

**PHA Plans**  
**Streamlined 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 for certain types of 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 Annual PHA Plan**  
**for Fiscal Year: 2009**  
**PHA Name: Housing Authority of the**  
**City of Vallejo**

**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.**

## Streamlined Annual PHA Plan Agency Identification

**PHA Name:** Housing Authority of the City of Vallejo      **PHA Number:**CA055

**PHA Fiscal Year Beginning:** (mm/yyyy) 07/2008

**PHA Programs Administered:**

**Public Housing and Section 8**     
  **Section 8 Only**     
  **Public Housing Only**  
 Number of public housing units:     
 Number of S8 units:2266     
 Number of public housing units:  
 Number of S8 units:

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

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

**PHA Plan Contact Information:**

Name: Melinda Nestlerode      Phone: (707) 648-4408  
 TDD: (800)735-2929      Email (if available): mnestlerode@ci.vallejo.ca.us

**Public Access to Information**

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

PHA's main administrative office     
  PHA's development management offices

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

The PHA Plan revised policies or program changes (including attachments) are available for public review and inspection.     
 Yes     
 No.

If yes, select all that apply:

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

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

Main business office of the PHA     
 PHA development management offices

Other (list below)

**Streamlined Annual PHA Plan**  
**Fiscal Year 2009**  
[24 CFR Part 903.12(c)]

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- Attachment "A" - Statement of Progress in Meeting the Five-year Plan Mission and Goals
- Attachment "B" - Announcement of Membership of the Resident Advisory Board
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- Attachment "O" - VHA Board Resolution Approving Streamlined Annual Plan for Fiscal Year 2008/2009

**A. PHA PLAN COMPONENTS**

- 1. Site-Based Waiting List Policies - *NA - Vallejo does not operate Public Housing 903.7(b)(2) Policies on Eligibility, Selection, and Admissions*
- 2. Capital Improvement Needs - *NA - Vallejo does not operate Public Housing 903.7(g) Statement of Capital Improvements Needed*
- 3. Section 8(y) Homeownership

**903.7(k)(1)(i) Statement of Homeownership Programs**

- 4. Project-Based Voucher Programs
- 5. PHA Statement of Consistency with Consolidated Plan. Complete only if PHA has changed any policies, programs, or plan components from its last Annual Plan.
- 6. Supporting Documents Available for Review
- 7. Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report – *NA - Vallejo does not operate Public Housing*
- 8. Capital Fund Program 5-Year Action Plan - *NA - Vallejo does not operate Public Housing*

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

**Form HUD-50076, PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual Plan** identifying policies or programs the PHA has revised since submission of its last Annual Plan, and including Civil Rights certifications and assurances the changed policies were presented to the Resident Advisory Board for review and comment, approved by the PHA governing board, and made available for review and inspection at the PHA's principal office;

For PHAs Applying for Formula Capital Fund Program (CFP) Grants:

**Form HUD-50070, Certification for a Drug-Free Workplace; - *NA - Vallejo does not operate Public Housing***

**Form HUD-50071, Certification of Payments to Influence Federal Transactions; and - *NA - Vallejo does not operate Public Housing***

**Form SF-LLL & SF-LLLa, Disclosure of Lobbying Activities. - *NA - Vallejo does not operate Public Housing***

**1. Site-Based Waiting Lists (Eligibility, Selection, Admissions Policies)**

[24 CFR Part 903.12(c), 903.7(b)(2)]

Exemptions: Section 8 only PHAs are not required to complete this component.

**A. 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 B.

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

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:

**B. Site-Based Waiting Lists – Coming Year**

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 next component.

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)

## **2. Capital Improvement Needs**

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

Exemptions: Section 8 only PHAs are not required to complete this component.

### **A. Capital Fund Program**

1.  Yes  No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 7 and 8 of this template (Capital Fund Program tables). If no, skip to B.
  
2.  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: 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.  Yes  No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to #3; if yes, provide responses to the items on the chart located on the next page, copying and completing as many times as necessary).
  
2. Status of HOPE VI revitalization grant(s):

<b>HOPE VI Revitalization Grant Status</b>	
a. Development Name:	
b. Development Number:	
c. Status of Grant:	
<input type="checkbox"/>	Revitalization Plan under development
<input type="checkbox"/>	Revitalization Plan submitted, pending approval
<input type="checkbox"/>	Revitalization Plan approved
<input type="checkbox"/>	Activities pursuant to an approved Revitalization Plan underway

3.  Yes  No: Does the PHA expect to apply for a HOPE VI Revitalization grant in the Plan year?

If yes, list development name(s) below:

4.  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:
5.  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:

**3. Section 8 Tenant Based Assistance--Section 8(y) Homeownership Program**  
(if applicable) [24 CFR Part 903.12(c), 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: **The Housing Authority of the City of Vallejo (VHA) administers a Homeownership program. Preference for participation in this program is given to Family Self-Sufficiency (FSS) program participants. The Homeownership program is funded through an annual FSS grant. The grant amount for Calendar Year 2008 is \$65,500. The VHA employs one part time Homeownership Coordinator.**

a. Size of Program: **Nine families currently own a home under the Homeownership 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? **227, or 10% of total Housing Choice Voucher allocation**

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: **Participation in the Family Self-Sufficiency program.**

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

- 1. Homeownership Coordinator will contact and encourage all FSS participants to enroll in the Homeownership program.**

- 2. Participation in the IDEA and WISH grant programs to finance down payment assistance through the Federal Home Loan Bank.**
- 3. Mandatory financial management counseling and home buyer's training for all new participants in the Family Self-Sufficiency program.**
- 4. Homeownership orientations for new and existing participants in the Family Self-Sufficiency program.**

3. Capacity of the PHA to Administer a Section 8 Homeownership Program:

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

- 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.
- 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.
- Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below):
- Demonstrating that it has other relevant experience (list experience below):

#### 4. Use of the Project-Based Voucher Program

##### **Intent to Use Project-Based Assistance**

Yes  No: Does the PHA plan to "project-base" any tenant-based Section 8 vouchers in the coming year? If the answer is "no," go to the next component. If yes, answer the following questions.

1.  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):

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

**The Housing Authority of the City of Vallejo (VHA) proposes to use the Project-Based Voucher program to provide assistance to twenty-one (21) of the 87 rental units at Avian Glen Apartments. This development is within Census Tract 2502.00, on the east side of the City of Vallejo, and not in an area of high minority or poverty concentration. The Avian Glen Apartment project is located at 301 Avian Drive, in an area designated by the Vallejo**

**City Council as a comprehensive Neighborhood Revitalization area as defined by the California Debt Limit Allocation Committee.**

**The VHA also proposes to use the Project-Based Voucher program to provide assistance to twenty-five (25) of the 125 rental units at Sereno Village Apartments. This development is within Census Tract 2518.02, located at 750 Sereno Drive.**

**The Vallejo Housing Authority has concluded that project-basing of this assistance, rather than tenant-basing of the assistance, is an appropriate option because the need for affordable housing in Vallejo is apparent by increasing rents, long waiting lists for Housing Authority-assisted units, and the displacement of long-time City residents. To address these conditions, the City of Vallejo proactively encourages market-rate and affordable housing developments.**

**Both the City's Housing Element and Consolidated Plan identify a need for affordable multi-family housing in the City of Vallejo.**

**Therefore, project-basing of housing units in certain strategic locations is needed to ensure the availability of units for a period of years.**

## **5. 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) only if the PHA has provided a certification listing program or policy changes from its last Annual Plan submission.

