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

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# PHA Plans

## 5 Year Plan for Fiscal Years 2009 - 2013
## Annual Plan for Fiscal Year 2009

NOTE: THIS PHA PLAN TEMPLATE (HUD 50075) HAS BEEN COMPLETED IN ACCORDANCE WITH INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICE

**October 2009**
**Housing Authority of the County of Marin**
***Annual and 5-Year Agency Plan***
***2009 – 2013***

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**PHA Plan**

## Agency Identification

**PHA Name:** Housing Authority of the County of Marin

**PHA Number:** CA052

**PHA Fiscal Year Beginning:** 01/01/2009

## Public Access to Information

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

☒ Main administrative office of the PHA
☐ PHA development management offices
☐ PHA local offices

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

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

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

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

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

# Certification by State or Local Official of PHA Plans Consistency With the Consolidated Plan

I MATHEW HYMEL the County Administrator certify that the Five Year and Annual PHA Plan of the Housing Authority of the County of Marin is consistent with the Consolidated Plan of Marin County, California prepared pursuant to 24 CFR Part 91.

_____

**Matthew Hymel** Date: 10/ /2008

LEAVE PAGE BLACK FOR BOARD OF COMMISSION APPROVAL

**Certification for**
**A Drug-Free Workplace**

**U.S. Department of Housing**
**and Urban Development**

Applicant Name
Housing Authority of the County of Marin

Program/Activity Receiving Federal Grant Funding
Capital Fund, Low-Rent Public Housing Operating, Section 8 Housing Choice Voucher Program (PHSEP-close-out)

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

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

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

b. Establishing an on-going drug-free awareness program to inform employees ---
(1) The dangers of drug abuse in the workplace;
(2) The Applicant's policy of maintaining a drug-free workplace;
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

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

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---
(1) Abide by the terms of the statement; and
(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

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

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---
(1)Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or (2)Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

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

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

| | | |
|---|---|---|
| Marin City | 429 Drake Avenue, Marin City, CA 94965 CA052001 | CF, PH |
| Venetia Oaks | 263 N. San Pedro Road, San Rafael, CA 94903 CA052002 | CF, PH |
| Homestead Terrace | 140 Linden Lane, Mill Valley, CA 94941 CA052003 | CF, PH |
| Casa Nova | 35 Carmel Drive, Novato, CA 94945 CA052004 | CF, PH |
| Golden Hinde | 5 Golden Hinde Boulevard, San Rafael, CA 94903 CA052006 | CF, PH |
| Kruger Pines | 47 N. Knoll Road, Mill Valley, CA 94941 CA052007 | CF, PH |
| Administrative Office | 4020 Civic Center Drive, San Rafael, CA 94903 | Section 8 |

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

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

| Name of Authorized Official Title | Title<br>Executive Director |
|---|---|
| Signature<br>` | Date (mm/dd/yy)<br>10/ /08 |

form HUD 50071 (3/98)

# DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB 0348-0046

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

| | | |
|---|---|---|
| **1. Type of Federal Action:** B<br>a. contract<br>b. grant<br>c. cooperative agreement<br>d. loan<br>e. loan guarantee<br>f. loan insurance | **2. Status of Federal Action:** A<br>a. bid/offer/application<br>b. initial award<br>c. post award | **3. Report Type:** a<br>a. initial filing<br>b. material changes<br>**For Material Change Only:**<br>Year_____ quarter_____<br>Date of last repost_____ |
| **4. Name and Address of Reporting Entity:**<br>☒ Prime ☐ Subawardee<br>Tier _____, if known:<br>**Congressional District**, if known: VI | **5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:**<br>**Congressional District**, if known: | |
| **6. Federal Department/Agency:**<br>U. S. Department of Housing and Urban Development | **7. Federal Program Name/Description:**<br>Capital Fund, Public Housing, Section 8 Housing Choice Voucher Program<br>CFDA Number, if applicable: _____ | |
| **8. Federal Action Number** *if known:* | **9. Award Amount,** *if known:*<br>**$** | |
| **10. a. Name and Address of Lobbying Registrant**<br>( if individual, last name, first name, MI):<br>NONE | **11. b. Individuals Performing Services** ( including address if different from No. 10a)<br>( if individual, last name, first name, MI):<br>( last name, first name, MI):<br>NONE | |
| **11.** Information requested through this form is authorized by title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure. | Signature:<br>Title: Executive Director<br>Telephone No. (415) 491-2530 Date: 10/10/08 | |
| Federal Use Only: | Authorized for Local Reproduction<br>Standard Form LLL (Rev. 7-97) | |

**Certification of Payments to Influence Federal Transactions**

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

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Applicant Name:
Housing Authority of the County of Marin

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Program/Activity Receiving Federal Grant Funding
Capital Fund, Public Housing Operating Subsidy, Section 8 Housing Choice voucher Program (and PHDEP closeout from prior year)

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

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

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

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

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

I herby certify that all the information stated herein, as well as any information in the accompaniments herewith, is true and accurate.

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

| Name of Authorized Official Title | Title<br>Executive Director |
|---|---|
| Signature | Date (mm/dd/yy)<br>10/ /2009 |

form HUD 50071 (3/98)

**5-YEAR PLAN**
**PHA FISCAL YEARS 2009 - 2013**
[24 CFR Part 903.5]

## A. Mission

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

☐ The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

☒ The PHA's mission is: ***To assist very-low, low, and moderate income residents of Marin County to secure and maintain high quality affordable housing.***

## B. Goals

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own, or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, **PHAS ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS**. (Quantifiable measures would include targets such as: numbers of families served or PHAS scores achieved.) PHAs should identify these measures in the spaces to the right of or below the stated objectives. In 2007, Marin Housing has added and modified its goals and objectives to include the new asset management regulations and meet the requirement that PHA improve management systems.

☒ **PHA Goal 1: Maximize Affordable Housing Options in Marin County**

☒ Subgoal 1.1 Fully Utilize Section 8 and Public Housing Programs

1. **2009 -** Achieve 95% lease-up rate in Public Housing program.
   5 Year: In the Public Housing Program achieve 98% lease-up rates annually as measured at fiscal year end.

2. **2009 -** Maximize the number of individuals served by utilizing 100% of the money allocated by HUD for HAP payments. 5 Year: In the Section 8 Housing Choice Voucher Program maximize the number of individuals served by utilizing 100% of the money allocated by HUD for HAP payments.

3. **2009 -** Assist 20 Section 8 Voucher holders to locate and successfully lease affordable housing. Most of these are Voucher holders who need to transfer to a new unit. 5 Year: Expand Assistline capability to provide housing search assistance to Section 8 Voucher-holders with one-to-one assistance projected for 100 Elderly Disabled clients over 5 years.

4. **2009 -**Turn over 90% of all vacant Public Housing units within 20 days of the vacate date. 5 Year: Turn over 100% of all vacant Public Housing units within 20 days of the vacate date.

☒ Subgoal 1.2 Preserve Existing Affordable Housing Stock

1. **2009 -** Perform housing quality inspections using the UPCS standards on 100% of public housing units. 5 Year: Perform housing quality inspections using the UPCS standards on 100% of public housing units annually as measured at year end.

2. **2009 –** Investigate and implement measures to improve public housing security through community involvement. 5-year: Work with Resident Council, various agencies, and law enforcement to investigate and implement measures to improve public security through community involvement.

3. **2009 -** Perform 40 quality control inspections using the HQS requirements. 5 Year: In the Section 8 Housing Choice Voucher Program, perform 200 quality control inspections using the HQS requirements.

4. **2009**- Obtain FY 2006/2007 CDBG funding for the program and continue outreach. 5 Year: Secure annual funding for the Residential Rehabilitation Loan Program through the County's CDBG program and continue outreach through local jurisdictions and appropriate social service agencies.

5. **2009**- Undertake 10 rehabilitation projects averaging $25,000 per home including one group home for a total of $500,000 for the year. 5 Year: Complete 50 residential rehabilitation projects for low-income homeowners, including five group home rehabilitation projects over the five years.

6. **2009**- Subject to approval of the Waldo Point Harbor Master Plan by the County of Marin, commence applications for building permits and the start of rehabilitation for the first three houseboats. 5 Year: Participate in the planning and executing of the rehabilitation and relocation of the 38 Floating homes that comprise the Gates Co-Operative to permanent berths within the Waldo Point Harbor Marina in Sausalito.

☒ Subgoal 1.3: Prevent Homelessness

1. **2009 -** Provide RMR eviction prevention assistance to 60 elderly or disabled households. 5 Year: Provide eviction prevention assistance to a total of 200 elderly or disabled families through the Rebate for Marin Renters (RMR) Program.

2. **2009 -** Provide Shelter Plus Care subsidies to 70 formerly homeless individuals with severe psychiatric disabilities. Continue to provide supportive services to 100 formerly homeless participants in maintaining their housing. 5 Year: Prevent homelessness by providing supportive services and rental assistance to a base total of 100 formerly homeless persons with severe psychiatric disabilities through the Shelter Plus Care program.

3. **2009 -** Provide permanent affordable housing to 40 new Section 8 households. Issue a new Request for Proposals for project based Section 8 units. 5 Year: Prevent homelessness by providing permanent affordable housing to 200 new Section 8 households.

4. **2009 -** Provide permanent affordable housing to 30 new Public Housing households. 5 Year: Prevent homelessness by providing permanent affordable housing to 150 new Public Housing households.

5. **2009 -** Provide rental assistance to 30 individuals with HIV and AIDS in FY 2009. 5 Year: Continue to provide rental assistance to 30 individuals with HIV and AIDS through HOPWA.

☒ Subgoal 1.4: Promote Homeownership Opportunities

1. **2009 -** Maintain current portfolio and add 10 new first-time homeowners through a combination of new construction and re-sales of existing BMR homes. Participate in one workshop for first-time homebuyers. 5 Year: Maintain and add to current portfolio of homes for low and moderate -income first-time homebuyers through the Below Market Rate (BMR) Homeownership Program. Add new properties as developments are planned and built within each local jurisdiction; market and re-sell existing BMR units to eligible households when offered for re-sale; sell homes to 50 new first-time homebuyers during the five-year period. Clarify the role of the CDC with the County of Marin for tenant selection of Marin City BMR units.

2. **2009 -** Enroll at least 1 participant in the Section 8 Homeownership Program. 5 Year: Provide Section 8 Homeownership Vouchers and assist up to 4 participants over the five year period.

3. **2009 -** Obtain additional tax exempt bond allocations from CDLAC. Apply for new MCC's at an average of $40,000 for $600,000 in MCC tax credit authority and approximately $3.0 million in first mortgage money. 5 Year: Obtain tax-exempt bond allocation from CDLAC for the Mortgage Credit Certificate Program sufficient to issue 10 MCC's to first-time homebuyers over the 5-year period.

☒ Subgoal 1.5: Apply for additional rental vouchers if HUD announces a NOFA or other new programs

1. **2009:** Carefully review HUD's announcements for funding that is available for PHA's prepare and submit requests where appropriate. 5 Year: Review HUD's announcements for funding that is available for PHA's, prepare and submit requests where appropriate.

☒ Subgoal 1.6: Increase Access to Housing Opportunities by Increasing Tenant Incomes

1. **2009 -** Assist 50 public housing residents and 130 Section 8 participants to achieve contracted goals through FSS. 5 Year: Increase access to housing opportunities by assisting 25 public housing residents and 100 Section 8 participants each year to achieve their individual self-sufficiency goals.

2. **2009-** Increase the number of new participants with an escrow account by 10. 5 Year: Continue to increase the number of new persons by an average of 10 per year to a total of at least 50 new participants with escrow accounts between PH and Section 8 FSS Programs.

☒ **PHA Goal 2: Enhance Services to Clients, Business Partners and the Community at Large through Delivery of Efficient and Responsive Programs**

☒ Subgoal 2.1: Demystify Services through Enhanced Communication

1. **2009 –** Anticipate 10 briefings with a total of 80 clients oriented. 5 Year: Provide engaging and informative briefings to all new Section 8 Voucher holders.

2. **2009-** The information and referral line provides assistance to 2000 Senior and Disabled callers each year. Move towards making the Assistline function into a web-based system

3. **2009 -** Sponsor or participate in at least 10 open forums or meetings. 5 Year: Participate in open forums or meetings with Marin City public housing residents on issues of specific or general concern, including Maintenance and Operation meetings and Security meetings.

4. **2009 -** Sponsor and/or participate in least 6 Mixed Population residents meetings at each Mixed Population complex. 5 Year: Sponsor and/or participate in 30 Mixed Population resident meetings at each Mixed Population Complexes to provide program and procedural updates.

☒ Subgoal 2.2: Implement, Monitor and Improve Client Feedback Systems

1. **2009 -** Solicit input from public housing residents through the RC, RAB or direct meetings as to what procedures or practices are confusing and/or burdensome. Prioritize areas of focus for streamlining. Hold one session in Marin City and one in Mixed Population complexes. Publish in the residents' newsletters various procedures and practices that are discussed with residents. 5 Year: Solicit input from residents as to what procedures or practices are perceived to be confusing and/or burdensome in order to assist in prioritizing areas that would most benefit from improved systems.

☒ Subgoal 2.3: Concentrate on efforts to improve specific management functions.

1. **2009:** Review eligibility functions including initial application processing and annual re-certification functions. Review maintenance systems in order to improve service to the residents and reduce the turnaround time of vacant units. Evaluate the cost efficiency of contracting out maintenance services. 5 Year: Increase the efficiency of the management functions for both Public Housing and Section 8 Voucher Program.

☒ Subgoal 2.4: Streamline External Procedures

1. **2009 -** Continue to increase the availability of forms and information to MHA's landlords through the use of the website. 5 Year: Improve and simplify procedures and systems for interfacing with Section 8 landlords and utilize MHA's website to provide information to landlords, including downloadable forms. The MHA hotline provides landlords with a tool to advertise for tenants.

2. **2009 -** Update the website to include the Agency Plan and the Administrative Plan. 5 Year: Update the website to include the Agency Plan, Administrative Plan, and the Occupancy Policy.

3. **2009 -** Implement an automated phone attendant that will allow callers to reach desired staff quickly, as a backup to the receptionist and for after hour callers. 5 Year: Improve the quality of telephone response by answering incoming calls at the receptionist's desk quickly, returning all calls within 24 hours, providing clear and concise information.

4. **2009 –** Place the interim reporting form on the web site in such a way that it will become interactive and the residents/participants can access the form from the web site.
   5 Year: Implement an interactive web based systems.

☒ **PHA Goal 3: Continue to Build Collaborations with Other Agencies, Local Jurisdictions and the Private Sector**
Objectives:

1. **2009**: Convene at least one meeting in FY 2009. Identify key resources and barriers to affordable housing opportunities and develop a strategy for engaging the participation of new landlords and retaining partnerships with existing landlords. 5 Year: Develop a formalized collaborative of stakeholders, including Section 8 landlords, other property managers, commercial realtors, housing non-profit providers, local governments, program participants and MHA.

2. **2009 -** Continue collaboration with Sheriff's Department and other service agencies to monitor and reduce drug activity by having at least quarterly safety meetings in Marin City during the year. 5 Year: Sustain ongoing collaboration with the Marin County Sheriff, the Marin City Resident Council, the County Office of Drugs and Alcohol, BACR, Women Helping All People (WHAP), Performing Stars, and the Marin City public housing residents to sustain the fight against drugs in Marin City.

3. **2009**: Continue active participation in the Continuum. Work with other providers and leaders to develop the plan to end chronic homelessness in 10 years. 5 Year: Continue participation and leadership in the Marin Continuum of Housing and Services, Homeless Policy Steering Committee, and countywide efforts to end homelessness.

☒ **PHA Goal 4: Implement Asset Management for Public Housing.**

1. **2009:** Implement asset management for public housing by dividing the funding and management of the public housing stock into two groups - Balance the budgets for both Mixed Population Housing and Marin City GGV. 5 Year: Monitor and modify asset management system cost effectively.

☒ Subgoal 4.2. Phase-in of Management Fees

The Marin Housing Authority (MHA) elects to phase-in its management fees through 2011. Currently, the overhead charged to the public housing program is $90.92 PUM, based on most recent financial statement (FYE 2008). The allowable management fees for the MHA are as follows:

Management Fee -- $61.38 PUM
Bookkeeping Fee -- $7.50 PUM
Asset Management Fee -- $10.00 PUM
Total -- $78.88

The difference between the current overhead costs, $90.92 PUM, and the allowable fee schedules, is $12.04 PUM. The MHA proposes the following phase-in schedule:

**Schedule of Phased-in Management Fees**

| 2008 (Initial Year of Project Based Budgeting and Accounting | 2009 (Year 2) | 2010 (Year 3) | 2011 (Year 4, first year of full compliance) |
|---|---|---|---|
| $90.92 PUM | $88.51 PUM | $86.10 PUM | $78.88 PUM |

☒ **PHA Goal 5: Access additional resources for new affordable housing developments and for the rehabilitation/modernization of existing MHA housing stock.**

1. **2009:** Begin the process of exploring new resources for the development of affordable housing and the rehabilitation and/or modernization of existing MHA housing stock. Create partnerships with for-profit developers and jurisdictions to create more affordable housing options for working people. 5 Year: To access new and innovated sources for development of affordable housing and ways to rehab and modernize existing housing stock.

