing rehabilitation/repair assistance	2.8%	13.6%	10.5%	4.7%	53.8%	14.6%
Shelter/permanent housing for the homeless	2.9%	17.8%	15.9%	10.2%	39.9%	13.3%
Accessible housing for persons with disabilities	3.9%	15.6%	11.8%	5.5%	48.8%	14.4%
Assisted housing for seniors	9.1%	23.8%	9.6%	5.8%	38.2%	13.5%
Tenant-landlord mediation	2.4%	8.6%	7.1%	3.6%	63.9%	14.4%
Housing referral information	3.2%	10.9%	7.6%	3.4%	60.6%	14.3%
Compliance with fair housing requirements	6.0%	12.0%	3.7%	2.3%	61.4%	14.6%

*Please answer Questions 36 and 37 about housing conditions in your Billings neighborhood.*

36. "The housing stock in this area is in good condition."

Strongly Agree       Somewhat Disagree  
 Somewhat Agree       Strongly Disagree       Don't Know/No opinion

	<u>CENTRAL</u>	<u>HEIGHTS</u>	<u>LOCK- WOOD</u>	<u>NORTH- WEST</u>	<u>SOUTH WEST</u>	<u>SOUTH- WEST</u>	<u>WEST</u>	<u>OVERALL</u>
<b><u>HOUSING IS IN GOOD CONDITION</u></b>								
Strongly Agree	27.4%	39.2%	0.0%	45.2%	7.9%	25.0%	39.5%	33.9%
Somewhat Agree	43.5%	41.6%	44.8%	37.1%	34.2%	45.0%	33.8%	38.9%
Somewhat Disagree	12.9%	5.6%	27.6%	0.0%	13.2%	10.0%	7.0%	7.9%
Strongly Disagree	1.6%	3.2%	6.9%	0.8%	10.5%	10.0%	0.6%	2.6%
Don't Know / No Opinion	10.5%	6.4%	17.2%	12.9%	28.9%	5.0%	17.2%	13.1%
Did Not Answer Question	4.0%	4.0%	3.4%	4.0%	5.3%	5.0%	1.9%	3.6%

37. "Many houses and apartments in this area are overcrowded (more than two people per bedroom)."

Strongly Agree       Somewhat Disagree  
 Somewhat Agree       Strongly Disagree       Don't Know/No opinion

	<u>CENTRAL</u>	<u>HEIGHTS</u>	<u>LOCK- WOOD</u>	<u>NORTH- WEST</u>	<u>SOUTH</u>	<u>WEST</u>	<u>WEST</u>	<u>OVERALL</u>
<b><u>HOUSING IS OVERCROWDED</u></b>								
Strongly Agree	0.8%	4.8%	0.0%	1.6%	7.9%	0.0%	0.0%	1.9%
Somewhat Agree	9.7%	6.4%	24.1%	2.4%	15.8%	10.0%	5.1%	7.5%
Somewhat Disagree	18.5%	13.6%	17.2%	12.1%	5.3%	10.0%	9.6%	12.8%
Strongly Disagree	21.0%	26.4%	13.8%	35.5%	5.3%	30.0%	27.4%	25.6%
Don't Know / No Opinion	46.8%	46.4%	41.4%	43.5%	63.2%	45.0%	55.4%	48.9%
Did Not Answer Question	3.2%	2.4%	3.4%	4.8%	2.6%	5.0%	2.5%	3.2%

38. In your opinion, which of the following housing types are most needed in your community?

<b><u>25.9%</u></b> Single family houses	<b><u>6.2%</u></b> Condos/Town houses
<b><u>31.8%</u></b> Affordable rental units	<b><u>44.4%</u></b> Affordable single family homes for purchase
<b><u>3.6%</u></b> Apartments	<b><u>9.9%</u></b> Accessible housing for disabled persons
<b><u>15.9%</u></b> Assisted living for seniors	<b><u>15.2%</u></b> Homeless shelters
<b><u>10.0%</u></b> Assisted living for disabled	<b><u>8.8%</u></b> Subsidized housing
<b><u>24.0%</u></b> Affordable rentals for seniors	<b><u>26.9%</u></b> Affordable rentals for families
<b><u>14.6%</u></b> Affordable rentals for singles	<b><u>3.1%</u></b> Other

39. To your knowledge, which group of people in your community have the greatest unmet housing need, and why?

**49%: No opinion / don't know**

**13%: Low income residents (26% of respondents who gave an answer)**

**11%: Young families & other first-time homebuyers (22% of respondents who gave an answer)**

**6%: Elderly residents (11% of respondents who gave an answer)**

**5%: Single mothers / single parents with children (10% of respondents who gave an answer)**

## Personal Interviews

Interviews were conducted with individuals in Billings who are knowledgeable about the housing market. These include builders, realtors, property managers, public housing authorities, human resource development councils, and social service agencies serving the elderly, disabled, special needs, low-income and other at-risk populations. A table of the interviewees is included in the appendix.

Homeownership: Interviewees were first asked about the greatest unmet housing need in Billings related to homeownership. 80% indicated that affordable single-family homes for purchase were the greatest need, especially for low and middle income households. Many indicated that there were not any quality homes available for purchase under \$100,000, and few under \$120,000. Concern about income levels compared to housing costs was frequently mentioned.

The barriers to building new affordable housing were the increasing cost of construction and materials, and the increasing cost of infrastructure. Other barriers to homeownership were the lack of down payment assistance and a lack of knowledge regarding the home buying process and available assistance.

Several interviewees indicated that property taxes were too high, especially for senior citizens. Periodic assistance with mortgage payments and property tax payments was also cited as a need for working homeowners.

Rentals: Interviewees were asked about the greatest unmet housing need related to rentals. 70% indicated that affordable rentals were the greatest need. Many indicated that the quality of rentals was substandard -- that there is a lack of affordable rentals that are safe, clean, and well-maintained. Because of income levels, several mentioned that more subsidized rentals are needed in the Billings, particularly with the projected cuts in Section 8 vouchers. Many questioned why so much of the newly constructed multi-family housing is higher-priced units.

Deposit assistance and reasonable application fees were also cited as needs. Several interviewees mentioned that renters and landlords need to be educated regarding their rights and responsibilities.

# HOUSING NEEDS ASSESSMENT

In order to assess current and future housing needs in Billings, the Center analyzed the community input (mail survey and personal interviews), and compared this to the economic, demographic and housing profile data. The needs outlined below are organized by type (homeownership, rental, and special needs) and represent the local perceptions of needs as reflected in the survey responses and personal interviews.

## HOMEOWNERSHIP NEEDS

The prevailing concerns related to homeownership and the current housing stock are:

- Affordability and other financial barriers to homeownership
- Difficulty of paying for needed repairs
- Increasing cost of construction and infrastructure

### Affordability and other Financial Barriers

80% of community members interviewed indicated that affordable single-family homes for purchase is the greatest housing need. The availability of affordable single family homes for purchase was described as a need somewhat or poorly met by 67% of mail survey respondents. Respondents also listed young families and other first-time homebuyers and low income residents as two of the top groups of people in the community with the greatest unmet housing need.

The U.S Department of Housing and Urban Development (HUD) defines affordability by the term “cost burdens”. A cost burden as when at least 30% of a household’s monthly income is spent on housing costs, including utilities such as energy. A severe cost burden is when 50% or more of monthly income is spent on housing costs.

### Current Homeowners

The homeownership rate for Billings is outlined below:

	<u>1990</u>	<u>2000</u>	<u>Change</u>
White	62%	66%	6%
African American	28%	31%	11%
Native American	22%	27%	23%

A special tabulation of Census 2000 data, commonly referred to as the “CHAS DATA”<sup>6</sup> provides two tables of data: Housing Problems and Affordability Mismatch. The *Housing Problems Table* tabulates *households* by income category that have a cost burden or that have a housing problem such as overcrowding, or lacking complete plumbing or kitchen facilities. Households are divided into owner and renters and the following household types:

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<sup>6</sup> “CHAS” refers to the Comprehensive Housing Affordability Strategy, which is part of the National Affordability Housing Act of 1991.

Elderly	A one or two person household in which the head of household or spouse is at least 62 years of age.
Small Related	A two to four person household that includes at least one person related to the householder by blood, marriage, or adoption.
Large Related	A household of 5 or more persons that includes at least one person related to the householder by blood, marriage, or adoption.
Other	Unrelated households without an elderly member (primarily single-person households).

	Owner Households				Total Owners
	Elderly	Small Related	Large Related	Other	
<b>Households with Income &lt;=30% MFI</b>	582	221	55	243	1,101
% with cost burden/overcrowding/lacking facilities	71.5	71.9	92.7	84.4	75.5
% with cost burden	71.5	71.9	85.5	84.4	75.1
% with severe cost burden	50.3	65.6	85.5	63.8	58.1
<b>Households with Income 31% to 50% MFI</b>	1,033	371	78	400	1,882
% with cost burden/overcrowding/lacking facilities	41.9	75.5	75.6	64.8	54.8
% with cost burden	41.5	74.4	65.4	64.8	53.9
% with severe cost burden	13.9	50.4	28.2	39.8	27.2
<b>Households with Income 51 to 80% MFI</b>	1,507	1,145	299	587	3,538
% with cost burden/overcrowding/lacking facilities	23.8	53.7	56.5	54.3	41.3
% with cost burden	23.8	51.8	43.1	54.3	39.5
% with severe cost burden	7.9	12.7	8.0	4.4	8.9
<b>Households with Income &gt;80% MFI</b>	3,958	9,499	1,447	2,187	17,091
% with cost burden/overcrowding/lacking facilities	5.2	7.9	7.4	13.5	7.9
% with cost burden	5.0	7.5	5.6	13.5	7.5
% with severe cost burden	0.3	0.5	0.3	0.8	0.5
<b>Total Households</b>	7,080	11,236	1,879	3,417	23,612
% with cost burden/overcrowding/lacking facilities	20.0	16.0	20.5	31.6	19.8
% with cost burden	19.8	15.5	16.4	31.6	19.2
% with severe cost burden	8.0	4.7	5.2	10.5	6.6

Income Categories are defined by HUD based on the overall Median Family Income of the area. For Billings, Median Family Income (MFI) for fiscal year 2000 was \$45,277. The low-income categories defined by HUD are as follows:

Households with less than 30% of MFI (\$13,583)	Extremely Low Income
Households with 31% - 50% of MFI (\$13,584 - \$22,639)	Very Low Income
Households with 51% - 80% of MFI (\$22,640 – 36,222)	Low Income

The data shows that affordability, overcrowding, and a lack of complete plumbing and kitchen facilities is a greater problem for low income households, large family households, and “other” households, which includes disabled households without an elderly or family member.

The ***Affordability Mismatch Table*** tabulates ***housing units*** that are affordable to households by income level for renters and owners. It also tabulates housing units that have a problem (overcrowding or lacking plumbing or kitchen facilities), and units that were built before 1970.

	<b>Owned/for sale units by # of bedrooms</b>			<b>Total</b>
	<b>0-1</b>	<b>2</b>	<b>3+</b>	
<b>Units Affordable to &lt;=50% of MFI</b>				
# occupied units	228	1,780	2,605	4,613
% occupants <=50%	43.4	36.8	25.5	30.8
% built before 1970	50	48.9	51.6	50.5
% some problem	19.7	11	4.8	7.9
# vacant for sale	15	4	80	99
<b>Units Affordable to 51-80% of MFI</b>				
# occupied units	279	2,035	7,570	9,884
% occupants <=80%	57.3	45.7	21.5	27.5
% built before 1970	65.9	70.5	62.7	64.4
% some problem	12.5	5.2	1	2.2
# vacant for sale	15	25	85	125

For owned units, 31% of very-low income occupants (< 50% MFI) can afford their home while 69% incur a cost burden. For low income owner households (51-80% MFI), 27% of occupants can afford their home while 73% incur a cost burden. Affordability is based on estimating owner costs using a 7.9% interest rate and national averages for utilities, taxes and insurance. These figures highlight the fact that while many people are able to purchase a home in Billings, they are not able to pay for that home unless they spend more than 30% of their income on housing costs.

Potential Homeowners

59% of renter households surveyed indicated that they would like to own their own home instead of renting. Based on the total of 13,500 renter households as of Census 2000, this indicates that there are between 7,500 and 8,300 renter households in Billings that want to purchase a home. 65% of these renters, or 4,900 to 5,400 households, would most like to purchase a single-family detached home. Based on median household income data, homes that are priced from \$80,000 to \$130,000 would (currently) be affordable to households earning from \$24,000 to \$40,000 annually:

<u>Annual Income</u>	<u>Price for an Affordable Home</u>
\$24,000	\$80,000
30,000	100,000
36,000	120,000
40,000	130,000

Compare the prices above of an affordable home to actual home sales in 2003:

<u>2003 Sales Volume</u>	<u>Percentage Of Sales</u>	<u>Average Days On Market</u>	<u>Average Sales Price</u>
<b><u>By Bedrooms:</u></b>			
1	1%	105	\$64,000
2	20%	102	\$99,000
3	37%	91	\$133,000
4	30%	88	\$169,000
5	11%	99	\$191,000
6+	1%	107	\$263,000
<b><u>By Area:</u></b>			
Downtown	8%	66	\$111,000
West	27%	75	\$127,000
South	7%	80	\$72,000
Heights	17%	83	\$165,000
Lockwood	4%	84	\$114,000
Bench	7%	86	\$126,000
Northwest	28%	88	\$195,000
Blue/Duck Creek	2%	110	\$182,000

and to income levels as of Census 2000:

<u>Income Range</u>	<u>Percent of Families</u>	<u>Percent of Homeowners</u>	<u>Percent of Renters</u>
< \$20,000	17%	16%	48%
\$20,000 - 34,999	19%	19%	27%
\$35,000 - 49,999	20%	20%	14%
\$50,000 - 74,999	25%	25%	8%
\$75,000 - 99,999	10%	10%	2%
\$100,000 - 149,999	6%	6%	1%
\$150,000 +	3%	4%	0%

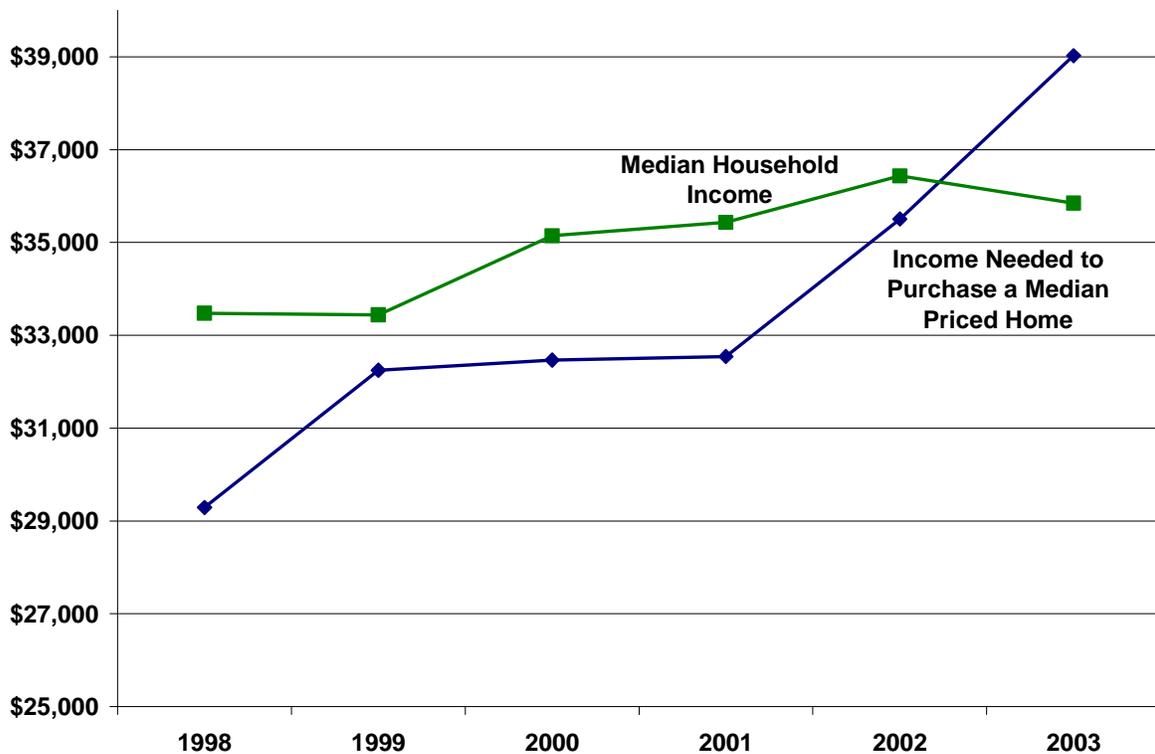
Community member that were interviewed repeatedly expressed concern about income levels compared to housing costs. From the mail survey, three-fourths of households who currently want to purchase their own home but are unable to do so indicated that they were unable to purchase a home because they:

1. Lacked down payment funds
2. Are unable to afford the mortgage payment
3. Cannot qualify for a mortgage because of past credit problems or other debts
4. Are unfamiliar or intimidated by the process of buying a home.

These were the same concerns raised by the community members that were personally interviewed.

Comparing median household income to housing costs provides a clear picture of housing affordability in Billings.

**ANNUAL COST OF A MEDIAN PRICED HOME versus MEDIAN HOUSEHOLD IINCOME  
1998 - 2003**



Median household income was estimated using Census Bureau figures. Income needed to purchase a median priced home is based on a 30% housing costs to income ratio. Housing costs include utilities, property taxes, homeowner and PMI insurance, with 10% down, a 7.0% interest rate, and 3% closing costs. Since 2001, housing costs have increased at a much faster rate than median household income, and housing costs surpassed income in 2003.

From our newspaper survey, in 2004 the average advertised price of a 3-bedroom home in Billings was \$169,736. In order to afford this home without spending more than 30% of their income, a household would need to earn almost \$51,000. Estimated median household income for Billings was \$36,000 in 2003. Median family income estimated by HUD for Billings is \$53,600 for 2004.

52% of homeowners surveyed had no opinion or did not know how well “mortgage down payment assistance” was being met in Billings. This may reflect a lack of knowledge regarding available assistance. Additionally, down payment assistance is only one of the issues related to affordable housing; the ongoing cost of paying for and maintaining a home is just as critical.

### Difficulty Paying for Needed Repairs

From the mail survey, 37% of homeowners indicated there are repairs needed to their home that they are unable to pay for. Based on 24,025 homeowner households as of Census 2000, this indicates that there are 8,900 to 9,400 homeowner households in Billings that do not have adequate funds to pay for necessary repairs. Additionally, some households stated that the reason they were unable to move from their current home was because they did not have adequate funds to make repairs prior to selling their home. The most common repairs needed by current homeowners are windows & doors. The cost of this type of repair & maintenance can be significant (almost half estimated the cost over \$2,500), and unaffordable to many homeowners who are already paying well in excess of 30% of their income toward housing costs. Below is the table of repairs needed by homeowners who responded to the mail survey.

Repairs Needed by Homeowners	Under \$1,000	\$1,000 - \$2,500	Over \$2,500	TOTAL
Painting	17.7%	13.3%	4.4%	35.4%
Appliances	8.4%	7.9%	2.5%	18.8%
Electric	6.9%	12.8%	3.0%	22.7%
Plumbing	7.9%	3.9%	3.0%	14.8%
Heating	2.5%	4.4%	5.4%	12.3%
Roofing	5.9%	10.8%	18.7%	35.4%
Siding	3.4%	6.9%	18.7%	29.0%
Windows/Doors	14.8%	18.7%	25.1%	58.6%
Insulation	6.4%	9.4%	3.0%	18.8%
Foundation	1.0%	2.5%	2.0%	5.5%
Accessibility (ramps, grab bars, etc.)	4.9%	2.0%	0.0%	6.9%
Other	3.9%	5.9%	8.4%	18.2%

Overall, 72% of mail survey respondents indicated that they strongly agree or agree that “the housing stock in their area is in good condition”. However, 20-35% of residents in Lockwood, South and Southwest Billings indicated that they somewhat or strongly disagree with this statement.

Additionally, over one-half of respondents indicated that they did not know or did not have an opinion as to how well housing rehabilitation/repair assistance needs were being met. This indicates that residents are unaware of available assistance.

## Increasing Cost of Construction and Infrastructure

The cost of construction continues to increase; construction materials and labor are increasing relative to demand. Part of the increasing cost includes the infrastructure for a new housing development: streets, curbs, water & sewer lines, and other city services.

### POPULATION STATISTICS U.S. Census Bureau

	<u>1970</u>	<u>1980</u>	<u>1990</u>	<u>2000</u>	<u>Estimate 7/1/2003</u>	<u>30-year Growth Rate</u>	<u>10-year Growth Rate</u>
Billings	61,581	66,842	81,151	89,847	92,542	46%	11%
Unincorporated County	21,209	35,575	26,475	33,100	34,093	56%	25%
Total Yellowstone County	87,367	108,035	113,419	129,352	133,191	48%	14%

With much of the growth occurring in the unincorporated area of Yellowstone County, many of these areas may likely require major infrastructure improvements, which increases the cost of housing in the area. As the Billings' city limits continue to expand, this places additional stresses on current services. The issue becomes how to equitably distribute these costs between developers, new homeowners, and current homeowners.

## RENTAL NEEDS

The critical concerns related to rental housing identified were:

- Affordability
- Condition
- Rental deposits and application fees

Mail survey respondents indicated that low income residents, elderly residents, and single mothers/parents with children were three of the four top groups of people in the community that have the greatest unmet housing need. Many households in these groups will be renter households.

### Affordability

Survey respondents and community members interviewed indicated that affordable housing is the primary concern for renters. The Census 2000 *Housing Problems Table* for renters is presented below.

	Renter Households				Total Renters
	Elderly	Small Related	Large Related	Other	
<b>Households with Income &lt;=30% MFI</b>	566	985	157	1,112	2,820
% with cost burden/overcrowding/lacking facilities	61.1	83.6	81.5	79.9	77.5
% with cost burden	58.5	83.6	69.4	77.7	75.4
% with severe cost burden	44.0	64.6	59.2	57.4	57.3
<b>Households with Income 31% to 50% MFI</b>	656	908	70	1,183	2,817
% with cost burden/overcrowding/lacking facilities	71.0	72.1	94.3	67.9	70.6
% with cost burden	69.2	67.7	88.6	65.1	67.5
% with severe cost burden	20.0	17.3	14.3	9.7	14.7
<b>Households with Income 51 to 80% MFI</b>	527	1,108	181	1,309	3,125
% with cost burden/overcrowding/lacking facilities	49.7	29.5	33.1	22.0	30.0
% with cost burden	46.9	19.1	13.3	18.3	23.1
% with severe cost burden	14.0	0.4	0.0	1.1	2.9
<b>Households with Income &gt;80% MFI</b>	537	1,786	245	1,921	4,489
% with cost burden/overcrowding/lacking facilities	19.6	7.1	23.7	2.9	7.7
% with cost burden	17.7	1.5	4.1	0.7	3.3
% with severe cost burden	13.6	0.0	0.0	0.0	1.6
<b>Total Households</b>	2,286	4,787	653	5,525	13,251
% with cost burden/overcrowding/lacking facilities	51.6	40.4	47.8	36.8	41.2
% with cost burden	49.3	35.0	31.4	34.2	36.9
% with severe cost burden	23.1	16.6	15.8	13.9	16.6

Comparing total renter and owner households:

	Total Renters	Total Owners	Total Households
<b>Total Households</b>	13,251	23,612	36,863
% with cost burden/overcrowding/lacking facilities	41.2	19.8	27.5
% with cost burden	36.9	19.2	25.5
% with severe cost burden	16.6	6.6	10.2

On average, the percentage of renter households with a cost burden or housing problem is double that of owner households. This is due to income levels of renter vs. owner households:

	Total Renters		Total Owners		Total Households	
<b>Households with Income &lt;=30% MFI</b>	2,820	21%	1,101	5%	3,921	11%
<b>Households with Income 31% to 50% MFI</b>	2,817	21%	1,882	8%	4,699	13%
<b>Households with Income 51 to 80% MFI</b>	3,125	24%	3,538	15%	6,663	18%
<b>Households with Income &gt;80% MFI</b>	4,489	34%	17,091	72%	21,580	59%
<b>Total Households</b>	13,251		23,612		36,863	

In 2000, while there were 2,983 extremely and very low income owner households in Billings, there were 5,637 renter households in these lowest two income categories. Two-thirds of renter households are considered low income, while under one-third of owner households are low income.