1. Consolidated Plan jurisdiction: **City of Vallejo**
  
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
  - The PHA has based its statement of needs of families on its waiting lists 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)
  
3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments:

**The one year Action Plan for Fiscal Year 2007/2008 in the Consolidated Plan outlines a program of investment of over \$2.2 million in new Federal Community Development Block Grant (CDBG) Program funds, HOME Investment Partnerships Program funds, and program income (revenue). Funds will primarily be spent on housing, neighborhood improvements, and social services.**

**The Consolidated Plan establishes priorities for various housing programs by weighting the severity of needs for assistance among the population groups most in need, analyzing the housing stock and market conditions, and addressing the resources likely to be available over the life of the Consolidated Plan.**

**One of the groups that has been identified as a high priority for assistance is very low-income renters, through HUD Housing Choice Vouchers; the Family Self-Sufficiency program; and the preservation, rehabilitation, and construction of housing for very low-income persons.**

## **6. Supporting Documents Available for Review for Streamlined 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.

<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	<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>	5 Year and Annual Plans
X	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Streamlined Annual Plan</i>	Streamlined Annual Plans
X	<i>Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.</i>	5 Year and standard Annual Plans
X	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
N/A	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
N/A	Deconcentration Income Analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
N/A	Public housing rent determination policies, including the method for setting public housing flat rents. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
N/A	Schedule of flat rents offered at each public housing development. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
N/A	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
N/A	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
N/A	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Related Plan Component
		Community Service & Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
X	Any policies governing any Section 8 special housing types <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
N/A	Public housing grievance procedures <input type="checkbox"/> Check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
N/A	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
N/A	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	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
N/A	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
N/A	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
N/A	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
N/A	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
N/A	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program (Section 24 of the Section 8 Administrative Plan)	Annual Plan: Homeownership
N/A	Public Housing Community Service Policy/Programs <input type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
N/A	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	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
N/A	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
N/A	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
N/A	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Pet Policy
X	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)
N/A	Consortium agreement(s) and for Consortium Joint PHA Plans <u>Only</u> : 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 Annual PHA Plan for Consortia: Agency Identification and Annual

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
		Management and Operations

**7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor – (N/A Vallejo Does Not Operate Public Housing)**

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary		Federal FY of Grant:	
PHA Name:			
Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			
<input 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 No.	Summary by Development Account	Total Estimated Cost	Total Actual Cost
Original	Revised	Obligated	Expended
1	Total non-CFP Funds		
2	1406 Operations		
3	1408 Management Improvements		
4	1410 Administration		
5	1411 Audit		
6	1415 Liquidated Damages		
7	1430 Fees and Costs		
8	1440 Site Acquisition		
9	1450 Site Improvement		
10	1460 Dwelling Structures		
11	1465.1 Dwelling Equipment—Nonexpendable		
12	1470 Nondwelling Structures		
13	1475 Nondwelling Equipment		
14	1485 Demolition		
15	1490 Replacement Reserve		
16	1492 Moving to Work Demonstration		
17	1495.1 Relocation Costs		
18	1499 Development Activities		
19	1501 Collateralization or Debt Service		
20	1502 Contingency		
21	Amount of Annual Grant: (sum of lines 2 – 20)		
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		











ANNUAL PLAN – FISCAL YEAR 2008/2009  
Attachment A

Statement of Progress in Meeting the Five-Year Plan Mission and Goals

The Housing Authority of the City of Vallejo (VHA) identified the following goals in the Five Year Plan spanning 2005 through 2009:

- 1) Expand the supply of assisted housing. Leverage private or other public funds to create additional housing opportunities: Assist in the production of 26 units of 2 or more bedrooms for persons at 50% AMI or less.
- 2) Improve the quality of assisted housing. Concentrate efforts to improve specific management functions: Assisted housing finance.
- 3) Increase assisted housing choices. Implement voucher homeownership program.
- 4) Promote self-sufficiency and asset development of assisted households. Increase the number and percentage of employed persons in assisted families. Provide or attract supportive services to improve assistance recipients employability.
- 5) Ensure equal opportunity and affirmatively further fair housing. Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, and disability.

On December 19, 2006, the Vallejo City Council approved resolutions authorizing the issuance of a Housing Request for Qualifications and Conceptual Proposals (RFP) to award up to \$5.5 million in Housing funds toward an affordable multifamily rental development. The RFP was posted on the City website and mailed out to more than 50 private for-profit and nonprofit developers throughout northern California. Eden Housing Inc. was chosen as the developer. Due to the need for the rehabilitation and preservation of rental housing, and after receiving input from the Vallejo community, the City Council directed Eden Housing Inc. to analyze possible rehabilitation projects.

On January 9, 2008, the VHA Executive Director executed a Consultant Agreement with Eden Housing, Inc. enabling them to assess opportunities for the acquisition and rehabilitation of existing deteriorated affordable rental housing in Vallejo. Sites have been evaluated for the feasibility as well as the ability to improve neighborhoods and preserve affordability. Eden explored over 35 sites and made over a dozen offers to acquire properties. Eden also provided a condominium market study of Vallejo, and has prepared development pro formas for four possible rehabilitation scenarios for consideration, and a fifth pro forma of a new development for comparison purposes. Some Housing Authority Board members have made it clear that they will only support the project if the outcome is units made available for homeownership rather than for rent.

The VHA has implemented a successful voucher homeownership program. Ten voucher participants have purchased homes through this program. Unfortunately, the first homeowner passed away one month after purchasing her home. There are nine current participants in the voucher homeownership program. Eight of the nine current

homeowners have purchased their homes since 2005. Additionally, 12 Housing Choice Voucher participants left the program to purchase homes without assistance.

Two Homeownership Orientations were held for Family Self-Sufficiency (FSS) clients in 2006. In 2007 the VHA co-sponsored a First Time Home Buyer Tour in Vallejo, with Wells Fargo bank and Vallejo Neighborhood Housing Services (VNHS). The VHA sends letters to all working FSS participants announcing upcoming Home Buyers classes presented by VNHS. Other efforts we make to ensure a successful homeownership program are:

- Annually, apply for and acquire down payment assistance and closing cost grants through the Federal Home Loan Bank.
- Conducted Escrow and Title Training class for clients.
- Sponsored a Guild/Home's Home Choice Training enabling all Bay Area FSS and Homeownership Coordinators to learn about homeownership opportunities for the disabled
- Signed Participation Agreement with Guild Mortgage for low interest loans for families with disabilities
- Met with Travis Credit Union to explain program to new employees
- Notified existing homeowners of beneficial post purchase events or activities

The VHA FSS Coordinator and Homeownership Coordinator participate in myriad activities designed to promote employment and self-sufficiency opportunities for program participants. They attend all local job fairs in order to network with employers; gather job information which is posted in the VHA lobby; refer unemployed participants to the Workforce Investment Board (WIB); notify unemployed participants of upcoming job fairs; and participate in Solano Employment Connection meetings.

On July 26, 2007 the VHA held a *Tools for Success* workshop. All program participants, and the general public, were invited to attend this workshop. Speakers included representatives from the Workforce Investment Board, Global Center for Success, Family Resource Center, Vallejo Adult School, and the Napa and Solano County Community College Small Business Development Center and Hospitality Program.

Currently, the average annual income for all program participants is \$15,972. Forty-six percent of all participants are between the ages of 18 and 61. Thirty-nine percent of the participants report wages as a type of income, while 50 percent report receiving Social Security, Supplemental Security or a pension. Fourteen percent of the families earn between \$15,001 and \$20,000, 10 percent earn between \$20,001 and \$25,000, and 17 percent earn over \$25,000.

On September 14, 2006, the VHA hosted a Fair Housing Workshop for all program participants. The guest speakers were from Legal Services of Northern California and Yolo County, who operate the Fair Housing Hotline for Northern California. Additionally, the VHA provides maps and spreadsheets which demonstrate the number of Housing Choice Voucher participants living in each census tract to program participants.

A listing of units in Vallejo with accessibility features for disabled clients is also available.

ANNUAL PLAN – FISCAL YEAR 2008/2009  
Attachment B

Announcement of Membership of the Resident Advisory Board (RAB)

Addie Everhart - Chair  
Lydia Pitchford  
Theresa Papillion  
Laura (Janice) Goodson  
Wallace Ingalls  
Denise Rincon  
Kay Armstrong  
Roschelle Pierce

ANNUAL PLAN – FISCAL YEAR 2008/2009  
Attachment C

Resident Advisory Board Recommendations

The Resident Advisory Board (RAB) met on January 31, 2008 to review and comment on the Annual Plan. The RAB comments during that meeting follow:

Public housing is bad, and it is a good thing that Vallejo does not have any public housing. With public housing good, decent tenants can end up living next to bad tenants, and then the entire project gets a reputation for being crime-ridden.

The Vallejo Housing Authority (VHA) should look into co-op home purchases for their clients. One of the RAB members lives in a 4-plex and would like to assist the VHA in researching co-op purchase options.

The City of Vallejo should focus on rehabilitating the beautiful and historic downtown buildings, look into acquiring grants for the historic properties, and make them available as affordable housing.