☒ **PHA Goal 6: Continue to work with residents/participants to build community and self-sufficiency.**

1. **2009:** Work with the GGV Resident Council to build community awareness and develop self sufficiency with the Public Housing Residents. Expand the availability of the Section 8 Voucher Self Sufficiency programs where possible. Offer service enriched programs where available and collaborates with other service agencies to access their services for our residents/participants. 5 Year: Ensure that funding remains consistent or increases for Family Self-sufficiency for both public housing and the Section 8 program. Seek new funding and program sources to assist residents/participants achieve self-sufficiency where possible.

☒ **PHA Goal 7: Explore ways to improve energy efficiency for public housing.**

1. **2009:** Explore alternative sources of energy. Educate residents in conservation efforts. Review resident based utility payments and increase tenant participation in determining resident contributions toward utilities. 5 Year: Decrease the utility costs for public housing to insure sustainability of the public housing program under asset management.

☒ **PHA Goal 8: Conduct community meetings to present options to sustain GGV**

1. **2009:** Conduct community meetings to present opportunities for homeownership for residents. 5 Year: Develop a plan and complete implementation by the end of the five year plan.

**Annual PHA Plan**

**PHA Fiscal Year 2009**
[24 CFR Part 903.7]

## I. Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

☒ **Standard Plan**

**Streamlined Plan:**

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

## II. Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

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

MHA administers Section 8 and Public Housing programs as well as residential rehabilitation loan programs, various homeownership programs and several programs that provide supportive services to special needs groups. The Section 8 housing is located throughout the County and the Public Housing is located in six (6) complexes, of which one, Marin City, is a general occupancy complex and the others are for seniors/disabled.

As part of the Agency Plan process, MHA and its Board of Commissioners, with input from the Resident Advisory Board and GGV Resident Council have identified seven (8) key goals. Some of these broad goals consist of several practical sub-goals designed to help MHA meet its annual targets and the five (5) year objectives. The eight main goals are:

1) Maximize Affordable Housing Options in Marin County, and
2) Enhance Services to Clients, Business Partners and the Community at Large through Delivery of Efficient and Responsive Programs, and
3) Continue to Build Collaborations with other Agencies, Local Jurisdictions and the Private Sector, and
4) Implement Asset Management cost-effectively for public housing, and,
5) Access additional resources for new developments of affordable housing and for the rehabilitation/modernization of existing MHA housing stock, and
6) Continue to work with residents to build community and self-sufficiency, and
7) Explore ways to improve energy efficiency for public housing.
8) Conduct community meetings to present options to sustain GGV

The Agency Plan covers the following components:

1. Housing Needs
2. Financial Resources
3. Policies on Eligibility, Selection and Admissions
4. Rent Determination Policies
5. Agency Operations & Management
6. Grievance Procedures

7. Capital Improvement Needs
8. Demolition and Disposition
9. Public Housing Designation Listing
10. Conversion of Public Housing to Tenant-Based Assistance
11. Homeownership
12. Community Service & Family Self-Sufficiency Programs
13. Safety & Crime Prevention Measures
14. Pets
15. Audit
16. Asset Management Statement
17. Resident Advisory Board Comments
18. Required Certifications

The major challenges facing Marin County are:

- An inadequate supply of affordable housing stock, lack of adequate financial resources, and significant barriers to creating more affordable housing, and

- An aging rental stock, few ownership opportunities and

- Changing demographics and the needs of program participants that increasingly extend beyond the need for shelter.

- Changing demographics of race and ethnicity as well as a growing younger disabled community that is impacting the elderly community.

This Plan attempts to address these issues and MHA is dedicated to working in a collaborative structure with other agencies in the County to create solutions.

MHA has worked closely with the County of Marin in completing an accurate picture of the needs of the County, based on the County's Consolidated Plan and state regional housing needs requirements. In addition, MHA is an active member of the Marin Continuum of Housing and Services and is involved in many programs throughout the County including Community Mental Health, Marin County Health and Human Services Aging Division, 10-Year Homeless Planning process, Shelter Plus Care, HOPWA, Residential Rehabilitation Loan Program, Below Market Rate home sales, Rebates for Marin Renters, Rental Deposit Assistance, ROSS Program, Family Self-Sufficiency Programs for families and Mixed Population, YEMP, Marin County Health and Human Services, Workforce Incentive Board, and Mortgage Credit Certificates, and others.

Section 8 and public housing tenant selection, admissions and occupancy policies are reviewed on an annual basis and updated as needed. These policies are presented in the Agency Plan and are available at the offices of MHA and soon will be available on our website. Every update goes through a public process reviewed by the Resident Advisory Board and approved by HUD. Both the Section 8 Administrative Plan and the Public Housing Admissions and Continued Occupancy Policy are currently being reviewed and updated to include the Violence Against Women Act program, the LEP and updated section 504 policies.

As part of the Agency Plan review process, MHA appointed a Resident Advisory Board, including recipients of the Section 8 Program. The Resident Advisory Board will have no less than six (6) meetings to review and comment on components of the Agency Plan. The Advisory Board's comments are

included in the final Plan. The comments of the Resident Advisory Board are located in the Attachments under the Section titled *Resident Advisory Board*.

Financial constraints, staffing limitations, and the challenge of new technology all continue to have an impact on choices MHA must make in order to fulfill its mission. MHA will need to prioritize improvements and maintenance to meet budgetary constraints. MHA has reduced staffing by 12 positions in 2006 and 2007 to adjust for revenue shortfalls. This has had an impact on the amount of workload that existing staffs can maintain. MHA will reduce public access on Wednesdays that fall after the first week of the month to maintain required paperwork. Maintenance will continue to be available 24-hours a day 7 days a week. The Capital Fund and other grant sources are important to MHA in order to maintain the necessary funding to carry out its mission to create a safe, sustainable, and livable environment for all tenants and residents.

## Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

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

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**Supporting Documents Available for Review**

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

| List of Supporting Documents Available for Review | | |
|---|---|---|
| **Applicable & On Display** | **Supporting Document** | **Applicable Plan Component** |
| X | PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations | 5 Year and Annual Plans |
| X | State/Local Government Certification of Consistency with the Consolidated Plan | 5 Year and Annual Plans |
| X | Fair Housing Documentation:<br>Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement. | 5 Year and Annual Plans |
| X | Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI) and any additional backup data to support statement of housing needs in the jurisdiction | Annual Plan:<br>Housing Needs |
| X | Most recent board-approved operating budget for the public housing program | Annual Plan:<br>Financial Resources |
| X | Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP] | Annual Plan: Eligibility, Selection, and Admissions Policies |
| X | Section 8 Administrative Plan | Annual Plan: Eligibility, Selection, and Admissions Policies |
| X | Public Housing Deconcentration and Income Mixing Documentation:<br>1. PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/*99 Quality Housing and Work Responsibility Act Initial Guidance; Notice* and any further HUD guidance) and<br>2. Documentation of the required deconcentration and income mixing analysis | Annual Plan: Eligibility, Selection, and Admissions Policies |

| List of Supporting Documents Available for Review | | |
|---|---|---|
| **Applicable & On Display** | **Supporting Document** | **Applicable Plan Component** |
| X | Public housing rent determination policies, including the methodology for setting public housing flat rents<br>☒ check here if included in the public housing A & O Policy | Annual Plan: Rent Determination |
| X | Schedule of flat rents offered at each public housing development<br>☒ check here if included in the public housing A & O Policy | Annual Plan: Rent Determination |
| X | Section 8 rent determination (payment standard) policies<br>☒ check here if included in Section 8 Administrative Plan | Annual Plan: Rent Determination |
| X | Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation) | Annual Plan |
| X | Public housing grievance procedures<br>☒ check here if included in the public housing A & O Policy | Annual Plan |
| X | Section 8 informal review and hearing procedures<br>☒ check here if included in Section 8 Administrative Plan | Annual Plan<br>Grievance Procedures |
| X | The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year | Annual Plan: Capital Needs |
| N/A | Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant | N/A, no CIAP |
| X | Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option) | Annual Plan: Capital Needs |
| 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 | N/A |
| 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 | Annual Plan: Voluntary Conversion of Public Housing |
| N/A | Approved or submitted public housing homeownership programs/plans | Annual Plan: Homeownership |

| List of Supporting Documents Available for Review | | |
|---|---|---|
| **Applicable & On Display** | **Supporting Document** | **Applicable Plan Component** |
| X | Policies governing any Section 8 Homeownership program<br>☒ check here if included in the Section 8 Administrative Plan | Annual Plan: Homeownership |
| X | Any cooperative agreement between the PHA and the TANF agency | Annual Plan: Community Service & Self-Sufficiency |
| X | FSS Action Plan/s for public housing and/or Section 8 | Annual Plan: Community Service & Self-Sufficiency |
| X | Most recent self-sufficiency (FSS and/or ROSS or other resident services grant) grant program reports | Annual Plan: Community Service & Self-Sufficiency |
| X | The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan) | Annual Plan: Safety and Crime Prevention<br>PIC Submittal |
| X | The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings | Annual Plan: Annual Audit |
| N/A | Troubled PHAs: MOA/Recovery Plan | Troubled PHAs |
| X | Other supporting documents (optional)<br>(list individually; use as many lines as necessary) | VAWA |

## 1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

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

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

**INSERT CHAS TABLE**

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

☒ Consolidated Plan of the Jurisdiction/s
Indicate year:

☒ U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset

☐ American Housing Survey data
Indicate year:

☐ Other housing market study
Indicate year:

☐ Other sources: (list and indicate year of information)

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

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

**Housing Needs of Families on the Waiting List**

Waiting list type: (select one)

☐ Section 8 tenant-based assistance

☒ Public Housing (Public Housing Combined List; ***Mixed Population Complexes and Marin City GGV Family Complex)***

☐ Combined Section 8 and Public Housing

☐ Public Housing Site-Based or sub-jurisdictional waiting list (optional)
If used, identify which development/sub-jurisdiction:

| | # of families | % of total families | Annual Turnover |
|---|---|---|---|
| Waiting list total | 733 | | 60 |
| Extremely low income <=30% AMI | 657 | | |
| Very low income (>30% but <=50% AMI) | 58 | | |
| Low income (>50% but <80% AMI) | 11 | | |

| Housing Needs of Families on the Waiting List | | | |
|---|---|---|---|
| Other singles | | | |
| Families | 583 | | |
| Elderly families | 48 | | |
| Families with Disabilities | 102 | | |
| White | 233 | | |
| Black | 332 | | |
| Hispanic | 197 | | |
| American Indian | 17 | | |
| Asian/Pacific Is. | 74 | | |
| Other | 12 | | |
| | | | |
| **Characteristics by Bedroom Size (Public Housing Only)** | | | |
| 0 BR | 33 | | |
| 1BR | 50 | | |
| 2 BR | 367 | | |
| 3 BR | 239 | | |
| 4 BR | 44 | | |
| 5 BR | | | |
| 5+ BR | 0 | | |

Is the waiting list closed (select one)? ☒ No ☐ Yes **(Only open for three and four bedroom family units)**

If yes: How long has it been closed (# of months)? Does the PHA expect to reopen the list in the PHA Plan year?
☐No ☒ Yes
Does the PHA permit specific categories of families onto the waiting list, even if generally closed? ☐ No ☒ Yes The MHA allows families and individuals who have been displaced by natural disaster or government action onto the waiting list even if generally closed. In addition, the MHA allows households who are part of the Federal Witness Protection program and those who are victims of hate crimes, even if they are not residents of the County. Marin Housing allows individuals and families who have a family member who require a wheelchair accessible unit to process a pre-application when the waiting list is otherwise closed. MHA will consider victims of domestic violence to be added to the waiting list if consistent with MHA's Violence Against Women Act program.

| | | | |
|---|---|---|---|
| Waiting list type: (select one)<br>☒ **Section 8** tenant-based assistance<br>☐ Public Housing<br>☐ Combined Section 8 and Public Housing<br>☐ Public Housing Site-Based or sub-jurisdictional waiting list (optional)<br>If used, identify which development / sub jurisdiction: | | | |
| Draft Data: September 2001 | # of families | % of total families | Annual Turnover |
| Waiting list total | 90 | | 120 |
| Extremely low income <=30% AMI | 60 | 66.7% | |
| Very low income (>30% but <=50% AMI) | 17 | 18.9% | |
| Low income (>50% but <80% AMI) | 7 | 7.8% | |
| Unknown | | | |
| Families with children | 61 | 67.8% | |
| Elderly & Disabled families | 29 | | |
| White | 30 | | |
| Black | 48 | | |
| Hispanic | 7 | | |
| American In. | 0 | | |
| Asian/Pacific Is. | 10 | | |
| Other | | | |
| The Section 8 Project Based Waiting List is not broken down by Bedroom Size per HUD regulations | | | |
| **Characteristics by Bedroom Size (Public Housing Only)** | | | |
| 0 BR | | | |
| 1BR | | | |
| 2 BR | | | |
| 3 BR | | | |
| 4 BR | | | |
| 5 BR | | | |
| 5+ BR | n/a | | |

Is the waiting list closed (select one)? ☐ No ☒ Yes
If yes: How long has it been closed (# of months)? **Since 6/13/02**
Does the PHA expect to reopen the list in the PHA Plan year? ☒ No ☐ Yes
Does the PHA permit specific categories of families onto the waiting list, even if generally closed?
☐ No ☒ Yes

- The MHA allows County residents who have been displaced by natural disaster or government action onto the waiting list even if generally closed. In addition, the MHA allows households who are part of the witness protection program, and those who are victims of hate crimes, or domestic violence consistent with the Violence Against Women Act program to apply, when the rest of the waiting list is closed.

**C. Strategy for Addressing Needs**

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

***Please see Goals section for more specific annual implementation strategies for the MHA 5-Year Plan***
**(1) Strategies**
**Need: Shortage of affordable housing for all eligible populations**

**Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:**
Select all that apply

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

**Strategy 2: Increase the number of affordable housing units by:**
Select all that apply

☒ Apply for additional section 8 units should they become available
☒ Leverage affordable housing resources in the community through the creation of mixed - finance housing

☒ Pursue housing resources other than public housing or Section 8 tenant-based assistance.
☒ Other: (list below) ***See Goals***

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

**Strategy 1: Target available assistance to families at or below 30 % of AMI**
Select all that apply

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

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

**Strategy 1: Target available assistance to families at or below 50% of AMI**
Select all that apply

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

**Need: Specific Family Types: The Elderly**

**Strategy 1: Target available assistance to the elderly:**
Select all that apply

☐ Seek designation of public housing for the elderly
☒ Apply for special-purpose vouchers targeted to the elderly, should they become available
☒ Other: (list below) ***Work with Area Agency on Aging to identify affordable housing opportunities***

**Need: Specific Family Types: Families with Disabilities**

**Strategy 1: Target available assistance to Families with Disabilities:**
Select all that apply

☐ Seek designation of public housing for families with disabilities
☒ Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
☒ Apply for special-purpose vouchers targeted to families with disabilities, should they become available
☒ Affirmatively market to local non-profit agencies that assist families with disabilities
☒ Other: (list below)
Update needs analysis for Section 504 through survey

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

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

Select if applicable

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

**Strategy 2: Conduct activities to affirmatively further fair housing**

Select all that apply

☒ Counsel Section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
☒ Market the Section 8 program to owners outside of areas of poverty /minority concentrations
☒ Other: (list below)
Provide information from Legal Aid and Fair Housing of Marin to program participants when requested and with lease violation notices

**Other Housing Needs & Strategies: (list needs and strategies below)**
***See Section on Goals***

**(2) Reasons for Selecting Strategies**

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

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

**2. Statement of Financial Resources**

[24 CFR Part 903.7 9 (b)]

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

| **2009 Financial Resources: Planned Sources and Uses** | | |
|---|---|---|
| **Sources** | **Planned $ (estimate)** | **Planned Uses** |

| 2009<br>Financial Resources:<br>Planned Sources and Uses | | |
|---|---|---|
| **Sources** | **Planned $ (estimate)** | **Planned Uses** |
| 1. **Federal Grants (FY 2007 grants)** | | |
| a) Public Housing Operating Fund | $1,577,600 | |
| b) Public Housing Capital Fund | $1,065,546 | |
| c) HOPE VI Revitalization | 0 | |
| d) HOPE VI Demolition | 0 | |
| e) Annual Contributions for Section 8 Tenant-Based Assistance | $25,054,920 | |
| f) Public Housing Drug Elimination Program (including any Technical Assistance funds) | -0-* | |
| g) Resident Opportunity and Self-Sufficiency Grants | 3 | Ross- Family $250,000<br>Ross- Elderly $250,000 |
| h) Community Development Block Grant | $17,450<br>$180,000 | Section 8 Housing Advocacy<br>Residential Rehab Loans |
| i) HOME | -0- | |
| Other Federal Grants (list below) | | |
| **j) Shelter Plus Care** | 802,870 | Rental Assistance for Mentally Ill |
| **2. Prior Year Federal Grants (unobligated funds only) (list below)** | | |
| | | |
| **3. Public Housing Dwelling Rental Income** | $1,665,040 | |
| | | |
| **4. Other income** (list below) | | |
| Interest and Investments | 46,660 | |
| Excess Utilities | $32,305 | |
| **5. Non-federal sources** (list below) | 814774 | |
| **a) Community Mental Health**<br>**b) HOPWA (Admin)**<br>**c) Laundry revenue**<br>**d) Maintenance charges** | $586,405 | |
| **Total resources** | | |

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

[24 CFR Part 903.7 9 (c)]

### A. Public Housing

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

#### (1) Eligibility

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

☒ When families are within a certain number of being offered a unit***:***
***5—10, depending on bedroom size***
☐ When families are within a certain time of being offered a unit:
☐ Other: (describe)

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?
☒ Criminal or Drug-related activity
☒ Rental history
☒ Housekeeping
☒ Other (describe) Inspections to determine homeless status and/or declaration for a certified homeless shelter.

c. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
d. ☒ Yes ☐ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?
e. ☒ Yes ☐ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (Either directly or through an NCIC-authorized source)

**(2) Waiting List Organization**

a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply?)
☒ Community-wide list
☐ Sub-jurisdictional lists
☐ Site-based waiting lists ☒ Other (describe) Four Project-Based Waiting lists were maintained by the new project sponsor but the practice ceased once the new units were occupied and potential tenants are screened and referred from MHA wait list for those units.

b. Where may interested persons apply for admission to public housing?
☒ PHA main administrative office
☒ PHA development site management office at the GGV in Marin City
☐ Other (list below)
c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**

1. How many site-based waiting lists will the PHA operate in the coming year? None

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?
A family can be on Section 8 and public housing waiting lists simultaneously.