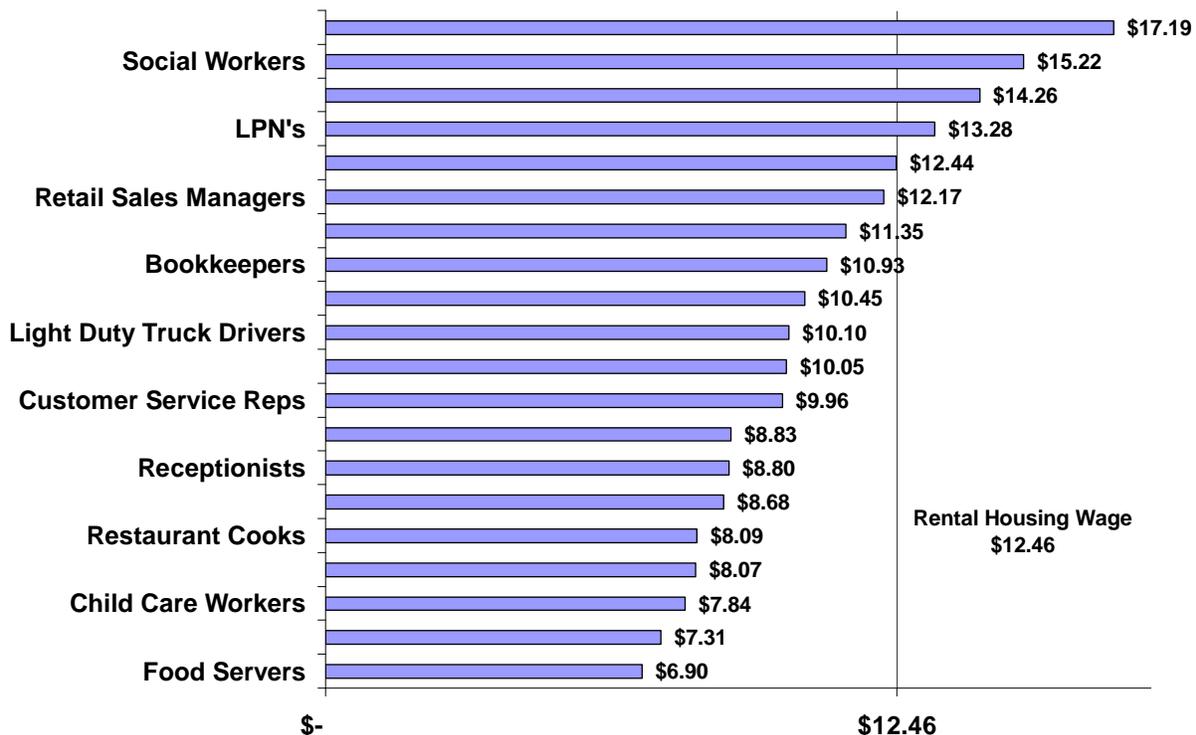
	Renters Units by # of bedrooms			
	0-1	2	3+	Total
<b>Units that Rent for &lt;= 30% MFI</b>				
# occupied units	1,025	750	520	2,295
% occupants <=30% of MFI	51.7	37.3	40.4	44.4
% built before 1970	47.8	46	49	47.5
% some problem	32.2	22	21.2	26.4
# vacant for rent	60	30	20	110
<b>Units that Rent for 31-50% of MFI</b>				
# occupied units	2,185	2,350	920	5,455
% occupants <=50%	58.4	42.8	34.2	47.6
% built before 1970	62	46.4	59.8	54.9
% some problem	51.7	41.3	34.2	44.3
# vacant for rent	305	150	50	505
<b>Units that Rent for 51-80% of MFI</b>				
# occupied units	1,225	2,690	1,170	5,085
% occupants <=80%	67.8	49.1	39.7	51.4
% built before 1970	44.9	40.1	42.3	41.8
% some problem	55.1	35.5	34.6	40
# vacant for rent	15	95	0	110

In the extremely-low income category of 30% of MFI, 44% of the occupants can afford their unit without incurring a cost burden (30% or less of income being spent on housing costs/utilities), while two-thirds of occupants do incur a cost burden.

In the very-low income category of 31-50% MFI, 48% of occupants can afford their unit, while 52% incur a cost burden. In the low income category of 51-80% MFI, 51% of occupants can afford their unit, while 49% incur a cost burden. Looking at the table by number of bedrooms, 3-bedroom units have a very low vacancy rate, indicating that affordable rentals for low-income families are needed.

From the newspaper survey, the average advertised price for a 2-bedroom rental was \$558 in 2004. Adding a utility allowance of \$90 brings total housing costs to \$648 a month. Given a 52 week work year, a 40 hour work week, and a ratio of 30% housing costs to income ratio, the hourly wage needed to afford a two bedroom unit is \$12.46, or almost \$26,000 a year. This rental housing wage is compared to the mean hourly wage of various occupations in Montana from the U.S. Bureau of Labor Statistics.

### HOUSING WAGE versus MEDIAN WAGE OF SELECTED OCCUPATIONS 2003



Sixteen out of the 20 occupations shown above earn an hourly wage less than the amount needed to afford rental housing. This is one reason why, that on average, 10% of Montana's workers are two-job holders, compared to 6% nationally.

## Condition of Rental Housing

Many community members interviewed indicated that the condition of rentals that is available to low income households is substandard. One-fourth of the renter mail survey respondents indicated that their current rental home is in need of repairs. Based on the total of 13,500 renter households in Billings as of Census 2000, this means that 3,200 to 3,500 renter households currently need repairs to their home. The most common type of repairs needed were windows & doors, plumbing, painting, and roofing. Below is the table of repairs needed by homeowners who responded to the mail survey.

Repairs Needed by Renters	Under \$1,000	\$1,000 - \$2,500	Over \$2,500	TOTAL
Painting	50.0%	25.0%	0.0%	75.0%
Appliances	41.7%	8.3%	0.0%	50.0%
Electric	16.7%	0.0%	16.7%	33.4%
Plumbing	33.3%	8.3%	16.7%	58.3%
Heating	16.7%	0.0%	0.0%	16.7%
Roofing	16.7%	0.0%	25.0%	41.7%
Siding	8.3%	0.0%	8.3%	16.6%
Windows/Doors	50.0%	0.0%	25.0%	75.0%
Insulation	8.3%	8.3%	0.0%	16.6%
Foundation	0.0%	8.3%	0.0%	8.3%
Accessibility (ramps, grab bars, etc.)	16.7%	0.0%	0.0%	16.7%
Other	25.0%	8.3%	16.7%	50.0%

Overall, 72% of mail survey respondents indicated that they strongly agree or agree that “the housing stock in their area is in good condition”. However, 20-35% of residents in Lockwood, South and Southwest Billings indicated that they somewhat or strongly disagree with this statement.

While one-fourth of the respondents strongly disagree that housing is overcrowded in Billings, almost half do not know or do not have an opinion of overcrowding.

## Rental Deposits and Application Fees

For those households that are unable to purchase a home, due to financial or other reasons, renting also presents a challenge. Community members interviewed repeatedly indicated that many renters become “stuck”. The cost of application fees, including credit reports, is out of reach to many rental households. They become stuck in their current rental housing, which may be substandard or overcrowded, because of a lack of funds for application fees as well as a lack of funds to make the required rental deposit.

From the mail survey, over 60% of respondents indicated that they did not know how well the need for deposit assistance related to rental housing is being met. This indicates that residents are unaware of available assistance.

## Special Needs

Special needs populations include the elderly, disabled, and homeless populations.

### Elderly

Mail survey respondents cited the elderly as one of the top four groups of people in the community with the greatest unmet housing need. Total elderly households in Billings as of Census 2000, and forecasted<sup>7</sup> elderly households through 2010 are presented below.

<b>Renters</b>	<b>Census</b>		<b>Forecasted</b>				<b>Increase 2000-2010</b>
	<b>2000</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	
0-30% MFI	566	589	598	603	612	630	64
31-50% MFI	656	682	693	698	709	730	74
51-80% MFI	527	548	557	561	570	587	60
<b>Owners</b>							
0-30% MFI	582	605	615	620	629	648	66
31-50% MFI	1,033	1,075	1,091	1,100	1,116	1,150	117
51-80% MFI	1,507	1,568	1,592	1,604	1,629	1,677	170
<b>Total Low Income Elderly Households</b>							
	4,871	5,067	5,146	5,186	5,265	5,422	551
Renters > 80% MFI	537	559	567	572	580	598	61
Owners > 80% MFI	3,958	4,118	4,181	4,213	4,277	4,405	447
<b>Total Elderly Households</b>							
	9,366	9,744	9,894	9,971	10,122	10,425	1,059

Low-income elderly households are projected to grow by 551 households, reaching over 5,400 households by 2010. Non-low-income elderly households are projected to grow by 508 households, reaching over 5,000 households by 2010. Projections show Billings will have 10,425 elderly households by 2010. This equates to 26% of total households in 2010. Additionally, the fastest growing population cohort between Census 1990 and 2000 was ages 45-54, which increased in excess of 50%. In 2011, the oldest in this age cohort will begin turning 65.

While 41% of all Billings' households were in the low income categories as of Census 2000, 52% of elderly households were in the low income categories. This reflects the fact that many seniors are on a fixed income.

The overall homeownership rate for Billings' is 64%, and the elderly homeownership rate is 76%. Many elderly members may have been in their home for quite some time, and while their home was affordable when purchased, they may have trouble paying for property taxes and needed repairs (as indicated by the survey and personal interview results).

Senior Helping Hands/Yellowstone County Council on Aging indicated that there is a need for more subsidized housing for senior residents; it currently takes about 6 years to reach the top of the waiting list. A concern was also raised regarding low to middle income senior households being able to afford an assisted living facility.

<sup>7</sup> Data was taken from a special tabulation of Census 2000, referred to as "CHAS" data. Projected growth rates were obtained from NPA Data Services, as published by the Center in the Economic & Demographic Databook, January 2004 (historical data and projections from 1970-2030).

Currently, there are fewer than 2,000 beds in assisted living facilities, retirement homes, and nursing homes in Billings<sup>8</sup>, compared over 9,000 elderly households or 15,000 elderly residents.

<u>FACILITY TYPE</u>	<u>BEDS</u>
<b><u>Assisted Living Facilities</u></b>	
Adult Home Care	6
Aspen Meadows Retirement Community	55
Autumn Care Center Personal Care	10
Autumn Care	8
Azalea Place	8
Butterfly Homes	30
Canyon Ridge	8
Diamond Willow Personal Care	16
Edgewood Vista of Billings	28
Eunice's Private Care	12
Ginny Wanner Personal Care	13
Grand Park Vintage Suites	65
Hico Care - Delphinium	8
Highgate	69
Lincoln Lane Assisted Living	12
Magnolia Place	16
Primrose Personal Care Home	9
Rim Shadows	14
River Ridge	26
Specialty Retirement Care	7
St Johns Lutheran Home Personal Care	110
Tendernest	49
The Vista at Mission Ridge	70
Westpark Village Retirement Center	<u>70</u>
	719
<b><u>Retirement Homes</u></b>	
Aspen View Retirement Residence	125
Highgate Retirement Home	60
Mission Ridge	86
Westpark Village Retirement Center	<u>112</u>
	383
<b><u>Nursing Homes</u></b>	
Aspen Meadows Retirement Community	90
Billings Health & Rehabilitation	158
Eagle Cliff Manor	129
Evergreen Billings Health	36
Parkview Care Center	100
St Johns Lutheran Home	186
Valley Health Care Center	<u>150</u>
	849

<sup>8</sup> Most recent data from the Montana Department of Public Health and Human services – licensing bureau.

## Disabled

Total “mobility or self-care limitation” households in Billings as of Census 2000, and forecasted households through 2010 are presented below.

	Census		Forecasted				Increase 2000-2010
	2000	2006	2007	2008	2009	2010	
0-30% MFI	1,253	1,304	1,324	1,334	1,354	1,394	141
31-50% MFI	1,244	1,294	1,314	1,324	1,334	1,384	140
51-80% MFI	1,026	1,067	1,084	1,092	1,109	1,142	116
<b>Total Low Income</b>	<b>3,523</b>	<b>3,665</b>	<b>3,722</b>	<b>3,750</b>	<b>3,797</b>	<b>3,920</b>	<b>397</b>
>80% MFI	2,526	2,628	2,669	2,689	273	2,811	285
<b>Total Mobility/Self-Care Limitations Households</b>	<b>6,049</b>	<b>6,293</b>	<b>6,391</b>	<b>6,439</b>	<b>4,070</b>	<b>6,731</b>	<b>682</b>

As of Census 2000, 16% of Billings’ households had a member with a mobility or self-care limitation. 58% of these households are low income, compared to 41% of all Billings’ households.

Overall, mail survey respondents and community members interviewed indicated that accessible housing for persons with a disability are well met. However, the low income status many of these households make affordability a critical issue.

## HIV/AIDS

The Billings’ community agency serving persons with HIV/AIDS indicated that quality, affordable housing is not available for this group. Many are low income, have poor credit, and must deal with the stigma of the disease and the resulting discrimination. The agency would like to see more assistance specifically set aside to serve this population.

## Homeless

According to HRDC case managers, from June 1, 2003 through May 31, 2004, 728 homeless persons were served. This included 157 individuals, and 190 families made up of 264 adults, and 307 children.

While 26% of mail survey respondents indicated that shelter/permanent housing for the homeless was poorly met or not met at all, 40% indicated that they did not know how well the needs of the homeless were being met.

Finding shelter for the homeless is a growing problem. There are many nights that all the emergency shelter beds are full. In order to find shelter, case managers must often physically visit the shelters and convince them to take another person.

## SUMMARY

The top three issues raised throughout the housing needs assessment process are:

- Affordability of housing
- Condition of the housing stock
- Demographic trends related to elderly/disabled households

### Affordability

Overall, affordability of both for-sale and for-rent housing was the top issue raised by the mail survey respondents and the community members interviewed. Low income residents were cited as the group of people in the community with the greatest unmet housing need. This issue is two-fold: the availability of affordable housing, and the cost of housing relative to incomes in Billings. At income levels from \$24,000 to \$40,000, the price for an affordable home ranges from \$80,000 to \$130,000:

<u>Annual Income</u>	<u>Price for an Affordable Home</u>
\$24,000	\$80,000
30,000	100,000
36,000	120,000
40,000	130,000

Compare the prices above of an affordable home to the average price of homes sold in 2003:

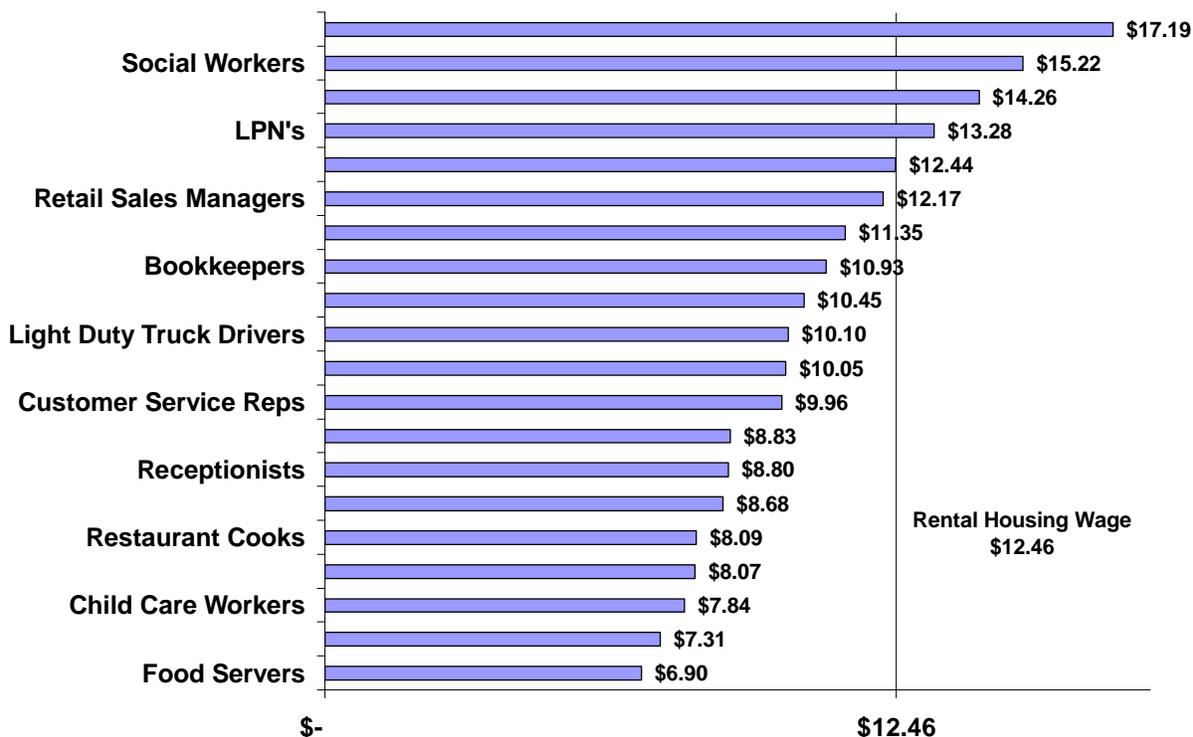
<u>By Bedrooms:</u>		<u>By Area:</u>	
1	\$64,000	Downtown	\$111,000
2	\$99,000	West	\$127,000
3	\$133,000	South	\$72,000
4	\$169,000	Heights	\$165,000
5	\$191,000	Lockwood	\$114,000
6+	\$263,000	Bench	\$126,000
		Northwest	\$195,000
		Blue/Duck Creek	\$182,000

and to income levels as of Census 2000:

<u>Income Range</u>	<u>Percent of Families</u>	<u>Percent of Homeowners</u>	<u>Percent of Renters</u>
< \$20,000	17%	16%	48%
\$20,000 - 34,999	19%	19%	27%
\$35,000 - 49,999	20%	20%	14%
\$50,000 - 74,999	25%	25%	8%
\$75,000 - 99,999	10%	10%	2%
\$100,000 - 149,999	6%	6%	1%
\$150,000 +	3%	4%	0%

There are approximately 7,900 current renter households that desire to purchase a quality, affordable home, but are unable to do so because of various considerations: the lack of available affordable homes for purchase, the lack of down payment funds, credit problems, and unfamiliarity with the purchase process.

Renters face a similar challenge finding quality, affordable housing. Based on average rental costs of \$650 a month (including utilities) for a 2-bedroom unit, the hourly wage needed to afford this rent without spending more than 30% of income on housing was \$12.46 per hour, or almost \$26,000 per year. Low wages also make it difficult for renters to come up with necessary deposits and rental application fees, or to save for a down-payment to purchase a home. Many common occupations in Billings pay less:



Condition

The condition of Billings' housing stock was also a major concern. Both owner and renter households have significant deferred maintenance that they cannot afford to pay for. Approximately 9,000 owner households and 3,300 renter households currently need repairs to their home. There is a general lack of knowledge among residents regarding available assistance to make these needed repairs. The most common repair needed by homeowners is windows and doors. The most common repairs needed by renters are windows and doors, plumbing, painting and roofing.

Demographic Trends

While total households in Billings are projected to rise modestly, at an average rate of 1% per year from 2006 to 2010, elderly and disabled households are forecasted to rise at higher rate, at an average of rate of 3% per year. Elderly households are projected to reach over 10,000 households by 2010, and will represent over one-quarter of total households in Billings. Disabled households (some of which are also included in the Elderly household category) are projected to reach over 6,700 households by 2010. Currently, there are 2,000 beds available in assisted living facilities, retirement homes, and nursing homes in Billings. Elderly and disabled households will continue to present a unique challenge to Billings' available housing resources.

## APPENDIX

### Household Forecast - Billings

Household Type	Renter Households					
	Census 2000	Forecasted				
		2006	2007	2008	2009	2010
<b>Small Related</b>						
0-30%	985	1,014	1,024	1,033	1,043	1,054
31-50%	908	935	944	953	962	972
51-80%	1,108	1,141	1,152	1,162	1,174	1,186
Over 80%	1,786	1,839	1,856	1,874	1,892	1,911
<b>Large Related</b>						
0-30%	157	162	163	165	166	168
31-50%	70	72	73	73	74	75
51-80%	181	186	188	190	192	194
Over 80%	245	252	255	257	260	262
<b>Elderly</b>						
0-30%	566	589	598	603	612	630
31-50%	656	682	693	698	709	730
51-80%	527	548	557	561	570	587
Over 80%	537	559	567	572	580	598
<b>All Other</b>						
0-30%	1,112	1,139	1,146	1,158	1,166	1,166
31-50%	1,183	1,211	1,218	1,231	1,239	1,238
51-80%	1,309	1,342	1,351	1,365	1,375	1,378
Over 80%	1,921	1,973	1,987	2,007	2,024	2,033
<b>Total Renter Households</b>	<b>13,251</b>	<b>13,644</b>	<b>13,772</b>	<b>13,902</b>	<b>14,038</b>	<b>14,182</b>

Household Type	Owner Households					
	Census 2000	Forecasted				
		2006	2007	2008	2009	2010
<b>Small Related</b>						
0-30%	221	228	230	232	234	237
31-50%	371	382	386	389	393	397
51-80%	1,145	1,179	1,190	1,201	1,213	1,225
Over 80%	9,499	9,782	9,872	9,965	10,063	10,166
<b>Large Related</b>						
0-30%	55	57	57	58	58	59
31-50%	78	80	81	82	83	83
51-80%	299	308	311	314	317	320
Over 80%	1,447	1,490	1,504	1,518	1,533	1,549
<b>Elderly</b>						
0-30%	582	605	615	620	629	648
31-50%	1,033	1,075	1,091	1,100	1,116	1,150
51-80%	1,507	1,568	1,592	1,604	1,629	1,677
Over 80%	3,958	4,118	4,181	4,213	4,277	4,405
<b>All Other</b>						
0-30%	243	244	243	246	245	235
31-50%	400	401	398	404	402	384
51-80%	587	589	584	592	590	564
Over 80%	2,187	2,211	2,205	2,233	2,233	2,171
<b>Total Owner Households</b>	<b>23,612</b>	<b>24,317</b>	<b>24,540</b>	<b>24,771</b>	<b>25,015</b>	<b>25,270</b>

## List of Interviewees

Best Realty	Miles Egan
Big Sky Economic Development Authority	Casey Joyce
Billings Association of Realtors	Glen Oppel
Billings Chamber of Commerce	Butch Ott
Central-Terry Park Neighborhood Task Force	Scott Atwood
City of Billings, Code Enforcement	Cal Meyer
Community Development Board	Mike Kenney
Community Development Board	Teri Pattyn
Community Development Board	Emily Shaffer
Community Development Board	Paul Di Lorenzo
Community Development Board	Jean Neyrinck
Community Housing Resource Board	Russ Brown
Community Leadership Development	Dave Hagstrom
Countrywide Mortgage/ Community Development Board	Aldo Rowe
Deering Clinic	Debbie Hedrick
Fannie Mae	Mary Lou Affleck
Habitat for Humanity	Joe Hoch
Heights Community Development/ Neighborhood Task Force	Angela Cimmino
HOMEWord/ Affordable Housing Task Force	Bonnie Duray
Housing Authority of Billings	Lucy Brown
HRDC District 7	Judy Schneider
Manager, Community Development Department, City of Billings	John Walsh
Mayor, City of Billings	Charles Tooley
Mental Health Center	Gwynn Pederson
Montana Center on Disabilities	Linda Henry
MSU Extension/ Affordable Housing Task Force	Bernie Mason
North Elevation Neighborhood Task Force	Mike Tuss
Professional Management	Morris Braden
Real Estate by Hamwey	Charley Hamwey
Real Estate by Hamwey/ Affordable Housing Task Force	Trina White
Senior Helping Hands	Tiffany Kelker
South Side Neighborhood Task Force	Jim Ronquillo
Southwest Corridor Neighborhood Task Force	Duane Clark
Tamarack Property Managers	Steve Inman
Western Security Bank/ Affordable Housing Task Force	Kelly Duray
Yellowstone Aids Project	Shelley Hayes
Yellowstone County Council on Aging	Bea Ann Melichar
Yellowstone Group Realtors/Developers	Tom Llewelyn

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**INTEROFFICE MEMORANDUM**

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**TO:** AGENCY PLAN FILE  
**SUBJECT:** AGENCY PLAN – RESIDENT CONSULTATION  
**DATE:** 1/17/07

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Attendees:

- Lucy Brown, Executive Director
- Gib Glasson – Director of Facilities
- Greg Cook – PHA Administrator
- Vickie Davis – PHA Administrator
- Sandie Ellis - Section 8 Occupancy Specialist
- Renee McLure – Office/Grant Assistant
- Margaret Lakel – MT1-7 PHA Resident
- Adel Sather – MT1-5 PHA Resident
- JoAnn Lees – HAB Section 8 Client
- Diann L Thompson – MT1-6 PHA Resident
- Phyllis Crawford – MT1-8 PHA Resident
- Loretta Delaney – HAB Section 8 Client
- Lucy Hernandez – HAB Section 8 Client

Brown welcomed all attendees and suggested that each person in attendance introduce himself or herself. A sign-in sheet was also circulated. She passed out copies of the Agency Plan for FY 2006 and the 5 Year Plan for Fiscal years 2006-2010. Brown stated that we would be discussing the Strategic Plan first, and then the Section 8 Plan followed by the Public Housing Plan.