ANNUAL PLAN – FISCAL YEAR 2008/2009  
Attachment D

Resident Membership of the PHA Governing Board

Osby Davis – Chair  
Joanne Shively - Commissioner  
Erin Hannigan - Commissioner  
Michael Wilson - Commissioner  
Stephanie Gomes - Commissioner  
Tom Bartee - Commissioner  
Hermie Sunga - Commissioner  
Lydia Pitchford – Resident Commissioner  
Patricia Cresswell – Resident Commissioner

## ANNUAL PLAN – FISCAL YEAR 2008/2009

### Attachment E

#### Definition of Substantial Deviation and Significant Amendment or Modification

##### Substantial Deviation

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

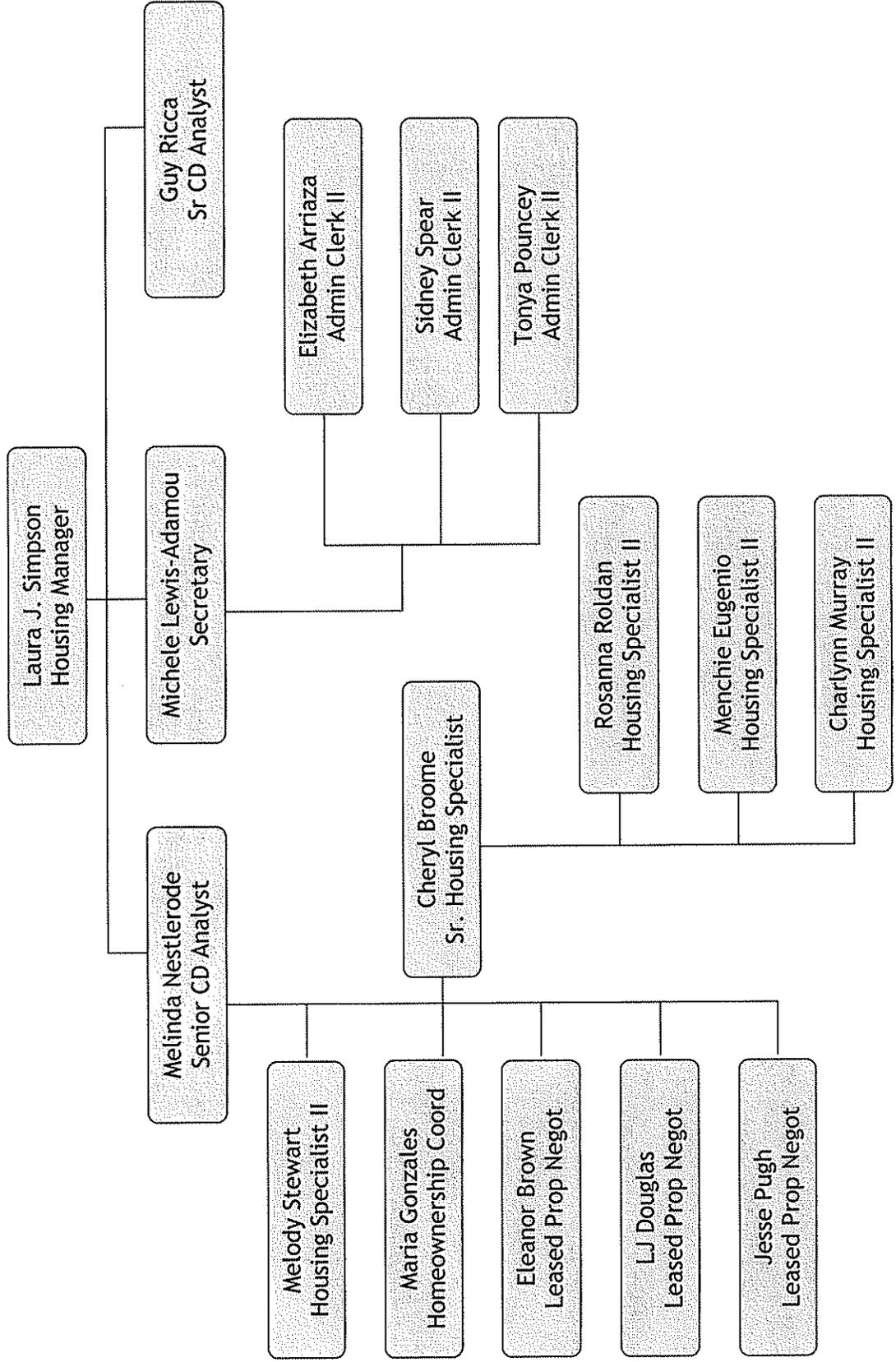
##### Significant Amendment or Modification

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



ANNUAL PLAN - FISCAL YEAR 2008/2009  
ATTACHMENT F

CITY OF VALLEJO - COMMUNITY DEVELOPMENT DEPARTMENT  
HOUSING AND COMMUNITY DEVELOPMENT DIVISION  
ORGANIZATIONAL CHART



ANNUAL PLAN – FISCAL YEAR 2008/2009

ATTACHMENT G

Section 8 PHA Project-Based Vouchers

The Vallejo Housing Authority proposes to use the Project-Based Voucher Program to provide assistance to twenty-one (21) of the 87 rental units at Avian Glen Apartments. This development is within Census Tract 2502.00, on the east side of the City of Vallejo, and not in an area of high minority or poverty concentration. The Avian Glen Apartment project is located at 301 Avian Drive, in an area designated by the Vallejo City Council as a comprehensive Neighborhood Revitalization area as defined by the California Debt Limit Allocation Committee.

The Vallejo Housing Authority has concluded that project-basing of this assistance, rather than tenant-basing of the assistance, is an appropriate option because the need for affordable housing in Vallejo is apparent by increasing housing prices and rents, long waiting lists for Housing Authority-assisted units, and the displacement of long-time City residents. To address these conditions, the City of Vallejo proactively encourages market-rate and affordable housing developments.

Both the City's Housing Element and Consolidated Plan identify a need for affordable multi-family housing in the City of Vallejo.

Therefore, project-basing of housing units in certain strategic locations is needed to ensure the availability of units for a period of years.

ANNUAL PLAN – FISCAL YEAR 2008/2009

ATTACHMENT H

Section 8 Homeownership Program Capacity Statement

The Housing Authority of the City of Vallejo's Homeownership Action Plan is contained in Chapter 24 of its Administrative Plan. Section A.4.(a) and (b) state that (a) "The family must demonstrate the ability to provide a minimum of three percent (3%) downpayment on the home, (b) At least one percent (1%) of this downpayment must come from the family's personal resources".

Section E of Chapter 24 the Administrative Plan states that "The mortgage must be provided, insured, or guaranteed by the state or Federal government and comply with secondary mortgage market underwriting standards; or the mortgage must comply with generally accepted private sector underwriting standards".

ANNUAL PLAN – FISCAL YEAR 2008/2009

ATTACHMENT I

Housing and Redevelopment Commission Comments and Suggestions

The Housing and Redevelopment Commission (HRC) met on March 12, 2008 to review the Annual Plan, and to recommend adoption of a resolution approving the Annual Plan to the Housing Authority Board. Comments and recommendations from the HRC follow:

The Housing Authority should leverage their position of providing rental assistance to Housing Choice Voucher (HCV) families to ensure that the recipients of the assistance are held to a high standard of citizenship in our community. The Housing Authority should ensure that the children of HCV participant families attend school regularly. Children who regularly attend school have a positive impact on the community as a whole.

Vouchers should not be kept by any family for an extended period of time. The HCV program should be used as a tool to help families for a finite period of time. The Housing Authority should do as much as possible to transition families off of the program, and report on strategies and successes.

Housing Authority staff have indicated that they would change the selection criteria for the Project Based Voucher (PBV) program. The Housing Authority should revise the selection criteria to ensure that owners of small apartment communities and single family homes have as much chance of qualifying for the PBV program as the owners of large developments.

The Housing Authority should establish a threshold for police calls for service at the affordable housing developments in the City. All affordable housing complexes should be held to this standard.

The Housing Authority only has 9 participants in the Homeownership program. The Administrative Plan provides that up to 227 HCV families may participate in the Homeownership program. We should be doing more to promote the Homeownership program, and enable our clients to become successful homeowners.

ANNUAL PLAN – FISCAL YEAR 2008/2009  
Attachment J

Public Hearing Comments

The Vallejo Housing Authority (VHA) Board met on April 1, 2008, to hold a Public Hearing on the 2008/2009 Streamlined Annual Plan. One member of the public, Mustafa Abdul-Ghaneer spoke, and his comments are paraphrased below:

The language of Attachment E to the Streamlined Annual Plan, the Definition of Substantial Deviation and Significant Amendment or Modification, should be modified at a later date. The criteria for substantial deviation, “impacting a significant number of Housing Choice Voucher applicants or program participants”, allows too much latitude to staff. Staff should bring forward a more objective definition of substantial deviation.