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

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

**(3) Assignment**

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

☐ One
☒ Two
☐ Three or More

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

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

**(4) Admissions Preferences**

a. Income targeting:

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

b. Transfer policies:
In what circumstances will transfers take precedence over new admissions? (List below)

☒ Emergencies
☐ Over housed
☒ Under housed
☒ Medical justification
☒ Administrative reasons determined by the PHA
(*e.g.*, to permit modernization work)
☐ Resident choice: (state circumstances below)
☒ Other: (list below)
As part of the MHA's deconcentration plan

c. Preferences

1. ☒ Yes ☐ No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection (5)

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

Former Federal preferences:

☒ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition) (*MHA's Displacement Preference includes displacement by government action, and federal witness protection program only.)*
☒ Victims of domestic violence
☐ Substandard housing
☒ Homelessness
☐ High rent burden (rent is > 50 percent of income)

Other preferences: (select below)
☒ Working families and those unable to work because of age or disability
☒ Veterans and veterans' families
☐ Residents who live and/or work in the jurisdiction
☒Those enrolled currently in accredited educational, training, or upward mobility programs
☐ Households that contribute to meeting income goals (broad range of incomes)
☐ Households that contribute to meeting income requirements (targeting)
☒ Those previously enrolled in accredited educational, training, or upward mobility programs *if graduated within the previous six months.*
☒ Victims of reprisals or hate crimes
☒ Other preference(s) In 2009 MHA will revise the Admissions and Occupancy policy and the Administrative Plan to add "Enlisted military and their families if serving in active duty in Iraq"

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

MHA utilizes a Lottery System with points

Former Federal preferences
1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
1 Victims of domestic violence
1 Homeless
1 Veteran

Other preferences (select all that apply)

☒ Working families and those unable to work because of age or disability
☒ Veterans and veterans' families
☐ Residents who live and/or work in the jurisdiction
Those enrolled currently in an accredited educational, training, or upward mobility programs
☐ Households that contribute to meeting income goals (broad range of incomes)
☐ Households that contribute to meeting income requirements (targeting)
Those previously enrolled in an accredited educational, training, or upward mobility programs *if graduated within the previous six months.*
☒ Victims of reprisals or hate crimes
☒ Other preference(s) (list below) 2009 MHA will revise the Admissions and Occupancy policy and the Administrative Plan to add "Enlisted military and their families if serving in active duty in Iraq"

Relationship of preferences to income targeting requirements:

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

**(5) Occupancy**

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)
☒ The PHA-resident lease
☒ The PHA's Admissions and (Continued) Occupancy policy
☒ PHA briefing seminars or written materials
☒ Other source (list): *Social service agencies, Legal Aid of Marin, Mediation Services of Marin, and drug rehab centers are all trained to give some basic information on rules of occupancy*

b. How often must residents notify the PHA of changes in family composition? (Select all that apply)
☒ At an annual reexamination and lease renewal
☒ Any time family composition changes
☒ At family request for revision
☐ Other (list)

**(6) Deconcentration and Income Mixing** (Also see Attachments)

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

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

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

☐ Adoption of site-based waiting lists
If selected, list targeted developments below:
☐ Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments.
If selected, list targeted developments below:

☐ Employing new admission preferences at targeted developments. If selected, list targeted developments below:
☐ Other (list policies and developments targeted below)

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

e. If the answer to d. was yes, how would you describe these changes? (Select all that apply)
☒ Additional affirmative marketing
☐ Actions to improve the marketability of certain developments
☐ Adoption or adjustment of ceiling rents for certain developments

☒ Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
☐ Other (list below)

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)
☒ Not applicable: results of analysis did not indicate a need for such efforts - *MHA has only one family complex.*
☐ List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)
☒ Not applicable: results of analysis did not indicate a need for such efforts
☐ List (any applicable) developments below:

**B. Section 8**

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

**(1) Eligibility**

a. What is the extent of screening conducted by the PHA? (Select all that apply)
☒ Criminal or drug-related activity only to the extent required by law or regulation
☐ Criminal and drug-related activity, more extensively than required by law or regulation
☐ More general screening than criminal and drug-related activity (list factors below)
☐ Other (list below)
☒ Previous eviction history from public housing or Section 8 program
☒ Sex Offender designation

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

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

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

e. Indicate what kinds of information you share with prospective landlords? (select all that apply)
*None*

**(2) Waiting List Organization**

a. With which of the following program waiting lists is the Section 8 tenant-based assistance waiting list merged? (Select all that apply)
☐ None
☐ Federal public housing
☐ Federal moderate rehabilitation
☒ Federal project-based certificate program
☐ Other federal or local program (list below)

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

☒ PHA main administrative office

☒ Other (list below) *the project site office located at the Marin City GGV office.*

**(3) Search Time**

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

If yes, state circumstances below*:*
*As a reasonable accommodation to a disabled family and in cases where the family was unable to search due to verifiable medical or family emergency.*

**(4) Admissions Preferences**

a. Income targeting

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

b. Preferences

1. ☒ Yes ☐ No: Has the PHA established preferences for admission to Section 8 tenant-based assistance? (Other than date and time of application) (If no, skip to subcomponent (5)

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

Former Federal preferences

☒ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition) (*MHA's displacement preference includes displacement by government action, and the federal Witness Protection programs only.)*

☒ Victims of domestic violence

☐ Substandard housing

☒ Homeless

☐ High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

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

☒ Veterans and veterans' families

☐ Residents who live and/or work in your jurisdiction

Those enrolled currently in an accredited educational, training, or upward mobility programs

☐ Households that contribute to meeting income goals (broad range of incomes)

☐ Households that contribute to meeting income requirements (targeting)

Those previously enrolled in an accredited educational, training, or upward mobility programs *who have graduated within the previous six months.*

☒ Victims of reprisals or hate crimes

☒ Other preference(s) (list below) 2009 MHA will revise the Admissions and Occupancy policy and the Administrative Plan to add "Enlisted military and their families if serving in active duty in Iraq"

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give

equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

Lottery System:

Former Federal preferences
1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
1 Victims of domestic violence
1 Homeless
1 Veteran

Other preferences (select all that apply)
☒ Working families and those unable to work because of age or disability
☒ Veterans and veterans' families
☐ Residents who work in your jurisdiction
☒ Those enrolled currently in an accredited educational, training, or upward mobility programs
☐ Households that contribute to meeting income goals (broad range of incomes)
☐ Households that contribute to meeting income requirements (targeting)
☒ Those previously enrolled in an accredited educational, training, or upward mobility *programs if they graduated within the previous six months.*
☒ Victims of reprisals or hate crimes
☒ Other preference(s) (list below)
*Homeless,*☒
In 2009, MHA will revise the Admissions and Occupancy policy and the Administrative Plan to add "Enlisted military and their families if serving in active duty in Iraq"

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

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

5. If the PHA plans to employ preferences for "residents who live and/or work in the jurisdiction" (Select one)
☐ This preference has previously been reviewed and approved by HUD
☐ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)
☐ The PHA applies preferences within income tiers
☒ Not applicable: *The pool of applicant families ensures that the PHA will meet income-targeting requirements*

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

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

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

b. How does the PHA announce the availability of any special-purpose Section 8 programs to the public?
☒ Through published notices
☒ Other (list below)
*Send letters and/or flyers to a comprehensive list of social service agencies*

**4. PHA Rent Determination Policies**
[24 CFR Part 903.7 9 (d)]

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

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

a. Use of discretionary policies: (select one)

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

---Or---

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

b. Minimum Rent

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

☐ $0

☐ $1-$25

☒ $26-$50

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

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

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

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

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

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

☒ For the earned income of a previously unemployed household member

☒ For increases in earned income for previously unemployed household members or participants in the Family Self-Sufficiency programs.

☐ Fixed amount (other than general rent-setting policy)
If yes, state amount/s and circumstances below:

☐ Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:

☒ For head of household with increases in earned income for previously unemployed household members or participants in the family Self-sufficiency programs.

☒ For other family members with increases in earned income for previously unemployed household members or participants in the family Self-sufficiency programs.

☐ For transportation expenses

☐ For the non-reimbursed medical expenses of non-disabled or non-elderly families

☐ Other (describe below)

e. Ceiling rents

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

☐ Yes for all developments

☐ Yes but only for some developments

☒ No – Ceiling Rents no longer applicable – See Flat Rents

2. For which kinds of developments are ceiling rents in place? (Select all that apply) Not applicable

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

3 Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)
*Not applicable*
☐ Market comparability study
☐ Fair market rents (FMR)
☐ 95th percentile rents
☐ 75 percent of operating costs
☐ 100 percent of operating costs for general occupancy (family) developments
☐ Operating costs plus debt service
☐ The "rental value" of the unit
☐ Other (list below)

f. Rent re-determinations:
1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)
☐ Never
☐ At family option
☒ Any time the family composition changes or experiences an income increase
☐ Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)
☐ Other (list below)

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

**(2) Flat Rents**

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

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

**B. Section 8 Tenant-Based Assistance**

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

**(1) Payment Standards**

Describe the voucher payment standards and policies.

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

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

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (Select all that apply)
☒ FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
☐ The PHA has chosen to serve additional families by lowering the payment standard
☐ Reflects market or submarket
☐ Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (Select all that apply)
☐ FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
☐ Reflects market or submarket
☐ To increase housing options for families
☐ Other (list below)

d. How often are payment standards reevaluated for adequacy? (Select one)
☒ Annually
☐ Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (Select all that apply)
☒ Success rates of assisted families
☒ Rent burdens of assisted families
☐ Other (list below)

**(2) Minimum Rent**

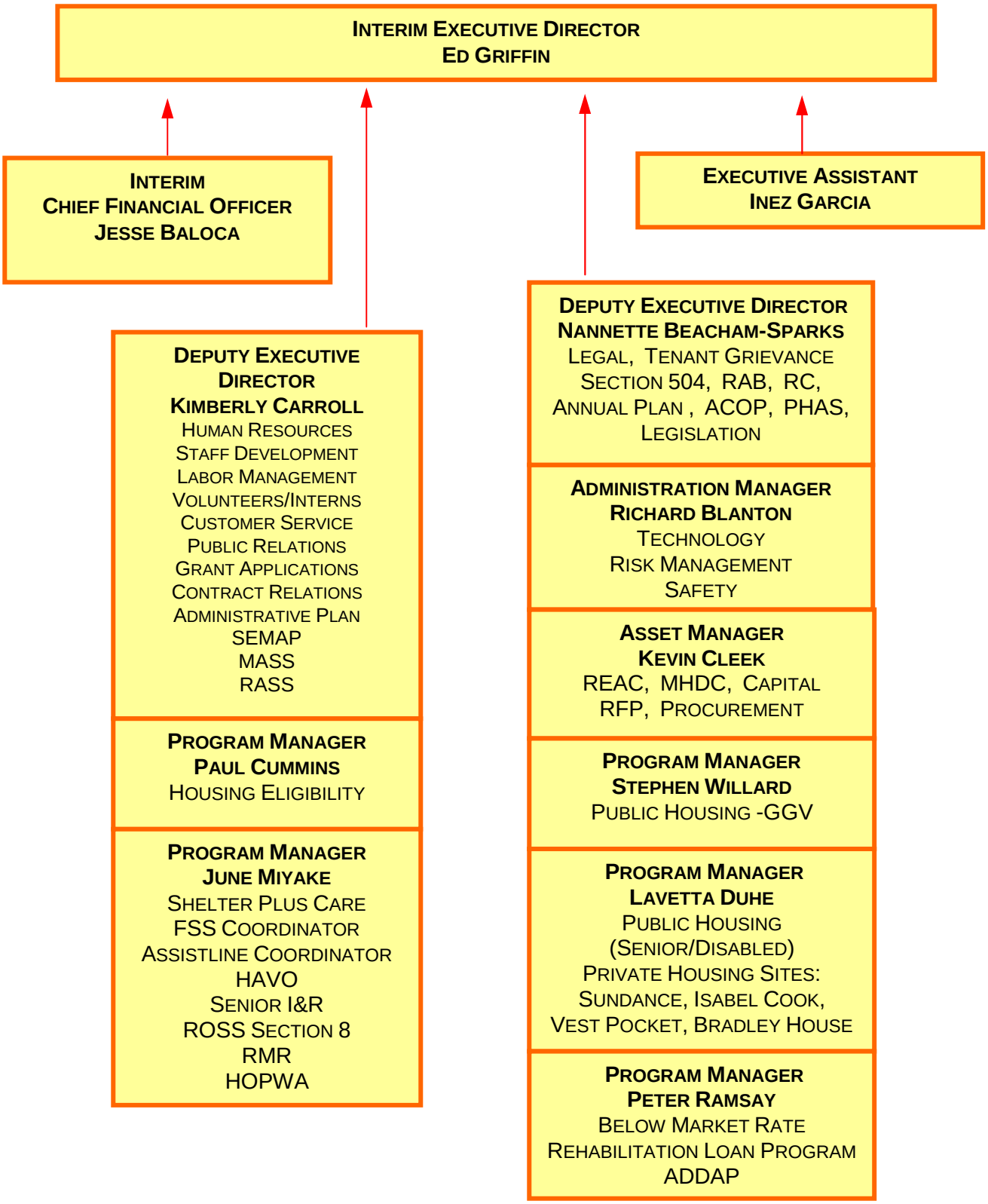
a. What amount best reflects the PHA's minimum rent? (Select one)
☐ $0
☐ $1-$25
☒ $26-$50

b. ☐ Yes ☒ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (If yes, list below)
*MHA uses the federally required hardship exemptions*

**5. Operations and Management**
[24 CFR Part 903.7 9 (e)]
Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C (2)

**A. PHA Management Structure**
Describe the PHA's management structure and organization.
(Select one)
☒ An organization chart showing the PHA's management structure and organization is attached.

**Marin Housing Organizational Chart**



☐ A brief description of the management structure and organization of the PHA follows:

**B. HUD Programs Under PHA Management**

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

| **Program Name** | **Units or Families Served at Year Beginning** | **Expected Turnover** |
|---|---|---|
| Public Housing | 496 | 72 |
| Section 8 Vouchers | 2109 | 110 |
| Section 8 Certificates | N/A | N/A |
| Section 8 Mod Rehab | N/A | |
| Special Purpose Section 8 Certificates/Vouchers (list individually) | Shelter Plus Care - 115<br>Housing for Person Living with HIV - 45 | 5<br>8 |
| Public Housing Drug Elimination Program (PHDEP) | Terminated 3/31/03 | |
| | | |
| Other Federal Programs (list individually) | R.O.S.S. – 130 | Rotating Clients |
| CDBG | Section 8 Advocacy - 360 | N/A |

**C. Management and Maintenance Policies**

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

(1) Public Housing Maintenance and Management: (list below)
Admissions and Continued Occupancy Policy, including Rent Collection Policy
Personnel Policy
Procurement Policy
Asset Disposition
Schedule of Maintenance Charges
Maintenance Operations Manual, including Prevention and Eradication of Pest Infestation
Confidentiality Policy
Conflict of Interest Policy
Injury and Illness Prevention Program
Risk Management Prevention & Remediation
Emergency Action Plan
Section 504
FSS Program Guidelines

(2) Section 8 Management: (list below)
Administrative Plan

Personnel Policy
Procurement Policy
Asset Disposition
Injury and Illness Prevention Program
Emergency Action Plan
Confidentiality Policy
Conflict of Interest Policy
Shelter + Care Policy Manual
HOPWA Policy Manual
RDGP Policy
RMR Policy
FSS Program Guidelines
Section 504

**6. <u>PHA Grievance Procedures</u>**
[24 CFR Part 903.7 9 (f)]
Exemptions from component 6: High performing PHAs are not required to complete component 6. Section 8-Only PHAs are exempt from sub-component 6A.