Delaney asked if the Housing Authority of Billings screens potential landlords. Brown responded by saying that there are no requirements for becoming a Section 8 landlord. The Housing Authority of Billings does screen them to make sure they are not on the Montana State Sexual or Violent Offenders registry and if they are on the Federal Disbarment list.

Brown stated that the Board of Directors approves the Mission Statement for the Housing Authority of Billings. She read over the goals. She mention that the Housing Authority of Billings will be converting to Project-based Accounting Asset Management by June of 2007. Also the Housing Authority of Billings had looked into whether or not the Family Investment Center should be turned into an accessible unit, as it was not being used as much as it was in the past. Brown spoke about past usage and present usage of the FIC, but in talking with staff recent usage had picked up. Delaney suggested that Brown contact Mandy at the Career Center to inquire about getting a college student who might be interested in doing an internship to help out at the Family Investment Center.

Brown asked Glasson to explain his involvement with the Housing Authority of Billings. Glasson stated that he handles the Capitol Improvements for the Public Housing program and oversees the Section 8 inspections. The Housing Authority of Billings is and has been involved in updating Public Housing units to make them more energy efficient and modern. The units have been converted from electric heat to hot water heat, new windows and siding have been installed to conserve energy, and energy efficient appliances have been purchased to replace worn out appliances.

Brown asked Ellis to go over information on page 18 regarding Section 8. Delaney asked why when she income increases, her rent goes up as well. Said that it is hard to get ahead that way. Brown stated that Congress makes the rules and regulations and we must adhere to them. The Housing Authority is held to high standards. When client's income increases, it will allow them to move off of the program and lets others on the program.

Delaney said that the program has helped her a lot and that she has been on the program since 2001. Her life has improved and she will graduate from MSUB in May 2007. When she was employed during the summer months and did not report income, she ended up in a repayment agreement for unreported income. Brown said that the Section 8 Occupancy Specialists stress to their clients continually that they must report all income changes and that the Occupancy Specialists have access to electronic reports to review all income received by clients.

Delaney asked if the Section 8 Program helps with deposits. Brown explained that the voucher program does not cover deposits. The Housing Authority of Billings includes in all their application packets information regarding that security deposits are expensive and to start saving while on the waiting lists. Ellis said that some agencies would help with a portion of the deposit after the unit passes the inspection if they have funding available. Also some churches in town have funding set aside to help with security deposits.

Delaney stated that all clients need to get any paperwork for their Occupancy Specialist date stamp when it is dropped off at the front desk.

Brown discussed the Section 8 Homeownership Program, which is available to Section 8 clients.

Delaney stated she wished she had known about that Homeownership program sooner. Brown said that that Program has been in existence for three years.

Hernandez said that she has been in the Homeownership Program for three years and that she will be getting a Habitat for Humanity House with the help of the Section 8 Program.

Brown said that Teddi Shorten attends all the Section 8 briefings to inform our potential Section 8 clients of the Homeownership Program as well as the Families for Self Sufficiency Program.

Lees said that she is on the Section 8 program and wished there was a program to help with the security deposit as it is hard to save for it and what can a person do for help. Brown said there is help

through Family Services and some churches. Lees asked if they had to pay it back. Brown responded yes. Glasson said that money borrowed from Family Services could be paid back when the client received their security deposit back from previous landlord.

Delaney asked if there was a program to get help with the security deposit from the Housing Authority of Billings and then pay back the Housing Authority. Brown said that this is no funding for that. Family Services gets their funding for help with security deposits through the City of Billings. Also said that the lack of funding for security deposits is not a decision made by the Housing Authority of Billings but one made through Congress. Brown stated that security deposits for Public Housing and other subsidized housing is less than Section 8, deposits for Section 8 housing is much higher. Brown suggested that everyone should contact their congressman to let them know of their needs. They can also contact groups such as Nahro and Phada.

Delaney asked if there was any help available for repairs on vehicles. Brown stated that they was a program to help with car repairs through HRDC and that the front desk has a "Ask" directory with those phone numbers for various agency that will help.

Davis said that that type of information is included in the Public Housing Welcome Packets that are given to the new Public Housing tenants. Thompson said she received that information and it was very helpful. Ellis stated that if a client is receiving assistance through the Office of Public Assistance, there might be help for energy assistance.

Brown asked Davis to go over information regarding Public Housing beginning on page 13. She then asked Cook to explain information on page 21 regarding Public Housing Income Based Rent Policies.

Glasson was then asked to talk about the Capitol Funds. He stated that the budget for Public Housing reflects the funding that is received from congress each year. He then estimates the costs for each project to modernize and make energy efficient. Projects are planned on being completed within two years as the material costs increase each year. Our funding from congress has been cut back each year. The budget for 2006 has been reduced by \$31,000.00. Brown said that the Mayor of Billings and HUD approves our yearly budgets. Glasson checks with Cook and Davis regarding maintenance and modernization of each of their units and keeps an ongoing list of work to be done.

Crawford praised a former lawn maintenance worker, Barry for the work he did in keeping the leaves and parking lot picked up. She commented that the new steps at her unit are slippery. Glasson stated that those steps are pre-made and that only one company makes them. He said that anti-skid strips could be put down. The reason we use the pre-made steps is that if we poured the concrete, the tenant would not have access for their unit for 24-48 hours since that is it only entrance.

Lakel said that the new windows at Phyllis Circle were very nice. Crawford commented that she really liked the new windows as well.

Sather stated that the drains by the garage at MT1-5 plugs up.

Thompson asked what the policy regarding broken down vehicles was. Said there was one at her unit (MT1-6). Glasson said to contact him and he would have it towed away. If abandoned vehicle is on the street, then she should notify the police department.

Lakel state the Public Housing, as been a "Godsend" for her.

Brown said that the Public Housing has a new police officer, Mike Samson and to contact him if there is any problems at the complexes. Office Samson will be visiting all the complexes and introduces himself to the Public Housing tenants. Also any problems at the complexes, tenants should let Greg and Vickie know or Office Samson. Office Samson's extension at the Housing Authority is 24.

Thompson said that she lets Greg know if there are any problems or concerns at her complex (MT1-6). Said that she loves her unit but pretty much stays inside her unit are there is too much partying going on outside. Problems are with units #2 and #3. There is lots of traffic there and is concerned about safety of her sons.

Lakel stated she had a police officer stop at her door but there was nothing going on. Also has problems with others parking in her parking space, but just let them know and they moved the vehicle. People just need to be diplomatic when dealing with others.

Thompson said that she really appreciates and respects her unit, thinks it is beautiful with all the new flooring and carpet. She feels that the police should be more visible at her unit and that maybe they should do more random drive-bys.

Davis said that it helps to contact police when the partying is going on. Said as soon as the weather improves, she and Cook will be going to each complex to introduce Officer Sampson.

Crawford thanked the Housing Authority maintenance staff for all the snow shoveling they had done.

Brown asked if there were any other improvements the Public Housing tenants would like to have done at their complexes.

Lakel from MT1-7 asked for picnic tables and heat in the hallways. Gib stated that they are currently part of the Comp Plan.

Crawford would like to have the lines on the clothesline tightened.

Thompson said that she thinks the new flooring is awesome and really easy to keep clean.

Crawford suggested if any new complexes were built that the units be more insulated for soundproofing.

Lees asked if the Housing Authority of Billings could do anything regarding repairs at Sage Towers where she resides. Glasson said that there are annual inspections done and when someone on Section 8 moves in, a new move-in inspection is done.

Brown thanks everyone for attending the meeting and asked that they let the Housing Authority know of any concerns they may have throughout the year. The meeting was adjourned.

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

<b>Annual Statement/Performance and Evaluation Report</b>					
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
<b>PHA Name: Housing Authority of Billings</b>		<b>Grant Type and Number</b> Capital Fund Program Grant No: MT06P00150106 Replacement Housing Factor Grant No:			<b>Federal FY of Grant: 2006</b>
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no: ) <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/07 <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	5850	5850	5850	2925
3	1408 Management Improvements	20000	20000	20000	1000
4	1410 Administration	43656	43656	24592	24592
5	1411 Audit	6914	6914	6914	2428
6	1415 Liquidated Damages				
7	1430 Fees and Costs	10000	10000	10000	0
8	1440 Site Acquisition				
9	1450 Site Improvement	15963	15963	11890	13462
10	1460 Dwelling Structures	329255	329255	224803	110780
11	1465.1 Dwelling Equipment—Nonexpendable	4923	4923	4923	4923
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	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	436561	436561	308972	160110
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	99023	99023		

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

Annual Statement/Performance and Evaluation Report								
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)								
Part II: Supporting Pages								
PHA Name: <b>Housing Authority of Billings</b>		Grant Type and Number Capital Fund Program Grant No: <b>MT06P0015106</b> Replacement Housing Factor Grant No:			Federal FY of Grant: <b>2006</b>			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
MT06P0015106-All	Operations	1406		5850	5850	5850	2925	In Process
-All	Administration	1410		43656	43656	24592	24592	In Process
-All	Audit	1411		6914	6914	6914	2428	In Process
-All	Management Improvements	1408		20000	20000	20000	1000	In Process
-All	A & E Services	1430		10000	10000	10000		
-7	Roof	1460		109747	109747	75300		
-6, -7, Torch	Windows	1460		98675	98675	104250	65526	In Process
-4, -8	Flooring	1460		92250	92250	29909	29909	In Process
-2	Security Lights	1450		2869	2869	2869	2869	Complete
-7	Picnic Tables & Bike Racks	1450		2500	2500			
-8	Parking Lot Drain	1450		3325	3325	3325	3325	Complete
Hilltop	Cabinets	1460		7500	7500	6997	6997	In Process
Ave E, Manhattan	Fence	1450		7269	7269	7269	7269	Complete
-2, -4	Security Screens	1460		2083	2083			
-4	Interior Doors & Trim	1460		10000	10000	4802	4802	In Process
-3, -7	Lighting	1460		5000	5000			
-13, -15	Furnace Replacement	1465		4923	4923	4923	4923	Complete
-7	Boiler Replacement	1460		4000	4000	3545	3545	In Process

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

<b>Annual Statement/Performance and Evaluation Report                      Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)                      Part III: Implementation Schedule</b>							
PHA Name: <b>Housing Authority of Billings</b>			Grant Type and Number Capital Fund Program No: <b>MT06P00150106</b> Replacement Housing Factor No:				Federal FY of Grant: <b>2006</b>
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
MT06P00150105 –All	7-31-08			7-31-10			
-All	7-31-08			7-31-10			
-All	7-31-08			7-31-10			
-All	7-31-08			7-31-10			
-All	7-31-08			7-31-10			
-7	7-31-08			7-31-10			
-6, -7, Torch	7-31-08			7-31-10			
-4, -8	7-31-08			7-31-10			
-7	7-31-08			7-31-10			
-2	7-31-08			7-31-10			
-2	7-31-08			7-31-10			
-7	7-31-08			7-31-10			
-8	7-31-08			7-31-10			
Hilltop	7-31-08			7-31-10			
Ave E, Manhattan	7-31-08			7-31-10			
-2, -4	7-31-08			7-31-10			
-4	7-31-08			7-31-10			
-3, -7	7-31-08			7-31-10			

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

<b>Annual Statement/Performance and Evaluation Report</b>					
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
<b>PHA Name: Housing Authority of Billings</b>		<b>Grant Type and Number</b> Capital Fund Program Grant No: MT06P00150107 Replacement Housing Factor Grant No:			<b>Federal FY of Grant: 2007</b>
<input checked="" type="checkbox"/> <b>Original Annual Statement</b> <input type="checkbox"/> <b>Reserve for Disasters/ Emergencies</b> <input type="checkbox"/> <b>Revised Annual Statement (revision no: )</b> <input type="checkbox"/> <b>Performance and Evaluation Report for Period Ending:</b> <input type="checkbox"/> <b>Final Performance and Evaluation Report</b>					
<b>Lin e</b>	<b>Summary by Development Account</b>	<b>Total Estimated Cost</b>		<b>Total Actual Cost</b>	
		<b>Original</b>	<b>Revised</b>	<b>Obligated</b>	<b>Expended</b>
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration	45449			
5	1411 Audit	6914			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	18729			
8	1440 Site Acquisition				
9	1450 Site Improvement	68000			
10	1460 Dwelling Structures	275050			
11	1465.1 Dwelling Equipment— Nonexpendable	22000			
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	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary					
PHA Name: Housing Authority of Billings		Grant Type and Number Capital Fund Program Grant No: MT06P00150107 Replacement Housing Factor Grant No:			Federal FY of Grant: 2007
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
21	Amount of Annual Grant: (sum of lines 2 – 20)	436142			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	50000			

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages						
PHA Name: Housing Authority of Billings		Grant Type and Number Capital Fund Program Grant No: MT06P00150107 Replacement Housing Factor Grant No:			Federal FY of Grant 2007	
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost	Total Actual Cost	Status of Work

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

				Original	Revised	Funds Obligated	Funds Expended	
MT06P0015106 – All	Administration	1410		45449				
-All	Audit	1411		6914				
-All	A & E Service	1430		18729				
-13, -15,-19,-,22	Flooring	1460		5000				
-2	Flooring	1460		130650				
-4,-6	Cabinets	1460		95000				
-13	Sprinkler System	1450		28000				
-All	Door Replacement	1460		7800				
-7	Community Room Update	1460		15000				
-3, -4	Bathroom Rehab	1460		14600				
-2	FIC Cabinets	1460		7000				
-2	FIC Appliances	1465		2000				
-All	Parking Lot & Concrete Work	1450		40000				
-7	Appliance Replacement	1465		20000				

**13. Capital Fund Program Five-Year Action Plan**

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b> <b>Part III: Implementation Schedule</b>							
<b>PHA Name: Housing Authority of Billings</b>			<b>Grant Type and Number</b> Capital Fund Program No: <b>MT06P00150107</b> Replacement Housing Factor No:				<b>Federal FY of Grant: 2007</b>
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
MT06P00150107 – All	07-31-09			07-31-11			
-All	07-31-09			07-31-11			
-All	07-31-09			07-31-11			
-13, -15, -19, -22	07-31-09			07-31-11			
-2	07-31-09			07-31-11			
-4, -6	07-31-09			07-31-11			
-13	07-31-09			07-31-11			
-All	07-31-09			07-31-11			
-7	-07-31-09			07-31-11			
-4	07-31-09			07-31-11			
-2	07-31-09			07-31-11			
-2	07-31-09			07-31-11			
-All	07-31-09			07-31-11			
-7	07-31-09			07-31-11			

### 13. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan					
Part I: Summary					
PHA Name <b>Housing Authority of Billings</b>				<input checked="" type="checkbox"/> <b>Original 5-Year Plan</b> <input type="checkbox"/> <b>Revision No:</b>	
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: 2008 PHA FY: 2009	Work Statement for Year 3 FFY Grant: 2009 PHA FY: 2010	Work Statement for Year 4 FFY Grant: 2010 PHA FY: 2011	Work Statement for Year 5 FFY Grant: 2011 PHA FY: 2012
	Annual Statement				
Operations		54086	59000	60000	61000
Administration		46991	46983	46895	47000
Audit		6914	6914	6914	7000
A & E		0	22688	20000	0
Site Improvement		73800	28950	192200	50000
Dwelling Structures		243750	190011	145441	126011
Non-Dwelling Equipment		4000	45200	0	54050
Management Improvements		0	20000	0	0
CFP Funds Listed for 5-year planning		429541	419746	471450	345061
Replacement Housing Factor Funds					

### 13. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>						
<b>Part II: Supporting Pages—Work Activities</b>						
Activities for Year 1	Activities for Year : 2 FFY Grant: 2008 PHA FY: 2009			Activities for Year: 3 FFY Grant: 2009 PHA FY: 2010		
	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>
<b>See</b>	MT06P0015107			MT06P0015107		
<b>Annual</b>	-All	Operations	54086	-All	Operations	59000
<b>Statement</b>	-All	Administration	46991	-All	Administration	46983
	-ALL	Audit	6914	-All	Audit	6914
	-All	A & E	0	-All	A & E	22688
	-13, -15, -19, -22	Furnace Replacement	4000	-All	Roof Replacement	40800
	West Wicks, 3314 Windmill, Acorn, Caravan, 1025 Nutter	Cabinets & Tops	29500	-4	Locking Mailboxes	2450
	-5, -3	Deadbolt for Storage	3000	-13	Patio Dividers	1500
	-3, -5	Flooring	179000	-2	Concrete Steps	25000
	Windmill, 4435 Clevenger	Deck Replacement	20000	-2	Shower Surrounds	15000
	Bunting, 1025 Nutter	Fence Replacement	6000	-7	Insulate Crawlspace	5000
	-All	Concrete Work	40000	-4, -8	Appliance Replacement	14000
	-6, -3, Patricia	Garage Doors	2750	-3	Refrigerator Replacement	16200
	-2	FIC Windows	3000	-All	Deck Replacement	46011

### **13. Capital Fund Program Five-Year Action Plan**

	-5, West Side	Privacy Fence	11800	-All	Landscaping	25000
	Ave E, 2425 Cook	Drop Ceilings	3000	-3	Storage Sheds	35000
	-7	Dielectric Unions	3500	-All	Automotive Equipment	20000
	-All	Fence Replacement	16000	-All	Water Heaters	23200
				-7	Air Conditioners	15000
Total CFP Estimated Cost			429541			419746

<b>Capital Fund Program Five-Year Action Plan</b>					
<b>Part II: Supporting Pages—Work Activities</b>					
Activities for Year: 4 FFY Grant: 2010 PHA FY: 2011			Activities for Year: 5 FFY Grant: 2011 PHA FY: 2012		
<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>
MT06P00150107			MT06P00150107		
-All	Operations	60000	-All	Operations	61000
-All	Administration	46895	-All	Administration	47000
-All	Audit	6914	-All	Audit	7000
-All	A & E Services	20000	-All	A & E Services	0
-4	Boiler Replacement	21160	-13, -15, -19, -22	Accordion Doors	40000
-7	Parking Lot Canopies	188200	-3	Exterior Doors	30642
-2	FIC Flooring	5000	-All	G Doors & Windows	7000

### **13. Capital Fund Program Five-Year Action Plan**

Cambridge, 344 Phyllis, Calico, 561 Coliseum, Lake Elmo	Fences	4000	2425 Cook, Manhattan, 561 Coliseum	Cabinets & Tops	18619
-7	Tub Faucets	10000	-7	Flooring	14750
-2	Storage Sheds	44000	-5	Baseboard Replacement	5000
Lake Elmo, Golden, Custer	Cabinets & Tops	15000	-3, -6	Mow Strip in Concrete	20000
2934 Lewis, 760 Coliseum, 1025 Nutter, Caravan, 456 Greenspring, 561 Coliseum, Manhattan	Deck Replacements	50281	-All	Baseboard Heater Fronts	10000
			-13, -15, -19, -22	Water Heater Replacement	35000
			-All	Concrete Work	30000
			-All	C.O. Detectors	19050
<b>Total CFP Estimated Cost</b>		471450			345061

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

<b>Annual Statement/Performance and Evaluation Report</b>					
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
<b>PHA Name:</b> Housing Authority of Billings		<b>Grant Type and Number</b> Capital Fund Program Grant No: MT06P00150104 Replacement Housing Factor Grant No:			<b>Federal FY of Grant: 2004</b>
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/07 <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	27000	27000	27000	27000
3	1408 Management Improvements				
4	1410 Administration	45944	45944	45944	45944
5	1411 Audit	3000	3000	3000	3000
6	1415 Liquidated Damages				
7	1430 Fees and Costs	8295	8295	8295	8295
8	1440 Site Acquisition				
9	1450 Site Improvement	36777	36777	36777	36777
10	1460 Dwelling Structures	343219	343219	343219	342465
11	1465.1 Dwelling Equipment—Nonexpendable	7280	7280	7280	7280
12	1470 Nondwelling Structures	42686	42686	42686	42686
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	514201	514201	514201	513447
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	191737	213095		

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages								
PHA Name: Housing Authority of Billings		Grant Type and Number Capital Fund Program Grant No: MT06P00150104 Replacement Housing Factor Grant No:			Federal FY of Grant: 2004			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
MT06P00150104	Operations	1406		27000	27000	27000	27000	Complete
-All	Administration	1410		45944	45944	45944	45944	Complete
-All	Audit	1411		3000	3000	3000	3000	Complete
-All	A & E Services	1430		8295	8295	8295	8295	Complete
-3,-4,-6,-7,-8	Parking Lot Resurface	1470	136	42686	42686	42686	42686	Complete
-2	Interior Doors & Trim	1460	40	15281	15281	15281	14527	In Process
-2	Replace Windows & Doors	1460	40	137814	137814	137814	137814	Complete
-13,-15,-19, -22	Furnaces	1465.1	58	7280	7280	7280	7280	Complete
Cambridge, Greensprings	Deck Replacement	1460	2	6345	6345	6345	6345	Complete
-13,-15,-19,-22 & Apartment Baths	Flooring	1460		34234	34234	34234	34234	Complete
-4	Sprinkler System	1450	20	36777	36777	36777	36777	Complete
-4	Siding & Gables	1460	20	18094	18094	18094	18094	Complete
-5	Handicap Showers	1460	40	38981	38981	38981	38981	Complete
-4	Lighting Upgrade	1460	20	13074	13074	13074	13074	Complete
-3	Accordion Doors	1460	36	56680	56680	56680	56680	Complete
Murphy, Torch, Governors, Granger, Manhattan	Cabinet Replacement	1460	5	22716	22716	22716	22716	Complete

**12. Capital Fund Program and Capital Fund Program Replacement Housing Factor Annual Statement/Performance and Evaluation Report**

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b> <b>Part II: Supporting Pages</b>								
PHA Name: <b>Housing Authority of Billings</b>		<b>Grant Type and Number</b> Capital Fund Program Grant No: MT06P00150104 Replacement Housing Factor Grant No:			<b>Federal FY of Grant: 2004</b>			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	

### **13. Capital Fund Program Five-Year Action Plan**

<b>Annual Statement/Performance and Evaluation Report</b>								
<b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)</b>								
<b>Part III: Implementation Schedule</b>								
PHA Name: <b>Housing Authority of Billings</b>			Grant Type and Number Capital Fund Program No: <b>MT06P00150104</b> Replacement Housing Factor No:				Federal FY of Grant: <b>2004</b>	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates	
	Original	Revised	Actual	Original	Revised	Actual		
MT06P00150104 -All	12/31/05	09/07/06		12/31/06	09/07/08			
-All	12/31/05	09/07/06		12/31/06	09/07/08			
-All	12/31/05	09/07/06		12/31/06	09/07/08			
-3,-4,-6,-7,-8	12/31/05	09/07/06		12/31/06	09/07/08			
-2	12/31/05	09/07/06		12/31/06	09/07/08			
-13, -15, -19, -22	12/31/05	09/07/06		12/31/06	09/07/08			
Cambridge, Greenspring	12/31/05	09/07/06		12/31/06	09/07/08			
-13, -15, -19, -22 & Apt Baths	12/31/05	09/07/06		12/31/06	09/07/08			
-4	12/31/05	09/07/06		12/31/06	09/07/08			
-7	12/31/05	09/07/06		12/31/06	09/07/08			
-5	12/31/05	09/07/06		12/31/06	09/07/08			
-4	12/31/05	09/07/06		12/31/06	09/07/08			
-3	12/31/05	09/07/06		12/31/06	09/07/08			
Murphy, Torch, Govenors, Granger, Manhattan	12/31/05	09/07/06		12/31/06	09/07/08			