Based on this public comment, VHA staff conducted further research into the definition of Substantial Deviation and Significant Amendment or Modification. It was determined that the VHA board had approved a definition of Substantial Deviation and Significant Amendment or Modification by resolution in April of 2003. That definition has replaced the definition in the draft Streamlined Annual Plan for 2008/2009, and is accompanied by VHA Resolution 03-04. Therefore, the concern expressed by the public comment has been addressed by the modification of the definition of Substantial Deviation and Significant Amendment or Modification in the Streamlined Annual Plan.

LEGAL SERVICES OF  NORTHERN CALIFORNIA

SOLANO COUNTY OFFICE 1810 CARPENT STREET VALLEJO, CA 94590  
TELEPHONE: 949-6084 TOLL FREE: 1-800-370-2005 FAX: 949-6084  
EMAIL: SOLANO@LSNC.NET WEB: WWW.LSNC.NET

April 11, 2008

Melinda Nestelrode  
Senior Community Development Analyst  
City of Vallejo Housing Authority  
200 Georgia Street  
Vallejo, California 94590

Dear Melinda Nestelrode:

Legal Services of Northern California and the National Housing Law Project submit the following comments in connection with the City of Vallejo Housing Authority's (VHA) proposed Annual Plan for Fiscal Year 2008-2009, including revisions to the Section 8 Administrative Plan.

Legal Services of Northern California (LSNC) provides free legal services to low-income residents of Northern California including Vallejo. The National Housing Law Project (NHLP) is a national housing law and advocacy center that provides legal assistance, advocacy advice and housing expertise to legal services and other attorneys, low-income housing advocacy groups, and others who serve the poor. We submit these comments in the hope that they will facilitate a continued dialogue with Vallejo and assist the agency in administering its housing programs in a manner consistent with its mission of promoting adequate and affordable housing.

Our comments on the Annual Plan focus on the following general areas: Voucher utilization; Family Break-up; Return of Absent Family Members; Denial of Assistance; Waiting List Purges; HQS Standards and Inspections; Implementation of the Violence Against Women Act; Reasonable Accommodation Policies and; Limited English Proficiency Issues.

We welcome meeting with VHA to further discuss any of these issues.

Sincerely,

LEGAL SERVICE OF NORTHERN CALIFORNIA

Kyanna Williams



NATIONAL HOUSING LAW PROJECT

Catherine Bishop

Navneet Grewal

Meliah Schultzman

Enclosure:

LSNC and NHELP Comment to VHA Annual Plan, 2008-2009 – 14 pages



## **I. Voucher Utilization**

### **Annual Plan**

#### **Page 1**

The Streamlined Annual Plan for 2009 states that the Housing Authority for the City of Vallejo (VHA) has 2266 authorized vouchers. A recently released chart, which is attached, compiled by the Center on Budget and Policy Priorities (CBPP) notes that VHA had 2268 authorized vouchers and more importantly used on average only 2020 vouchers in calendar year 2007, which is 248 less than authorized or 89% of the authorized level. In practical terms that means that 248 families on VHA's waiting list were not assisted and approximately \$2 million of available funds were not used (244 x \$8,478 (estimated cost per unit) = \$2,102,544). In contrast, in 2004 and 2005, VHA achieved substantially higher utilization rates of 98% and 97%.

Looking to this calendar year, 2008, we are extremely concerned that VHA make every possible effort to fully lease up all available vouchers. We believe that this is the last year that VHA will have sufficient reserves to fully lease up all authorized vouchers. Therefore, we would like to know.

- Has VHA evaluated the reasons why it has not fully leased up all available vouchers?
- If so, what are the reasons for not fully leasing up all available vouchers? (Is it because the payment standard is too low, applicants cannot find units that meet the housing quality standards, staff cannot quickly process the families on the waiting list, etc.)
- Has VHA developed a plan to maximize voucher lease up in calendar year 2008?
- If so, what steps is VHA taking to maximize voucher lease up in calendar year 2008?
- Can VHA increase significantly its program of project-based vouchers?
- What assistance does VHA need to fully lease up authorized vouchers in calendar year 2008?

## **II. Family Break-Up and Remaining Member of Tenant Family - 3-I.C**

VHA Policy:

When a family on the waiting list breaks into two otherwise eligible families, only one of the new families may retain the original application date. Other former family members may make a new application with a new application date if the waiting list is open.

If a family breaks up into two otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted.

Comment:

VHA should consider that there may be equally compelling reasons for both families to remain on the waiting list or for continuing assistance to both families following a break up. The Administrative Plan should reflect that VHA has discretion to allow both families

to remain on the waiting list or to continue receiving assistance following a break up. VHA should use this discretion to protect the needs of both families when both families include minor children and/ or individuals with disabilities.

### **III. Absent Family Members – Return of Permanently Absent Family Members - 3-I.L**

VHA Policy:

The family must request HA approval for the return of any adult family members that the HA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed elsewhere in this chapter. The voucher size will not be increased, other than through family composition changes based on birth, marriage, adoption or court awarded custody

Comment:

VHA's current policy of denying an increased voucher size when a permanently absent family member returns home is detrimental to families. If the presence of the returning family member would have otherwise triggered an increase in the voucher size, VHA should grant the increase regardless of whether the person was last classified as a permanently absent family member. If VHA has determined that the person is eligible to be part of the family (for Section 8 purposes) and VHA in fact approves that person, there is little or no justified reason for refusing to increase the family's voucher size.

Refusal to increase the voucher size where it would have otherwise been warranted (because of the number of family members) discourages families from reuniting, particularly where the returning family member has countable income.

This rule is particularly unfair when the returning family member was "permanently absent" because of medical reasons. VHA considers family members that are expected to be confined to a nursing home or hospital for more than 90 consecutive days as being permanently absent from the home. (Administrative Plan, §3-I.L) These family members may be disabled and more likely to need separate bedrooms. While a family member with disabilities can request a reasonable accommodation under these circumstances, it is more appropriate for VHA to address this problem on a policy level through its Administrative Plan.

### **IV. Forms of Denial of Assistance - 3-III.A**

VHA Policy:

Denial of Assistance includes any of the following:

- Not placing the family's name on the waiting list,
- Denying or withdrawing a voucher,
- Not approving a request for tenancy or refusing to enter into a HAP contract, or
- Refusing to process a request for or to provide assistance under portability procedures

Comment:

VHA should also include the following under Denials of Assistance:

- Removal of the family's name from the waiting list,
- Refusal to grant a preference,
- Withdrawal of a preference, or
- Refusal to schedule an eligibility interview once a family's name has been selected from the waiting list.

#### **V. Other Permitted Reasons for Denial of Assistance - 3-III.C**

VHA Policy:

The HA will deny assistance to an applicant family if:

- If the family has not reimbursed any HA for amounts the HA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease, unless the family repays the full amount of the debt prior to being selected from the waiting list.

Comment:

24 CFR §982.552 allows a PHA to terminate or deny assistance "if the family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act." Statutes of limitation limit the time in which a party may collect a debt through a lawsuit. Program applicants and participants should not be denied assistance because of debts where the statute of limitations has passed. Such debts are not "current" debts and thus are not addressed by 24 CFR §982.552. VHA Administrative Plan should explicitly create an exception for debts whose statute of limitations has passed.

Before determining that a family owes a debt to VHA, VHA should first allow the family to submit evidence rebutting the allegation. If VHA subsequently determines that a debt is owed, the determination should be subject to an informal review for program applicants and an informal hearing for program participants.

Before denying assistance to an applicant or participant family because of debts, VHA should follow its general policy of considering any mitigating circumstances.

"The HA will consider the following factors when making its decisions: The seriousness of the case, especially with respect to how it would affect other residents; The effects that denial of assistance may have on other members of the family who were not involved in the action or failure; The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities; The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future; ..." (Administrative Plan, 3-III.E ).

By routinely considering all mitigating circumstances prior to proposing denial of assistance, VHA better protects the rights and needs of vulnerable families and individual family members.

## **VI. Updating the Waiting List - Purging the Waiting List - 4-II-F**

VHA Policy:

“If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice.”

VHA Policy:

“If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.”