**A. Public Housing**
1. ☒ Yes ☐ No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?
If yes, list additions to federal requirements below:
*MHA has an informal conference with an impartial mediator and if that fails to resolve the issue there is a formal hearing before a three member hearing panel. Our grievance procedure is located in the Occupancy Policy.*

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (Select all that apply)
☒ PHA main administrative office
☐ PHA development management offices
☒ Other (list below)
*Public Housing Office at GGV in Marin City*

**B. Section 8 Tenant-Based Assistance**

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

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (Select all that apply)
☒ PHA main administrative office
☒ Other (list below)
*Public Housing Office at GGV in Marin City*

**<u>7. Capital Improvement Needs</u>**
[24 CFR Part 903.7 9 (g)]

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

**A. Capital Fund Activities**

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

# PHA Plan
# Table Library

**Component 7**
**Capital Fund Program Annual Statement**
***Parts I, II, and III***

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

Capital Fund Grant Number FFY of Grant Approval: **2009**
**CA 39P05250109**

**X** Original Annual Statement

| Line No. | Summary by Development Account | Total Estimated Cost |
|---|---|---|
| 1. | Total Non-CGP Funds | |
| 2. | 1406 Operations | $ 208,847 |
| 3. | 1408 Management Improvements | $ 35,000 |
| 4. | 1410 Administration | $ 104,423 |
| 5. | 1411 Audit | |
| 6. | 1415 Liquidated Damages | |
| 7. | 1430 Fees and Costs | |
| 8. | 1440 Site Acquisition | |
| 9. | 1450 Site Improvement | $ 68,494 |
| 10. | 1460 Dwelling Structures | $627,471 |
| 11. | 1465.1 Dwelling Equipment-Nonexpendable | |
| 12. | 1470 Non-dwelling Structures | |
| 13. | 1475 Non-dwelling Equipment | |
| 14. | 1485 Demolition | |
| 15. | 1490 Replacement Reserve | |
| 16. | 1492 Moving to Work Demonstration | |
| 17. | 1495.1 Relocation Costs | |
| 18. | 1498 Mod Used for Development | |
| 19. | 1502 Contingency | |
| 20. | **Amount of Annual Grant (Sum of lines 2-19)** | $1,044,235 |
| 21. | Amount of line 20 Related to LBP Activities | |
| 22. | Amount of line 20 Related to Section 504 Compliance | $ 23,951 |
| 23. | Amount of line 20 Related to Security | $ 1,820 |
| 24. | Amount of line 20 Related to Energy Conservation Measures | $ 138,528 |

## Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

| Development Number/Name HA-Wide Activities | General Description of Major Work Categories | Development Account Number | Total Estimated Cost |
|---|---|---|---|
| CA39P052001 Golden Gate Village | Youth Employment Training** | 1408 | 25,000 |
| | Resident Initiatives** | 1408 | 10,000 |
| | Repairs to Landscaping & Irrigation System | 1450 | 14,000 |
| | Repair Broken Concrete Sidewalks & Stairs | 1450 | 10,000 |
| | Replace Kitchen Cabinets in Low-Rise Apts. | 1460 | 51,000 |
| | Replace High-Rise Building Water Heaters | 1460 | 34,000 |
| | Replace Low-Rise Furnaces (10/year) | 1460 | 26,000 |
| | Replace Low-Rise Water Heaters (20/year) | 1460 | 8,000 |
| | Replace Stoves (50/year) | 1460 | 16,000 |
| | Replace Refrigerators (30/year) | 1460 | 12,000 |
| | Extend Smoke Detectors into Bedrooms* | 1460 | 60,831 |
| | Provide Accessibility Improve. in Apts.* | 1460 | 16,451 |
| | Replace High-Rise Garbage Chute Doors* | 1460 | 16,000 |
| | Repairs to Landscaping & Irrigation Systems | 1450 | 15,000 |
| | Repair Broken Concrete Sidewalks & Stairs | 1450 | 5,000 |
| Elderly/Disabled Developments | Interior Improve./Appliance Replacement | 1460 | 30,000 |
| | Add Ventilation to Attics* | 1460 | 12,000 |
| | Extend Smoke Detectors into Bedrooms* | 1460 | 4,000 |
| CA39PO52002 Venetia Oaks | Insulate Remaining Walls* | 1460 | 10,800 |
| | Redistribute Attic Insulation* | 1460 | 11,728 |

| | | | |
|---|---|---|---|
| | Recoat & Restripe Parking Lot* | 1450 | 4,200 |
| CA39PO52003 Homestead Terrace | Repave Portion of One Parking Lot & Recoat and Restripe Remainder of Lots* | 1450 | 10,860 |
| CA39PO52004 Casa Nova | Extend Smoke Detectors into Bedrooms* | 1460 | 1,600 |
| | Redistribute Attic Insulation* | 1460 | 9,000 |

Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

| Development Number/Name HA-Wide Activities | General Description of Major Work Categories | Development Account Number | Total Estimated Cost |
|---|---|---|---|
| CA39PO52006 Golden Hinde | Replace Siding* | 1460 | 148,641 |
| | Extend Smoke Detectors into Bedrooms* | 1460 | 1,600 |

| | | | |
|---|---|---|---|
| CA39PO52007<br>Kruger Pines | Repair & Improve Parking Lot* | 1450 | 9,434 |
| | Upgrade Elevator including New Cylinder* | 1460 | 105,000 |
| | Install Deadbolts on Remaining Doors* | 1460 | 1,820 |
| | Extend Smoke Detectors into Bedrooms* | 1460 | 1,000 |
| PHA Wide 052<br>Agency Wide | Miscellaneous Operations Expenses | 1406 | 208,847 |
| | Contract Administration | 1410.2 | 104,423 |
| | Vacant Unit Turn-Around Contractor | 1460 | 50,000 |
| | ***** "**CNA**" refers to the **Capital Needs Assessments** Prepared by Realty Check Inspections in March 2008<br><br>**** From GGV Resident Initiatives** | | |

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

| Development Number/Name HA-Wide Activities | All Funds Obligated | All Funds Expended |
|---|---|---|
| CA39PO52001 Golden Gate Village | 6/15/11 | 6/15/13 |
| CA39PO52002 Venetia Oaks | 6/15/11 | 6/15/13 |
| CA39PO52003 Homestead Terrace | 6/15/11 | 6/15/13 |
| CA39PO52004 Casa Nova | 6/15/11 | 6/15/13 |
| CA39PO52006 Golden Hinde | 6/15/11 | 6/15/13 |
| CA39PO52007 Kruger Pines | 6/15/11 | 6/15/13 |
| PHA Wide 052 Agency Wide | 6/15/11 | 6/15/13 |

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# *Annual Statement*

**Capital Fund Program (CFP)**

# Summary

**Part I:**

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250106** Revision No. 5 | **2006** |

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** [X] **Revised Annual Statement Revision No. 5**

[X] **Performance and Evaluation Report for Period Ending: 06/30/08** ☐ **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 | $ 5,000 | $ 212,223 | $ 212,223 | $ 0 |
| 3 | 1408 Management Improvements--Soft Costs | $ 254,581 | $ 208,634 | $ 208,634 | $ 181,488 |
| 4 | 1410 Administration | $ 105,334 | $ 105,334 | $ 105,334 | $ 105,334 |
| 5 | 1411 Audit | | | | |
| 6 | 1415 Liquidated Damages | | | | |
| 7 | 1430 Fees and Costs | $ 17,050 | $ 17,050 | $ 17,050 | $ 0 |
| 8 | 1440 Site Acquisition | | | | |
| 9 | 1450 Site Improvement | $ 12,889 | $ 12,889 | $ 12,889 | $ 11,290 |
| 10 | 1460 Dwelling Structures | $ 618,641 | $ 457,365 | $ 396,311 | $ 344,095 |
| 11 | 1465.1 Dwelling Equipment-Nonexpendable | $ 44,095 | $ 44,095 | $ 44,095 | $ 44,095 |
| 12 | 1470 Nondwelling Structures | | | | |
| 13 | 1475 Nondwelling Equipment | $ 3,527 | $ 3,527 | $ 3,527 | $ 3,527 |
| 14 | 1485 Demolition | | | | |
| 15 | 1490 Replacement Reserve | | | | |
| 16 | 1492 Moving to Work Demonstration | | | | |
| 17 | 1495.1 Relocation Costs | $ 0 | $ 0 | $ 0 | $ 0 |
| 18 | 1499 Development Activities | | | | |
| 19 | 1501 Collaterization or Debt Service | | | | |
| 20 | 1502 Contingency | | | | |
| 21 | Amount of Annual Grant: (sum of lines 1-19) | $ 1,061,117 | $ 1,061,117 | $ 1,000,063 | $ 689,829 |

# *Annual Statement*

**Capital Fund Program (CFP)**

# Summary

**Part I:**

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250106** Revision No. 5 | **2006** |

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** [X] **Revised Annual Statement Revision No. 5**

[X] **Performance and Evaluation Report for Period Ending: 06/30/08** ☐ **Final Performance and Evaluation Report**

| Line No. | Summary by Development Account | Total Estimated Cost | | Total Actual Cost | |
|---|---|---|---|---|---|
| 22 | Amount of line 21 Related to LBP Activities | $ 0 | $ 0 | $ 0 | $ 0 |
| 23 | Amount of line 21 Related to Section 504 compliance | $ 22,167 | $ 22,167 | $ 15,000 | $ 15,000 |
| 24 | Amount of line 21 Related to Security –Soft Costs | $ 0 | $ 0 | $ 0 | $ 0 |
| 25 | Amount of line 21 related to Security-- Hard Costs | $ 0 | $ 0 | $ 0 | $ 0 |
| 26 | Amount of line 21 Related to Energy Conservation Measures | $ 6,234 | $ 6,234 | $ 6,234 | $ 6,234 |

Signature of the Interim Executive Director:

Ed Griffin July 21, 2008

Signature of Public Housing Director:

Date:

Stephen Schneller

# Annual Statement
## Capital Fund Program (CFP)

# Part II: Supporting Pages

| PHA Name: Housing Authority of the County of Marin | Grant Type and Number: Capital Fund Program Grant No: CA39P05250106 Revision No. 5 | Federal FY of Grant: 2006 |
|---|---|---|

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| CA39P052001 Golden Gate Village | Youth Employment Training Program for GGV Residents | | 1408 | | $ 36,085 | $ 36,085 | $ 36,085 | $ 29,139 | Underway under Contract with GGV Resident Council |
| | | | | | | | | | |
| | Repairs to Landscaping & Irrigation System | | 1450 | | $ 0 | $ 0 | $ 0 | $ 0 | Work moved to CFP 2007 |
| | REAC Improvements | | 1450 | | $ 6,981 | $ 6,981 | $ 6,981 | $ 6,981 | Completed: Added bark to play lots |
| | Repair Low-rise Patios Gates | | 1450 | | $ 0 | $ 0 | $ 0 | $ 0 | Work moved to CFP 2007 |
| | Emergency Sewer Repairs at 69 Cole Drive Building | | 1450 | 1 Bldg. | $ 4,000 | $ 4,000 | $ 4,000 | $ 2,402 | Completed By Preferred Plumbing & temporary relocation |
| | Interior/Exterior Painting Improvements | | 1460 | | $ 192,093 | $ 87,175 | $ 87,175 | $ 87,175 | Thru 06/19/08 |
| | Replace Kitchen Cabinets in Low-Rise Apartments (Partial) | | 1460 | | $ 37,234 | $ 37,234 | $ 37,234 | $ 36,693 | Completed Final Touchup on 1st 35 Units |
| | General Dwelling Unit Labor | | 1460 | | $ 8,921 | $ 8,921 | $ 8,921 | $ 8,921 | Completed (Marty Coman): |
| CA39P052001 Golden Gate | Energy Conservation Improvements | | 1460 | | $ 234 | $ 234 | $ 234 | $ 234 | Remainder of work moved to |

# Annual Statement
## Capital Fund Program (CFP)

# Part II: Supporting Pages

| PHA Name: Housing Authority of the County of Marin | Grant Type and Number: Capital Fund Program Grant No: CA39P05250106 Revision No. 5 | Federal FY of Grant: 2006 |
|---|---|---|

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| Village (Continued) | | | | | | | | | CFP 2007 |
| | Completion of Stair Tower, Guardrail, & Laundry Renovation at 89 & 99 Cole and 409 & 419 Drake High-Rise Buildings | | **1460** | | **$ 34,015** | **$ 34,015** | **$ 34,015** | **$ 34,015** | Completed: A.E. Nelson Contract |
| CA39P052001 Golden Gate | Emergency Roofing Repairs at Low-Rise One Story Buildings | | **1460** | **5 Bldgs.** | **$ 0** | **$ 0** | **$ 0** | **$ 0** | Funds Not Needed |
| Village (Continued) | Purchase New Dump Truck for GGV Maintenance | | **1465.1** | | **$ 44,095** | **$ 44,095** | **$ 44,095** | **$ 44,095** | Purchase Completed |
| | Temporary Relocation Allowances during GGV Kitchen Remodels | | **1495.1** | | **$ 0** | **$ 0** | **$ 0** | **$ 0** | Work moved to CFP 2007 |
| | | | | | | | | | |
| CA39PO52003 Homestead Terrace | Partial Funding to Complete Building Repairs (siding repairs, painting, fencing, gutters, & community building) | | **1460** | **5 Bldg.** | **$ 247,057** | **$ 201,301** | **$201,301** | **$149,627** | Repairs underway; Moved **$45,756 to CFP 501-08** |
| | | | | | | | | | |
| CA39PO52004 Casa Nova | Partial Funding to Replace Site Lighting | | **1450** | **12 Bldg.** | **$ 0** | **$ 0** | **$ 0** | **$ 0** | Moved work to CFP 2007 |
| | Continue Termite repairs | | **1460** | **5 Bldgs.** | **$ 600** | **$ 600** | **$ 600** | **$ 600** | Work Completed |
| | | | | | | | | | |
| CA39PO52006 Golden Hinde | Partial Funding to Replace Site Lighting | | **1450** | **13 Bldg.** | **$ 0** | **$ 0** | **$ 0** | **$ 0** | Work moved to CFP 2007 |
| | | | | | | | | | |

# Annual Statement
## Capital Fund Program (CFP)

# Part II: Supporting Pages

| PHA Name: Housing Authority of the County of Marin | Grant Type and Number: Capital Fund Program Grant No: CA39P05250106 Revision No. 5 | Federal FY of Grant: 2006 |
|---|---|---|

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| CA39PO52007 Kruger Pines | Replace Flooring in Public Areas | | **1460** | | **$ 0** | **$ 0** | **$ 0** | **$ 0** | Work moved to CFP 2007 |
| CA39PO52007 | Replace Remaining Mailboxes | | **1460** | | **$ 3,078** | **$ 3,078** | **$ 3,078** | **$ 3,078** | Work Completed |
| Kruger Pines (Continued) | Repairs to Existing Fire Sprinkler System | | **1460** | **1 Bldg.** | **$ 54,320** | **$ 54,320** | **$ 433** | **$ 433** | Work Underway by Code Plumbing |
| | Replace Sliding Glass doors & Windows | | **1460** | **1 Bldg.** | **$ 2,350** | **$ 2,350** | **$ 2,350** | **$ 2,350** | Work moved to CFP 2007 |
| PHA Wide 052 Agency Wide | Miscellaneous Operations Expenses | | **1406** | | **$ 5,000** | **$ 212,223** | **$212,223** | **$ 0** | For Various Operation's Payroll Expenses |
| | Procurement Coordinator | | **1408** | | **$ 83,297** | **$ 61,008** | **$ 61,008** | **$ 61,008** | Thru 06/19/08 |
| | Facilities & Services Manager | | **1408** | | **$ 114,999** | **$ 91,341** | **$ 91,341** | **$ 91,340** | Thru 06/19/08 |
| | Consultant to Review & Plan Budgets for Asset Management | | **1408** | | **$ 20,200** | **$ 20,200** | **$ 20,200** | **$ 0** | Work Underway by Casterline |
| | Contract Administrator | | **1410.2** | | **$ 105,334** | **$ 105,334** | **$105,334** | **$105,334** | Thru 12/31/07 |
| | Sundry Planning Costs—Perform Capital needs Assessments | | **1430.19** | | **$ 17,050** | **$ 17,050** | **$ 17,050** | **$ 0** | Work Completed by Realty Check |
| | Repairs to Landscaping & Irrigation System at Elderly/Disabled Complexes | | **1450** | | **$ 1,908** | **$ 1,908** | **$ 1,908** | **$ 1,908** | Moved **$28,996** in Funds to CFP 501-**05** to Cover GH Flat Roofing |
| | Energy Conservation Improvements | | **1460** | | **$ 0** | **$ 0** | **$ 0** | **$ 0** | Moved **$12,504** in |