### 13. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>					
<b>Part I: Summary</b>					
PHA Name <b>Housing Authority of Billings</b>			<input type="checkbox"/> <b>Original 5-Year Plan</b> <input type="checkbox"/> <b>Revision No:</b>		
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2 FFY Grant: 2005 PHA FY: 2006	Work Statement for Year 3 FFY Grant: 2006 PHA FY: 2007	Work Statement for Year 4 FFY Grant: 2007 PHA FY: 2008	Work Statement for Year 5 FFY Grant: 2008 PHA FY: 2009
Operations	Annual Statement	27000	27000	27000	27000
Administration		52988	52988	52988	52988
Audit		3000	3000	3000	3000
A & E Services		30000	15000		25000
Site Improvement		113700	67300	413300	214000
Dwelling Structures		295800	334200	16200	202500
Dwelling Equipment		10000	33000	20000	8000
Non-Dwelling Structures					
Reserves					
Total CFP Funds (Est.)		532488	532488	532488	532488
Total Replacement Housing Factor Funds					

### 13. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>						
<b>Part II: Supporting Pages—Work Activities</b>						
Activities for Year 1	Activities for Year: 2 FFY Grant: 2005 PHA FY: 2006			Activities for Year: 3 FFY Grant: 2006 PHA FY: 2007		
	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>
<b>See</b>	MT06P00150104			MT06P00150104		
<b>Annual</b>	All	Operations	27000	All	Operations	27000
<b>Statement</b>	All	Administration	52988	All	Administration	52988
	All	Audit	3000	All	Audit	3000
	All	A & E Services	30000	All	A & E Services	15000
	-7	Picnic Tables	2000	All	Low Flow Shower Heads	12598
	-7	Landscaping	10000	All	Concrete Work	40000
	-6	Flooring	134000	-6, -7, Torch	Windows	89100
	-2, -8	Sprinkler System	94500	-4, -7	Appliance Replacement	33000
	Santa Fe & Torch	Garage Door & Windows	2000	Santa Fe, Caravan, 1025 Nutter	Cabinets & Tops	19000
	-4	Windows	41000	Cambridge, Jansma, 344 Phyllis	Fence	15500
	-4	Siding & Gables	75000	-5 (west side)	Privacy Fence	11800
	-13, -15, -19, -22	Flooring	10000	-4, -8	Flooring	75000
	-2, -3	Parking Blocks	2700	-13, -15, -19, -22	Flooring	15000
	-7	Insulate Crawlspace	5000	-2	Storage Sheds	43200
	-3, -5	Medicine Cabinets	5700	-3	Exterior Doors	30642
	561 Coliseum	Fence	4500	-4	Interior Doors & Trim	10000
	-13, -15, -19, -22	Furnace	10000	FIC	Metal Roof	10000
	All	C.O. Detectors	23100	-6, -4, -3, Patricia	Garage Door	2700
				All	Roof Replacement	26910
	<b>Total CFP Estimated Cost</b>		<b>\$532488</b>			<b>\$532488</b>

### 13. Capital Fund Program Five-Year Action Plan

<b>Capital Fund Program Five-Year Action Plan</b>					
<b>Part II: Supporting Pages—Work Activities</b>					
Activities for Year: 4 FFY Grant: 2007 PHA FY: 2008			Activities for Year: 5 FFY Grant: 2008 PHA FY: 2009		
<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>	<b>Development Name/Number</b>	<b>Major Work Categories</b>	<b>Estimated Cost</b>
MT06P00150104			MT06P00150104		
All	Operations	27000	All	Operations	27000
All	Administration	52988	All	Administration	52988
All	Audit	3000	All	Audit	3000
-8, 344 Phyllis, Bazaar, Custer, 561 Coliseum, Hilltop	Roofs	24800	All	A & E Services	25000
Acorn, 760 Coliseum, W Wicks, Custer, Ave E, 561 Coliseum	Cabinets & Tops	34000	-3, -13, -15, -19	Accordion Doors	40000
-13, -15, -19, -22	Flooring	20000	-4, -6	Cabinets & Tops	95000
-2, -3, -5	Flooring	303750	-13, -15, -19, -22	Furnace Replacement	8000
All	Fence Work	20000	271 Hilltop, 3314 Windmill, 2425 Cook, Lake Elmo, 665 Aronson, 2619 Golden	Cabinets & Tops	29500
-3	Refrigerators	16200	-5, -3	Deadbolt for Storages	3000
Windmill, 2934 Lewis, 4435 Clevenger	Deck Replacement	15000	-5	Lights for Parking Lot	2500
1825 Rehberg	Garage Door	1000	-3	Storage Sheds	35000
-7	Flooring	14750	-7	Parking Lot & Canopys	211500
<b>Total CFP Estimated Cost</b>		<b>\$532488</b>			<b>\$532488</b>

## CAPITAL FUND PROGRAM TABLES START HERE

<b>Annual Statement/Performance and Evaluation Report</b> <b>Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary</b>					
PHA Name: Housing Authority of Billings		Grant Type and Number Capital Fund Program Grant No: MT06P00150105 Replacement Housing Factor Grant No:			Federal FY of Grant: 2005
Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement <input type="checkbox"/> <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/07 <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	35000	35000	35000	17500
3	1408 Management Improvements Soft Costs				
4	1410 Administration	49053	49053	46563	46563
5	1411 Audit	6914	6914	6914	6914
6	1415 Liquidated Damages				
7	1430 Fees and Costs	18853	18853	18853	18853
8	1440 Site Acquisition				
9	1450 Site Improvement	91271	91271	91142	91142
10	1460 Dwelling Structures	292439	292439	285891	273948
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	1499 Development Activities				
19	1502 Contingency				

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

PHA Name: Housing Authority of Billings	Grant Type and Number Capital Fund Program Grant No: MT06P00150105 Replacement Housing Factor Grant No:	Federal FY of Grant: 2005
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Original Annual Statement  Reserve for Disasters/ Emergencies  Revised Annual Statement  
 Performance and Evaluation Report for Period Ending: 03/31/07  Final Performance and Evaluation Report

Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
20					
21	Amount of Annual Grant: (sum of lines 2-20)	493530	493530	484363	454920
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures	210500	222474		

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

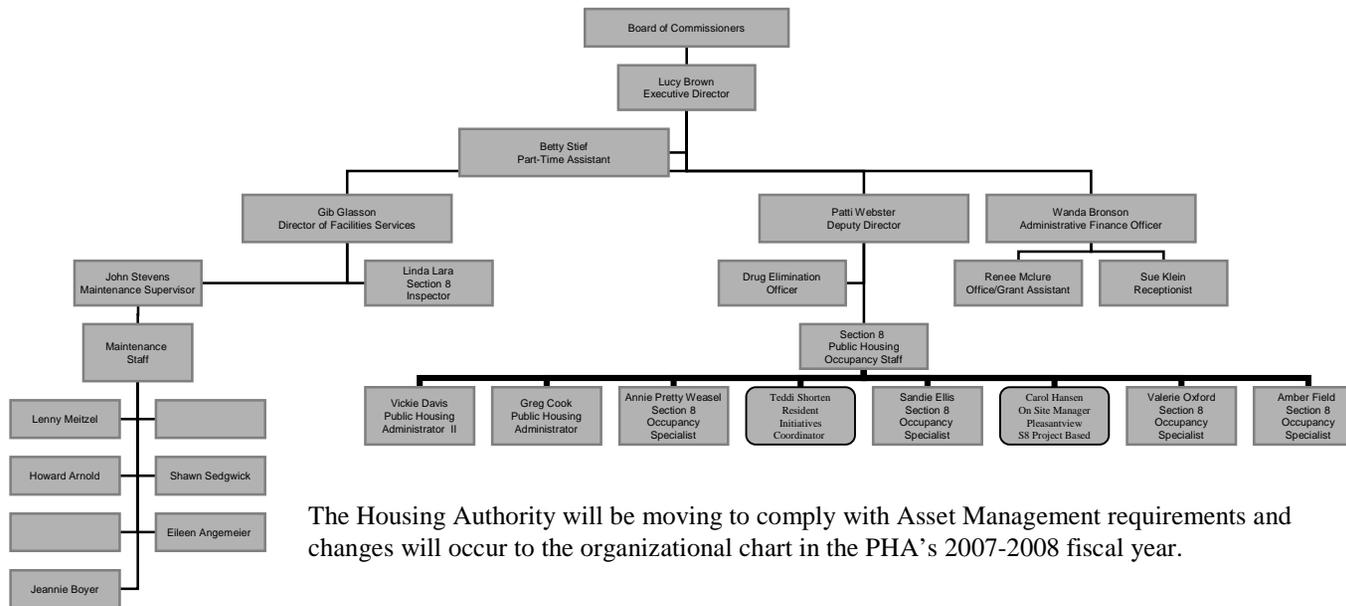
PHA Name: Housing Authority of Billings		Grant Type and Number Capital Fund Program Grant No: MT06P00150105 Replacement Housing Factor Grant No:				Federal FY of Grant: 2005			
Development Number Name/HA-Wide Activities	General Description of Major Work Categories		Dev. Acct No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
					Original	Revised	Funds Obligated	Funds Expended	
MT06P0015105-All	Operations		1406		35000	35000	35000	17500	In Process
-All	Management Improvements		1408						
-All	Administration		1410		49053	49053	46563	46563	In Process
-All	Audit		1411		6914	6914	6914	6914	Complete
-All	A&E Services		1430		18853	18853	18853	18853	Complete
-6	Flooring		1460	40	144037	144037	139389	139389	In Process
-2,-8	Sprinkler System		1450	64	87382	87382	87382	87382	Complete
-4	Windows		1460	20	38325	38325	38325	38325	Complete
-4	Garage Door		1460	20	650	650	650	650	Complete
-4	Siding & Gables		1460	20	88652	88652	88652	88652	Complete
-2.-3	Parking Blocks		1450	86	3889	3889	3760	3760	In Process
-13	Cabinets & Tops		1460	1	4003	4003	4003	4003	Complete
-7	Laundry Room		1460	30	830	830	830	830	Complete
-7	Hallway Upgrade		1460	30	15942	15942	14042	2099	In Process

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

PHA Name: Housing Authority of Billings		<b>Grant Type and Number</b> Capital Fund Program No: MT06P00150105 Replacement Housing Factor No:				Federal FY of Grant: 2005	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
MT06P00150105-All	7/31/07			07/31/09			
-All	07/31/07			07/31/09			
-All	07/31/07			07/31/09			
-All	07/31/07			07/31/09			
-All	07/31/07			07/31/09			
-6	07/31/07			07/31/09			
-2,-8	07/31/07			07/31/09			
-4	07/31/07			07/31/09			
-4	07/31/07			07/31/09			
-2,-3	07/31/07			07/31/09			



# HOUSING AUTHORITY OF BILLINGS



The Housing Authority will be moving to comply with Asset Management requirements and changes will occur to the organizational chart in the PHA's 2007-2008 fiscal year.

TO: BILLINGS GAZETTE

Please run the following ad on February 6th, 2007:

**LEGAL NOTICE**

**The Housing Authority of Billings will be holding a public hearing (for input) for the Housing Authority of Billings Annual Plan on March 26, 2007 at 10:00 am at the Housing Authority Offices at 2415 1<sup>st</sup> Ave N. in Billings Montana. The public is invited.**

**A draft plan will be available for viewing on the 6th of February thru March 26, 2007 at the Housing Authority Offices at 2415 1<sup>st</sup> Ave N, Billings MT.**

**The Housing Authority of Billings is a Fair Housing and an Equal Opportunity Provider.**

Please include the Fair Housing Logo

INTEROFFICE MEMORANDUM

TO: AGENCY PLAN FILE

SUBJECT: ANNUAL PLAN 2007 – PUBLIC HEARING

DATE: 3/26/2007

ATTENDEES: Lucy Brown, Executive Director  
Gib Glasson, Director of Facilities  
Greg Cook, PHA Administrator  
Vickie Davis, PHA Administrator  
Betty Stief, Administrative Assistant  
Frances LaRance, MT 1-2 Resident

Brown opened the meeting and went over a number of changes from the FY 2006 Streamlined Annual PHA Plan:

1. PHA Goals Other: the disposal of 25 single family units will be only if PHA finds it needed or necessary and if approved by HUD
2. Other PHA Goals and Objectives: Several goals were not implemented during the FY 2006 report period but are still included in the 5-year plan:
  - a. Mass PHA briefings
  - b. Leadership training
  - c. Project-based tenant plans
  - d. Revision of procedures
  - e. Asset management and project-based accounting/management
3. As the Investment Center is getting sufficient usage, plans to convert to a handicap single-family unit will no longer be considered.
4. Page 13, paragraph 3.A(1) Other: the number of applicants receiving briefing letters varies as to how many are needed to fill available units.
5. Page 18, paragraph 3.B(1)e Other: added “Current landlord information and previous, if known”
6. Page 6 needs to be updated.

Brown stated that the PHA will start working on the Asset Management provisions as well as the budgets for FYE 6/30/2008.

Cook said that he has received many compliments from tenants at MT 1-6 due to installation of new windows and window coverings, laminate flooring on the main floor and carpeting on the second floor. The turnover at this complex has decreased.

The PHA will be replacing tile flooring in all units, possibly with laminate in the kitchen and living areas and carpeting in the bedrooms. Also, the kitchen in the Investment Center will be remodeled to be wheelchair accessible.

# HOUSING AUTHORITY OF BILLINGS LEASE AGREEMENT

## THIS LEASE IS IN TWO PARTS:

**Part I establishes the Terms and Conditions of the Lease.** These apply to all residents.

**Part II is the Lease Contract.** This is executed by the resident and all adult household members and the Housing Authority of Billings including Part I Terms and Conditions (by reference) and the following information specific to each family's circumstances:

- Identification of all members of Tenant household by relationship to the Head of the Household.
- Unit address, occupancy date.
- Pro-rates and full monthly rent amount, security deposit required, pro-rated and full monthly utility allowance provided (if any), pro-rated and full monthly utility reimbursement (if any) and the amount of any other charges due under the lease;
- All pamphlets or informational materials provided to Tenant;
- Signature line for the parties to the lease (all adult members of Tenant household must sign the lease)
- Emergency telephone number for Tenant to use if maintenance problems arise with the unit outside of normal Housing Authority of Billings working hours.
- Section 504 contact person.



## PART I : RESIDENTIAL LEASE AGREEMENT: TERMS AND CONDITIONS

**THIS LEASE AGREEMENT** (called the "Lease") is between the Housing Authority of Billings, (called "PHA") and Tenant named in Part II of this lease (called "Tenant"). [966.4(a)]

### I. Description of the Parties and Premises: [966.4 (a)]

- (a) PHA, using data provided by Tenant about income, family composition, and needs, leases to Tenant, the property (called "premises" or "dwelling unit") described in Part II of this Lease Agreement, subject to the terms and conditions contained in this lease. [966.4 (a)]
- (b) Premises must be used as the only private residence of the Tenant and the family members named on Part II of the Lease. The PHA may, by prior written approval, consent to Tenant's use of the unit for legal profit making activities subject to the PHA's policy on such activities. [966.4(d)(1 & 2)] The HAB does not allow daycare to be provided at units as a business.
- (b) Any additions to the household members named on the lease, including Live-in Aides and foster children, **but excluding natural births, adoptions, and court awarded custody**, require the advance written approval of PHA. Such approval will be granted only if the new family members pass PHA's screening criteria and a unit of the appropriate size is available. Permission to add Live-in Aides and foster children shall be consistent with Occupancy Policy. [966.4 (a)(2) & (d)(3)(i)]

Tenant agrees to wait for PHA's approval before allowing additional persons to move into the Premises. Failure on the part of Tenant to comply with this provision is a serious violation of the material terms of the lease, for which PHA may terminate the lease in accordance with Section XIV. [966.4(f)(3)]

- (c) Tenant shall report deletions (for any reason) from the household members named on the lease to the PHA in writing, within 10 days of the occurrence. [966.4 (c)(1) & (2) & (f)(3)]

### II Lease and Amount of Rent

- (a) Unless otherwise modified or terminated in accordance with Section VII, this Lease shall automatically be renewed for successive terms of one calendar year. [966.4 (a)(1)]

The rent amount is stated in Part II of this Lease. Rent shall remain in effect unless adjusted by the PHA in accordance with Section VII herein. [966.4 (c)]

The PHA in compliance with HUD regulations and requirements and in accordance with PHA's Admissions and Occupancy Policy shall determine the amount of the Total Tenant Payment and Tenant Rent. [966.4 (c).

- (b) **Rent is DUE and PAYABLE on the first day of each month and shall be considered delinquent after the sixth calendar day of the month.** Rent may include utilities as described in Section VI below, and may include maintenance services other than normal wear and tear. [966.4 (e)(1) & (3)]

When PHA makes any change in the amount of Total Tenant Payment or Tenant Rent, PHA shall give written notice to Tenant. The notice shall state the new amount, and the date for which the new amount is applicable. Rent redeterminations are subject to the Administrative Grievance Procedure. This notice shall also state that Tenant may ask for an explanation of how the amount is computed by PHA. If Tenant asks for an explanation, PHA shall respond in a reasonable time [966.4 (c)(4)]

**III. Other Charges:** In addition to rent, Tenant is responsible for the payment of certain other charges specified in the lease. The type(s) and amounts of other charges are specified in Part II of this Lease Agreement. Other charges can include: [966.4 (b)(2)]

- (a) Maintenance costs — The cost for services or repairs due to intentional or negligent damage to the dwelling unit, common areas or grounds beyond normal wear and tear, caused by Tenant, household members or by guests. When PHA determines that needed maintenance is not caused by normal wear and tear, Tenant shall be charged for the cost of such service, either in accordance with Schedule of Maintenance Charges

posted by PHA or (for work not listed on the Schedule of Maintenance Charges) based on the actual cost to PHA for the labor and materials needed to complete the work. If overtime work is required, overtime rates shall be charged. [966.4 (b)(2)]

- (b) Excess Utility Charges – At developments where utilities are provided by PHA, a charge shall be assessed for excess utility consumption due to the operation of major tenant-supplied appliances. This charge does not apply to tenants who pay their utilities directly to a utility supplier [966.4(b)(2)].
- (c) Installation charges for tenant-supplied air conditioners.
- (d) Charges for service of notice.
- (e) Late Charges – A charge of \$25.00 for rent or other charges paid after the sixth calendar day of the month. [966.4 (b)(3)] PHA shall provide written notice of the amount of any charge in addition to Tenant Rent, and when the charge is due.

**IV. Payment Location:** Rent and other charges can be paid at the Housing Authority Office located at 2415 1<sup>st</sup> Avenue N. PHA will not accept cash or 2-party checks. Payment must be made by cashier check, personal check or money order. Tenants who have submitted a check that is returned for insufficient funds shall be required to make all future payments by cashier's check or money order.

**V. Security Deposit**

- (a) Tenant Responsibilities: Tenant agrees to pay an amount of \$\_\_\_\_\_. The dollar amount of the security deposit is noted on Part II of this Residential Lease. [966.4 (b)(5)] The security deposit must be paid in full before receiving the keys and possession of the unit.
- (b) PHA's Responsibilities: PHA will use the Security Deposit at the termination of this Lease:
  - 1. To pay the cost of any rent or any other charges owed by Tenant at the termination of this lease
  - 2. To reimburse the cost of repairing any intentional or negligent damages to the dwelling unit caused by Tenant, household members or guests.

The security Deposit may not be used to pay rent or other charges while Tenant occupies the dwelling unit. No refund of the Security Deposit will be made until Tenant has vacated and the PHA has inspected the dwelling unit.

The return of a security deposit shall occur within 30 days after Tenant moves out. If no charges are assessed, the deposit will be returned within 10 days. PHA agrees to return the Security Deposit, if any, to Tenant when he/she vacates, less any deductions for any costs indicated above, so long as Tenant furnishes PHA with a forwarding address. If any deductions are made, PHA will furnish Tenant with a written statement of any such costs for damages and/or other charges deducted from the Security Deposit.

You will be responsible for any charges due the Housing Authority over and above the security deposit. You will have ten (10) days to pay any balance owing or legal action will be initiated.

Please give your Administrator as much notice as you can that you are vacating your unit.

The security deposit will not be returned if a 30-day notice is not submitted in writing to the Housing Authority.

It is your responsibility to provide us with your new address.

**VI. Utilities and Appliances [966.4 (b)(1)]**

- (a) PHA Supplied Utilities: The PHA will supply water, sewer service and trash collection. PHA will not be liable for the failure to supply utility service for any cause whatsoever beyond its control.  
  
PHA will provide a cooking range and refrigerator. Other major electrical appliances, air conditioners, freezers, extra refrigerators, washers, dryers, etc., may be installed and operated only with the written approval of PHA. For the St Johns complex monthly service charge will be payable by Tenant for the electricity used in the operation of such appliances, as shown on the Excess Utility Cost Schedule attached to the lease or posted in the Housing Authority office. [966.4 (b)(2)]
- (b) Tenant-paid Utilities: If Tenant resides in a development where PHA does not supply electricity and natural gas, an Allowance for Utilities shall be established, appropriate for the size and type of dwelling unit, for utilities Tenant pays directly to the utility supplier. The Total Tenant Payment less the Allowance for Utilities

equals Tenant Rent. If the Allowance for Utilities exceeds the Total Tenant Payment, PHA will pay a utility Reimbursement each month. [5.632]

PHA may change the Allowance at any time during the term of the lease, and shall give Tenant 60 days written notice of the revised Allowance. A change in Tenant Rent due to allowance change will take effect at the next interim or annual recertification [966.473(c)]

Tenant shall be responsible for paying the actual bill to the supplier. If Tenant's actual utility bill is LESS than the allowance for Utilities, Tenant shall receive the benefit of such savings.

(c) Tenant Responsibilities:

- (1) Tenant agrees not to waste the utilities provided by PHA and to comply with any applicable law, regulation, or guideline of any governmental entity regulating utilities or fuels [966.4 (f)]
- (2) Tenant agrees not to use space heater in dwelling units. In the event that you lose heat to your unit due to a system failure, the HAB will provide a heat source for you.

**VII. Terms and Conditions:** The following terms and conditions of occupancy are made a part of the Lease.

- (a) Use and Occupancy of Dwelling: Tenant shall have the right to exclusive use and occupancy of the dwelling unit for Tenant and other household members listed on the Lease. With the prior written consent of PHA, members of the household may engage in legal profitmaking activities in the dwelling unit with the exception of daycare. [966.4(d)(1) & (2)]

This provision permits reasonable accommodation of Tenant's guests or visitors for a period not exceeding fourteen (14) days each year. Permission may be granted, upon written request to the PHA Administrator, for an extension of this provision. [966.4 (d)(1)]

- (b) Ability to comply with Lease terms: If, during the term of this Lease, Tenant, by reason of physical or mental impairment is no longer able to comply with the material provisions of this lease, and cannot make arrangements for someone to aid him/her in complying with the lease, and PHA cannot make any reasonable accommodation that would enable Tenant to comply with the lease, THEN; PHA will assist Tenant, or designated member(s) of Tenant's family, to find more suitable housing and move Tenant from the dwelling unit. If there are no family members who can or will take responsibility for moving Tenant, PHA will work with appropriate agencies to secure suitable housing and will terminate the Lease. [8.3]

- (c) Redetermination of Rent, Dwelling Size, and Eligibility. The rent amount as fixed in Part II of the Lease Agreement is due each month until changed as described below.