Comment - VHA should treat removal from the waiting list through purging the same as it treats removal in any other circumstance (i.e., discovering that the family is not eligible for the program, or return of a tenant notification letter). Before VHA removes an applicant family's name through purging, VHA should give the family a notice of action that explains reasons for the removal and informs the family how to request an informal review of the proposed action.

Removal through purging is really just another way of saying that the family is no longer eligible for assistance because the family has not complied with VHA rules while on the waiting list. It is unfair for a family to not have notice that it is being removed from the waiting list. It may potentially be one year or more before a family realizes that it has been removed from the waiting list. Such a system severely limits the family's ability to take action and limits the family's ability to challenge an inappropriate removal. It is difficult for families to gather evidence in support of their position when so much time has passed. Facts and dates, which may have been fresh in family members' or potential witness' minds will dull with the passage of time.

If the Executive Director/ designee decides to reinstate the applicant family to the waiting list, the family should be put in the same position as it would have been had removal from the waiting list not occurred. To do otherwise would be to subject the family to punishment that is particularly inappropriate once the family has established that the family's lack of response was due to VHA error or circumstances beyond the family's control.

## **VII. HQS and Inspections – Move-Out/ Vacate - 10-D and 10-K**

VHA Policy:

A move out inspection will be performed only at the landlord's or tenant's request. (§ 10-D)

Comment:

VHA should include further guidelines regarding the scope and content of move-out inspections in the Administrative Plan.

VHA Policy:

The HA is not a party to the lease, and therefore has no responsibilities regarding the disposition of the security deposit. The HA may, at the owner or tenant's request, conduct a move-out inspection for the owner or tenant to use as documentation for any disputes that arise concerning the security deposit disposition. The tenants are encouraged to utilize other avenues to resolve security deposit disputes, including utilizing the services of the Human Relations Commission or Solano County Legal Assistance. (§10-K)

Comment:

The language above should change to read:

The HA is not a party to the lease, and therefore has no responsibilities regarding the disposition of the security deposit. The HA ~~may~~ **will**, at the owner or tenant's request, conduct a move-out inspection for the owner or tenant to use as documentation for any disputes that arise concerning the security deposit disposition. The tenants are encouraged to utilize other avenues to resolve security deposit disputes, including utilizing the services of the Human Relations Commission or ~~Solano County Legal Assistance~~ **Legal Services of Northern California.**"

Changing "may" to "will" is in keeping with VHA's aforementioned policy that "A move-out inspection will be performed only at the landlord's or tenant's request." Such a policy is especially important for vulnerable tenants. Tenants often find themselves in unequal positions of power with landlords and property managers. Landlords frequently fail to maintain habitability standards. Locally, many landlords and property managers have established the practice of routinely keeping security deposits in violation of the law. Currently, there are a large number of foreclosed rental properties where owners have disappeared and tenants are thus not able to participate in walkthrough move-out inspections with the landlord or property manager. Move-out inspections with VHA greatly help to protect tenant's rights, especially the right to recover much needed security deposit fees.

"Legal Services of Northern California" was formerly named "Solano County Legal Assistance". The Administrative Plan should be updated to reflect the change in name.

### **VIII. HQS and Inspections – Determination of Responsibility (Vermin Infestation) - 10-J**

VHA Policy:

If the family is responsible but the owner carries out the repairs, the owner will be encouraged to bill the family for the cost of the repairs and the family's file will be noted.

Comment:

VHA should require the owner to demonstrate that the family in fact caused the vermin infestation before VHA places any negative notation in the family's file. A mere allegation on the owner's part is not sufficient to establish conclusively that the family was in fact responsible for the infestation. VHA should not place a negative notation in

the family's file based solely on unsubstantiated allegations by the owner. In the interests of fairness, VHA should at a minimum, take the following steps before placing a negative notation in the family file: 1) Require the owner to submit evidence demonstrating that there was a vermin infestation; 2) Require the owner to submit evidence demonstrating that the family caused the vermin infestation; 3) Require the owner to submit evidence demonstrating that the owner resolved the infestation (cleared the home of vermin); 4) Require the owner to submit bills or receipts demonstrating how much it actually cost the owner to resolve the infestation; 5) Allow the family to submit evidence demonstrating that it did not cause the alleged infestation; 6) Allow the family to submit evidence rebutting the owner's assertion of how much it cost to resolve the alleged infestation; 7) use the preponderance of the evidence standard to determine whether the family was in fact responsible for an infestation which the owner subsequently cured.

### **IX. HQS and Inspections – Consequences if Family is Responsible - 10-K**

VHA Policy:

If non-emergency violations of HQS are determined to be the responsibility of the family, the HA will require the family make any repair(s) or corrections within 30 days. If the repair(s) or correction(s) are not made in this time period, the HA will terminate assistance to the family, after providing an opportunity for an informal hearing. Extensions in these cases must be approved by Leased Property Negotiator. The owner's rent will not be abated for items which are the family's responsibility.

Comment:

Under the Administrative Plan, families should have the right to request hardship extensions on their time to make HQS repairs. A family may, of course, request an extension based on the disability of one or more family members (request for reasonable accommodation of disability). However, families should also be able to request extensions for non-disability related hardships. For example, the family was unable to make the repairs because of a personal or family emergency, inadequate finances, owner interference, difficulty in finding the appropriate tools, parts, or repair services, or other circumstances that may be beyond the family's ability to control. Additionally, VHA should refrain from formally or informally invoking a strict policy limiting the number of extensions. Such policies help protect vulnerable families from termination when they have legitimate reasons for not completing repairs in time. The Section 8 program is designed to assist vulnerable families. Having a clear hardship extension policy is in keeping with the spirit and goal of the Section 8 program.

### **X. Implementation of the Violence Against Women Act**

We commend VHA for incorporating the provisions of the Violence Against Women Act (VAWA) into its Administrative Plan. We are pleased that VHA notifies Section 8 participants of their rights under VAWA at the time of admission and at annual recertification. We are also pleased that VHA includes a statement regarding VAWA in its denial of assistance letters. We do have a few areas of concern regarding VHA's implementation of VAWA, particularly VHA's certification policies and its handling of

cases where a victim may pose an actual and imminent threat to other tenants. These concerns are discussed in detail below.

### **Annual Plan**

VHA's draft annual plan does not describe the activities, services, or programs that VHA has implemented to help victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing. VAWA requires a PHA to describe in its annual plan any activities, services, or programs that help victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing. *See* 42 U.S.C. § 1437c-1(d)(13). HUD has directed that "PHAs must include the statement required by VAWA 2005 in their next regularly scheduled plan submission." 72 Fed. Reg. 12,696, 12,697 (Mar. 16, 2007). We therefore encourage VHA to describe any activities it has undertaken to implement VAWA. It is our understanding that VHA has instituted efforts to inform tenants, owners, and managers of VAWA, and we suggest that VHA detail these efforts in its annual plan. Additionally, if VHA has trained its staff on VAWA's provisions, designated staff members to handle VAWA cases, or made arrangements to refer tenants or applicants to a particular victim service provider, VHA should describe these activities and indicate the steps it has taken to make victims of domestic violence, dating violence, and stalking aware of the services.

### **Administrative Plan**

#### Definitions of Domestic Violence, Dating Violence, and Stalking

The Administrative Plan does not contain definitions of "domestic violence," "dating violence," or "stalking." Program staff and participants often have questions as to whom can be considered a victim of dating violence, domestic violence, or stalking. We therefore encourage VHA to include VAWA's definitions of dating violence, domestic violence, and stalking in the Administrative Plan. Additionally, VAWA's definition of "domestic violence" also incorporates state law definitions of the term. As a result, VHA should include California's definition of domestic violence in the Administrative Plan. We have included the definitions of these terms as they appear in VAWA and the California Family Code. *See* 42 U.S.C. § 13925(a)(6), (8); 42 U.S.C. § 1437f(f)(10); Cal. Family Code § 6211.

VAWA defines "domestic violence" as felony or misdemeanor crimes of violence committed by:

- (1) a current or former spouse of the victim;
- (2) a person with whom the victim shares a child in common;
- (3) a person who is cohabitating with or has cohabitated with the victim as a spouse;
- (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies;
- (5) 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 [i.e., California].

California law defines “domestic violence” as abuse perpetrated against the victim by:

- (1) The victim’s spouse or former spouse.
- (2) Someone the victim lives with or lived with in the past.
- (3) Someone the victim is dating or has dated.
- (4) Someone the victim has a child with.
- (5) Someone to whom the victim is related by blood, marriage, or adoption (including the victim’s parent, grandparent, child, grandchild, brother, or sister)

VAWA defines “dating violence” as 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.