# Annual Statement
**Capital Fund Program (CFP)**

# Part II: Supporting Pages

| PHA Name: Housing Authority of the County of Marin | Grant Type and Number: Capital Fund Program Grant No: CA39P05250106 Revision No. 5 | Federal FY of Grant: 2006 |
|---|---|---|

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| | at Elderly/Disabled Complexes | | | | | | | | Funds to CFP 501-05 to Cover GH Flat Roofing |
| | Accessibility Improvements at Elderly/Disabled Complexes | | **1460** | | **$ 7,167** | **$ 7,167** | **$ 0** | **$ 0** | +40% of the $30,450 Funds Added by HUD: Moved **$25,000** in Funds to CFP 501-**05** to Cover GH Flat Roofing |
| | Painting Improvements at Elderly/Disabled Complexes | | **1460** | | **$ 31,572** | **$ 20,970** | **$ 20,970** | **$ 20,970** | Thru 06/19/08 |
| | Purchase Maintenance Van for Elderly/Disabled Complexes | | **1475.7** | 1 | **$ 3,527** | **$ 3,527** | **$ 3,527** | **$ 3,527** | Purchase Completed |

# Annual Statement
**Capital Fund Program (CFP)**

# Part III: Implementation Schedule

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program No: **CA39P05250106** **Revision No. 5** | **2006** |

| Development Number Name/HA-Wide Activities | All Fund Obligated | | | All Funds Expended | | | Reasons for Revised Target Dates |
|---|---|---|---|---|---|---|---|
| | Original | Revised | Actual | Original | Revised | Actual | |
| CA39P052001 Golden Gate Village | **07/18/08** | | **06/19/08** | **07/18/10** | | | **Obligation & Expenditure "Start Date" will be July 18, 2006. ACC to be executed by HUD on 7/18/2006.** |
| | | | | | | | |
| CA39P052002 Venetia Oaks | **07/18/08** | | **06/19/08** | **07/18/10** | | | **Obligation Deadline for FFY 2006 Grant is Two Years (or July 18, 2008).** |
| | | | | | | | |
| CA39P052003 Homestead Terrace | **07/18/08** | | **06/19/08** | **07/18/10** | | | **Expenditure Deadline for FFY 2006 Grant is Four Years (or July 18, 2010).** |
| | | | | | | | |
| CA39P052004 Casa Nova | **07/18/08** | | **06/19/08** | **07/18/10** | | | |
| | | | | | | | |
| CA39P052006 Golden Hinde | **07/18/08** | | **06/19/08** | **07/18/10** | | | |
| | | | | | | | |
| CA39P052007 Kruger Pines | **07/18/08** | | **06/19/08** | **07/18/10** | | | |
| | | | | | | | |
| PHA Wide 052 Agency Wide | **07/18/08** | | **06/19/08** | **07/18/10** | | | |

# *Annual Statement*

**Capital Fund Program (CFP)**

# Summary

**Part I:**

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250107** Revision No. 1 | **2007** |

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** [X] **Revised Annual Statement Revision No. 1**

[X] **Performance and Evaluation Report for Period Ending: 06/30/08** ☐ **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 | $ 0 | $ 217,671 | $ 0 | $ 0 |
| 3 | 1408 Management Improvements--Soft Costs | $ 43,000 | $ 17,641 | $ 17,641 | $ 3,395 |
| 4 | 1410 Administration | $ 108,835 | $ 108,835 | $ 108,835 | $ 37,660 |
| 5 | 1411 Audit | | | | |
| 6 | 1415 Liquidated Damages | | | | |
| 7 | 1430 Fees and Costs | | | | |
| 8 | 1440 Site Acquisition | | | | |
| 9 | 1450 Site Improvement | $ 204,000 | $ 245,926 | $ 0 | $ 0 |
| 10 | 1460 Dwelling Structures | $ 732,522 | $ 488,284 | $ 25,168 | $ 25,167 |
| 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 | $ 0 | $ 10,000 | $ 0 | $ 0 |
| 18 | 1499 Development Activities | | | | |
| 19 | 1501 Collaterization or Debt Service | | | | |
| 20 | 1502 Contingency | | | | |
| 21 | Amount of Annual Grant: (sum of lines 1-19) | $ 1,088,357 | $ 1,088,357 | $ 151,644 | $ 66,222 |

# *Annual Statement*

**Capital Fund Program (CFP)**

# Summary

**Part I:**

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250107** Revision No. 1 | **2007** |

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** ☒ **Revised Annual Statement Revision No. 1**

☒ **Performance and Evaluation Report for Period Ending: 06/30/08** ☐ **Final Performance and Evaluation Report**

| Line No. | Summary by Development Account | Total Estimated Cost | | Total Actual Cost | |
|---|---|---|---|---|---|
| 22 | Amount of line 21 Related to LBP Activities | **0** | | | |
| 23 | Amount of line 21 Related to Section 504 compliance | **$ 56,000** | **$ 56,000** | **0** | **0** |
| 24 | Amount of line 21 Related to Security –Soft Costs | **0** | **0** | **0** | **0** |
| 25 | Amount of line 21 related to Security-- Hard Costs | **0** | **0** | **0** | **0** |
| 26 | Amount of line 21 Related to Energy Conservation Measures | **$ 283,233** | **$ 24,000** | **0** | **0** |

Signature of the Interim Executive Director: _____

Ed Griffin July 21, 2008

Signature of Public Housing Director: _____ Date: _____

Stephen Schneller

# Annual Statement
## Capital Fund Program (CFP)

# Part II: Supporting Pages

| PHA Name: Housing Authority of the County of Marin | Grant Type and Number: Capital Fund Program Grant No: CA39P05250107 Revision No. 1 | Federal FY of Grant: 2007 |
|---|---|---|

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| CA39P052001 Golden Gate Village | Repair Broken Water Distribution System Lines in Ground | | 1450 | | $ 5,000 | $ 1,000 | $ 0 | $ 0 | |
| | Repair Broken Concrete Sidewalks & Stairs | | 1450 | | $ 10,000 | $ 10,000 | $ 0 | $ 0 | |
| | Repairs to Landscaping & Irrigation System | | 1450 | | $ 18,000 | $ 29,297 | $ 0 | $ 0 | Extra Funds Moved from CFP 2006 |
| | Repair Low Rise Patio Gates | | 1450 | | $ 0 | $ 15,184 | $ 0 | $ 0 | Work Moved from CFP 2006 |
| | Interior/Exterior Painting Labor | | 1460 | | $ 160,000 | $ 16,215 | $ 16,215 | $ 16,215 | Remainder of 2008 Payroll Expenses Moved to Acct.1406 Operations |
| | Replace Kitchen Cabinets in Low-Rise Apartments (Partial) | | 1460 | | $ 97,680 | $ 198,441 | $ 0 | $ 0 | Extra Funds Moved from CFP 2006 |
| | Energy Conservation Improvements | | 1460 | | $ 255,233 | $ 0 | $ 0 | $ 0 | Funds moved to Accts. 1406,1408, & 1410 |
| | Replace High-Rise Building Water Heaters (Partial) | | 1460 | | $ 16,000 | $ 16,000 | $ 0 | $ 0 | |
| | | | | | | | | | |
| | Temporary Relocation Allowances during GGV Kitchen Remodels | | 1495.1 | | $ 0 | $ 10,000 | $ 0 | $ 0 | Work Moved from CFP 2006 |
| Elderly/Disabled | Repair Broken Concrete Sidewalks & | | 1450 | | $ 5,000 | $ 5,000 | $ 0 | $ 0 | |

# Annual Statement
## Capital Fund Program (CFP)

# Part II: Supporting Pages

| PHA Name: Housing Authority of the County of Marin | Grant Type and Number: Capital Fund Program Grant No: CA39P05250107 Revision No. 1 | Federal FY of Grant: 2007 |
|---|---|---|

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| Developments | Stairs | | | | | | | | |
| Elderly/Disabled Developments | Repairs to Landscaping & Irrigation System | | 1450 | | $ 15,000 | $ 17,045 | $ 0 | $ 0 | Extra Funds Moved from CFP 2006 |
| | Interior/Exterior Painting Labor | | 1460 | | $ 24,000 | $ 5,630 | $ 5,630 | $ 5,630 | Remainder of 2008 Payroll Expenses Moved to Operations |
| | Energy Conservation Improvements | | 1460 | | $ 0 | $ 8,180 | $ 0 | $ 0 | Work Moved from CFP 2006 |
| | | | | | | | | | |
| CA39PO52002 Homestead Terrace | Repair Buildings (Partial) | | 1460 | | $ 179,609 | $ 151,668 | $ 3,323 | $ 3,323 | Work Underway |
| | | | | | | | | | |
| CA39PO52004 Casa Nova | Replace Site Lighting | | 1450 | | $ 26,000 | $ 40,000 | $ 0 | $ 0 | |
| | | | | | | | | | |
| CA39PO52006 Golden Hinde | Replace Site Lighting | | 1450 | | $ 50,000 | $ 53,400 | $ 0 | $ 0 | |
| | | | | | | | | | |
| CA39PO52007 Kruger Pines | Replace Retaining Wall & Reconfigure Parking Lot | | 1450 | | $ 75,000 | $ 75,000 | $ 0 | $ 0 | |
| | Replace Flooring in Public Areas | | 1460 | | $ 0 | $ 15,000 | $ 0 | $ 0 | Work Moved from CFP 2006 |
| | Replace Sliding Glass Doors & Windows | | 1460 | | $ 0 | $ 77,150 | $ 0 | $ 0 | Work Moved from CFP 2006 |
| | | | | | | | | | |

# Annual Statement
## Capital Fund Program (CFP)

# Part II: Supporting Pages

| PHA Name: Housing Authority of the County of Marin | Grant Type and Number: Capital Fund Program Grant No: CA39P05250107 Revision No. 1 | Federal FY of Grant: 2007 |
|---|---|---|

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| PHA Wide 052 Agency Wide | Miscellaneous Operations Expenses | | **1406** | | **$ 0** | **$ 217,671** | **$ 0** | **$ 0** | Funds moved from 1460 Energy Conservation |
| | Interim Management Costs | | **1408** | | **$ 0** | **$ 14,246** | **$ 14,246** | **$ 0** | Funds moved from 1460 Energy Conservation |
| | Procurement Coordinator | | **1408** | | **$ 43,000** | **$ 3,395** | **$ 3,395** | **$ 3,395** | Remainder of 2008 Payroll Expenses Moved to Operations |
| | Contract Administration | | **1410.2** | | **$ 108,835** | **$ 108,835** | **$ 108,835** | **$ 37,660** | Work Underway |

# Annual Statement
**Capital Fund Program (CFP)**

# Part III: Implementation Schedule

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program No: **CA39P05250107** **Revision No. 1** | **2007** |

| Development Number Name/HA-Wide Activities | All Fund Obligated | | | All Funds Expended | | | Reasons for Revised Target Dates |
|---|---|---|---|---|---|---|---|
| | Original | Revised | Actual | Original | Revised | Actual | |
| CA39P052001 Golden Gate Village | **09/12/09** | | | **09/12/11** | | | **Obligation & Expenditure "Start Date" will be September 13, 2007. (ACC will be executed by HUD on 9/13/2007.)** |
| | | | | | | | |
| CA39P052003 Homestead Terrace | **09/12/09** | | | **09/12/11** | | | **Obligation Deadline for 90% of FFY 2007 Grant is Two Years (or September 12, 2009).** |
| CA39P052004 Casa Nova | **09/12/09** | | | **09/12/11** | | | **Expenditure Deadline for FFY 2007 Grant is Four Years (or September 12, 2011).** |
| | | | | | | | |
| CA39P052006 Golden Hinde | **09/12/09** | | | **09/12/11** | | | |
| | | | | | | | |
| CA39P052007 Kruger Pines | **09/12/09** | | | **09/12/11** | | | |
| | | | | | | | |
| PHA Wide 052 Agency Wide | **09/12/09** | | | **09/12/11** | | | |

# *Annual Statement*

**Capital Fund Program (CFP)**

# Summary

**Part I:**

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250108** Revision No. 1 | **2008** |

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** [X] **Revised Annual Statement Revision No. 1**

[X] **Performance and Evaluation Report for Period Ending: 06/30/08** ☐ **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 | $ 50,000 | $ 213,109 | $ 0 | $ 0 |
| 3 | 1408 Management Improvements--Soft Costs | $ 44,000 | $ 213,109 | $ 0 | $ 0 |
| 4 | 1410 Administration | $ 106,500 | $ 106,500 | $ 0 | $ 0 |
| 5 | 1411 Audit | | | | |
| 6 | 1415 Liquidated Damages | | | | |
| 7 | 1430 Fees and Costs | | | | |
| 8 | 1440 Site Acquisition | | | | |
| 9 | 1450 Site Improvement | $ 46,000 | $ 77,606 | $ 0 | $ 0 |
| 10 | 1460 Dwelling Structures | $ 819,046 | $ 455,222 | $ 0 | $ 0 |
| 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 Collaterization or Debt Service | | | | |
| 20 | 1502 Contingency | | | | |

# *Annual Statement*

**Capital Fund Program (CFP)**

# Summary

**Part I:**

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250108** Revision No. 1 | **2008** |

☐ **Original Annual Statement** ☐ **Reserve for Disasters/ Emergencies** [X] **Revised Annual Statement Revision No. 1**

[X] **Performance and Evaluation Report for Period Ending: 06/30/08** ☐ **Final Performance and Evaluation Report**

| Line No. | Summary by Development Account | Total Estimated Cost | | Total Actual Cost | |
|---|---|---|---|---|---|
| 21 | Amount of Annual Grant: (sum of lines 1-19) | **$ 1,065,546** | **$ 1,065,546** | **$ 0** | **$ 0** |
| 22 | Amount of line 21 Related to LBP Activities | **0** | **0** | **0** | **0** |
| 23 | Amount of line 21 Related to Section 504 compliance | **$ 15,000** | **$ 15,000** | **0** | **0** |
| 24 | Amount of line 21 Related to Security –Soft Costs | **0** | **0** | **0** | **0** |
| 25 | Amount of line 21 related to Security-- Hard Costs | **0** | **0** | **0** | **0** |
| 26 | Amount of line 21 Related to Energy Conservation Measures | **$ 465,580** | **$ 194,000** | **0** | **0** |

Signature of the Interim Executive Director: _____

Ed Griffin July 21, 2008

Signature of Public Housing Director: _____ Date: _____

Stephen Schneller

# Annual Statement
## Capital Fund Program (CFP)

# Part II: Supporting Pages

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250108** | **2008** |

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| CA39P052001 Golden Gate Village | Repairs to Landscaping & Irrigation System | | **1450** | | **$ 16,000** | **$ 16,000** | **$ 0** | **$ 0** | |
| | Repair Broken Concrete Sidewalks & Stairs | | **1450** | | **$ 10,000** | **$ 10,000** | **$ 0** | **$ 0** | |
| | Repairs to High-rise Parking Lots (Partial) | | **1450** | | **$ 0** | **$ 31,606** | **$ 0** | **$ 0** | New **CNA*** Work Item |
| | | | | | | | | | |
| | Interior/Exterior Painting Labor | | **1460** | | **$ 164,000** | **$ 0** | **$ 0** | **$ 0** | Payroll Expenses moved to 1406 Operations |
| | Replace Kitchen Cabinets in Low-Rise Apartments (Partial) | | **1460** | | **$ 74,080** | **$ 74,080** | **$ 0** | **$ 0** | |
| | Replace High-Rise Building Water Heaters (Partial) | | **1460** | **2 Bldgs.** | **$ 32,000** | **$ 32,000** | **$ 0** | **$ 0** | |
| | Replace Low-Rise Furnaces | | **1460** | **10/Yr.** | **$ 25,000** | **$ 25,000** | **$ 0** | **$ 0** | |
| | Replace Low-Rise Water Heaters | | **1460** | **20/Yr.** | **$ 8,000** | **$ 8,000** | **$ 0** | **$ 0** | |
| | Replace Stoves | | **1460** | **50/Yr.** | **$ 15,000** | **$ 15,000** | **$ 0** | **$ 0** | |
| | Replace Refrigerators | | **1460** | **30/Yr.** | **$ 12,000** | **$ 12,000** | **$ 0** | **$ 0** | |
| | Energy Conservation Improvements | | **1460** | | **$ 271,580** | **$ 0** | **$ 0** | **$ 0** | Funds moved to Acct. 1408 Items GGV Paving & Vacant Unit Contractor |