1. The status of each family is to be re-examined at lease once a year. At the annual recertification Tenant shall certify to compliance with the 8 hour per month community service requirement, if applicable. [960.209]
2. Tenant agrees to supply PHA, when requested, with accurate information about: family composition, age of family members, income and source of income of all family members, assets, community service activities, and related information necessary to determine eligibility, annual income, adjusted income, and rent. [966.4 (c)(2)]
3. Please notify your administrator immediately of any of the following changes:
  - (i) Loss or addition to the number of family members through birth, death, adoption, marriage or divorce
  - (ii) You or any family member goes to work
  - (iii) You or any family member stops working
  - (iv) You or any family member change jobs (from one company to another company)
  - (v) You or any family member becomes unemployed. When you get a "Letter of Determination of Benefits" take it to your Administrator to verify your benefits
  - (vi) You or any family member START receiving benefits (TANF, SS, SSI, SSDI, Unemployment, Child Support, Worker's Compensation, etc.) or you or any family member STOPS receiving benefits from any source.

- (vii) You or any family member receive a lump-sum payment for the delayed start of payments such as TANF, Child Support, SS, SSI, SSDI, Annuities, Insurance, Retirement, Pensions, Disability or Death Benefits or other similar payments. Report this information to your Administrator immediately so you rent can be adjusted.
- (viii) Disabled or elderly residents will need to furnish proof of ongoing "out-of-pocket" medical expenses. These are expenses that are not covered by Medicare, Medicaid, or supplemental insurance policies.

If you have daycare expenses (for children 12 years old and under or who are disabled) and you or your spouse work or go to school, this expense may be deducted from your income before your rent is calculated. Please provide your Administrator with a signed statement from your daycare provider stating the amount you actually pay for daycare and what period of time the expense covers. Only those "out-of-pocket" expenses not covered by other programs may be considered.

Failure to supply such information when requested is a serious violation of the terms of the lease and PHA may terminate the lease.

All information must be verified. Tenant agrees to comply with PHA requests for verification by signing releases for third-party sources, presenting documents for review, or providing other suitable forms of verification. [966.4 (c)(2)]

PHA shall give Tenant reasonable notice of what actions Tenant must take, and of the date by which any such action must be taken for compliance under this section. This information will be used by PHA to decide whether the amount of the rent should be changed, and whether the dwelling size is still appropriate for Tenant's needs.

This determination will be made in accordance with the Admissions and Occupancy Policy, which is publicly posted in the Housing Authority office. A copy of the policies can be furnished on request at the expense of the person making the request.

4. Rent will not change during the period between regular re-examinations, UNLESS during such period: [960.209 (b)]
  - (a) Tenant can verify a change in his/her circumstances (such as decline in or loss of income) that would justify a reduction in rent, except that rent shall not be reduced because a tenant's TANF grant is reduced because Tenant committed welfare fraud or failed to comply with a welfare department economic self-sufficiency requirement.
 

Tenant must report all changes in income amount or source within 10 days of the occurrence. Appointments for changes must be made by the 20<sup>th</sup> of each month and be completed on or before the 28<sup>th</sup> day of the month. Failure to report within the 10 days may result in a retroactive rent charge and/or termination of rental agreement.
  - (b) If it is found that Tenant has misrepresented the facts upon which the rent is based so that the rent Tenant is paying is less than the rent that he/she should have been charged. PHA then may apply an increase in rent retroactive to the first of the month following the month in which the misrepresentation occurred.
5. All changes in family composition must be reported to the PHA Administrator within 10 days of the occurrence. Failure to report within the 10 days may result in a retroactive rent charge and/or termination. [966.4 (c)(2)]
- (d) Rent Adjustments: Tenant will be notified in writing of any rent adjustment due to the situations described above; all notices will state the effective date of the rent adjustment.
  1. In the case of a rent decrease, the adjustment will become effective on the first day of the month following the reported change in circumstances, provided Tenant reported the change in a timely manner, as specified above.
  2. In the case of a rent increase (when a \$50.00 increase in monthly income occurs and is reported within 10 calendar days of the occurrence) the increase will become effective the first day of the 2<sup>nd</sup> month following the month in which the change was reported.

3. In the case of a rent increase due to misrepresentation, failure to report a change in family composition or failure to report an increase in income, PHA shall apply the increase in rent retroactive to the first of the month following the month in which the misrepresentation occurred and/or termination.

(e) Transfers [966.4 (c)(3)]

1. Tenant agrees that if PHA determines that the size or design of the dwelling unit is no longer appropriate to Tenant's needs, PHA shall send Tenant written notice. Tenant further agrees to accept a new lease for a different dwelling unit of the appropriate size or design.
2. PHA may move a Tenant to another unit if it is determined necessary to rehabilitate or demolish Tenant's unit.
3. If a Tenant makes a written request for special unit features in support of a documented disability, PHA shall modify Tenant's existing unit. If the cost and extent of the modifications needed are tantamount to those required for a fully accessible unit, PHA may transfer Tenant to another unit with the features requested at PHA's expense.
4. A Tenant without disabilities that is housed in a unit with special features must transfer to a unit without such features should a Tenant with disabilities need the unit.
5. In the case of involuntary transfers, Tenant shall be required to move into the dwelling unit made available by PHA. Tenant shall be given 30 days time in which to move following delivery of a transfer notice. If Tenant refuses to move, PHA may terminate the Lease. [966.4 (c)(3)]
6. Involuntary transfers are subject to the Grievance Procedure, and no such transfers may be made until either the time to request a Grievance has expired or the procedure has been completed. [966.4(c)(4)]
7. PHA will consider any Tenant requests for transfers in accordance with the transfer policy established in the Admissions and Occupancy Policy.

**VIII. PHA Obligations** [966.4 (e)]: PHA shall be obligated:

- (a) To maintain the dwelling unit and the project in decent, safe and sanitary condition; [966.4 (c)(1)]
- (b) To comply with the requirements of applicable building codes, housing codes, and HUD regulations materially affecting health and safety; [966.4 (e)(2)]
- (c) To make necessary repairs to the dwelling unit; [966.4 (e)(3)]
- (d) To keep project building, facilities, and common areas, not otherwise assigned to Tenant for maintenance and upkeep, in a clean and safe condition; [966.4(e)(4)]
- (e) To maintain in good and safe working order and condition electrical, plumbing, sanitary, heating, ventilating, and other facilities and equipment, including elevators supplied or required to be supplied with PHA; [966.4 (e)(5)]
- (f) To provide and maintain appropriate receptacles and facilities (except container for the exclusive use of an individual tenant family) for the deposit of garbage, rubbish, and other waste removed from the premises by Tenant as required by this Lease; [966.4(e)(6)]
- (g) To supply running water and reasonable amounts of hot water and reasonable amount of heat at appropriate times of the year according to local custom and usage; EXCEPT where the building that includes the dwelling unit is not required to be equipped for that purpose, or where heat or hot water is generated by an installation within the exclusive control of Tenant and supplied by a direct utility connection; [966.4 (e)(7)]
- (h) To notify Tenant of the specific grounds for any proposed adverse action by PHA. (Such adverse action includes, but is not limited to: a proposed lease termination, transfer of Tenant to another unit, change in amount of rent, or imposition of charges for maintenance and repair, or for excess consumption of utilities.) When PHA is required to afford Tenant the opportunity for a hearing under the PHA Grievance Procedure for a grievance concerning a proposed adverse action:
  1. The Notice of the proposed adverse action shall inform Tenant of the right to request such hearing. In the case of lease termination, a notice of lease termination that complies with [966.4(1)(3)] shall constitute adequate notice of proposed adverse action.

2. In the case of a proposed adverse action other than a proposed lease termination, PHA shall not take the proposed action until time to request such a hearing has expired or (if hearing was timely requested) the grievance process had been completed. [966.4(e)(8)]

**VIII. Tenant's Obligations:** Tenant shall be obligated:

- (a) Not to assign the Lease, nor sublease the dwelling unit. [966.4(f)(1)]
- (b) 1. Not to give accommodation to boarders or lodgers; [966.4 (f)(2)]  
2. Not to give accommodation to long-term guests (in excess of 14 days per year) without the advance written consent of PHA. (A guest registration form must be obtained and completed prior to receiving written consent of PHA.)
- (c) To use the dwelling unit solely as a private dwelling for Tenant and Tenant's household as identified in PART II of the lease, and not to use or permit its use for any other purpose. [966.4 (F)(3)]  

This provision does not exclude the care of foster children or live-in care of a member of Tenant's family, provided the accommodation of such persons conforms to PHA's Occupancy standards, and so long as PHA has granted prior written approval for the foster child(ren), or live-in aide to reside in the unit. [966.4 (d)(3)(i)]
- (d) To abide by necessary and reasonable regulations promulgated by PHA for the benefit and well-being of the housing project and Tenants. These regulations shall be posted in a conspicuous manner in the Housing Authority office and incorporated by reference in this Lease. Violation of such regulations constitutes a violation of the Lease. [966.4 ((f)(4)]
- (e) To comply with the requirements of applicable state and local building or housing codes, materially affecting health and/or safety of Tenant and household. [966.4(f)(5)]
- (f) To keep the dwelling unit and other such areas as may be assigned to Tenant for exclusive use in a clean and safe condition. [966.5(f)(6)] This includes keeping the yard watered, free of debris, litter, and snow removal in assigned areas. Exceptions to this requirement may be made for Tenants who have no household members able to perform such tasks because of age or disability. BE CAREFUL – water hoses left connected to the faucet may freeze during cold weather. Frozen faucets may lead to broken pipes. To avoid this danger, please remember to disconnect your hoses if there is even a possibility that it may freeze. You will be charged if the exterior faucet or piping is broken due to your neglect. [966.4(g)]
- (g) To dispose of all garbage, rubbish, and other waste from the dwelling unit in a sanitary and safe manner only in containers approved or provided by PHA. [966.4(f)(7)] To refrain from, and cause members of tenant's household or guests to refrain from, littering or leaving trash and debris in common areas.
- (h) To use only in reasonable manner all electrical, sanitary, heating, ventilating, air-conditioning, and other facilities and equipment including elevators. [966.4(f)(8)]
- (i) To refrain from, and to cause household and guests to refrain from destroying, defacing, damaging, or removing any part of dwelling unit or project. [966.5(f)(9)]
- (j) To pay reasonable charges (other than for wear and tear) for the repair of damages to the dwelling unit, project buildings, facilities, or common areas caused by Tenant, household members or guests. Normal wear and tear does not include cuts, burns, holes, dents or stains of any size in the floor covering, cabinets, countertops, doors, woodwork, fixtures or appliances. [966.4(f)(10)]
- (k) Fences are installed at some of the premises for the safety of your family. It is your responsibility for closing the gates on entering or leaving the unit. If there are any damages to the gate or fences, it is your responsibility to notify the Housing Authority. It is also your responsibility to supervise family and guests at all times. If a gate or fence is broken or being repaired, ensure your family and guests are being watched. It is your responsibility.
- (l) To act, and cause household members or guests to act in a manner that will;
  1. Not disturb other residents' peaceful enjoyment of their accommodations. Remember, quiet hours are from 10:00 p.m. to 7:00 a.m. seven (7) days a week. Curfew is 10:00 p.m. for minors. If you experience any problems with noise, neighbors, etc., please write down the date, time and incident, and contact your Administrator with the information.

2. All family members/guests on the premises must be under direct adult supervision at all times. No one shall be allowed to play with B-B guns, bows and arrows, slingshots, or any other hazardous items on the premises. These could be grounds for an eviction. These items are hazardous to the safety of others and will be confiscated. No one shall be allowed to climb in trees or on the roofs of buildings.
  3. Be conducive to maintaining all PHA properties in a decent, safe, and sanitary condition. [966.4(f)(11)]
- (m) To assure that Tenant, any member of the household, a guest, or any other person under Tenant's control, shall not engage in:
1. Any criminal activity on or off the premises that threatens the health, safety, or right to peaceful enjoyment of PHA's public housing premises by other residents or employees of PHA, or;
  2. Any drug-related criminal activity on or off the premises. Any criminal activity in violation of the preceding sentence shall be cause for termination of tenancy, and for eviction from the unit. (For the purposes of this lease, the term drug-related criminal activity means the illegal possession, manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use of a controlled substance as defined in Section 102 of the Controlled Substances Act). [966.4(f)(12)]
  3. Violent criminal activity committed on or off Management's property.
  4. Behavior that would indicate that the tenant or any member of the tenant's household abuses alcohol in such a manner that would interfere with the health, safety or right to peaceful enjoyment of the premises by the other residents.
- (n) To make no alterations or repairs or redecorations to the interior of the dwelling unit or to the equipment, nor to install additional equipment or major appliances without written consent of PHA. Tape may remove the finish from doors, please do not tape anything on doors. To make no changes to locks or install new locks on any doors without PHA's written approval. To use no nails, tacks, screws, brackets, or fasteners on any part of the dwelling unit (a reasonable number of picture nails are acceptable) without authorization by PHA. No nails or tacks are to be placed in any doors or woodwork.
- (o) To occupy the unit on a regular and continuous basis (5 days out of 7 days per week) and to be the tenant family's only place of residence. To give prompt prior notice to PHA, in accordance with Section XIII hereof, of Tenant's leaving dwelling unit unoccupied for any period exceeding one calendar week. If the tenant family fails to notify the Housing Authority of any absences of more than seven days, the Housing Authority may consider the property abandoned. During the absence of the tenant in excess of seven days, the Housing Authority may enter the dwelling unit at times reasonably necessary.
- (p) To act in a cooperative manner with neighbors and PHA Staff. To refrain from and cause members of Tenant's household or guests to refrain from acting or speaking in an abusive or threatening manner toward neighbors and PHA staff. Use of racial slurs may be cause for immediate termination.
- (q) Not to display, use, or possess or allow members of Tenant's household or guests to display, use or possess any illegal firearms, (operable or inoperable) or other illegal weapons as defined by the laws and courts of the State of Montana anywhere on the property of PHA. Discharge of any firearm on PHA premises is grounds for immediate termination of the tenancy.
- (r) To take reasonable precautions to prevent fires and to refrain from storing or keeping highly volatile or flammable materials upon premises. Do not store anything around or on water heater or furnace/boiler. To refrain from disabling smoke detectors.
- (s) The burning of candles is absolutely not allowed. No open flames such as fondue pots, barbeques, incense burners, etc., are allowed in the dwelling units.
- (t) To avoid obstructing sidewalks, areaways, galleries, passages, elevators, or stairs, and to avoid using these for purposes other than going in and out of the dwelling unit.
- (u) To refrain from erecting or hanging radio or television antennas on or from any part of the dwelling unit. No exterior TV or satellite dishes are allowed. Only PHA authorized personnel are allowed on roofs.
- (v) To refrain from placing signs of any type in or about the dwelling except those allowed under applicable zoning ordinances and then only after having received written permission of PHA.

- (w) To refrain from, and cause members of Tenant's household to refrain from keeping, maintaining, harboring, or boarding any animal of any nature in the dwelling unit except in accordance with the PHA's pet policy or Auxiliary Aide policy.
- (x) To remove from PHA property any vehicles without valid registration stickers. To refrain from parking any vehicles in any right-of-way or firelane designated and marked by PHA. Any inoperable or unlicensed vehicle as described above will be removed from PHA property at Tenant's expense. Automobile repairs are not permitted on project site. All automobile tires must be inflated. Washing automobile on project site is not allowed. **Any visiting guests of the Tenant should park on the street, not in the parking spaces provided for the Tenant.** Trucks, trailers, or buses may be parked only with the written permission of the Housing Authority.
- (y) To remove any personal property left on PHA property when Tenant leaves, abandons or surrenders the dwelling unit. Property left for more than 30 days shall be considered abandoned and will be disposed of by PHA. Costs for removal, storage and disposal shall be assessed against the former tenant.
- (z) To use reasonable care to keep his/her dwelling unit in such condition as to ensure proper health and sanitation standards for Tenant, household members and neighbors. **TENANT SHALL NOTIFY THE PHA PROMPTLY OF KNOWN NEED FOR REPAIRS TO DWELLING UNIT**, and of known unsafe or unsanitary conditions in the dwelling unit or in common areas and grounds of the Project. Tenant's failure to report the need for repairs in a timely manner shall be considered to have contributed to any damage that occurs. Notify the Housing Authority immediately of any water leaks you are unable to clean up or stop. There are water shut-off valves behind each toilet, under each sink and laundry hookups if an emergency arises.
- (aa) When it has been established that damage to the premises, equipment or grounds is due to misuse or neglect by the resident, members of the household or guests, the resident will be charged for the damage. Residents will also be charged for all broken glass and for the replacement of damaged screens **REGARDLESS OF THE CAUSE**. The only exception to this is a filed police report indicating break-ins or vandalism done by others than those listed as family members or guests.
- (bb) Report any weather damage within twenty-four (24) hours.
- (cc) Keys, Lockouts, and Lock Change: You have been issued two keys to your unit. Should you lose the key to your unit, you may have another one made at the Housing Authority office for a fee. If you are locked out of your unit, please call 245-6391 during business hours and 248-4111 after hours. A charge will be assessed. Lock changes may be requested and a charge will be assessed. Mailbox keys are supplied by the post office.
- (dd)
  1. Not to commit any fraud in connection with any Federal housing assistance program, and
  2. Not to receive assistance for occupancy of any other unit assisted under any Federal housing assistance program during the term of the lease.
- (ee) To pay promptly any utility bills for utilities supplied to Tenant by a direct connection to the utility company, and to avoid disconnection of utility service for such utilities.
- (ff) For each adult in the Tenant's household to perform at least 8 hours per month of qualifying community service (as specified by the PHA) unless the requirement is waived due to age, disability, or the fact that an adult is excused from this requirement because he/she is working, attending an educational institution, or participating in some other qualified training program.
- (gg) Exclusion Rule: The Housing Authority of Billings is committed to providing a safe and decent environment through HAB's property. Tenant agrees to HAB's reservation of the following rights to aid in providing a safe and decent environment throughout HAB's property.
  1. HAB reserves the right to prohibit non-HAB residents soliciting and/or trespassing on HAB property.
  2. HAB reserves the right to exclude non-residents, including but not limited to Tenant's guests who: (1) disturb other residents' peaceful enjoyment of their accommodations, community facilities, or other areas of HAB property; (2) engage in illegal or other activity which would impair the physical or social environment on HAB's property; (3) engage in any criminal activity threatening other residents, HAB employees, contractors, and/or law enforcement official's health, safety or peaceful enjoyment of HAB's properties; (4) engage in drug-related criminal activity on HAB property; (5) destroy, deface, damage or

remove HAB's equipment, vehicles, and/or any part of the dwellings, buildings, facilities, or other areas of HAB's properties; (6) engage in the illegal use or illegal possession of firearms and/or other offensive weapons on HAB's property; and/or (7) intentionally violate HAB's rules, regulations, policies, and/or procedures established for the benefit and well being of HAB's residents, property, and law enforcement officials.

3. Any Tenant who disagrees with HAB's excluding of a guest may submit the matter to the Grievance Procedure process.
4. Any person excluded under this Section shall be excluded for a period determined by the Executive Director or one (1) year from the date they are notified of the exclusion, whichever is shorter.

**X. Defects Hazardous to Life, Health or Safety:** In the event that the dwelling unit is damaged to the extent that conditions are created that are hazardous to the life, health, or safety of the occupants: [966.4(h)]

PHA Responsibilities:

- (a) PHA shall be responsible for repair of the unit within a reasonable period of time after receiving notice from Tenant, provided, if the damage was caused by Tenant, household members, or guests, the reasonable cost of the repairs shall be charged to Tenant. [966.4(h)(2)]
- (b) PHA shall offer Tenant a replacement dwelling unit, if available, if necessary repairs cannot be made within a reasonable time. PHA is not required to offer Tenant a replacement unit if Tenant, household members, or guests caused the hazardous condition. [966.4(h)(3)]
- (c) Tenant shall accept any replacement unit offered by PHA.
- (d) In the event PHA, as described above, cannot make repairs and alternative accommodations are unavailable, then rent shall abate in proportion to the seriousness of the damage and loss in value as a dwelling. No abatement of rent shall occur if Tenant rejects alternative accommodations or if Tenant, household members, or guests caused the damage. [966.4(h)(4)]
- (e) If PHA determines that the dwelling unit is untenable because of imminent danger to the life, health, and safety of Tenant, and Tenant refuses alternative accommodations, this Lease shall be terminated, and any rent paid will be refunded to Tenant.

Tenant Responsibilities:

- (a) Tenant shall immediately notify the PHA Administrator of the damage and intent to abate rent, when the damage is or becomes sufficiently severe that Tenant believes he/she is justified in abating rent. The Housing Authority recommends renter's insurance to insure your personal property against loss or theft. Personal property is not covered in the structural insurance we maintain on your unit. Please contact your insurance agent for more information. [966.4(h)(1)]
- (b) Tenant agrees to continue to pay full rent, less the abated portion agreed upon by PHA, during the time in which the defect remains uncorrected.

#### **XI. Move-in and Move-out Inspections**

- (a) Move-in Inspection: PHA and Tenant or representative shall inspect the dwelling unit prior to occupancy by Tenant. PHA will give Tenant a written statement detailing the condition of the dwelling unit and outside area noting any equipment provided with the unit. The statement will be signed by PHA and Tenant and a copy of the statement retained in Tenant's folder. Note: when you vacate the unit, this report will be compared with the move-out inspection performed to determine the condition in which the unit was left. [966.4(1)]
- (b) Move-out Inspection: PHA will inspect the unit at least 48 hours prior to termination date and provide the tenant a written checklist of any additional cleaning or other items for which the tenant is responsible. Tenant and/or representative may join in such inspection. After the inspection, the tenant will have 48 hours to do additional cleaning or correct other items specified. If those items are not cleaned or remedied, tenant will be charged according to posted maintenance rate schedule. [966.4(i)]

Leave all issued equipment, including hoses, sprinklers, ice cube trays, and water keys. For single family homes in addition to the above listed items, also leave brooms, rakes, and shovel in unit upon your departure.

Return all keys to your unit to the Housing Authority office. If your lease terminates on a weekend, return your keys to the Housing Authority by 10:00 am Monday morning.

Please lock your windows and doors before turning your keys in to the Housing Authority.

In the winter months, make sure you leave heat on in your unit.

## **XII. Entry of Premises During Tenancy**

### (a) Tenant Responsibilities:

1. Tenant agrees that the duly authorized agent, employee, or contractor of PHA will be permitted to enter Tenant's dwelling during reasonable hours (8:00 A.M. to 4:30 P.M.) for the purpose of performing routine maintenance, making improvements or repairs, inspecting the unit, or showing the unit to prospective tenants. [966.4(j)(1)]
2. When Tenant calls to request maintenance on the unit, PHA shall attempt to provide such maintenance at a time convenient to Tenant. If Tenant is absent from the dwelling unit when PHA comes to perform maintenance, Tenant's request for maintenance shall constitute permission to enter.

### (b) PHA's Responsibilities:

1. PHA shall give Tenant at least 48 hours written notice that PHA intends to enter the unit. PHA may enter only at reasonable times. [966.4(j)(1)]
2. PHA may enter Tenant's dwelling unit at any time without advance notification when there is reasonable cause to believe that an emergency exists. [966.4(j)(2)]
3. If Tenant and all adult members of the household are absent from the dwelling unit at the time of entry, PHA shall leave in the dwelling unit a written statement specifying the date, time and purpose of entry prior to leaving the dwelling unit. [966.4(j)(3)]
4. Management and Maintenance will perform an annual preventative maintenance inspection.
5. Annual inspections of housing units are required by federal regulation. A letter is sent from the Housing Authority to advise you of the date of the inspection. Inspections of the dwelling unit and equipment will be made to determine whether repairs or maintenance are necessary to preserve the property in good working order. Report maintenance problems as they occur. Do not wait for this inspection to report any maintenance problems.