VAWA defines “stalking” as:

- (A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; OR
- (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

#### Screening for Suitability, Page 3-18, Page 9-1

The Administrative Plan states that VHA will provide prospective Section 8 landlords with the names and addresses of the landlords at the applicant’s current and former address. A policy requiring tenants to disclose prior landlords’ contact information or mandating that the information be shared if available may cause serious problems for victims of domestic violence. If the prospective owner contacts a victim’s current or former landlord, the abuser may be able to track the victim’s location.

We suggest that VHA tell applicants which parties will be contacted so that safety risks can be identified. As noted by HUD, “PHAs should also be cognizant of a victim’s need to feel safe and as a result, she/he may be apprehensive about providing certain requested information such as current and previous address. In such cases, PHA staff should consider alternatives to verifying suitability.” HUD, Public Housing Occupancy Guidebook Ch. 19, p. 218 (June 2003). We encourage VHA to work with victims of domestic violence to identify alternative means of verification for critically needed information where primary means may place the applicant’s safety at risk.

Absence of Entire Family, Page 6-8

The Administrative Plan states that if the entire family is absent from the assisted unit for more than 30 consecutive days, without the knowledge and permission of VHA, the unit will be considered vacated and the family's assistance will be terminated. VHA provides an exception to this policy if the family's absence was due to disability.

We encourage VHA to create an exception for families who flee their assisted units due to domestic violence. As you may be aware, incidents of violence often increase once the domestic violence survivor takes steps to leave the batterer. As a result, a domestic violence survivor may be forced to enter a shelter or other safe location while she develops a safety plan and/or obtains a protective order. The survivor may fear disclosing her location to any outside entity, such as housing authority staff, due to concerns that the batterer will be able to track her location. In these circumstances, VHA should permit reinstatement of the voucher if the survivor provides verification of the domestic violence.

Allowable Moves Under Portability, Page 13-6

The Administrative Plan provides that if the applicant family did not reside in the housing authority's jurisdiction at the time the family submitted its application for assistance, the family must live in the housing authority's jurisdiction for at least twelve months before requesting portability. We encourage the housing authority to create an exception to this policy for victims of domestic violence who must flee their abusers due to the risk of continued violence. VAWA provides that even if moving out of an assisted unit would otherwise constitute a violation of the lease, a PHA may permit a voucher family to move to another jurisdiction if the family is moving to protect the safety of an individual who is the victim of domestic violence. *See* 42 U.S.C. § 1437f(r)(5).

Victim Documentation, Page 15-9

The Administrative Plan states that Section 8 participants who seek to assert VAWA's protections must provide two documents. First, the individual must provide a signed statement that includes the name of the perpetrator and certifies that the incidents in question are bona fide incidents of actual or threatened domestic violence, dating violence, or stalking. Second, the individual must provide either (a) a police or court record; or (b) a signed statement from a victim service provider, an attorney, a medical professional, or another knowledgeable professional from whom the victim has sought assistance in addressing the abuse.

VHA's policy for verifying domestic violence is inconsistent with VAWA's provisions. VAWA clearly states that a victim may satisfy the certification requirement by providing only *one* of three documents: (1) HUD-approved certification form; OR (2) signed statement from a professional; OR (3) police or court record. *See* 42 U.S.C. § 1437f(ee)(1)(A), (C). Further, HUD has made clear that a signed statement from a professional or a police or court record may be provided "[i]n lieu of a certification form." *See* Notice PIH 2006-42. It is therefore contrary to the intent of the statute to require the victim to provide both a signed certification and another type of documentation. It is also unduly burdensome for the victim, who in some cases may be in

the process of fleeing from the perpetrator. VHA should therefore modify its current certification policy to reflect VAWA's language and to require that a victim need only supply *one* of the three types of documentation listed in the statute (again, certification form, third party statement, or police or court record).

This approach is consistent with the policies that other housing authorities in the Bay Area have implemented. As the chart below shows, only one other housing authority (San Mateo County) requires victims to provide two forms of documentation:

<b>Housing Authority</b>	<b>Certification Required to Assert VAWA's Protections</b>
Alameda County	1. HUD-approved certification form; OR 2. Signed statement from service provider; OR 3. Police or court record
Berkeley	1. HUD-approved certification form; OR 2. Signed statement from service provider; OR 3. Police or court record
Contra Costa County	1. HUD-approved certification form; OR 2. Signed statement from service provider; OR 3. Police or court record
Fairfield	1. HUD-approved certification form; OR 2. Signed statement from service provider; OR 3. Police or court record
San Francisco	1. HUD-approved certification form; OR 2. Signed statement from service provider; OR 3. Police or court record
City of Alameda (revised 3/08)	1. HUD-approved certification form; OR 2. Signed statement from service provider; OR 3. Police or court record
Sonoma County	1. HUD-approved certification form and/or housing authority's certification form
San Mateo County	1. HUD-approved certification form; AND EITHER: a. Signed statement from service provider; OR b. Police or court record

Additionally, the Administrative Plan makes no mention of the availability of the HUD-approved certification form. Many victims may have little to no experience in documenting the acts of violence committed against them, and may have never drafted a declaration or an affidavit outlining the incidents of abuse. The HUD-approved form is a helpful way to assist these victims in providing the information that is needed to verify incidents of violence, and should therefore be expressly noted in the Administrative Plan and included in the briefing packets for new Section 8 families.

On any occasion in which VHA is requesting verification of domestic violence, VHA must give the individual a copy of the HUD certification form, a list of other acceptable means of verification, and a list of agencies that can assist the individual in completing

any verification requirements. Limited English Proficient individuals must be provided materials in their native language or be provided with a VHA-supplied interpreter.

Actual and Imminent Threat Exception, page 15-10

The Administrative Plan states that “If the VHA can demonstrate an actual and imminent threat to other participants or those employed at or providing service to the property if the participant’s tenancy is not terminated, the VHA will bypass the standard process and proceed with the immediate termination of the family’s assistance.”

We are concerned that this policy could result in unnecessary terminations of assistance for domestic violence survivors. We are unsure what VHA means by stating that it will “bypass the standard process and proceed with the immediate termination of the family’s assistance.” Because neither VAWA nor HUD has defined the meaning of the term “actual or imminent threat,” and this term is highly subjective, it is unacceptable for VHA to deny an informal hearing or other “standard process” to domestic violence victims who are believed to pose an actual and imminent threat to others.

If the domestic violence victim does in fact pose an actual and imminent threat, termination of assistance alone would not ensure the victim’s removal from the premises. Nor would it ensure the safety of other tenants. In fact, until the Section 8 landlord commences an eviction action against the victim, the victim is free to remain in the unit regardless of whether the Section 8 assistance is terminated. Therefore, VHA’s current policy of proceeding with the immediate termination of a domestic violence survivor who poses an “actual and imminent threat” does nothing to preserve the safety of other tenants in the building. Instead, the immediate termination policy serves only to harm the interests of domestic violence survivors who are most at risk of experiencing violence, and limits their ability to flee from their batterers.

A constructive and logical approach would be to assist the survivor in using the voucher to rent another unit in a confidential location. This way, VHA could protect both the domestic violence survivor and the other tenants in the building. In any event, because it is highly likely that an individual would dispute whether he or she poses an actual or imminent threat to other tenants, the individual must be afforded an informal hearing before rental assistance is terminated for this reason.

**XI. Reasonable Accommodations**

An important facet of reasonable accommodations is ensuring a staff that is well-versed in disability-awareness. Because too few people are aware of the issues affecting people with disabilities, HACA should, in its duty to affirmatively further fair housing, provide annual disability awareness trainings. These trainings should include information on Fair Housing law, cultural competency, and how to be inclusive of people with disabilities. We will gladly provide assistance in implementing such trainings.

## **Administrative Plan**

### Approval/Denial of a Requested Accommodation, Page 2-8

The plan states, “before making a determination whether to approve a request, the VHA may enter into discussion and negotiation with the family, request more information from the family, or may require the family to sign a consent form so that the VHA may verify the need for the requested accommodation.”