# Annual Statement
## Capital Fund Program (CFP)

# Part II: Supporting Pages

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250108** | **2008** |

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| | | | | | | | | | |
| Elderly/Disabled Developments | Repair Broken Concrete Sidewalks & Stairs | | **1450** | | **$ 5,000** | **$ 5,000** | **$ 0** | **$ 0** | |
| | Repairs to Landscaping & Irrigation System | | **1450** | | **$ 15,000** | **$ 15,000** | **$ 0** | **$ 0** | |
| | Interior/Exterior Painting Labor | | **1460** | | **$ 24,000** | **$ 0** | **$ 0** | **$ 0** | Payroll Expenses moved to 1406 Operations |
| | Interior Improvements/ Appliance Replacement | | **1460** | | **$ 20,000** | **$ 20,000** | **$ 0** | **$ 0** | |
| | | | | | | | | | |
| CA39PO52003 Homestead | Repair Buildings & Site (Partial) | | **1460** | | **$ 0** | **$ 45,756** | **$ 0** | **$ 0** | Work Moved from CFP 2006 |
| | | | | | | | | | |
| CA39PO52006 Golden Hinde | Replace Siding (Partial) | | **1460** | | **$ 73,386** | **$ 73,386** | **$ 0** | **$ 0** | |
| | | | | | | | | | |
| CA39PO52007 Kruger Pines | Replace Sliding Glass Doors/Windows (Partial) | | **1460** | | **$ 100,000** | **$ 100,000** | **$ 0** | **$ 0** | |
| PHA Wide 052 Agency Wide | Miscellaneous Operations Expenses | | **1406** | | **$ 50,000** | **$ 213,109** | **$ 0** | **$ 0** | |
| | | | | | | | | | |
| | Procurement Coordinator | | **1408** | | **$ 44,000** | **$ 0** | **$ 0** | **$ 0** | Payroll Expenses moved to 1406 |

# Annual Statement
**Capital Fund Program (CFP)**

# Part II: Supporting Pages

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program Grant No: **CA39P05250108** | **2008** |

| Development Number Name/HA-Wide Activities | General Description of Major Work Categories | | Dev. Acct No. | Quantity | Total Estimated Cost | | Total Actual Cost | | Status of Work |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Original | Revised | Obligated | Expended | |
| | | | | | | | | | Operations |
| | Interim Management Costs | | **1408** | | **$ 0** | **$ 188,309** | **$ 0** | **$ 0** | Funded from Energy Conservation |
| | Preparation for Asset Management Budgeting | | **1408** | | **$ 0** | **$ 24,800** | **$ 0** | **$ 0** | Funded from Energy Conservation |
| | | | | | | | | | |
| | Contract Administration | | **1410.2** | | **$ 106,500** | **$ 106,500** | **$ 0** | **$ 0** | |
| | | | | | | | | | |
| | Vacant Unit Turn-Around Contractor | | **1460** | | **$ 0** | **$ 50,000** | **$ 0** | **$ 0** | Funded from Energy Conservation |

* "**CNA"** refers to **Capital Needs Assessment** Prepared by Realty Check Inspections in March 2008

# Annual Statement
**Capital Fund Program (CFP)**

# Part III: Implementation Schedule

| PHA Name: | Grant Type and Number | Federal FY of Grant: |
|---|---|---|
| **Housing Authority of the County of Marin** | Capital Fund Program No: **CA39P05250108** **Revision No. 1** | **2008** |

| Development Number Name/HA-Wide Activities | All Fund Obligated | | | All Funds Expended | | | Reasons for Revised Target Dates |
|---|---|---|---|---|---|---|---|
| | Original | Revised | Actual | Original | Revised | Actual | |
| CA39P052001 Golden Gate Village | **06/13/10** | | | **06/13/12** | | | **Obligation & Expenditure "Start Date" will be June 13, 2008. (ACC will be executed by HUD on 6/13/2008.)** |
| | | | | | | | |
| CA39P052002 Venetia Oaks | **06/13/10** | | | **06/13/12** | | | **Obligation Deadline for 90% of FFY 2008 Grant is Two Years (or June 12, 2010).** |
| CA39P052003 Homestead Terrace | **06/13/10** | | | **06/13/12** | | | **Expenditure Deadline for FFY 2008 Grant is Four Years (or June 12, 2012).** |
| CA39P052004 Casa Nova | **06/13/10** | | | **06/13/12** | | | |
| CA39P052006 Golden Hinde | **06/13/10** | | | **06/13/12** | | | |
| CA39P052007 Kruger Pines | **06/13/10** | | | **06/13/12** | | | |
| | | | | | | | |
| PHA-Wide 052 Agency Wide | **06/13/10** | | | **06/13/12** | | | |

**(2) Optional 5-Year Action Plan**

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

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

b. If yes to question a, select one:

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

-or-

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

*Capital Fund Program Five-Year Action Plan*

## Part I: Summary

| PHA Name<br>**Housing Authority of the County of Marin** | | | | | ☒ **Original 5-Year Plan**<br>☐ **Revision No:** |
|---|---|---|---|---|---|
| Development Number/Name/HA-Wide | Year 1<br>**FFY 2009** | Work Statement for Year 2<br>FFY Grant: **2010**<br>PHA FY: **2010** | Work Statement for Year 3<br>FFY Grant: **2011**<br>PHA FY: **2011** | Work Statement for Year 4<br>FFY Grant: **2012**<br>PHA FY: **2012** | Work Statement for Year 5<br>FFY Grant: **2013**<br>PHA FY: **2013** |
| **52-1 Golden Gate Village** | Annual Statement | **399,579** | **408,579** | **408,579** | **408,579** |
| **52-2 Venetia Oaks** | | | | | |
| **52-3 Homestead Terrace** | | | | | |
| **52-4 Casa Nova** | | | | | |
| **52-6 Golden Hinde** | | | | | |
| **52-7 Kruger Pines** | | **106,386** | **102,386** | **92,386** | **82,386** |
| **PHA-Wide** | | **378,270** | **363,270** | **363,270** | **363,270** |
| **Elderly/Disabled Wide** | | **160,000** | **170,000** | **180,000** | **190,000** |
| Total CFP Funds (Est.) | **$1,044,235** | **$1,044,235** | **$1,044,235** | **$1,044,235** | **$1,044,235** |
| Total Replacement Housing Factor Funds | **0** | **0** | **0** | **0** | **0** |

***Capital Fund Program Five-Year Action Plan***
***Part II: Supporting Pages—Work Activities***

| Activities for Year 1 **2009** | Activities for Year 2 FFY Grant: **2010** PHA FY: **2010** | | | Activities for Year 3 FFY Grant: **2011** PHA FY: **2011** | | |
|---|---|---|---|---|---|---|
| | **Development Number/Name** | Major Work **Categories** | **Estimated Costs** | **Development Number/Name** | Major Work **Categories** | **Estimated Costs** |
| See | **52-1 Golden Gate Village** | Replace High-Rise Water Heaters | 36,000 | **52-1 Golden Gate Village** | | |
| **Annual** | | Repair Broken Sidewalks | 10,000 | | Repair Broken Sidewalks | 10,000 |
| **Statement** | | Repair Water Distrib. Sys. | ***150,000*** | | Repair Water Distrib. Sys | ***268,579*** |
| | | A & E for Water Distrib. | ***50,000*** | | | |
| | | Replace Kitchen Cabinets | ***76,579*** | | Replace Kitchen Cabinets | 51,000 |
| | | Landscape/Irrigation | 12,000 | | Landscape/Irrigation | 12,000 |
| | | Replace Stoves | 16,000 | | Replace Stoves | 17,000 |
| | | Replace Low-Rise Water Heaters | 9,000 | | Replace Low-Rise Water Heaters | 9,000 |
| | | Replace Low-Rise Furnaces | 27,000 | | Replace Low-Rise Furnaces | 28,000 |
| | | Replace Refrigerators | 13,000 | | Replace Refrigerators | 13,000 |
| | Sub-total | | **399,579** | Sub-total | | **408,579** |
| | **52-7 Kruger Pines** | Repair Siding (CNA) | ***45,657*** | | | |
| | | Site Improvements | ***60,729*** | **52-7 Kruger Pines** | Replace Roofing (CNA) | ***102,386*** |
| | Sub-total | | **106,386** | Sub-total | | **102,386** |
| | **PHA-Wide** | ***Operations*** | ***208,847*** | | | |
| | | Administration | 104,423 | **PHA-Wide** | ***Operations*** | ***208,847*** |
| | | Energy Audit (Every 5 Years) | 15,000 | | Administration | 104,423 |
| | | ***Vacant Unit Turnover*** | ***50,000*** | | ***Vacant Unit Turnover*** | ***50,000*** |
| | Sub-Total | | **378,270** | Sub-Total | | **363,270** |
| | **Elderly/Disabled Wide** | General Repairs to Interiors/Appliances | 40,000 | **Elderly/Disabled Wide** | General Repairs to Interiors/Appliances | 50,000 |
| | | Repair Broken Sidewalks | 5,000 | | Repair Broken Sidewalks | 5,000 |
| | | Repaint Exteriors | ***100,000*** | | Repaint Exteriors | ***100,000*** |
| | | Landscape/Irrigation | 15,000 | | Landscape/Irrigation | 15,000 |
| | Sub-total | | **160,000** | Sub-total | | **170,000** |
| **Total CFP Estimated Costs** | | | **$1,044,235** | | | **$1,044,235** |

*Capital Fund Program Five-Year Action Plan*

## Part II: Supporting Pages—Work Activities

| Activities for Year 4<br>FFY Grant: 2012<br>PHA FY: 2012 | | | Activities for Year 5<br>FFY Grant: 2013<br>PHA FY: 2013 | | |
|---|---|---|---|---|---|
| **Development Number/Name** | **Major Work Categories** | **Estimated Costs** | **Development Number/Name** | **Major Work Categories** | **Estimated Costs** |
| **52-1 Golden Gate Village** | | | **52-1 Golden Gate Village** | | |
| | Repair Broken Sidewalks & Stairs | 15,000 | | Repair Broken Sidewalks & Stairs | 15,000 |
| | Landscape/Irrigation | 15,000 | | Landscape/Irrigation | 15,000 |
| | Repair Water Distribution System (Partial) | ***308,579*** | | Repair Water Distribution System (Partial) | ***305,579*** |
| | Replace Low-Rise Furnaces | 29,000 | | Replace Low-Rise Furnaces | 30,000 |
| | Replace Low-Rise Water Heaters | 10,000 | | Replace Low-Rise Water Heaters | 10,000 |
| | Replace Stoves | 17,000 | | Replace Stoves | 18,000 |
| | Replace Refrigerators | 14,000 | | Replace Refrigerators | 15,000 |
| Sub-total | | **408,579** | Sub-total | | **408,579** |
| | | | | | |
| **PHA-Wide** | ***Operations*** | ***208,847*** | **PHA-Wide** | ***Operations*** | ***208,847*** |
| | Administration | 104,423 | | Administration | 104,423 |
| | ***Vacant Unit Turnover Contractor*** | ***50,000*** | | ***Vacant Unit Turnover Contractor*** | ***50,000*** |
| Sub-total | | **363,270** | Sub-total | | **363,270** |
| | | | | | |
| **52-7 Kruger Pines** | Replace Roofing (CNA) | ***92,386*** | **52-7 Kruger Pines** | Replace Roofing | ***82,386*** |
| Sub-total | | **92,386** | Sub-total | | **82,386** |
| | | | | | |
| **Elderly/Disabled Wide** | | | **Elderly/Disabled Wide** | | |
| | Repair Broken Sidewalks & Stairs | 5,000 | | Repair Broken Sidewalks | 5,000 |
| | Landscape/Irrigation Repairs | 15,000 | | Landscape/Irrigation Repairs | 15,000 |
| | General Repairs to Interiors/ Replace Appliances | 60,000 | | General Repairs to Interiors/ Replace Appliances | 70,000 |
| | Repaint Exteriors: CN, KP, VO,GH | ***100,000*** | | Repaint Exteriors: CN, KP, VO,GH | ***100,000*** |
| Sub-total | | **180,000** | Sub-total | | **190,000** |
| **Total CFP Estimated Costs** | | **$1,044,235** | | | **$1,044,235** |

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**(2) Optional 5-Year Action Plan**

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

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

b. If yes to question a, select one:

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

-or-

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

Capital Fund 5-Year Plan

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

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

☐ Yes ☒ No: a) has the PHA received a HOPE VI revitalization grant? (If no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)

b) Status of HOPE VI revitalization grant (Complete one set of questions for each grant)

1. Development name:
2. Development (project) number:
3. Status of grant: (select the statement that best describes the current status)
   - ☐ Revitalization Plan under development
   - ☐ Revitalization Plan submitted, pending approval
   - ☐ Revitalization Plan approved
   - ☐ Activities pursuant to an approved Revitalization Plan Underway

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

☒ Yes ☐ No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year?

If yes, list developments or activities below:

**MHA Board and the community are exploring opportunities for homeownership and sustainability of Marin City GGV due to the financial challenges of the site. The exploration may include the viability of the site with mixed income and or finances.**

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

**8. Demolition and Disposition**

[24 CFR Part 903.7 9 (h)]

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

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

2. Activity Description

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

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

**9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities**

[24 CFR Part 903.7 9 (i)]

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

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

2. Activity Description

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

| Designation of Public Housing Activity Description |
|---|
| 1a. Development name:<br>1b. Development (project) number: |
| 2. Designation type:<br>Occupancy by only the elderly ☐<br>Occupancy by families with disabilities ☐<br>Occupancy by only elderly families and families with disabilities ☐ |
| 3. Application status (select one)<br>Approved; included in the PHA's Designation Plan ☐<br>Submitted, pending approval ☐<br>Planned application ☐ |
| 4. Date this designation approved, submitted, or planned for submission: (DD/MM/YY) |
| 5. If approved, will this designation constitute a (select one)<br>☐ New Designation Plan<br>☐ Revision of a previously-approved Designation Plan? |
| 6. Number of units affected:<br>7. Coverage of action (select one)<br>☐ Part of the development<br>☐ Total development |

**10. Conversion of Public Housing to Tenant-Based Assistance**

[24 CFR Part 903.7 9 (j)]

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

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

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

2. Activity Description

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

| Conversion of Public Housing Activity Description |
|---|
| 1a. Development name:<br>1b. Development (project) number: |
| 2. What is the status of the required assessment?<br>☒ Assessment Underway<br>☐ Assessment results submitted to HUD<br>☐ Assessment results approved by HUD (if marked, proceed to next question)<br>☐ Other (explain below) |
| 3. ☐ Yes ☐ No: Is a Conversion Plan required?<br>(If yes, go to block 4; if no, go to block 5.) |
| 4. Status of Conversion Plan (select the statement that best describes the current status)<br>☐ Conversion Plan in development<br>☐ Conversion Plan submitted to HUD on: (DD/MM/YYYY)<br>☐ Conversion Plan approved by HUD on: (DD/MM/YYYY)<br>☐ Activities pursuant to HUD-approved Conversion Plan Underway |
| 5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)<br>☐ Units addressed in a pending or approved demolition application (date submitted or approved:<br>☐ Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: )<br>☐ Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: )<br>☐ Requirements no longer applicable: vacancy rates are less than 10 percent<br>☐ Requirements no longer applicable: site now has less than 300 units<br>☐ Other: (describe below) |

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

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

## 11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

### A. Public Housing

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

1. ☐ Yes ☒ No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved HOPE I program (42 U.S.C. 1437aaa) or has the PHA applied or plan to apply to administer any homeownership programs under section 5(h), the HOPE I program, or section 32 of the U.S. Housing Act of 1937 (42 U.S.C. 1437z-4). (If "No", skip to component 11B; if "yes", Complete one activity description for each applicable program/plan, unless eligible to Complete a streamlined submission due to **small PHA** or **high performing PHA** status. PHAs completing streamlined submissions may skip to component 11B.)

2. Activity Description

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

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

**B. Section 8 Tenant Based Assistance**

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

2. Program Description:

**See Attachment Section 8 Homeownership Program**

a. Size of Program

☒ Yes ☐ No: Will the PHA limit the number of families participating in the Section 8 homeownership options?

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

☒ 25 or fewer participants
☐ 26 - 50 participants
☐ 51 to 100 participants
☐ More than 100 participants

b. PHA-established eligibility criteria

☒ Yes ☐ No: Will the PHA's program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?
If yes, list criteria below: *See attachment 18D (1) Chapter 25 of the Administrative Plan*

**12. PHA Community Service and Self-Sufficiency Programs**
[24 CFR Part 903.7 9 (l)]
Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8-Only PHAs are not required to complete sub-component C.