## **XIII. Notice Procedures**

- (a) Tenant Responsibility: Any notice to PHA must be in writing, delivered to the Housing Authority office or sent by prepaid first-class mail, properly addressed. [966.4(k)(1)(ii)]
- (b) PHA Responsibility: Notice to Tenant must be in writing, delivered to Tenant or to any adult member of the household residing in the dwelling unit, or sent by first-class mail addressed to Tenant. [966.4(k)(1)(i)].
- (c) PHA will give a 14-day notice to remedy lease violations as stated in Section 70-24-422 of the Montana Residential Landlord and Tenant Act.
- (d) Unopened, cancelled, first class mail returned by the Post Office shall be sufficient evidence that notice was given.
- (e) If Tenant is visually impaired, all notices must be in an accessible format. [966.4(k)(2)]

**XIV. Termination of the Lease:** In terminating the Lease, the following procedures shall be followed by PHA and Tenant.

- (a) This Lease may be terminated only for serious or repeated violations of material terms of the Lease, such as failure to make payments due under the lease or to fulfill Tenant obligations set forth in Section IX above, or for other good cause. [966.4(l)(2)]

Such serious or repeated violation of terms shall include but not be limited to:

1. The failure to pay rent or other payments when due: [966.4(1)(2)]
2. Repeated late payment, which shall be defined as failure to pay the amount of rent or other charges due. If a tenant fails to pay rent after a 14-Day Notice has been sent, the rental agreement will be terminated.

If two (2) 14-Day Notices to Vacate have been issued for non-payment of rent and a third failure to pay rent on time occurs within a six-month period, a 30-Day Notice to Vacate will be issued. Note: even if rent is subsequently received, the 30-Day Notice to Vacate for late payment breach will still be upheld. [966.4(1)(2)]

3. Failure to pay utility bills when Tenant is responsible for paying such bills directly to the supplier of utilities. If the utilities are disconnected for non-payment, the PHA will allow you ten (10) days to get them reestablished. If they are not turned back on you will be issued a 30-day notice. [966.5(l)(2)]
  4. Misrepresentation of family income, assets, or composition; [966.4(c)(2)]
  5. Failure to supply, in a timely fashion, any certification, release, information, or documentation on Family income or composition needed to process annual reexaminations or interim redeterminations; [966.4(c)(2)]
  6. Serious or repeated damage to the dwelling unit, creation of physical hazards in the unit, common areas, grounds, or parking areas of any project site; [966.4 (l)(2)]
  7. Offensive weapons or illegal drugs seized in a PHA unit by a law enforcement officer; (966.4(l)(2))
  8. Any fire on PHA premises caused by carelessness, unattended cooking, and/or burning candles. [966.4(l)(2)]
  9. Violation of the exclusion rule.
- (b) PHA shall give written notice of the proposed termination of the Lease of:
1. 14 days in the case of failure to pay rent;
  2. A reasonable time, but not to exceed thirty days, considering the seriousness of the situation when the health or safety of other tenants or PHA staff is threatened;
  3. 30 days if 14-day notice violation is not remedied. [966.4(l)(3)(i)(A), (B) & (C)]
  4. If substantially the same act or omission that constituted a prior non-compliance of which notice was given recurs within 6 months, a 30-day notice will be issued.
- (c) The notice of termination:
1. The notice of termination to Tenant shall state specific reasons for the termination, shall inform Tenant of his/her right to make such reply as he/she may wish, and Tenant's right to examine PHA documents directly relevant to the termination or eviction. [966.4(l)(3)(ii)]
  2. When PHA is required to offer Tenant the opportunity for a grievance hearing, the notice shall also inform Tenant of the right to request such a hearing in accordance with PHA's grievance procedures. [966.4(l)(3)(ii)]
  3. The Notice to Vacate must be in writing, and specify that if Tenant fails to quit the premises within the applicable statutory period, appropriate action will be brought against Tenant, and Tenant may be required to pay the costs of court and attorney's fees.
  4. When PHA is required to offer Tenant the opportunity for a grievance hearing concerning the lease termination under PHA's grievance procedure, the tenancy shall not terminate (even if any Notice to Vacate under State of local law has expired) until the period to request a hearing has expired, or (if a hearing is requested) the grievance process has been completed. [966.4(l)(3)(iv)]
  5. When PHA is not required to offer the Tenant the opportunity for a hearing under the grievance procedure and PHA has decided to exclude such grievance for PHA grievance procedure, the notice of lease termination shall (a) state that Tenant is not entitled to a grievance hearing on the termination; (b) specify the judicial eviction procedures to be used by PHA for eviction and state that HUD has determined that this eviction procedure provides the opportunity for a hearing in a court that contains the basic elements of due process as defined in HUD regulations; and (c) state whether the eviction is for a criminal activity that threatens health or safety of residents or staff for a drug-related criminal activity. [966.4(l)(3)(v)]
  6. PHA may evict Tenant from the unit only by bringing a court action. [966.4(l)(4)]

- (d) Tenant may terminate this Lease at any time by giving thirty days written notice as described in Section XIII, above. Tenant acknowledges that rent and utilities are payable for thirty days (30) days from the date Tenant notifies Management in writing of the intention to terminate tenancy. If rent becomes due after notice is given, the rent will be prorated for that period and shall be payable.
- (e) In deciding to evict for criminal activity, PHA shall have discretion to consider (or not to consider) all of the circumstances of the case, including the seriousness of the offense, the extent of participation by or awareness of family members, and the effects that the eviction would have both on family members not involved in the proscribed activity and/or the family members, and may impose a condition that family members who engaged in the proscribed activity will neither reside in nor visit the unit. PHA may require a family member who has engaged in the illegal use of drugs to present credible evidence of successful completion of a treatment program as a condition to being allowed to reside in the unit. [966.4(l)(5)]
- (f) When a PHA evicts a Tenant from a dwelling unit for criminal activity PHA shall notify the local post office serving that dwelling unit that such individual or family is no longer residing in the unit so the post office will stop mail delivery for such persons and they will have no reason to return to the unit. [966.4(l)(5)(ii)]
- (g) Abandonment: If the tenant abandons the unit, the Housing Authority must wait a five-day period since first notice of such abandonment to remove the tenant's personal belongings and take possession. The Housing Authority will inventory and store the belongings. The Housing Authority will comply with applicable State of Montana notification requirements for abandoned property. Upon issuance of certified notification letter mailed to last known address, the tenant will have fifteen (15) days to contact the Housing Authority and remove possession. If the tenant fails to do so, the property will be disposed of or sold.
- (h) **VAWA - Domestic Violence, Dating Violence, Stalking.** The following provisions are applicable to situations involving incidents involving actual or threatened domestic violence, dating violence, or stalking, as those terms are defined in Section 6(u)(3) of the United States Housing Act of 1937, as amended, (42 U.S.C. §1437d(u)(3)) and in HAB's Violence Against Women Act (VAWA) Policy. To the extent any provision of this section shall vary from or contradict any other provision of this lease, the provisions of this section shall prevail.

A. Termination of tenancy.

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not constitute a serious or repeated violation of the lease by the victim of such violence; and
2. Criminal activity directly relating to domestic violence, dating violence or stalking, engaged in by a member of the tenant's household, a guest, or other person under the tenant's control, shall not be cause for termination of tenancy or occupancy rights, if the Tenant or any member of the Tenant's family is a victim of that domestic violence, dating violence, or stalking.
3. Notwithstanding anything to the contrary contained in paragraphs A.1.and A.2. above, HAB may terminate Tenant's tenancy under this lease if it can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the development in which the unit is located, if the tenant's tenancy is not terminated.
4. Further, nothing in this section shall prohibit HAB from terminating tenancy under this lease based on a violation of this lease not premised on an act or acts of domestic violence, dating violence, or stalking against the tenant or a member of the tenant's household for which protection against termination of tenancy is given in paragraphs A.1.and A.2. above. However, in taking any such action to terminate tenancy, HAB shall not apply a more demanding standard to you than to other tenants.

B. Bifurcation of Lease. Under the authority provided in Section 6(j)(6)(B) of the United States Housing Act of 1937, as amended (42 U.S.C. §1437d(l)(6)(B)), HAB may bifurcate this lease in order to evict, remove, or terminate assistance to any individual who is a Tenant or a lawful occupant

under this lease and who engages in criminal acts of physical violence against family members or others. HAB may take such action without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such violence who is the Tenant or a lawful occupant under this lease.

C. Certification. If the Tenant or a lawful occupant, as a defense to termination of tenancy or an action to evict, claims protection under this section against such action, HAB may (but is not required to) request the individual to deliver to HAB a certification. The certification may be delivered in one of the following forms:

1. a HUD-approved form (supplied by HAB) attesting that the individual is a victim of domestic violence, dating violence, or stalking and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the requirements of this section, or
2. documentation signed by an employee, agent or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation, or
3. a federal, State, tribal, or local police report or court record, describing the incident or incidents in question.

The certification must be delivered to HAB within 14 days after the request for certification is received from HAB. If the certification is not delivered to HAB within the 14-day period allowed, the provisions of this section will not apply and HAB may elect to terminate tenancy and evict without regard to the protections provided in this section.

D. Confidentiality. The law requires that information provided to HAB concerning an incident of incidents of domestic violence, dating violence, or stalking be retained in confidence, not placed in any shared data base nor provided to a related entity, except to the extent disclosure requested or consented to by the individual supplying such information, or required for use in an eviction proceeding, or otherwise required by applicable law.

#### ALTERNATE PROVISIONS

C. Certification. If the Tenant or a lawful occupant, as a defense to termination of tenancy or an action to evict, claims protection under this section against such action, HAB may (but is not required to) request the individual to deliver to HAB a certification. The certification may be delivered within 14 days after the request for certification is received from HAB and may be made in the manner described in the request. If the certification is not delivered within the time allowed, HAB may proceed to terminate tenancy and evict without reference to this section.

- D. Confidentiality. Information provided to HAB concerning an incident or incidents of domestic violence, dating violence, or stalking shall be retained by HAB in confidence and disclosed only as permitted by applicable law.

**XV. Waiver:** No delay or failure by PHA in exercising any right under this lease agreement, and no partial or single exercise of any such right shall constitute a waiver (post or prospective) of that or any other right, unless otherwise expressly provided herein.

**XVI. Housekeeping Standards.** In an effort to improve the livability and conditions of the units owned and managed by PHA, uniform standards for resident housekeeping have been developed for all tenant families.

- (a) PHA Responsibility: The standards that follow will be applied fairly and uniformly to all Tenants. PHA will inspect each unit at least annually, to determine compliance with the standards. Upon completion of an inspection PHA will notify Tenant in writing if he/she fails to comply with the standards. PHA will advise Tenant of the specific correction(s) required establishing compliance. Within a reasonable period of time, PHA will schedule a second inspection. A failed inspection will result in a charge to reinspect. Failure of a second inspection will constitute a violation of the lease terms and may result in eviction.
- (b) Tenant Responsibility: Tenant is required to abide by the standards set forth below. Failure to abide by the Housekeeping Standards that results in the creation or maintenance of a threat to health or safety is a violation of the lease terms and can result in eviction. As in any home, keeping it free of roaches, insects and other pests is the responsibility of the resident. Extermination costs may be charged to the family.
- (c) Housekeeping Standards: Inside the Apartment

General—

- (1) Walls: should be clean, free of dirt, grease, holes, cobwebs and fingerprints.
- (2) Floors: should be clean, clear, dry and free of hazards. We suggest that you place coasters or pads under all legs of furniture that might indent floor covering.
- (3) Ceilings: should be clean and free of cobwebs.
- (4) Windows: should be clean and not nailed shut. Shades or blinds should be intact.
- (5) Woodwork: should be clean, free of dust, gouges, or scratches.
- (6) Doors: should be clean, free of grease and fingerprints. Doorstops should be present. Locks should work.
- (7) Heating units: should be dusted and access uncluttered.
- (8) Trash: shall be disposed of properly and not left in the unit.

Kitchen—

- (1) Stove: should be clean and free of food and grease. Don't use abrasive cleaning supplies that will damage porcelain or painted surfaces.
- (2) Refrigerator: should be clean. Freezer door should close properly and freezer have no more than one inch of ice. Your refrigerator should be defrosted and cleaned periodically. To do this, turn the dial to the "OFF" position, making sure you have a container under the freezing unit during the defrosting period. It is also helpful to clean the inside of the refrigerator weekly using a tablespoon or two of baking soda in your water. Please remember to wash the rubber stripping around the door to prevent deterioration. NEVER use an ice pick or sharp object to remove ice from a refrigerator or freezer compartment.
- (3) Cabinets: should be clean and neat. Cabinet surfaces and countertops should be free of grease and spilled food. Cabinets should not be overloaded. Storage under the sink should be limited to small or lightweight items to permit access for repairs. Heavy pots and pans should not be stored under the sink.
- (4) Exhaust Fan: should be free of grease and dust.
- (5) Sink: should be clean, free of grease and garbage. Dirty dishes should be washed and put away in a timely manner.
- (6) Food storage areas: should be neat and clean without spilled food.
- (7) Trash/garbage: should be stored in a covered container until removed to the disposal area.

Bathroom—

- (1) Sewage Stoppage: To prevent problems with your sewer, please do not wash clothes in the bathtub. Lint from clothes washed in the bathtub can create sewer blockages. Please do not empty grease,

tea leaves, or coffee grounds in the sink as they could also create sewer problems. Finally, please do not flush diapers, tampons, or other feminine sanitary products down the toilet.

- (2) Toilet and tank: should be clean and odor free.
- (3) Tub and shower: should be clean and free of excessive mildew and mold. Where applicable, shower curtains should be in place, and of adequate length.
- (4) Lavatory: should be clean.
- (5) Exhaust fans: should be free of dust.
- (6) Floor should be clean and dry.

Storage Areas—

1. Linen closet: should be neat and clean.
2. Other closets: should be neat and clean. No highly volatile or flammable materials should be stored in the unit.
3. Other storage areas: should be clean, neat and free of hazards.

(c) Housekeeping Standards: Outside the Apartment

The following standards apply to family and scattered site development only; some standards apply only when the area noted is for the exclusive use of Tenant. Once per week office personnel will drive through areas to review the condition of lawns and landscaping. If the exterior of your unit does not meet our standards, if you have garbage on your lawn, have failed to water lawn, have not shoveled snow, not cleaned oil spots in parking lot, a resident will be given twenty-four (24) hours to bring his/her unit up to standards.

1. Yards: should be free of debris, trash, and abandoned cars. Exterior walls should be free of graffiti.
2. Porches (front and rear): should be clean and free of hazards. Any item stored on the porch/patio shall not impede access to the unit. Storage of garbage, appliances, indoor furniture, motor vehicle parts, etc., is not allowed.
3. Steps (front and rear): should be clean and free of hazards.
4. Sidewalks: should be clean and free of hazards.
5. Storm doors: should be clean, with glass or screens intact.
6. Parking lot: should be free of abandoned cars; there should be no cars repaired in the lots; cars are not allowed to be washed on premises. The parking area is the responsibility of the resident to keep free of any oil spills, antifreeze spills, etc. If the resident does not keep areas cleaned, the Housing Authority will charge a flat rate each time it cleans.
7. Motorcycles shall not be allowed in the unit or driven on the sidewalks or yards. At scattered sites, all motorbikes must be parked in the parking area.
8. Hallways: should be clean and free of hazards.
9. Stairwells: should be clean and uncluttered.
10. Laundry areas: should be clean and neat. Remove lint from dryers after use.
11. Utility room: should be free of debris, motor vehicle parts, and flammable materials.
12. Access to water shutoffs and electrical panels must not be blocked.
13. Garbage Cans and Dumpsters: please place all garbage in dumpsters and keep dumpsters covered. The space around your dumpster must also be kept clean and free of debris. These two points are critical to avoid unsanitary conditions. If your garbage is not picked up, please call the City Sanitation Department. If you are discarding large objects (couches, bed frames, etc.), DON'T. You are responsible for removing these objects from the premises yourselves. Please do not store quantities of cans, newspapers, etc., in or around unit or storage sheds.

**TENANT AGREES THAT ALL THE PROVISIONS OF THIS LEASE HAVE BEEN READ AND ARE UNDERSTOOD AND FURTHER AGREES TO BE BOUND BY ITS PROVISIONS AND CONDITIONS AS WRITTEN. (SIGNATURE REQUIRED ON PART II OF THE LEASE.)**

## PART II: RESIDENTIAL LEASE AGREEMENT

**THIS AGREEMENT** is executed between the Housing Authority of Billings (herein called "PHA") and \_\_\_\_\_ (herein called the "Tenant"), and becomes effective as this date: \_\_\_\_\_.  
[966.4(a)]

**I. Unit:** That the PHA, relying upon the representations of Tenant as to Tenant's income, household composition and housing need, leases to Tenant, (upon Terms and Conditions set forth in Part I of this Lease agreement) the dwelling unit LOCATED at \_\_\_\_\_

(and hereinafter called the "premises") to be occupied exclusively as a private residence by Tenant and household.

**II. Household Composition:** The Tenant's household is composed of the individuals listed below. Each household member should be listed oldest to youngest. [966.4(a)(2)] All members of the household over age 18 shall execute the lease.

Name	Relationship
Head	
1	
2	
3	
4	
5	
6	
7	
8	

**III. Term:** The term of this lease shall be one calendar year.

Beginning \_\_\_\_\_ and ending \_\_\_\_\_ and renewed as stipulated in Part I of the Lease.

**IV. Rent:** Initial rent (prorated for partial month) shall be \$\_\_\_\_\_. and, if applicable, the Tenant shall receive the benefit of \$\_\_\_\_\_ from PHA for Utility Reimbursement (for partial month) paid to the tenant for the period \_\_\_\_/\_\_\_\_/\_\_\_\_ through \_\_\_\_/\_\_\_\_/\_\_\_\_.

Thereafter, rent in the amount of \$\_\_\_\_\_ per month shall be payable in advance on the first day of each month, and shall be delinquent after the sixth (6<sup>th</sup>) day of said month. A utility reimbursement of \$\_\_\_\_\_ per month (if applicable) shall be paid to the Tenant.  
[966.4(b)(1)]

This is the flat rent for the Premises .

This rent is based on the income and other information reported by the Resident

**V. Utilities and Appliances:**

a. Each tenant is responsible for his/her own utilities with the exception of water/sewer that will be paid by the Housing Authority. The Housing Authority will provide a utility allowance for the tenant that will be subtracted from the Total Tenant Payment (TTP). It is your responsibility to put utilities in your name before moving into the unit. Your payments for utilities are made directly to the utility company.

The exception to this is MT1-4, the St. John's Complex, where all utilities are paid by the Housing Authority and there is not a utility allowance deducted from the TTP. If a tenant resides at the St. John's Complex, a cost for excess utilities will be assessed if the tenant has additional appliances such as air conditioners, freezers, extra refrigerators, or waterbeds, etc. See attached listed excess utility charges.

b. Tenant agrees to maintain sufficient heat in the dwelling unit to prevent freezing of piped water. If, for any reason, Tenant is unable to maintain sufficient heat, Tenant shall immediately notify Management. Tenant will be charged for any damages resulting from Tenant's failure to maintain sufficient heat in the dwelling. Failure of the Tenant to maintain utility service to the dwelling shall render the dwelling substandard and be cause for termination of the tenancy.

- c. Management shall furnish the following services and equipment without additional cost:
  - KEYS: Two keys per household
  - SERVICES: Trash removal from dumpster, lawn mowing (complexes only)
  - EQUIPMENT: Stove, refrigerator and smoke detectors

**VI. Security Deposit:** Tenant agrees to pay \$\_\_\_\_\_ as a security deposit. See Part I of this lease for information on treatment of the Security Deposit. [966.3(b)(5)]

**VII. Execution:** By Tenant's signature below, tenant and household agree to the terms and conditions of Part I and II of this lease and all additional documents made a part of this lease by reference.

By the signature(s) below I/we also acknowledge that the Provisions of Part I of this Lease Agreement have been received and thoroughly explained to me/us.

TENANT_____	DATE_____
CO-TENANT_____	DATE_____
CO-TENANT_____	DATE_____
CO-TENANT_____	DATE_____
PHA ADMINISTRATOR_____	DATE_____

**TENANT'S CERTIFICATION**

I, \_\_\_\_\_ hereby certify that I, and other members of my Household, have not committed any fraud in connection with any federal housing assistance program, unless this was fully disclosed to PHA before execution of the lease, or before PHA approval for occupancy of the unit by the Household member.

I further certify that all information or documentation submitted by myself or other Household members to PHA in connection with any federal housing assistance program (before and during the lease term) are true and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Tenant's Signature

DATE \_\_\_\_\_

**ATTACHMENTS:**

If indicated by an (x) below, PHA has provided the tenant with the following attachments and information:

- ( ) Part I of this Lease
- ( ) Standard Maintenance Charges (May be updated)
- ( ) Excess Utility Allowance Lease Addendum
- ( ) Excess Utility Cost Schedule
- ( ) Condition of Premises
- ( ) Fair Housing, It's Your Right
- ( ) Single Family Home Lease Addendum
- ( ) Community Service Packet
- ( ) Helpful Phone Numbers
- ( ) Other \_\_\_\_\_
- ( ) Pet Policy
- ( ) Auxiliary Aide Policy
- ( ) Grievance Procedure (May be updated)
- ( ) Mold Disclosure
- ( ) Protect Your Family From Lead in Your Home
- ( ) Violent & Sex Offender Notification Website
- ( ) Reasonable Accommodation Packet
- ( ) Live-In Aide Addendum
- ( ) Deposit Addendum

**II. STATEMENT ON RECEIPT OF INFORMATION**

I/we have received a copy of the above information. The above information has been thoroughly explained to me/us.

_____	Date _____
Tenant's Signature	
_____	Date _____
Co-Tenant's Signature	
_____	Date _____
Co-Tenant's Signature	
_____	Date _____
Co-Tenant's Signature	

OFFICE ADDRESS: 2415 First Avenue North HOURS 8:00 am – 5:00 pm

TELEPHONE NUMBER: 406-245-6391  
FAX: 406-245-0387  
MT RELAY: 711 – for Hearing Impaired

EMERGENCY MAINTENANCE TELEPHONE NUMBER: 406-248-4111  
Monday thru Friday after 4:30 p.m., weekends and holidays

1. The Housing Authority of Billings does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.
2. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development/s regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988).

Lucy Brown, Executive Director  
Name

2415 First Avenue North  
Address

<u>Billings</u>	<u>MT</u>	<u>59101</u>
City	State	Zip

(406) 245-6391  
Telephone – Voice

(406)-711 (Montana Relay)  
Telephone – Hearing Impaired

(406) 245-0387  
FAX

#### **504 POLICY/NONDISCRIMINATION/GRIEVANCE**

The Housing Authority and any of the properties it manages does not discriminate on the basis of handicap status in the admission of, access to, or treatment or employment for any of its projects or programs

The Housing Authority adheres to the 504 Act policies to assist those with disabilities as delineated by H.U.D. The 504 Act applies to clients and client applicants as well as employees and job applicants. The Executive Director is the 504 Coordinator. Any of these groups may request a reasonable accommodation, and if denied a right to grieve the decision. The following is the process to be followed.

1. Client applicants and clients may request a reasonable accommodation in writing and it will be directed to the effected department. Staff will then present to their supervisor and the supervisor will take it to the Executive Director. If the reasonable accommodation is denied, the client applicant or client may request a grievance hearing or review as set up in the various program policies.
2. Job applicants may request a reasonable accommodation in writing and it will be submitted to the Executive Director. If denied, the denied job applicant may request a grievance hearing within ten days of denial. The grievance hearing officer will conduct a hearing within ten days of the request and within ten days of the hearing render a decision.
3. For all current employees, a reasonable accommodation may be requested during employment. If denied, the employee should following the grievance procedures spelled out in the Affirmative Action Plan.

For external complaints, you may contact:

- U.S. Department of Housing & Urban Development: 1-800-669-9777; TDD 1-800-927-9275
- Your local, state, or national protection and advocacy system
- Your private Fair Housing agency
- The Mental Health Law Project: 1-202-467-5730
- The U.S. Department of Justice: 1-202-514-4713

## **HELPFUL PHONE NUMBERS**

### Maintenance Work Orders

During Maintenance Hours 8:00 am – 4:30 pm	245-6391
AFTER HOURS EMERGENCY MAINTENANCE	248-4111
Police Department - Emergency	911
Police Department – Non-emergency	657-8200
Fire Department	911
Ambulance	911
Civil Defense	911
Northwestern Energy (electricity outage and customer service)	1- 888-467-2669
MDU (gas leaks and customer service))	1-800-638-3278
OPA (welfare office)	237-0520
HRDC	247-4732
Deering Clinic	247-3350
Family Services	259-2269
WIC	247-3370

## **MAINTENANCE LABOR RATE CHARGES**

(Effective July 1, 2006)

Charges not on this list will be charged out at time and materials basis with the time charged figured by the hourly rate of the maintenance position classification assigned to do the work or by the actual contract price of the contractor hired to do the job. An overtime rate of 1-1/2 times the hourly rate will be used to calculate charges for after hours work with a 1 hour minimum charge.