### Page 2-9

VHA states that it will verify the need for the requested accommodation through a third party. We suggest that this language be made more precise, so that people are aware of the different kinds of third parties that may verify the requested accommodation. The HUD/DOJ Joint Statement on reasonable accommodations states that “a doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual’s disability” may provide verification. The HUD/DOJ Joint Statement on “Reasonable Accommodations under the Fair Housing Act,” May 17, 2004

### Page 2-9

The plan states that VHA will relay its decision regarding a reasonable accommodation within “a timely manner.” Because reasonable accommodations can make an enormous impact on a participant’s day-to-day living, we suggest that “timely manner” be changed to “within ten days.” It is important to have a specific timeline set out so that participants can know exactly what to expect.

### Page 2-9

The housing authority states, “The need for reasonable accommodation will be reviewed annually at the family’s annual recertification appointment.”

While we understand the need to assess whether or not a person still needs a continuing reasonable accommodation, this blanket policy is impractical and overly burdensome. Often, low-income families, especially those with disabilities, may not have a regular or doctor, or access to social services. We recommend that anyone who has verified that they have a permanent disability requiring a reasonable accommodation need not recertify each year. If VHA is going to required recertification, then it should only be done for participants who have a temporary disability.

Additionally, this section should specifically note that HUD guidance and federal law admonishes that a housing authority may only ask for the level of detail that is required to show that the accommodation is necessary to accommodate the disability. This does not, and in many cases, must not be extremely detailed.

### Voucher Term, Extensions, and Suspensions Page 5-11

This section only allows a voucher extension of up to 180 days as a reasonable accommodation. We support the housing authority’s recognition that a person with disabilities may need an extension of their initial voucher search time in order to find a suitable unit. However, given the individualized nature of reasonable accommodation, it

is also important not to limit the search time to 180 days. There are a number of unique circumstances that may warrant a longer search time. We urge that the authority change this language to simply state that VHA will approve an additional extension if it is necessary as a reasonable accommodation for a person with disabilities, without the limitation that currently follows it.

## **XII. Limited English Proficiency**

### **Administrative Plan**

#### **Overview, Page 2-11**

##### *HUD Guidance*

We applaud VHA for its effort to increase access for persons with limited English proficiency. VHA should note that HUD has come out with its final notice regarding LEP. "Final Guidance to Federal Financial Assistance Recipient Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (HUD Final LEP Guidance). 72 F.R. 2732 (Jan. 22, 2007).

#### **Oral Interpretation, Page 2-13**

While it is important to allow a participant to use a family/friend as an interpreter if necessary, the HUD Final LEP Guidance strongly discourages use of friends/family members. The Guidance notes that there may be conflicts of interest such as a perpetrator of DV translating for a partner, or the person may simply be less comfortable sharing information with the friend/family member. This is specifically addressed both on page 2743 of the F.R., Appendix B., Question VIII, as well as in the Comments, of HUD's Final LEP Guidance.

#### **Written Translation, Page 2-13**

We are pleased that VHA has said that it will translate vital documents. The plan should include the documents that will be or have already been translated. On March 1, 2007, HUD held a public meeting to discuss the Guidance and identify documents it considered to be vital.<sup>1</sup> The Office of Public and Indian Housing has identified the following documents as "vital": the tenancy addendum for the Section 9 voucher program, Housing Assistance Payment contract, Request for Tenancy Approval, Authorization for Release of Information, Family Self Sufficiency (FSS) Escrow Account worksheet, Voucher, Statement of Homeownership Obligations, FSS contract of participation and the document entitled "A Good Place to Live."<sup>2</sup> HUD has already translated the "How Your Rent is Determined" fact sheet. This is not an exhaustive list, but rather a guide and HACSM should assess which documents are vital and list them here.

#### **Implementation Plan, Page 2-13**

Does VHA have a timeline of when it will complete its four-factor analysis? After completing the four-factor analysis and deciding what language assistance services are appropriate, VHA should develop an implementation plan to address the identified needs. A Language Assistance Plan ("LAP") that is developed and periodically updated

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<sup>1</sup> Video available at <<http://www.hud.gov/webcasts/schedule/index.cfm>>.

<sup>2</sup> Available at <<http://www.hud.gov/office/pih/programs/ph/rhiip/factsheet/cfm>>.

will be the most cost-effective means of documenting compliance. It establishes a framework for the provision of timely and reasonable language assistance. The HUD Final LEP Guidance recommends that the LAP contain certain topics including: (1) the manner in which the recipient will identify LEP individuals who need language assistance; (2) information about the ways in which language assistance will be provided; (3) staff training; (4) identification of vital documents; and (5) providing notice to LEP individuals. In many ways, a LAP is no different in purpose or scope than a reasonable accommodation policy.

An 18-page "Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance" developed under the auspices of the DOJ and an Interagency Task Force is currently available at <http://www.lep.gov/selfassesstool.pdf>. This fill-in-the-blank and check-off format tool walks federal funding recipients through a series of self-assessment questions and planning considerations, and includes a section that provides a framework for a LAP that is responsive to general Title VI requirements.

Thank you for your time and consideration of the above issues. Again, we welcome meeting with VHA to further discuss any of these issues.

Sincerely,

LEGAL SERVICE OF NORTHERN CALIFORNIA



Kyanna Williams

NATIONAL HOUSING LAW PROJECT

Catherine Bishop

Navneet Grewal

Meliah Schultzman

ANNUAL PLAN – FISCAL YEAR 2008/2009  
Attachment L

Public Comments Outside of the Public Hearing With Vallejo Housing Authority  
Response

The Vallejo Housing Authority (VHA) Board received one public comment outside of the Public Hearing. The comment came in the form of a 14 page report from Legal Services of Northern California and the National Housing Law project, and is incorporated into the Streamlined Annual Plan as Attachment K. The majority of the comments posted in the report consist of recommendation regarding the VHA Administrative Plan. In accordance with the guidance provided in the Public Housing Authority (PHA) Plan Desk Guide supplied by the Department of Housing and Urban Development (HUD), the VHA will engage the Resident Advisory Board (RAB) in considering comments proposing policy changes. A special meeting of the RAB will be called in June 2008 to consider and discuss the comments regarding the proposed changes to VHA Administrative Plan policy.

VHA responses to comments not specifically related to the Administrative Plan follow below:

Voucher Utilization

HUD published PIH Notice 2004-7 on April 22, 2004. The notice effectively reduced Housing Authority HAP funding retroactive to January 2004. The VHA took immediate proactive steps to reduce expenses. Those actions included the reduction of payment standards, and the elimination of a policy which allowed landlords to keep the full last months rent. Upon publication of HUD PIH Notice 2005-9, which provided further expense reduction ideas, the VHA also reduced subsidy standards to provide subsidy to two people per room, regardless of sex or age.

HUD eventually reestablished HAP funding amounts, but the cost saving practices put into effect by the VHA began to show results. The reduction in subsidy standards caused many clients to become over-income, and ineligible for the program. Other clients executed their option to port out of Vallejo's jurisdiction. The VHA had maintained a 95 percent lease up rate in Fiscal Year 2005/2006, but lease up dropped dramatically during Fiscal Year 2006/2007 – to 88 percent. The VHA experienced a 10 percent drop in lease up between November 2005 and October 2006.

In August 2006, the VHA observed the steady reduction in lease up rates, and began aggressively pulling applicants from the waiting list.. Unfortunately, the waiting list was stale, having last been opened in October 2002. For each 100 applicants pulled from the list, only 30 responded to VHA inquiries, and only an average of 15 achieved lease up in Vallejo. Between August 2006 and April 2007, over 2,000 applicants were processed for vouchers. The VHA reopened the list in January 2007, and created a new pool of over

6,000 applicants. As is the case with new waiting lists, it took several months of data and preference clean up before the list was ready to begin pulling new applicants.

Increasing lease up, and thereby HAP expenses, has been a slow process and a top priority. Lease up has steadily increased from a low of 86 percent in January 2007 to 93 percent in January 2008. The VHA has reported 139 new admissions to the program since May 2007. Other processes have been put into place to expedite lease up: subsidy standards have been revised to be less restrictive, and additional temporary help has been employed to assist our dwindling staff. Between 100 and 200 full applications have been mailed to applicants on the waiting list on a bi-monthly basis. Two hundred full applications were mailed in March 2008, and the VHA anticipates issuing over 70 vouchers on April 17, 2008. The goal is to reach a steady lease up rate between 95 and 98 percent. VHA projects a 95 percent lease up rate by July 2008. In addition, 41 vouchers must remain available for the two Project Based Voucher applications that are pending HUD approval.