The Quality Housing and Work Responsibility Act of 1998 requires that housing authorities set forth in their Annual Plans a description of how they plan to address the Community Service Requirement. On November 14, 2000, the Housing Authority Board of Commissioners adopted the Community Service portion of Marin Housing's Occupancy Policy for Public Housing.

Since HUD reinstated the community service MHA has been working with individuals who must complete those hours.

**A. PHA Coordination with the Welfare (TANF) Agency**

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

If yes, what was the date that agreement was signed? 04/26/99

2. Other coordination efforts between the PHA and TANF agency (select all that apply)
☒ Client referrals
☒ Information sharing regarding mutual clients (for rent determinations and otherwise)
☒ Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
☐ Jointly administer programs
☒ Partner to administer a HUD Welfare-to-Work voucher program
☐ Joint administration of other demonstration program
☐ Other (describe)

**B. Services and programs offered to residents and participants**
**(1) General**

a. Self-Sufficiency Policies
Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas? (Select all that apply)
☒ Public housing rent determination policies
☐ Public housing admissions policies
☐ Section 8 admissions policies
☐ Preference in admission to section 8 for certain public housing families
☐ Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
☐ Preference/eligibility for public housing homeownership option participation

☐ Preference/eligibility for section 8 homeownership option participation
☐ Other policies (list below)

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

| **Services and Programs** | | | | |
|---|---|---|---|---|
| Program Name & Description (including location, if appropriate) | Estimated Size | Allocation Method (waiting list/ random selection / specific criteria / other) | Access (development office / PHA main office / other provider name) | Eligibility (Public Housing or Section 8 participants or both) |
| R.O.S.S Family Career Development Center | 100 | Special Criteria | Women Helping All People | Public Housing |
| R.O.S.S. | 125 | Special Criteria | Project offices on site at five Mixed Population Complexes | Public Housing |
| YEMP | 15 | Special Criteria | Resident Council (on site) | Public Housing |
| | | | | |

**(2) Family Self Sufficiency program/s**

a. Participation Description

| **Family Self Sufficiency (FSS) Participation** | | |
|---|---|---|
| Program | Required Number of Participants (start of FY 2000 Estimate) | Actual Number of Participants (As of: 06/31/07) |
| Public Housing | | 50 |
| Section 8 | 47 | 130 |

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

**C. Welfare Benefit Reductions**

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

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

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

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

A lease requirement of the Public Housing Program is that:

*Each non-exempt adult Resident must contribute eight (8) hours of community service each month in the community in which the Resident's public housing project is located, or participate in an economic self-sufficiency program for 8 hours each month, or combine the performance of community service and an economic self-sufficiency program for a total of 8 hours per month.*

*Community Service is the performance of volunteer work or duties that are a public benefit, and that serve to improve the quality of life, enhance Resident self-sufficiency, or increase Resident self-responsibility in the community. Community service is not employment and may not include political activities.*

*Each eligible adult is responsible for having the volunteer agency report to Marin Housing the number of hours that the Resident has completed each month. If the family is in non-compliance with the community service requirement, Marin Housing may, at its discretion, enter into an agreement allowing the non-compliant adult to cure the non-compliance by entering into an agreement that they will make up the missed hours as well as maintain the current hours during the next 12-month period. If the family fails to complete all required community service hours as specified under the agreement, Marin Housing shall serve the household with a 30-Day notice to terminate the tenancy for breach of the lease.*

## 13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

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

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

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

☐ High incidence of violent and/or drug-related crime in some or all of the PHA's developments
☐ High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
☐ Residents fearful for their safety and/or the safety of their children
☐ Observed lower-level crime, vandalism and/or graffiti
☒ People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
☒ Other (describe below)
*Working with the Sheriff's Department to expand police presence and to develop a community approach to law enforcement and tenant responsibility for their property.*

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

☒ Safety and security survey of residents
☒ Analysis of crime statistics over time for crimes committed "in and around" public housing authority
☐ Analysis of cost trends over time for repair of vandalism and removal of graffiti

☒ Resident reports
☐ PHA employee reports
☒ Police reports
Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
☐ Other (describe below)

Which developments are most affected? (List below)

***Marin City Public Housing***

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

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

☒ Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
☒ Crime Prevention Through Environmental Design
☒ Activities targeted to at-risk youth, adults, or seniors
☐ Volunteer Resident Patrol/Block Watchers Program
Other (describe below)
**Potential installation of security monitoring cameras at GGV. Creation of Block Captain Program.**

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

Marin City GGV Public Housing

**C. Coordination between PHA and the police**

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

Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan

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

*Community Task Force to develop action plan to reduce violence in the community*

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

*Marin City GGV Public Housing*

**D. Additional information as required by PHDEP/PHDEP Plan**

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

☒ Yes ☐ No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?

☐ Yes ☒ No: Has the PHA included the PHDEP Plan for FY 2002 in this PHA Plan?
☐ Yes ☒ No: This PHDEP Plan is an Attachment.

## 14. RESERVED FOR PET POLICY

[24 CFR Part 903.7 9 (n)]

The pet policy was modified to clarify definition of a "pet" vs. a "service animal" and to include a waiver of the pet deposit when requested as a reasonable accommodation based on disability for a service animal.

*"A pet" shall be defined only as any dog (weight not to exceed 15 pounds as an adult), a cat, bird, (only two, and not large parrots or other large birds), fish aquarium (not to exceed 10 gallons), rodents (only two, and only rabbits, guinea pigs, hamsters, or gerbils), and turtle (only two).*

*"A service animal" shall be defined as a dog (the weight limit of 15 pounds does not apply) or a cat where it has been established that a person with disabilities is in the household and the animal is necessary as a reasonable accommodation to provide designated service for the disabled resident or family member.*

It is also being clarified in the policy that as a reasonable accommodation a disabled resident may request a waiver to the pet deposit. This clarification is as follows:

*"Where a resident has requested a waiver of the pet deposit and fees to house a service animal as a reasonable accommodation based on the disability, and where verification of such a need is presented, the pet deposit and fees may be waived by the Housing Authority County of Marin."*

It is also being clarified that "service animals" are not restricted from being in any area on the complex when accompanied by resident and on a leash when on the grounds. This clarification is as follows:

*"The following areas are designated no-pet areas: Patios in the high-rise buildings, laundry rooms, community rooms, courtyards, playgrounds, and lawns. (This restriction does not apply to "service animals" when they are in the company of the resident or a family member on a leash.)"*

## 15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations. (See pages 2-4)

## 16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. ☒ Yes ☐ No: Is the PHA required to have an audit conducted under section 5(h) (2) of the U.S. Housing Act of 1937 (42 U S.C. 1437c (h))? (If no, skip to component 17.) 2006 Audit completed September 28, 2007.
2. ☒ Yes ☐ No: Was the most recent fiscal audit submitted to HUD?
3. ☐ Yes ☒ No: Were there any findings as the result of that audit?
4. ☐ Yes ☐ No: If there were any findings, do any remain unresolved?
   If yes, how many unresolved findings remain? ___
5. ☐ Yes ☐ No: Have responses to any unresolved findings been submitted to HUD? If not, when are they due (state below)?

**17. PHA Asset Management**
[24 CFR Part 903.7 9 (q)]
Exemptions from component 17: Section 8 Only PHAs are not required to complete this component. High performing and small PHAs are not required to complete this component.

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

*MHA has undertaken a comprehensive approach to understanding and planning for long term viability of all public housing. In August 2008, MHA employed a consultant to review community needs at GGV. In March 2008, MHA engaged contractor to perform a Physical Needs Assessment. Before the end of 2008, MHA will review both studies and assess financing options and project plans to make recommendations to MHA Board in 2009. No action plans are available now as these results are necessary in order to go to that next phase of asset viability implementation*

What types of asset management activities will the PHA undertake? (Select all that apply)
Not applicable
☐ Private management
☐ Development-based accounting as required by HUD effective 1/1/08
☒ Comprehensive stock assessment
☐ Other: (list below)

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

**18. Other Information**
[24 CFR Part 903.7 9 (r)]

**A. Resident Advisory Board Recommendations**
1. ☒ Yes ☐ No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board?

2. If yes, the comments are: (If comments were received, the PHA **MUST** select one)
☒ Attached at Attachment (File name) *Resident Advisory Board comments*
☐ Provided below:

3. In what manner did the PHA address those comments? (Select all that apply)
☐ Considered comments, but determined that no changes to the PHA Plan were necessary.
☒ The PHA changed portions of the PHA Plan in response to comments
List changes below:
*Changes from the RAB were integrated into the Plan prior to the public comment period.*
☐ Other: (list below)

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

1. ☒ Yes ☐ No: Does the PHA meet the exemption criteria provided section 2(b) (2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)

2. ☐ Yes ☒ No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process

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

☐ Candidates were nominated by resident and assisted family organizations
☐ Candidates could be nominated by any adult recipient of PHA assistance
☐ Self-nomination: Candidates apply to the Board of Supervisors
☐ Other: (describe)

b. Eligible candidates: (select one)

☐ Any recipient of PHA assistance
☐ Any head of household receiving PHA assistance
☐ Any adult recipient of PHA assistance
☐ Any adult member of a resident or assisted family organization
☐ Other (list)
☐ Any adult recipient aged 62 or older of PHA assistance

c. Eligible voters: (select all that apply)

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

*MHA currently has one resident commissioner who was appointed to the Board by the County Board of Supervisors through a public selection process. There is a recruitment for the current vacancy.*

**D. Statement of Consistency with the Consolidated Plan**

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

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

☒ The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
☒ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
☒ The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
☒ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (List below)
*Shelter Plus Care program, the HOPWA program, the Rehabilitation Loan program, and the Continuum of Care.*
☐ Other: (list below)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)
*The jurisdiction provides funding for the Rehabilitation Loan program, is a partner in the Continuum of Care process, provides funding for the Shelter Plus Care, Rental Deposit Guarantee, the Housing Assistline, Senior Information and Referral Program, Rebate for Marin Renters, Housing Search Specialist, and HOPWA program.*

**D. Other Information Required by HUD**

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

**Attachments**

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

Required Attachments:

☒ Section 3, Page 79: Admissions Policy for Deconcentration
☒ Component 7, Page 44: FY 2007 Capital Fund Program Annual Statement
☐ Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)
☒ Section 18D, Page 89: Resident Membership of the PHA Governing Board and Membership of the Resident Advisory Board (see Resident Comments)
☐ Voluntary Conversion Initial Assessments

Optional Attachments:

☒ Page 41: PHA Management Organizational Chart
☒ Component 7, Page 44: FY 2007 Capital Fund Program 5 Year Action Plan
☐ Public Housing Drug Elimination Program (PHDEP) Plan
☒ Other (List below, providing each attachment name)

- Changes to Administrative Plan
- Changes to Admissions & Continued Occupancy Plan
- Progress Report: Annual Plan Goals

**Other Programs Operated by MHA include**:

- Substantial Rehabilitation Program – Bradley House which consists of 18 units of housing designated for Elderly and Disabled Individuals or families.
- Two State Programs – Isabel Cook which is 14 units of family housing and 4 unit of housing designated for Elderly and Disabled Individuals or families.
- Fairfax Vest Pocket – a shared multi-generational living environment for Elderly and Disabled Individuals or families in 19 bedrooms in 5 houses.
- Private Housing Operations – Sundance Apartments

**Definition of "significant amendment" and substantial deviation"**

- Changes to the admission policies or organization of the waiting list that will affect a substantial number of applicants
- Changes to the calculation of rent not HUD mandated
- Changes to the use of funds under the Capital Funds that exceed the amount of $100,000.00
- Addition of new activities not included in the current Administrative Plan, Admissions and Continued Occupancy Policy or Annual Plan that affect a substantial number of residents or participants and is not mandated by HUD. (Substantial number is more than 70% of the population)
- Changes with regard to demolition or disposition, designation, homeownership programs or conversion activities

- Additions of non-emergency work items

**Changes for Agency Plan for Marin Housing Authority**
**and the Administrative Plan and Admissions and Continued Occupancy Policy**

The changes proposed for the MHA Agency Plan are contained in the Admissions and Continuing Occupancy Plan for Public Housing and the Administrative Plan for the Section 8 Program. While these changes have been summarized previously, the actual policy and procedural changes are set forth below. A legend is provided to understand the keys to each change.

# Changes to the Administrative Plan Section 8

**Section 8 Housing Choice Voucher Program**
**Administrative Plan**

## FAMILY SELF-SUFFICIENCY PROGRAM

### A. PURPOSE 24 CFR 984.101

**The purpose of the Family Self-Sufficiency (FSS) program is to promote the development of local strategies to coordinate the use of assistance under the Housing Choice Voucher and Public Housing program with public and private resources, enable participating families to earn increased income, reduce or eliminate the need for welfare assistance, and make progress toward achieving economic independence and housing self -sufficiency. This is a voluntary program and in the event a family fails to meet obligations under the FSS Contract of Participation, MHA will not terminate housing assistance under the Housing Choice Voucher or Public Housing programs.**

**FAMILY DEMOGRAPHICS 24 CFR 984.201 (d) (1)**
Marin County residents reflect a diverse array of socioeconomic and ethnic groups. The predominant groups residing in Public Housing and participating in the Housing Choice Voucher program are single female head of households with minor children, Caucasians, African Americans, Asians predominately of Vietnamese descent, and Latinos. There is also a large and active disabled community. These groups are all represented in the PH and HCV FSS Program.

Nondiscrimination 24 CFR 984.201 (d)(6)(ii)

In selecting participating families, assurances will be evident that the selection was made in a nondiscriminatory manner without regard to race, color, religion, sex, family status, national origin, sexual orientation, blindness, visual handicap, physical handicap, or mental impairment in compliance with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, and Executive Order 11063.

MHA will not discriminate against otherwise qualified persons because of their disabilities. MHA will make reasonable accommodations to the person's disability to allow participation in the FSS Program. MHA may decide that an accommodation is not reasonable if it causes undue financial and/or administrative burdens.

### B. PARTICIPANT SELECTION 24 CFR 984.201(d)(1)

Eligibility Requirements

1. To be selected to participate in the FSS Program, a resident must be a head-of-household, and either a Public Housing resident, or an active participant of the

Housing Choice Voucher Program. An eligible participant must be a participant in good standing (i.e. no eviction proceedings pending for unpaid rent/charges or cause).

2. The FSS family includes everyone in the household. However; only one escrow account will be established per household.
   Other members of a household (over 18) are eligible to become participants if the head of household has signed a Contract of Participation.

3. All participants must be willing to sign a Contract of Participation. The purpose of the contract is to state the rights and responsibilities of the family and MHA, the resources and supportive services to be provided to the family and the activities to be completed by the family. Basic support services are part of the contract and include but are not limited to:

| | |
|---|---|
| **Education & Training:** | Education and Literacy<br>GED Classes<br>Community College<br>Career Guidance<br>Specialized Technical Classes<br>Four-Year College/University<br>On-The-Job Training<br>Job Placement<br>Social/Life Skills Training |
| **Counseling:** | Individual Counseling<br>Family Counseling<br>Group Counseling<br>Outpatient Drug & Alcohol Counseling<br>Residential Drug & Alcohol Treatment<br>Parenting Classes<br>Self-Esteem Training |
| **Other:** | Childcare<br>Transportation<br>Credit Counseling<br>Money Management/Budget Counseling<br>Grants & Financial Aid<br>Assistance with Court/Legal Matters<br>Homeownership counseling |

Application and Selection Process 24 CFR 984.201 (d)(6)(i)

Participants from each FSS program must be selected from their respective housing program. Public Housing FSS families must reside in public housing; Housing Choice Voucher FSS families must come from Housing Choice Voucher participants.

1. MHA will conduct outreach on an ongoing basis. The FSS Program is marketed via inclusion of program brochures in briefing packets for new voucher holders and public housing residents. MHA staff members promote the FSS Program at the time of Annual Re-certifications, Inspections, or other case management. The program is also promoted via community partnerships with other agencies who serve our HCV and PH Participant families, such as CalWorks, Marin Employment Connection, and Dept. of Rehabilitation.
New Public Housing residents will be notified of the FSS program at the time of lease up. In addition, FSS program information will be posted on site at each MHA office and in the offices of community based agencies and service providers.

The Housing Choice Voucher FSS program has fulfilled its mandatory slots (effective 2006; originally 107 slots). The voluntary program number will be 130. The number of Public Housing FSS program slots must be a minimum of 25.

.Current Housing Choice Voucher participants and Public Housing residents who express a desire to participate in the FSS Program will be given an appointment for an Orientation.

1. To be eligible the applicant's income information must be current and within 120 days in the housing information system. . MHA must conduct a new reexamination if more than 120 days have expired.
2. Applicant families that cannot be assisted immediately shall be placed on a waiting list in order of date of inquiry to participate in FSS and in order of most current effective date of re-exam in the housing information system.