### **LABOR RATES**

<b><u>Position</u></b>	<b><u>Rate Per Hour</u></b>
Maintenance	\$ 23.49
Maintenance II	16.09
Maintenance Painter	25.60
Groundskeeper	15.97

### **CHARGES**

Watering Yards	\$5.87 each occurrence
Shoveling Snow (Labor)	\$5.87 Minimum, \$23.49 per hour
Oil spots – Flat Charge	\$25.00 each time
Lock change – Flat Charge	\$25.00 each time
Lock Out	\$5.87 during maintenance hours \$35.24 after maintenance hours
Keys	Actual cost plus \$5.87 if delivered
Failure to return checked out key	\$12.00
Cleaning (Labor)	\$16.09 per hour
Cleaning Hallways (Laundry Room) Labor	\$16.09 per hour
Maintenance hourly wage	\$23.49 per hour
Lawn Mowing (Labor)	\$15.97 per hour per man
Prefinished Door (Labor)	\$11.75 per door
Unfinished Door (stain and varnish) Labor	\$23.49 per door
Screens (Labor)	\$5.87 per screen
Garbage Pick-up (1 hour min.)	\$23.49 per hour

Carpet will be replaced based on depreciation of current replacement cost.

## **EXCESS UTILITY CHARGES** **Effective June 1, 2004**

MONTHLY CHARGES TO TENANTS AT ST. JOHNS COMPLEX - MT 1-4 FOR MAJOR APPLIANCES:

AIR CONDITIONER	\$23.25
FREEZER	\$3.98
AUTO DEFROST FREEZER	\$6.02
WATERBED	\$14.20
HEADBOLT HEATER	\$16.90



**EQUAL HOUSING  
OPPORTUNITY**

# **HOUSING AUTHORITY OF BILLINGS VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY**

## **I. Purpose and Applicability**

The purpose of this policy (herein called “Policy”) is to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) and more generally to set forth HAB’s policies and procedures regarding domestic violence, dating violence, and stalking, as hereinafter defined.

This Policy shall be applicable to the administration by HAB of all federally subsidized public housing and Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. §1437 *et seq.*). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

## **II. Goals and Objectives**

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by HAB;
- C. Providing and maintaining housing opportunities for victims of domestic violence dating violence, or stalking
- D. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by HAB.

## **III. Other HAB Policies and Procedures**

This Policy shall be referenced in and attached to HAB’s Five-Year Public Housing Agency Plan and shall be incorporated in and made a part of HAB’s Admissions and Continued Occupancy Policy. HAB’s annual public housing agency plan shall also contain information concerning HAB’s activities, services or programs relating to domestic violence, dating violence, and stalking.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of HAB, the provisions of this Policy shall prevail.

## **IV. Definitions**

As used in this Policy:

A. *Domestic Violence* – The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

B. *Dating Violence* – means violence committed by a person—

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - (i) The length of the relationship.
  - (ii) The type of relationship.
  - (iii) The frequency of interaction between the persons involved in the relationship.

C. *Stalking* – means –

- (A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and
- (B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to –
  - (i) that person;
  - (ii) a member of the immediate family of that person; or
  - (iii) the spouse or intimate partner of that person;

D. *Immediate Family Member* - means, with respect to a person –

- (A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
- (B) any other person living in the household of that person and related to that person by blood or marriage.

E. *Perpetrator* – means person who commits an act of domestic violence, dating violence or stalking against a victim.

## V. Admissions and Screening

A. *Non-Denial of Assistance*. HAB will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim

of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

B. *Mitigation of Disqualifying Information.* When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, HAB, may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. If requested by an applicant to take such mitigating information into account, HAB shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. HAB will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

## **VI. Termination of Tenancy or Assistance**

A. *VAWA Protections.* Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by HAB:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a “serious or repeated” violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
2. In addition to the foregoing, tenancy or assistance will not be terminated by HAB as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant’s control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
  - (a) Nothing contained in this paragraph shall limit any otherwise available authority of HAB’ or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant’s household. However, in taking any such action, neither HAB nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.
  - (b) Nothing contained in this paragraph shall be construed to limit the authority of HAB or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or HAB, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. *Removal of Perpetrator.* Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, HAB or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by HAB. Leases used for all public housing operated by HAB and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by HAB, shall contain provisions setting forth the substance of this paragraph.

## **VII. Verification of Domestic Violence, Dating Violence or Stalking**

A. *Requirement for Verification.* The law allows, but does not require, HAB or a section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., HAB shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by HAB. Section 8 owners or managers receiving rental assistance administered by HAB may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* - by providing to HAB or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.

2. *Other documentation* - by providing to HAB or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking

described in the documentation must also sign and attest to the documentation under penalty of perjury.

3. *Police or court record* – by providing to HAB or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

B. *Time allowed to provide verification/ failure to provide.* An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by HAB, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (*i.e.*, 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.

C. *Waiver of verification requirement.* The Executive Director of HAB, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

## **VIII. Confidentiality**

A. *Right of confidentiality.* All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to HAB or to a Section 8 owner or manager in connection with a verification required under section VII of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

1. requested or consented to by the individual in writing, or
2. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or
3. otherwise required by applicable law.

B. *Notification of rights.* All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by HAB shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

## **VIV. Transfer to New Residence**

A. *Application for transfer.* In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, HAB will, if an approved unit size is available at a location that

may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit in order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

- B. *Action on applications.* HAB will act upon such an application promptly.
- C. *No right to transfer.* HAB will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, except with respect to portability of Section 8 assistance as provided in paragraph IX. E. below the decision to grant or refuse to grant a transfer shall lie within the sole discretion of HAB, and this policy does not create any right on the part of any applicant to be granted a transfer.
- D. *Family rent obligations.* If a family occupying HAB public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by HAB. In cases where HAB determines that the family's decision to move was reasonable under the circumstances, HAB may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.
- E. *Portability.* Notwithstanding the foregoing, a Section 8-assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

## **X. Court Orders/Family Break-up**

A. *Court orders.* It is HAB's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by HAB and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

B. *Family break-up.* Other HAB policies regarding family break-up are contained in HAB's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Administrative Plan.

## **XI. Relationships with Service Providers**

It is the policy of HAB to cooperate with organizations and entities, both private and governmental, which provide shelter and/or services to victims of domestic violence. If HAB staff becomes aware that an individual assisted by HAB is a victim of domestic violence, dating violence or stalking, HAB will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring HAB either to maintain a relationship with any particular provider of shelter or services to victims of domestic violence or to make a referral in any particular case. HAB's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which HAB has referral or other cooperative relationships.

## **XII. Notification**

HAB shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

## **XIII. Relationship with Other Applicable Laws**

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

## **XIV. Amendment**

This policy may be amended from time to time by HAB as approved by the HAB Board of Commissioners.

## **C. ISSUING, EXTENDING, AND DENYING HOUSING CHOICE VOUCHERS, AND TERMINATING ASSISTANCE;** 24 CFR 982.301, 982.302, 982.303, 982.552, 982.553

- 1. ISSUANCE** ( 24 CFR 982.302) Families will be issued Housing Choice Vouchers in a nondiscriminatory fashion, as their names come up on the waiting list. The normal rotation of the waiting list is time and date of application, or if any preferences are identified in this plan.

When the family finds a unit they must submit to HAB a request for lease approval and a copy of the proposed lease. The family shall only be allowed to submit one request for lease approval at a time.

### **a. Briefings** - ( 24 CFR 982.301 )

Families will be notified by mail that a briefing will be conducted and that if they wish to participate in the program they must attend. The families will be advised that if they don't attend the scheduled briefing and fail to contact the HAB before the briefing, unless there are extenuating circumstances ( i.e., a death in the family, medical, etc.), their name will be removed from the waiting list.

Briefings will be conducted in a group setting whenever possible, depending upon the number of vacant Housing Choice Vouchers available. The purpose of the briefing is to acquaint the families with the operation of the programs and provide them with all the tools necessary to successfully become participants of the programs. The Briefing Packet will contain all the required information and documents, including a list of available rental rehabilitation properties. A full explanation will be given of each item. It will be made clear to all applicants that the Housing Choice Voucher will expire at the end of 60 days and that they must successfully complete their housing search within that time.

**b. Term of Housing Choice Vouchers** - ( 24 CFR 982.303 ) -The initial term of a Housing Choice Voucher is 60 days. The HAB will not suspend or stop the clock on the term of the Voucher.

- 2. EXTENSIONS** - 24 CFR 982.303 Vouchers will only be extended under the following circumstances:

- a. If the Family or disabled family or individual can verify extenuating circumstances or is a hard-to-house family, and through their contact with the office staff can clearly demonstrate that they made every effort to secure a suitable unit, and
- b. The family has not refused a suitable unit without good cause, and

c. There is a reasonable possibility that an extension of the Voucher will result in an approved lease and the execution of the Housing Assistance Payment contract.

d. The family or individual must contact the HAB in writing prior to the end of the sixty day leasing period if they are going to request an extension be granted. The reason for the extension should detail the extenuating reason(s) for needing more time.

**3. DENIAL OR TERMINATION OF HOUSING CHOICE VOUCHERS ( 24 CFR 982.552, 982.553 )** The Housing Authority of Billings *may* at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the grounds stated in 24 CFR 982.552, 982.553.

Denial of assistance for an applicant may include any or all of the following: denying listing on the PHA waiting list, denying or withdrawing a voucher, refusing to enter into a HAP contract or approve a lease, and refusing to process or provide assistance under portability procedures.

**The HAB will deny admission or terminate assistance for any of the following grounds:**

1. Illegal drug use, other criminal activity, and alcohol abuse that would threaten other residents;
2. For a family evicted from housing assisted under the program for serious violation of the lease;
3. If any member of the family fails to sign and submit consent forms for obtaining information in accordance with part 5 of 24 CFR.  
The participant is responsible for the signing and submitting of consent forms by all family members. The consent form is required to be signed by all required family members when there has been a change in family composition adding new family member who is 18 years of age or older, or when a current member of a family turns 18 years of age:
  - (a) Before participation in the program is allowed, and;
  - (b) At regularly scheduled annual income reexaminations, and;
  - (c) At the time of an interim exam, including for income and family composition changes.
1. If any family member fails to submit required evidence of citizenship or eligible immigration status.
2. If the family violates any family obligation under the program;
3. If any member of the family has been evicted from federally assisted housing in the last five years;
4. If a PHA has ever terminated assistance under the program for any member of the family;
5. If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program;

6. If the family has not reimbursed any PHA for amount paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
7. If the family breaches an agreement with the PHA to pay amounts owed to a PHA or amounts paid to an owner by a PHA;
8. If the family has engaged in or threatened abusive or violent behavior toward PHA personnel;
9. If the family has been engaged in criminal activity or alcohol abuse as described in 982.553.
10. If any member of the family fails to report income, they will generally not be terminated from assistance unless their failure to report results in an under reporting of over \$1,500.00 of income.
11. If the participant fails to respond to a request for a reexamination, after the second attempt to contact without success, HAB will terminate assistance. HAB will take into account extraordinary circumstances before initiating termination.
12. If the participant fails to appear for a scheduled appointment without canceling or rescheduling the appointment, the HAB will terminate assistance.
13. If HAB has paid a damage repair claim on behalf of participant, where the HAB approved the amount of allowable tenant damage repair and or cleaning cost exceeds \$1,500.00
14. If the payment termination was a result of TTP being higher than the gross (0 HAP) and one full year has passed since last payment on the contract was made, for the contracts signed pre-10/1/95, six months for contracts signed post - 10/1/95.
15. If a participant will not provide Social Security numbers or documentation for Social Security number for all family members.
16. Family members will not be allowed to remain in over-occupied units, which result from family size changes and make their unit not meet occupancy standards. Those families refusing to move will be terminated from the program.
17. If a client enters into a repayment agreement due to unreported income, damages or any other program requirement, they must remain current on their payments. The monthly payments will be due by the 5<sup>th</sup> of each month. If payment is not received by the 5<sup>th</sup> of the month, the client will be sent a 30-day notice to pay in full or they will be terminated from the Section 8 Program. If terminated from the program, the remaining amount owing will be immediately sent to collection.

HAB and HUD must be allowed to inspect a rental unit at reasonable notice. The family is notified of the inspection or makes arrangements to have an adult family representative or the landlord present. If the family misses the inspection appointment, and does not arrange for the representative or the landlord to be there, one more inspection (or re-inspection) appointment will be scheduled. If the family misses two inspection appointments, HAB will consider the family to have violated a family obligation and their assistance will be terminated, following the termination of assistance procedures.

**a. Denial of admission and termination of assistance for criminals and alcohol abusers:**

1. The HAB will prohibit admission to the program of an applicant for three (3) years from the date of eviction if a household member has been evicted from federally assisted housing for drug-related criminal activity;
2. HAB will prohibit admission if any household member is currently engaging in illegal use of a drug;
3. If HAB determines that it has reasonable cause to believe that a household member's illegal drug use or pattern of illegal drug use may threaten the health, safety or right to peaceful enjoyment of the premises by other residents;
4. If Any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
5. The HAB will prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under State sex offender registration program.

**b. The HAB will prohibit admission of a household to the program if the HAB determines that any household member is currently engaged in, or has engaged in during the previous three (3) years from admission: (( or if incarceration occurred during the above three (3) year period, the applicant must have been released from incarceration for at least one year prior to admission)):**

1. Drug-related criminal activity;
2. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or
3. Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

**c. The HAB will deny all applicants and terminate all participants who are required to register as a violent offender.**

Evidence of criminal activity. In determining whether to deny or terminate assistance based on drug-related criminal activity or violent criminal activity, the HAB may deny or terminate assistance if the preponderance of evidence indicates that a family member has engaged in such activity, regardless of whether the family member has been arrested or convicted.

**d.** No applicant for the HCV program who has been a victim of domestic violence, dating violence, or stalking shall be denied admission into the program if they are otherwise qualified.

e. An incident or incidents or actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence, and shall not be good cause for terminating the assistance, tenancy, or occupancy rights of the victim of such violence.

The HAB may terminate the assistance to remove a lawful occupant or tenant who engages in criminal acts or threatened acts of violence or stalking to family members or others without terminating the assistance or evicting victimized lawful occupants.

The HAB may honor court orders regarding the rights of access or control of the property, including restraining orders, and other orders issued to protect the victim and disused to address the distribution or possession of property among household members where the family “breaks up.”

There is no limitation on the ability of the HAB to terminate assistance for other good cause unrelated to the incident or incidents of domestic violence, dating violence or stalking, other than the victim may not be subject to a “more demanding standard” than non-victims.

There is no prohibition on the HAB terminating assistance if it “can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant’s (victim’s) assistance is not terminated.”

Any protections provided by law which give greater protection to the victim are not superceded by these provisions.

The HAB may require certification by the victim of victim status on such forms as the HAB and/or HUD shall prescribe or approve.

## **Definitions**

The same definitions of “domestic violence,” “dating violence,” and “stalking,” and of “immediate family member” are provided in Sections 606 and 607. While definitions of domestic and dating violence refer to standard definitions in the Violence Against Women Act,

the definition of stalking provided in Title VI is specific to the housing provisions.

These are:

1. *Domestic Violence* – [as defined in Section 40002 of VAWA 1994] which states as follows:

SEC 40002(a)(6) – “DOMESTIC VIOLENCE - The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

2. *Dating Violence* – [as defined in Section 40002 of VAWA 1994] which states as follows:

SEC 40002(a)(8) – “DATING VIOLENCE- The term ‘dating violence’ means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship.

(ii) The type of relationship.

(iii) The frequency of interaction between the persons involved in the relationship.”

3. *Stalking* – “means -

(A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and

(B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to –

(i) that person;

(ii) a member of the immediate family of that person; or

(iii) the spouse or intimate partner of that person; ...”

3. *Immediate Family Member* - “means, with respect to a person –

(A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or

(B) any other person living in the household of that person and related to that person by blood or marriage.”



## **O. VOUCHER PAYMENT STANDARD ADJUSTMENTS;** (24 CFR 982.503).

HAB will review voucher payment standards by bedroom size on an annual basis within 90 days after receiving new FMR tables from HUD each year.

Voucher payment standards will be adjusted annually, or sooner, when HAB determines the need, based on lease rates:

1) downward to equal 110% of the latest FMR, if the current Payment Standard exceeds 110% of the new FMR for the bedroom size;

or, 2) upward to equal 100% of the latest FMR, if the current Payment Standard is less than 100% of the equivalent FMR;

or, 3) upward if a change in a smaller bedroom size payment standard causes a larger bedroom size to have a lower payment standard in the same FMR area.

or, 4) upward if greater than 30% of participant rent burdens exceed 30% of adjusted incomes.

or, 5) upward to 120% with HUD field office approval if needed as a reasonable accommodation for a person with disabilities. This includes any family member, not just head of household or spouse.

**Housing Authority of Billings  
Payment Standard  
11/01/2006**

**CR/GR RENT COMPARISON AVERAGES  
FOR VOUCHER PAYMENT STANDARDS**

<b><u>BDRM SIZE</u></b>	<b><u>GROSS RENT</u></b>	<b><u>HUD Final FMR 100%</u></b>	<b><u>S+C</u></b>	<b><u>HAB PS AT</u></b>	<b><u>CURRENT AVG HAP</u></b>	
0 (1)	371	389	389	100%	389	225
1 (234)	475	462	462	108%	500	264
2 (201)	628	598		110%	657	370
3 (95)	763	807		106%	855	472
4 (28)	872	971		103%	1000	528
5 (6)	941	1116		110%	1227	628
Mobile Home Pad				100%		239



## II. Eligibility for Admission and Processing of Applications

### A. Affirmative Marketing

1. PHA will conduct affirmative marketing as needed so the waiting list includes a mix of applicants with races, ethnic backgrounds, ages and disabilities proportionate to the mix of those groups in the eligible population of the area. The marketing plan will take into consideration the number and distribution of vacant units, units that can be expected to become vacant because of move-outs, and characteristics of families on the waiting list. PHA will review these factors regularly to determine the need for and scope of marketing efforts. All marketing efforts will include outreach to those least likely to apply.
2. Marketing and informational materials will:
  - a. Comply with Fair Housing Act requirements on wording, logo, size of type, etc.;
  - b. describe the housing units, application process, waiting list and preference structure accurately;
  - c. use clear and easy to understand terms;
  - d. contact agencies that serve potentially qualified applicants least likely to apply (e.g. the disabled) to ensure that accessible/adaptable units are offered to applicants who need their features;
  - e. make clear who is eligible: Low income individuals and families; working and non-working people; and people with both physical and mental disabilities; and
  - f. be clear about PHA's responsibility to provide reasonable accommodations to people with disabilities.

### B. Qualifying for Admission

1. It is PHA's policy to admit **only** qualified applicants.
2. An applicant is qualified if he or she meets all the following criteria:
  - a. Is a family, as defined below:
    - i. Two or more persons who have a family-type relationship; or
    - ii. An elderly family is a family whose head or the spouse or the sole member is:
      - a. at least 62 years old; or
      - b. disabled
    - iii. A single person who is:
      - a. eligible to receive old age benefits under Title II of the Social Security Act of 1959;
      - b. disabled within the meaning of the Section 202 of the Housing Act of 1990;

A disabled person is one who has a physical or mental impairment which:

    - (1) is expected to be of long-continued and indefinite duration;
    - (2) is of such a nature that such disability could be improved by suitable housing conditions.
    - a. disabled within the meaning of Section 223 of the Social Security Act or Section 102(b) (5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970.
  - b. displaced by Governmental Action or when family dwelling has been extensively damaged and recognized as a Federal Disaster;
  - c. any "other single person" who is not 62 years old or older, disabled, displaced, or the remaining member of a tenant family.
  - d. Meets HUD requirements on citizenship or immigration status;
  - e. Has an Annual Income (as defined in Section XI of this document) at the time of admission that does not exceed the income limits (maximum incomes by family size established by HUD) posted in PHA offices.
  - f. Provides documentation of Social Security numbers for family members age 6 or older, or certifies that they do not have Social Security numbers, and
  - g. Meets the Applicant Selection Criteria in Section II. F.

3. All adult household members age 18 and older are required to sign HUD and HAB release of information forms.

**C. Establishing and Maintaining the Waiting List**

1. It is the policy of PHA to administer its waiting list as required by HUD's regulations.
2. Opening and Closing Waiting Lists
  - a. For any unit size or type, if the PHA's waiting list has sufficient applications to fill anticipated vacancies for the coming 12 months. PHA may elect to: (a) close the waiting list completely; (b) close the list during certain times of the year; or (c) restrict intake by preference, type of project, or by size and type of dwelling.
  - b. A decision to close the waiting list will consider the number of applications for each size and type of unit, the number of applicants who qualify for a preference, and the ability of PHA to house applicants in twelve to eighteen months. Decisions to close waiting lists, restrict intake, or open waiting lists will be publicly announced.
  - c. When the waiting list is closed, PHA will not maintain a list of individuals who wish to be notified when the list is re-opened.
3. Determining if the Waiting List may be Closed  
PHA will use its **Procedure on Opening and Closing the Waiting List** to determine whether the waiting list(s) should be closed.
4. Updating the Waiting List
  - a. To keep all waiting list information current, the PHA may update the waiting list by contacting all applicants in writing. If, after two attempts in writing, no response is received, PHA will withdraw the name of an applicant from the waiting list. At the time of initial intake, PHA will advise families that they must notify the PHA when their circumstances, mailing address or phone numbers change.
  - b. PHA will remove an applicant's name from the waiting list only in accordance with its **Procedure on Updating the Waiting List and Removing Applications**.
5. Change in Preference Status While on the Waiting List
  - a. Local Preferences - The Housing Authority may adopt any of the following local preferences at some time in the future after a 30-day public notice and comment period.
    - (i) Working families and individuals.
    - (ii) Those participating in the State of Montana Welfare FAIM Program.
    - (iii) Local residency preference for those residing in Yellowstone County.
    - (iv) Local residency to the State of Montana.
  - b. Qualification and Verification - If the Housing Authority chooses any of the local preferences at the time of application the family may certify that they are eligible for a preference. The Housing Authority of Billings takes, at face value, family certification, and places them on the waiting list according to the date and time of application and the preference category they claim.

**D. Processing Applications for Admissions**

1. PHA will accept and process applications in accordance with applicable HUD Regulations and PHA's **Procedure on Taking Applications and Initial Processing**. PHA will assume that the facts certified by the applicant in the preliminary application are correct, although all those facts will be verified later in the application process.
2. Interview and Verification Process  
As applicants approach the top of the waiting list, they will be contacted and asked to come to the PHA for an eligibility briefing to complete their applicant file. Applicants who fail to attend

their scheduled meeting or who cannot be contacted to schedule a meeting will have their applications withdrawn, subject to reasonable accommodations for people with disabilities.

- a. The following items will be verified according to PHA's **Procedure on Verification**, to determine qualification for admission to PHA's housing:
    - (i) Family composition and type (Elderly/Disabled/non-elderly)
    - (ii) Annual Income
    - (iii) Assets and Asset Income
    - (iv) Deductions from Income
    - (v) Preferences
    - (vi) Social Security Numbers of all Family Members
    - (vii) Applicant Screening Information
    - (viii) Citizenship or eligible immigration status
  - b. EIV computer matching
  - c. Third party written verification is the required form of documentation to substantiate applicant or resident claims. If attempts to obtain third party written verification are unsuccessful, PHA may also use (1) phone verifications with the results recorded in the file, dated and signed by PHA staff, (2) review of documents, and, if no other form of verification is available, (3) applicant certification. Applicants must cooperate fully in obtaining or providing the necessary verifications.
  - d. Verification of eligible immigration status shall be carried out pursuant to **24 CFR § 5.5**. Citizens are permitted to certify their status.
3. Applicants reporting zero income will be required to complete a family expense form to document how much they spend on: food, transportation, health care, child care, debts, household items, etc. and what the source of income is for these expenses.
4. PHA's applications for admission to public housing shall indicate for each application the date and time of receipt; applicant's race and ethnicity; determination by PHA as to eligibility of the applicant; when eligible, the unit size(s) for which eligible; preferences, if any, and the date, location, identification, and circumstances of each vacancy offered and accepted or rejected. A complete computer record is kept for each applicant.