#### Implementation of the Violence Against Women Act

The VHA has added Attachment M to describe the activities it has undertaken to implement the Violence Against Women Act (VAWA). The VHA will seek further consultation with Legal Services of Northern California and the National Housing Law Project, will review the provisions of 42 U.S.C. and the Cal. Family Code §6211, and will meet with the RAB prior to making further changes to the Administrative Plan in relation to VAWA.

#### Reasonable Accommodations

On September 14, 2006 the Housing Authority sponsored a Fair Housing Training, open to all landlord and tenant clients, as well as the Vallejo public. The presenters were attorneys from Legal Services of Northern California's Solano and Yolo County offices. On September 19, 2006, the entire VHA staff attended Diversity Training. In 2007 the VHA hosted a training entitled Bridges Out of Poverty, designed to assist our staff in understanding more about our clients and how they react to us. We are discussing holding a Fair Housing training in 2008 with the managing attorney of Legal Services of Northern California's Vallejo office. We will request that the training include information on Fair Housing law, cultural competency, and how to be inclusive of people with disabilities. The proposed changes to the Administrative Plan will be reviewed with the RAB.

#### Limited English Proficiency (LEP)

The VHA will review the "Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance" at <http://www.lep.gov/selfassesstool.pdf>, and will meet with the RAB, prior to making further changes to the Administrative Plan in relation to LEP.

ANNUAL PLAN – FISCAL YEAR 2008/2009  
Attachment M

Violence Against Women Act (VAWA) Implementation

The Vallejo Housing Authority has taken steps to implement the provisions of VAWA. Steps taken as of April 2008 are:

- ❖ Trained all staff on the provisions of VAWA at full staff meeting September 27, 2006, (meeting agenda is attached).
- ❖ Provided informational handout to all staff regarding VAWA on September 27, 2006, (handout is attached).
- ❖ Updated Annual Plan to include language regarding VAWA on November 27, 2007
- ❖ Provide informational form regarding VAWA to applicants during their initial briefing; and to clients during their annual reexamination or port in briefings, (form is attached).
- ❖ Utilize revised form HUD-52641 – Housing Assistance Payments Contract - which includes language relating to VAWA
- ❖ Form HUD-50066 – Certification of Domestic Violence, Dating Violence, or Stalking - is available upon request to our clients, or when the VHA is requesting verification of domestic violence.

The VHA has planned for further implementation steps. Beginning on April 17, 2008 the VHA will be holding quarterly Power Breakfasts for Vallejo property owners and managers. The purpose of the breakfasts is to share information regarding the Housing Choice Voucher program with our stakeholders, which includes providing information pertaining to owner obligations under VAWA.

The VHA will be reviewing the Administrative Plan with the Resident Advisory Board for further revisions concerning VAWA based on comments received during the Streamlined Annual Plan comment period from Legal Assistance of Northern Solano and the National Housing Law Project.

Housing & Community Development Division  
**STAFF MEETING**

SEPTEMBER 27, 2006

8:00 – 9:00 a.m.

- |       |  |               |
|-------|--|---------------|
| I.    | Welcome!   | L. Simpson    |
| II.   | Dept & City News Update  | C. Whittom    |
| III.  | Celebrations to discuss<br>a. Nov. 8 <sup>th</sup> Committee Achievement Celebration<br>b. Nov. 16 <sup>th</sup> Multicultural Luncheon/Potluck  | L. Simpson    |
| IV.   | Comments on 9/19 Diversity Training  | L. Simpson    |
| V.    | Audit Results / Highlights   | M. Nestlerode |
| VI.   | Terminating the tenancy with less than 30 days notice  | M. Nestlerode |
| VII.  | Violence Against Women Act   | M. Nestlerode |
| VIII. | Work Group Overviews<br><b>(Spokesperson from each work group to present brief report on work status)</b><br><br>a. CDBG / HOME / Affordable Housing<br>b. Accounting<br>c. Inspectors<br>d. Housing Specialists<br>e. FSS / Home Ownership<br>f. Clerical |               |

DATES TO REMEMBER

09/28	8-9 am	HCD Staff Mtg	10/26	8-9 am	HCD Staff Mtg
09/28	3:30 pm	RAB	10/26	3:30 pm	RAB
10/05		Homeownership Orientation (FSS)	11/01	3 – 5 pm	LLs & TTs Rights Seminar
10/05	7:30 pm	Community Development Commission Meeting	11/30	8-9 am	HCD Staff Mtg
			11/30	3:30 pm	RAB
10/18	2-3 pm	Dept Staff Mtg (M.I.)	12/29	8-9 am	HCD Staff Mtg
			12/29	3:30 pm	RAB

## **Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA)**

On January 5, 2006, President Bush signed into law VAWA, which became effective upon enactment.

VAWA 2005 reauthorizes and amends the Violence Against Women Act of 1994.

In addition, it consolidates major law enforcement grant programs, makes amendments to criminal and immigration laws, and makes amendments to other statutes, including certain HUD statutes, to support and strengthen efforts to combat domestic violence and other forms of violence against women.

Title VI, "Housing Opportunities and Safety for Battered Women and Children", of the VAWA has provisions affecting HUD's programs administered by PHAs. VAWA prohibits the eviction of, and removal of assistance from, certain persons living in public Housing Program or Section 8 assisted housing if the eviction of, and removal of assistance, from certain persons is the asserted grounds for such actions is an instance of domestic violence, dating violence, sexual assault, or stalking, as these terms are defined in Section 3 of the U.S. Housing Act of 1937 as amended by VAWA. It also applies to members of the victims' immediate families.

On June 23, 2006, HUD issued notice PIH 2006-23 which provides guidance regarding VAWA. Important points to keep in mind are:

PHA's should make tenants and owners participating in all public housing and voucher programs, aware of the requirements of VAWA as soon as possible.

PHA's 5 --Year and Annual PHA Plans must contain information regarding any goals, activities, objectives, policies, or programs of the PHA that are intended to support or assist victims of domestic violence, dating violence, sexual assault or stalking.

Section 606 of VAWA requires the issuance of a "HUD approved certification form" for victims of abuse to use in the event that a PHA or a Section 8 owner requests that a victim of abuse certify that the alleged incidents of abuse are bona fide. Until HUD develops such a form, PHAs, owners and managers are encouraged to accept other types of certifications from alleged victims.

HUD is developing proposed regulations that make conforming changes in existing regulations. PHAs should be aware that the statutory provisions of VAWA were effective January 5, 2006

When these regulations are issued, changes will need to be made to Administrative Plans and Admissions and Occupancy Plan policies.

You may access the text of the final law, Public Law 109-162 on <http://www.gpoaccess.gov/plaws/index.html>

## HOUSING AUTHORITY OF THE CITY OF VALLEJO

### VIOLENCE AGAINST WOMEN ACT (VAWA)

Attention Section 8 Housing Choice Voucher Program Applicants and Participants:

On January 5, 2006 President Bush signed VAWA into law. Title VI, "Housing Opportunities and Safety for Battered Women and Children", of VAWA gives you the right to not have your tenancy terminated; not have your program assistance terminated; and not be denied a move under portability if you have moved in violation of the lease to avoid harm, if you are a victim of domestic violence, dating violence, sexual assault or stalking, which are defined below:

Domestic Violence – [as defined in Section 40002 of VAWA 1994] which states as follows: SEC 4002(a)(6) – 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.

Dating Violence – [as defined in Section 40002 of VAWA 1994] which states as follows: SEC 40002(a)(8) – 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:
  - a. The length of the relationship.
  - b. The type of relationship.
  - c. The frequency of interaction between the persons involved in the relationship.

Stalking – "means

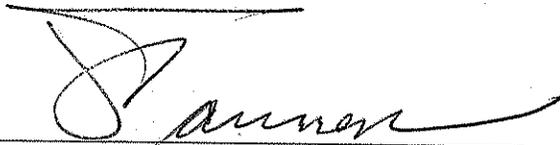
- (a) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and
- (b) in the course of, or as a result of, such following, pursuit, 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 '
  - a. that person;
  - b. a member of the immediate family of the person; or
  - c. the spouse or intimate partner of that person;..."

In order to verify that you are a victim under VAWA, you must complete form HUD-50066, which is available at our front desk. Failure to provide timely certification of domestic violence, dating violence or stalking may impact your rights under VAWA. All information that you provide on form HUD-50066, and any related documentation will remain confidential. Please talk to your Housing Specialist if you have questions regarding VAWA.

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

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

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Signed / Dated by Appropriate State or Local Official