#### **E. The Preference System**

1. An admission preference does not guarantee admission. Preferences establish the order of placement of the waiting list. Every applicant must still meet PHA's Selection Criteria before being offered a unit.
2. Factors other than preferences that affect the selection of applicants from the waiting list before applying its preference system, PHA will match the characteristics of the available unit to the applicants available on the waiting list. Unit size, accessibility, features, or type of project limit the admission of families to households whose characteristics "match" the vacant unit available. By matching unit and family characteristics, families lower on the waiting list may receive an offer of housing before families with an earlier date and time of application or families with high preferences (e.g. the next unit available is an accessible unit and the only applicant family needing such features is in the non-preference pool, i.e. having no preference).

Factor other than the preference system that affect applicant selection are described below:

  - a. When selecting a family for a unit with **accessible features**, PHA will give a preference to families that include persons with disabilities who can benefit from the unit's features. First preference will be given to existing tenant families seeking a transfer and second preference will be given to applicant families.
  - b. When selecting a family for a unit in housing designated for elderly families, or disabled families, if any, PHA will give a priority to elderly, disabled families.
  - c. When selecting a family for a unit in a property that houses elderly and disabled families, as opposed to a general occupancy development that houses non-elderly families as well, PHA will give equal priority to elderly families and disabled families.

- d. When selecting a single person at a Mixed Population development, elderly, disabled single persons have priority over other singles. Since applicants who are not elderly or disabled can only be admitted after all elderly or disabled families persons have been offered units.

Preferences will be granted to applicants who are otherwise qualified and who, at the time of the unit offer (prior to execution of a lease), meet the definitions of the preferences described below.

3. Local Preference

- a. The Housing Authority may adopt any of the following local preferences at some time in the future after a 30-day public notice and comment period.
  - (1) Working families and individuals.
  - (2) Those participating in the State of Montana Welfare FAIM Program.
  - (3) Local residency preference for those residing in Yellowstone County.
  - (4) Local residency to the State of Montana.
- b. Qualification and Verification:  
If the Housing Authority chooses any of the local preferences at the time of application the family may certify that they are eligible for a preference. The Housing Authority of Billings takes, at face value, family certification, and places them on the waiting list according to the date and time of application and the preference category they claim.

4. Designated Housing

- a. The preference system will be used to match the characteristics of the family to the type of unit available, including developments with HUD-approved designated populations. The ability to provide preferences for some family types will depend on unit size available.
- b. Mixed population projects: Elderly families, disabled families will receive equal priority for admission to such units and all such will receive offers before single people who are not elderly or disabled.

5. Administration of the Preferences (applies if PHA adopts local preferences)

- a. Depending on the time an applicant may have to remain on the waiting list, PHA will either verify preferences at the time of application (when the waiting list is short or non-existent) or require that applicants certify to their qualification for a preference at the time of pre-application (when the wait for admissions exceeds four months). Verifying preferences is one of the earliest steps in processing applicants for admissions. Preference verifications shall be no more than 120 days old at the time of certification.
- b. PHA may use a pre-application to obtain the family's certification that it qualifies for a preference. The family will be advised to notify PHA of any change that may affect their ability to qualify for a preference.
- c. Applicants that are otherwise eligible and self-certified as qualifying for a preference will be placed on the waiting list in the appropriate applicant pool.
- d. Applicants that self-certify to a preference at the time of pre-application and cannot verify current preference status at the time of certification will be moved into the No-preference category, and to a lower position on the waiting list based on date and time of application.

6. Notice and Opportunity for a Meeting

If an applicant claims but does not qualify for a preference, the applicant can request a meeting:

- a. PHA will provide a notice that an applicant does not qualify for a preference containing a brief statement of the reasons for the determination, and that the applicant may meet with PHA's designee to review the determination.
- b. If the applicant requests the meeting, PHA will designate someone to conduct the meeting. This can be the person who made the initial determination or reviewed the

determination of his or her subordinate, or any other person chosen by the PHA. A written summary of this meeting shall be made and retained in the applicant's file.

- c. The applicant will be advised that he/she may exercise other rights if the applicant believes that illegal discrimination, based on race, color, national origin, religion, age, disability, or familial status has contributed to the PHA's decision to deny the preference.

#### F. Screening Applicants for Admission

1. All applicants shall be screened in accordance with HUD's regulations and sound management practices. During screening, PHA will require applicants to demonstrate ability to comply with essential provisions of the lease as summarized below:
  - a. to pay rent and other charges (e.g. utility bills) as required by the lease in a timely manner;
  - b. to care for and avoid damaging the unit and common areas;
  - c. to use facilities and equipment in a reasonable way;
  - d. to create no health, or safety hazards, and to report maintenance needs;
  - e. not to interfere with the rights and peaceful enjoyment of others, and to avoid damaging the property of others;
  - f. not to engage in criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or staff; and not to engage in drug-related criminal activity;
  - g. to comply with necessary and reasonable rules and program requirements of HUD and the PHA; and
  - h. If any family member has been involuntarily terminated from any housing assistance program, they will not be considered for eligibility of assistance until 1 year from the date of program termination.
  
2. How PHA will check ability to comply with essential lease requirements:
  - a. Applicant ability and willingness to comply with the essential lease requirements will be checked and documented in accordance with PHA's **Procedure on Applicant Screening**. Applicant screening shall assess the conduct of the applicant and other family members listed on the application, in present and prior housing. Any costs incurred to complete the application process and screening will be paid by the PHA.
  - b. The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected **not to**:
    - (i) interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare;
    - (ii) adversely affect the physical environment or financial stability of the project;
    - (iii) violate the terms and conditions of the lease;
    - (iv) require services from PHA staff that would alter the fundamental nature of PHA's program;
  - c. PHA will conduct a detailed interview of all applicants using full application package as a part of the screening procedures. The form will ask questions based on the essential elements of tenancy. Answers will be subject to third party verification.
  - d. PHA will complete a rental history check on all applicants if applicable. Applicants submitting less than 3 landlord references must provide additional references other than relatives. Applicants may submit 5 professional references or a combination of landlord and professional references, but this combination must total 5. If not applicable, PHA will require five (5) professional references.
  - e. Payment of funds owed to the PHA or any other housing agency is part of the screening evaluation. PHA will reject an applicant for unpaid balances owed housing agencies by the applicant for any housing program that receives federal funding.
  - f. PHA will complete a criminal background check on all adult applicants. Before the PHA rejects an applicant on the basis of criminal history, the PHA must notify the household of the proposed rejection and provide the household member (upon

- request) whose criminal history is at issue with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record.
- g. PHA will complete a home visit on all applicants that have passed criminal history screening and have incomplete or questionable landlord references, in regard to housekeeping conditions, to determine if the applicant's housekeeping would create health or sanitation problems. Staff completing the home visit will consider whether the conditions they observe are the result of the applicant's treatment of the unit or are caused by the unit's overall substandard condition.
- h. Housekeeping criteria to be checked shall include, but not be limited to:
- Conditions in the living room, kitchen (food preparation and clean-up, bathroom, bedrooms, entranceways, halls, and yard (if applicable))
  - Cleanliness in each room; and
  - General Care of appliances, fixtures, windows, doors and cabinets.
- Other PHA lease compliance criteria will also be checked, such as:
- Evidence of destruction of property;
  - Unauthorized occupants;
  - Conditions inconsistent with application information
- All applicants shall have at least 24-hour advance notice of Home Visits.
- i. All applicants are required to attend and complete PHA's Eligibility Orientation.
- j. PHA's examination of relevant information respecting past and current habits or practices will include, but is not limited to, an assessment of the applicant's adult family members':
- Past performance in meeting financial obligations, required by lease.
  - Record of disturbance of neighbors, destruction of property, or living or housekeeping habits that may adversely affect the health, safety, or welfare of other tenants or neighbors.
  - History of criminal activity on the part of any applicant family member involving crimes of physical violence to persons or property or other criminal acts including drug-related criminal activity that would adversely affect the health, safety, or welfare of other residents or staff or cause damage to the unit or development.
    - PHA may require an applicant to exclude a household member in order to be admitted if that household member has participated in or been culpable for criminal actions that warrant rejection;
    - PHA may, if a statute requires that the PHA prohibit admission for a prescribed period of time after some disqualifying behavior or event, choose to continue that prohibition for a longer period of time.
  - A record of eviction from housing or involuntary termination from residential programs (taking into account date and circumstances).
  - A record of lease violations to include, but not limited to, unauthorized guests, pets, and other lease violations.
  - If an applicant was previously denied for negative and/or lack of rental history or professional references, an applicant must have established at least 1 year of positive rental history and/or professional references to be considered for eligibility.
  - If an applicant is determined ineligible because of the inability to have utility services turned on in their name, they will keep their original application date and time. If an applicant is determined ineligible a second time for the inability to have utility services turned on in their name, they will be removed from the waiting list and will need to reapply.
- k. The PHA is **required** to reject the applications of certain applicants for criminal activity or drug abuse by household members:
- The PHA shall reject the application of any applicant for three years from the date of eviction if any household member has been evicted from any

- federally assisted housing for drug-related criminal activity. However, the PHA may admit the household if the PHA determined that:
- The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA, or
  - The circumstances leading to the eviction no longer exist (for example, the criminal household member has died or is imprisoned).
- The PHA is required to reject the application of a household if the PHA determines that:
    - Any household member is currently engaging in illegal use of a drug, or
    - The PHA has reasonable cause to believe that a household member's illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; or
    - Any household member has ever been convicted of manufacture or production of methamphetamine on the premises of any federally assisted housing; or
    - Any members of the household is subject to a lifetime registration requirement under a State sex offender registration program; or
    - Any member of the household's abuse or pattern or abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
- i. An applicant's intentional misrepresentation of information related to eligibility preference for admission, housing history, allowances, family composition or income will result in rejection. Unintentional mistakes that do not confer any advantage to the applicant will not be considered misrepresentations.
- m. Applicants must be able to demonstrate the ability and willingness to comply with the terms of PHA's lease, either alone or with assistance that they can demonstrate they will have at the time of admission. Availability of assistance is subject to verification by PHA.
3. Screening applicants who claim mitigating circumstances
- a. If negative information is received about an applicant, PHA shall consider the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. To be considered, mitigating circumstances must be verifiable.
  - b. Mitigating circumstances are facts relating to the applicant's negative rental history or behavior, that, when verified, indicate: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, **AND** applicant's prospect for lease compliance is an acceptable one, justifying admission. Mitigating circumstances would overcome or outweigh information already gathered in the screening process.
  - c. If the applicant asserts that mitigating circumstances relate to a change in disability, medical condition or treatment, PHA shall refer such information to persons qualified to evaluate the evidence and verify the mitigating circumstances. PHA shall also have the right to request further information to verify the mitigating circumstances, even if such information is of a medically confidential nature or, in the case of a person with disabilities, to verify a reasonable accommodation.
  - d. Examples of mitigating circumstances might include
    - (i) Evidence of successful rehabilitation
    - (ii) Evidence of the applicant family's participation in social service or other appropriate counseling service; or.
    - (iii) Evidence of successful and sustained modification of previous disqualifying behavior.

- e. Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. PHA will consider such circumstances in light of:
  - (i) the applicant’s ability to verify the mitigating circumstances and prospects for improved future behavior;
  - (ii) the applicant’s overall performance with respect to all the screening requirements; and
  - (iii) the nature and seriousness of any criminal activity, especially drug related criminal activity that appears in the applicant’s record.
- 4. Qualified and Unqualified Applicants
  - a. Verified information will be analyzed and a determination made with respect to:
    - (i) Eligibility of the applicant as a family
    - (ii) Eligibility of the applicant with respect to income limits for admission
    - (iii) Eligibility of the applicant with respect to citizenship or eligible immigration status;
    - (iv) Unit size required for and selected by the family;
    - (v) Preference category (if any) to which the family is entitled; and
    - (vi) Qualification of the applicant with respect to the Selection Criteria
  - b. Qualified families will be notified by PHA of eligibility and will be placed in holding.
  - c. Unqualified applicants will be promptly notified by a Notice of Rejection from PHA, stating the basis for such determination and offering an opportunity for informal hearing (see **Procedure for Informal Hearing for Rejected Applicants**). Informal hearings for applicants are different from the resident grievance process. Applicants are not entitled to use of the resident grievance process.
  - d. Applicants known to have a disability that are eligible but fail to meet the Selection Criteria, will be offered an opportunity for a second meeting to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the Screening Procedures.
- 5. VAWA
 

No applicant for public housing who has been a victim of domestic violence, dating violence, or stalking shall be denied admission into the program if they are otherwise qualified.

**G. Occupancy Guidelines**

- 1. Units shall be occupied by families of the appropriate size. This policy maintains the usefulness of the units, while preserving them from excessive wear and tear and under-utilization.

**Minimum and Maximum-Number-of-Persons-Per Unit Standard**

<u>Number of Bedrooms</u>	<u>Min. Persons/Unit</u>	<u>Max Persons/Unit</u>
1 BR	1	2
2 BR	2	4
3 BR	3	6
4 BR	4	10

The following principles govern the size of unit for which a family will qualify. Generally, two people are expected to share each bedroom, except that units will be so assigned that:

- a. It will not be necessary to house adult persons of opposite sex, other than head and spouse (partner), to occupy the same bedroom
- b. Children under the age of one year may occupy the same bedroom with the parent(s). After one year of age, the tenant must agree to move to the next larger size unit.

- c. Children of the opposite sex over the age of one year may occupy separate bedrooms.
  - d. Children of the same sex with five or more years age difference may occupy their own bedroom.
  - e. Children of the same sex with less than five years age difference may occupy the same bedroom unless need for separate bedrooms is verified by a written letter from a physician, school counselor or other professional.
  - f. For reasons of health (old age, physical disability, etc.) a separate bedroom may be provided for such an individual family member(s), or live in aide, as verified by a written letter from their physician.
  - g. The living room may not be used as a bedroom in the family unit, nor any basement that does not provide adequate egress in the event of fire.
  - h. For the purpose of determining unit size, application may include, as members of the household, every family member anticipated to reside in the dwelling unit regardless of age. An unborn child will be counted as a person, or members who are normally in the home but who are temporarily absent. Temporarily absent is defined as up to twelve months after admission or occupancy.
  - i. For the purpose of determining unit size, minors who are with the assisted parent at least 50% of year (183 calendar days), will be counted. A court approved parenting plan, or other acceptable documentation, must be submitted for verification.
  - j. Tenants may request, in writing, a smaller unit at time of application or during the waiting period, but must be aware they will not qualify for a transfer as stated in the transfer policy.
  - k. Minors and college students who were part of the assisted PHA household, but who now live away from home during the school year, will be considered as part of the household, for all purposes, as long as they occupy the unit for at least 90 days of the calendar year.
2. The Occupancy Standard of two persons per bedroom will be the standard for the smallest unit a family may be offered. Individual housing units with very small or very large bedrooms or other specific situations that inhibit or encourage lower or higher levels of occupancy may be permitted to establish lower or higher occupancy levels so long as the occupancy levels will not discriminate on the basis of familial status.
  3. The largest unit size that a family may be offered would provide no more than one bedroom per family member, taking into account family size and composition.
  4. If a family opts for a smaller unit size than would normally be assigned under the largest unit size standard (because, for example, the list is moving faster), the family will be required to sign a statement agreeing to occupy the unit assigned at their request until their family size or circumstances change.
  5. When a family is actually offered a unit, if they no longer qualify for the unit size they were listed, they will be moved to the appropriate list retaining their preference and date and time of application. This may mean that they may have to wait longer for a unit offer.
  6. The PHA shall change the family's list at any time while the family is on the waiting list when the family submits a change of information that warrants a list change.

## **XII. LEASE TERMINATION PROCEDURES**

### **A. General Policy: Lease Termination**

No resident's lease shall be terminated except in compliance with HUD regulations and the lease terms.

### **B. "One Strike and You're Out"**

The Housing Authority of Billings has a progressive drug/alcohol policy.

1. If the Housing Authority has determined that any tenant, member of a tenant household, or guest or other person under the tenant's control is illegally using a controlled substance; or if they are engaging in any drug-related criminal activity on or off the premises, they may be terminated from Public Housing.
2. The Housing Authority may terminate the tenancy of any person if they determine that the person's abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

### **C. Exclusion of non-residents**

The Housing Authority of Billings is committed to providing a safe and decent environment throughout HAB's properties. Tenant agrees to HAB's reservation of the following rights to aid in providing a safe and decent environment throughout HAB's properties.

1. HAB reserves the right to prohibit non-HAB residents soliciting and/or trespassing on HAB property.
2. HAB reserves the right to exclude non-residents, including but not limited to Tenant's guests who:
  - Disturb other residents' peaceful enjoyment of their accommodations, community facilities, or other areas of HAB property;
  - Engage in illegal or other activity which would impair the physical or social environment on HAB's property;
  - Engage in any criminal activity threatening other residents, HAB employees, contractors, and/or law enforcement officials health, safety or peaceful enjoyment of HAB's properties;
  - Engage in drug-related criminal activity on HAB property;
  - Destroy, deface, damage or remove HAB's equipment, vehicles, and/or any part of the dwellings, buildings, facilities, or other areas of HAB's properties;
  - Engage in the illegal use or illegal possession of firearms and/or other offensive weapons on HAB's properties; and/or
  - Intentionally violate HAB's rules, regulations, policies, and/or procedures established for the benefit and well being of HAB's residents, property and law enforcement officials.
3. Any Tenant who disagrees with HAB's exclusion of a guest may submit the matter to the Grievance Procedure Process.
4. Any person excluded under the Section shall be excluded for a period determined by the Executive Director or one (1) year from the date they are notified of the exclusion, whichever is shorter.

**D. Termination of the Lease**

1. Tenant may terminate this lease by giving Management thirty (30) days written notice of intent to vacate.
2. Management may terminate the lease for substantial and/or repeated violations of material terms of the Lease. A substantial violation of the Lease includes, but is not limited to the following:
  - (a) Failure to repay HAB within thirty (30) days for repairs;
  - (b) Permitting unauthorized guests to live in the units;
  - (c) Failure to repay HAB for assistance overpayments;
  - (d) Serious or repeated damage to the unit or common areas;
  - (e) Repeated late rent payments and/or repeated failure to pay late rent charges;
  - (f) Failure to report increases in household income or change in family composition within ten (10) days of the change;
  - (g) Disabling of a smoke detector;
  - (h) Failure to maintain utility services;
  - (i) Modification of a dwelling unit, including changing or adding a lock, without prior written HAB approval;
  - (j) Engaging in threatening behavior that endangers the life, health, or safety of HAB personnel, other Management residents, neighbors, family members, contractors or law enforcement;
  - (k) Serious or repeated disturbance of other residents' peaceful enjoyment of their accommodations, community facilities, or other areas of HAB's property;
  - (l) Violating the exclusion rule set out in the Lease by allowing excluded non-residents to remain on HAB's property.
3. HAB may terminate the lease, if Tenant, any member of Tenant's household, or guest, or any other person under the tenant's control engages in criminal activity on or near HAB's property that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents, HAB employees or contractors and any of the following:
  - (a) Criminal activity that threatens the health, safety, or right to peaceful enjoyment of the residences by persons residing in the immediate vicinity of the premises; or
  - (b) Drug-related criminal activity on or off the premises. "Drug-related criminal activity" means the illegal manufacture, sale distribution, use or possession with the intent to manufacture, sell, distribute, or use of a controlled substance; or
  - (c) Violent criminal activity committed on or near HAB's property.
4. HAB may terminate the Lease if Tenant or any member of Tenant's household's abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
5. An incident or incidents or actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence, and shall not be good cause for terminating the assistance, tenancy, or occupancy rights of the victim of such violence.

The HAB may terminate the assistance to remove a lawful occupant or tenant who engages in criminal acts or threatened acts of violence or stalking to family members or others without terminating the assistance or evicting victimized lawful occupants.

The HAB may honor court orders regarding the rights of access or control of the property, including restraining orders and other orders issued to protect the victim and is used to address

the distribution or possession of property among household members where the family “breaks up.”

There is no limitation on the ability of the HAB to evict for other good cause unrelated to the incident or incidents of domestic violence, dating violence or stalking, other than the victim may not be subject to a “more demanding standard” than non-victims.

There is no prohibition on the HAB evicting if it “can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant’s (victim’s) tenancy is not terminated.”

Any protections provided by law which give greater protection to the victim are not superceded by these provisions.

The HAB may require certification by the victim of victim status on such forms as the HAB and/or HUD shall prescribe or approve.

### **Definitions**

The same definitions of “domestic violence,” “dating violence,” and “stalking,” and of “immediate family member” are provided in Sections 606 and 607. While definitions of domestic and dating violence refer to standard definitions in the Violence Against Women Act, the definition of stalking provided in Title VI is specific to the housing provisions.

These are:

1. *Domestic Violence* – [as defined in Section 40002 of VAWA 1994] which states as follows:

SEC 40002(a)(6) – “DOMESTIC VIOLENCE - The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

2. *Dating Violence* – [as defined in Section 40002 of VAWA 1994] which states as follows:

SEC 40002(a)(8) – “DATING VIOLENCE- The term ‘dating violence’ means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship.

(ii) The type of relationship.

(iii) The frequency of interaction between the persons involved in the relationship.”

3. *Stalking* – “means -

(A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and

(B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to –

(i) that person;

(ii) a member of the immediate family of that person; or

(iii) the spouse or intimate partner of that person; ...”

3. *Immediate Family Member* - “means, with respect to a person –

(A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or

(B) any other person living in the household of that person and related to that person by blood or marriage.”

#### **E. Notice Requirements**

1. No residents shall be given a Notice of Lease Termination without being told by PHA in writing the reason for the termination.
  - The resident must also be informed of his/her right to request a hearing in accordance with the Grievance Procedure and given the opportunity to make such a reply as he/she may wish.
  - Lease terminations for certain actions are not eligible for the Grievance Procedure, specifically: any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or HAB employees, and any drug-related criminal activity.
2. Tenant Responsibility: Any notice to the HAB must be in writing, delivered to the Housing Authority or sent by prepaid first-class mail, properly addressed.
3. PHA Responsibility: Notice to Tenant must be in writing, delivered to Tenant or to any adult member of the household residing in the dwelling unit, or sent by first-class/certified mail addressed to Tenant.
  - (a) HAB will give a 14-day notice to remedy lease violations as stated in Section 70-24-422 of the Montana Residential Landlord and Tenant Act.
  - (b) Unopened, cancelled, first class mail or certified mail returned by the Post Office shall be sufficient evidence that notice was given.
  - (c) Notice shall include a statement describing right of any resident with a disability to meet with the HAB and determine whether a reasonable accommodation could eliminate the need for the lease termination.
  - (d) If tenant is visually impaired, all notices must be in an accessible format.

In cases where HAB elects to terminate the Lease, it will give the Tenant the following notice:

- (a) 14 days in the case of failure to pay rent;
- (b) a reasonable time not to exceed thirty (30) days, considering the seriousness of the situation when the health or safety of other tenants or PHA staff is threatened;
- (c) 30 days if 14-day notice violation is not remedied;
- (d) If substantially the same act or omission that constituted a prior non-compliance of which notice was given recurs within 6 months, a 30-day notice will be issued.

#### **F. Recordkeeping Requirements**

A written record of every termination and/or eviction shall be maintained by PHA, and shall contain the following information:

- Name of resident, race and ethnicity, number and identification of unit occupied.
- Date of the Notice of Lease Termination and any other state or local notices required, which may be on the same form and run concurrently;

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- Specific reason(s) for the Notice(s), with section of lease violated, and other facts pertinent to the issuing of the Notice(s) described in detail;
- Date and method of notifying resident; and
- Summaries of any conferences held with resident including dates, names of conference participants and conclusions.