Applicants will be withdrawn from the Family Self Sufficiency Program waiting list if:

a) The applicant so requests
b) MHA is unable to contact the applicant
c) The applicant fails to respond to any MHA request for information

3. All participants must attend a full FSS orientation briefing and an information session... The FSS orientation is designed to assist the applicant in making a decision as to whether to participate in the FSS Program.

This session will include, but is not limited to, the following information:

- The needs assessment process;
- Explanation of the program requirement that the Head of Household seeks and maintains employment;
- How support services will be accessed;
- How case management works for the participant;

- The Contract of Participation and what it means;
- The Housing Choice Voucher Program and Public Housing requirements;
- The 5 to 7 year length of participation;
- The escrow account, audit process and the possible forfeiture of MHA escrow account funds.
- Mandatory Earned Income Disallowance (MEID)

4. After attending the required FSS orientation, the applicant will meet with the Program Coordinator/Case manager for an intake interview, at which time the applicant will complete the FSS application. The Program Staff will conduct a needs assessment and work with the applicant on developing a goal plan. This process may require that the applicant attend more than one meeting with the Staff member.

5. Based upon the intake interview, application and needs assessment process, the Program Coordinator/Case manager will determine whether the family is sufficiently motivated to participate in the FSS Program. If an applicant fails to show up for two appointments prior to signing the contract, without notifying the case manager, this will be deemed as lack of interest and they will be placed back on the wait list.

   Applicants who are admitted to the program will be so notified and will sign a Contract of Participation.

6. Income and rent numbers to be used on the Contract of Participation may be taken from the amounts on the last re-examination or interim determination before the family's initial participation in the FSS program, unless more than 120 days will pass between the effective date of the re-examination and effective date of the Contract of Participation. If more than 120 days have passed since the last re-examination, MHA must conduct a new re-examination or interim.

7. If an interim re-examination occurs after the Contract of Participation is signed but before it has become effective, MHA may use the lower of the two figures for the Contract of Participation.

8. Applicants who are denied admission to the FSS Program will be so notified. Applicants who are denied may appeal MHA's action by following the grievance process outlined in this Administrative Plan.

9. If the Head of Household has previously participated in the FSS Program and cashed out its escrow account, or committed a program violation and was terminated, the Head of Household may not receive FSS assistance again. If the Head of Household previously participated and failed to meet their obligations, they may be denied future participation.

10. If the Head of Household has previously participated in the FSS Program but did not graduate, the Head of Household may reapply for participation if they meet the following criteria:
    - ♦ The family met its obligations during the period of participation;
    - ♦ The family did not earn escrow or if they forfeited their escrow;

- The family voluntarily withdrew from the program in good standing.

Under these circumstances, a family may re-apply to the FSS Program after a twelve-month wait period after leaving the program. To re-apply, a family must submit a written request to the Program Coordinator, stating why they believe participation at the current time will offer a more successful outcome. If there is a waiting list, the family will be placed in the next available slot on the list and served when their name comes to the top. They will be required to attend an orientation as all new participants are required to do.

C. NEEDS ASSESSMENTS FOR THE PROGRAM PARTICIPANTS 24CFR 984.201 (d)(8)

A comprehensive needs assessment will be conducted. An Individual Services and Training Plan will be completed for each family prior to signing a Contract of Participation. An Action Plan will be developed which shall include:

1) the family's goals, both primary and secondary;
2) the services the family requires to achieve their goals;
3) service providers with whom the family will be working;
4) a list of steps necessary to complete the family's Action Plan and the milestones in that Plan

The Individual Training and Services Plan which includes goals and action steps will be reviewed, monitored, and updated as necessary by the Program Coordinator/Case Manager. The Individualized plans will be reviewed at least semi-annually for both Housing Choice Voucher and Public Housing FSS participants.).

D. CASE MANAGEMENT

Case management is a key factor in ensuring comprehensive service delivery. Case management establishes a systematic, continuous process in which families are actively involved in planning the steps they can take to improve their lives and in evaluating the results. Case management is not merely service brokering, but a problem-solving partnership among practitioners and clients. MHA employs a Program Coordinator and a Case Manager who fulfill the following functions:

1) Assist in briefing of applicants;
2) Provide information and referral services to participants;
3) Assist in identifying and utilizing appropriate community resources;
4) Coordinate services for participants with various Health and Human Services/Social Services agencies, and other non-profit groups;
5) Monitor participant's progress in meeting goals;
6) Work with other agencies' case managers;
7) Provide services-up to one year after the family graduates from the FSS program.

E. PARTNERING AGENCIES

Employment/Training and Education

The Marin Employment Connection will work with Program Staff to coordinate employment training, education, and employment referrals for participating families. Services in this component will include: educational assessment, education for completion of high school, and job training, preparation, and placement.

Other Support Services

Marin Housing has developed a strong network with various Marin County and Bay Area social service agencies that are willing to provide services for participants of the FSS Program. These agencies are:

- ACORN Housing
- Canal Community Alliance
- Catholic Charities
- College of Marin
- Community Action Marin
- Community Child Care Council
- Department of Rehabilitation
- Family Service Agency of Marin County
- Lao Family Services
- Marin Abused Women's Services
- Marin Adopt A Family
- Marin County Community Mental Health Services
- Marin County Office of Education
- Marin Education Fund
- Marin Employment Connection/EDD
- Marin Family Action
- Marin Jobs and Career Services
- Marin Services for Women
- Ritter Center
- Prosperity Partners of Marin
- Regional Occupational Program (ROP)
- WISE (Women's Initiative for Self Employment)
- Women Helping All People
- YWCA

**F**. INCENTIVES TO ENCOURAGE PARITICIPANTS 24 CFR 984.201(d)(5)

1. Marin Housing will establish an interest bearing escrow account for participating families who have an increase in earned income during the time of participation, resulting from

achievement of the Contract of Participation Goals. Escrow accounts will be established and administered according to the regulations set for the FSS Final Rule (24CFR 984.305)

2. The FSS Staff will work in coordination with community partnerships to provide periodic workshops on topics related to credit repair, financial literacy, preparation for homeownership, and asset building. These workshops will be widely advertised, open to both current and prospective FSS participants in both the HCV and PH programs.

3. Marin Housing will provide additional asset building opportunities through partnership with community based organizations and the federal government in establishing IDA programs.

G. PROGRAM COORDINATING COMMITTEE 24CFR 984.202

The role of the Program Coordinating Committee is to help secure commitments of public and private resources and to prepare and implement the FSS program action plan. The Program Coordinating Committee will meet at least once per year.

G. CONTRACT OF PARTICIPATION 24 CFR 984.303

The Contract is an agreement between MHA and the Head of Household. It sets forth the provisions of the program, specifies the resources and appropriate support services necessary to assist the participant family in achieving economic independence and self-sufficiency, and the responsibilities and obligations of the participating family. The contract shall provide that MHA may terminate or withhold supportive services if the family fails to comply with the requirements of the contract.

An Individual Training and Services Plan must be completed for the FSS Head of Household.

- The contract shall specify that each participating family will be required to fulfill the obligations to which the family has committed itself under the contract within 5 years of entering into the contract. MHA can extend the term of the contract for up to an additional 2 years for a participating family that requests an extension if MHA finds good cause exists for granting the extension. Good cause exists if the circumstances that prevented completion of the contract were beyond the control of the family, such as a serious illness or involuntary loss of employment, or additional time to become independent of cash aid welfare assistance. The Mandatory Earned Income Disallowance alone is not considered allowable cause for an extension.

- The person designated as the head of the participating family shall be required under the contract to seek and maintain suitable employment following completion of a job training program if required as a condition of the contract.

- “Seek employment” means that the head of household provides documented proof that he/she is actively looking for a job, applying for work, going on job interviews, and otherwise following up on employment opportunities.

- If the FSS family does not seek and maintain employment as specified in the FSS Contract of Participation, or never finds employment during the contract's 5 year term, the family will not have met its obligations and MHA may terminate the family's participation in the FSS Program.

- The head of household may attend school only as a precondition to seeking employment, but after completion of the contracted course of study the head of household must seek and maintain a suitable job. School may not be substituted for employment.

- MHA has the ultimate responsibility for determining if the head of household's employment is deemed "suitable" for FSS purposes. This decision must be made in conjunction with the head of household, and it must be based on the person's skills, education, and the available job opportunities within MHA's jurisdiction. The overall objective should include employment that will propagate self-sufficiency. MHA may delegate this responsibility to the FSS Program Coordinator on recommendations from the Program Coordinating Committee.

If the head of household leaves the family or becomes medically unable to work during the term of the Contract of Participation, and the remaining family members continue participation in the voucher program, the Contract of Participation must be revised to designate a new head of household who must seek and maintain employment. The head of household must be at least 18 years of age.

- The Program Coordinator/Case Manager shall provide counseling for the participating family with respect to seeking, securing, and maintaining affordable rental (and as appropriate, home ownership) opportunities in the private housing market. This counseling shall include information on an individual's rights under the Fair Housing Act.

- The Program Coordinator/Case Manager may continue to offer a participating family support services if: (1) the family has completed its contract; (2) the head of household becomes employed; and (3) the continuation of support services would strengthen the efforts of the family to become or remain self-sufficient.

  The services may only continue for one year after the family leaves the program.

The parties to the contract may mutually agree to make changes to the contract, provided the terms of the changes are acceptable to all parties and the changes are consistent with the goals of the program.

H. TERMINATION OF THE CONTRACT OF PARTICIPATION 24CFR 984.303 (2)(h)

MHA may terminate the Contract of Participation if:

1) The participating family has successfully completed the contract and achieved self-sufficiency; or

2) MHA and the participating family mutually consent to termination. Reasons for mutual consent can include, but are not limited to:
    - the necessary support services are not available;
    - the family leaves the area
3) The participating family chooses to leave the FSS Program and forfeits their escrow account;
4) The participating family has failed to meet the FSS obligations;
5) The participating family member is involved in illegal activities including drug-related activities or violent criminal activities or allows a visitor or guest to engage in illegal activities;
6) The family fails to meet its obligations under the Housing Choice Voucher Program or Public Housing Program; including but not limited to:
    - failure to report income or changes in family composition;
    - failure to allow inspections of dwelling unit;
    - Failure to provide requested information.

**7**. The participant has committed any fraud in connection with any federal housing assistance program;
**8**. The participant has violated any obligation under the Housing Choice Voucher or Public Housing Program;
**9**. The family commits such other act as is deemed inconsistent with the purpose of the FSS Program.

I. Informal Hearing

The participating family is entitled to an informal hearing if a decision to deny or terminate the FSS Contract of Participation or housing assistance is made**.** Hearings will be conducted in **accordance** with **the procedures outlined in the Public Housing ACOP and HCV** Administrative Plan.

J. ESCROW ACCOUNTS 24CFR 984.305

The FSS program provides for the establishment of an escrow account. A portion of the increase in the family's rent because of increases in earned income will be credited to the escrow account in accordance with HUD requirements.

The amount of the escrow credit is based on increases in the family's total tenant payment resulting from increases in the family's earned income during the term of the FSS contract.

**The family may request an interim be processed for an increase in rent in order to contribute to the escrow account. An interim will be processed as a courtesy to the family even if the increase in income is lower than may be required for increasing the rent according to Housing Choice Voucher and Public Housing lease procedures**

As the family's income increases, MHA calculates rent and the family pays increased rent, as does any other resident. MHA then makes deposits to an escrow account in the appropriate

amount based on one of two formulas, one for very low-income families and one for low-income families.

For very low-income families, the amount of the monthly escrow credit is the lesser of: (1) 30% of the current monthly adjusted income increases since execution of the Contract of Participation, or (2) current family contribution less the family contribution when the Contract of Participation was executed. For low-income families, the amount is one-half of the amounts calculated according to the computation system used for very low-income families. There is no escrow credit for families in excess of 80% of median income.

In **P**ublic **H**ousing the family pays the tenant rent directly to MHA. The escrow credit is deducted from the rent payment and put in the Public Housing Escrow Account.

Public Housing residents **and HCV Participants** must pay their rent on time and all charges **or repayment agreements** should be current for the escrow account to be credited.

MHA can hold the escrow amount until the Contract of Participation expires (or five years). However, if the additional time will not increase the family's ability to pay an unsubsidized rent, MHA may terminate the contract and release the escrow funds.

After satisfactory completion of all program requirements and a thorough audit of the account participants will receive their escrow account payment within 30 days.

Establishing Escrow Accounts

FSS escrow funds must be deposited into a single, interest-bearing depository account. The accounting for these funds will be supported through a subsidiary ledger that records the balance of each individual FSS participant's account.

MHA will report to the family at least annually on the escrow account including:

- The balance at the beginning of the reporting period,
- The amount credited during the period,
- Any deductions made from the account for amounts due MHA before interest was distributed,
- The amount of interest earned on the account, and
- The total in the account at the end of the reporting period.

Disbursement of FSS Account Funds

Disposition of the escrow accounts shall be as follows:

1) Amounts in the escrow account, in excess of any amount owed to MHA, may be withdrawn by the participating family only after the family certifies that it is no longer a recipient of any Federal, State, or other public assistance; excluding housing assistance.

2) If the family fails to meet its obligations under its Contract of Participation, it makes the contract voidable and the escrow account will be forfeited.

3) The family terminates its participation in the Housing Choice Voucher or Public Housing Program even though the TTP is below the amount that is required to meet the unit's gross rent, below the FMR or Payment Standard, or otherwise appears to be insufficient to pay an unsubsidized rent, as long as all the other terms of the Contract of Participation have been met; the escrow money can be paid to the family.

4) If the family is purchasing a home prior to the completion of the FSS contract either through the HCV Homeownership Program or without subsidies, they may receive their escrow.

5) A thorough audit of the account will be made prior to final disbursement.

**Interim Disbursement of Escrow Funds**

MHA does not provide interim escrow withdrawals.

K. PORTABILITY OF ASSISTANCE 24CFR 984.306

In order to participate in the FSS Program, families must live in the initial jurisdiction for not less than one year before the family will be considered for a move under portability. MHA has the authority to approve a family's request to move during this period.

After one year a family can choose to continue to participate in the FSS Program but move to another jurisdiction with the following conditions:

1) The family must demonstrate to the satisfaction of MHA that it will be able to fulfill its responsibilities under the original (or a modified) Contract of Participation in the receiving jurisdiction.

2) If a participating family moves and is unable to fulfill its obligations under the Contract of Participation (or a modification thereof), MHA will:

    a) terminate the participating family from the FSS Program; and
    b) the family will forfeit its escrow account.

3. If the family is participating in the FSS Housing Choice Voucher and Public Housing program and moves outside the MHA jurisdiction the MHA may transfer the balance of the family's escrow account to another housing authority.

4. All other provisions of portability remain the same under the FSS Program.

Effects of escrow accounts for families who move to other jurisdictions are:

1) If a family moves and the receiving HA absorbs and issues their own Voucher, the receiving HA sets up an escrow account. MHA will close out the family's escrow account and forward the balance to the receiving HA.

2) If the participating family moves, and the receiving HA decides not to absorb (to administer and bill), the family must demonstrate they can continue in MHA's FSS Program. MHA will maintain the escrow account. The receiving HA must provide MHA with a breakdown of employment income versus other income in order to enable MHA to calculate escrow account deposits. Failure of the receiving HA to provide such information will result in MHA holding the receiving HA's reimbursement payments.

   If the family completes the Contract of Participation, the receiving HA will notify MHA and certify that the family is no longer receiving housing assistance. MHA will then pay out the escrow account to the family.

   If the family does not complete the Contract of Participation when it expires, the receiving HA shall notify MHA and the escrow account is forfeited and reverts to MHA.

FSS families who request to port to MHA from another jurisdiction may transfer their FSS Contract of Participation to MHA , provided they contact MHA FSS staff within **120** days of leasing up. If they fail to contact MHA FSS staff within **12**0 days, they **may** be placed on **a** wait list.

L. REPORTS 24CFR 984.401

1) MHA shall submit required reports as requested by HUD and outlined by the most current NOFA.

**Changes to the Admissions and Continued Occupancy Policy: PH**

**Marin Housing Authority Low Rent Public Housing**
***Admissions and Continued Occupancy Policy (ACOP)***

| |
|---|
| ➢ **MHA and RAB worked collaboratively to revise Chapters 1-6 of the ACOP** |

# Chapter 1

# OVERVIEW OF THE PROGRAM AND PLAN

## INTRODUCTION

Marin Housing Authority receives its operating subsidy for the public housing program from the Department of Housing and Urban Development. MHA is not a federal department or agency. A Public Housing Agency (PHA) is a governmental or public body, created and authorized by state law to develop and operate housing and housing programs for low-income families. MHA enters into an Annual Contributions Contract with HUD to administer the public housing program. MHA must ensure compliance with federal laws, regulations and notices and must establish policy and procedures to clarify federal requirements and to ensure consistency in program operation.

This chapter contains information about MHA and its programs with emphasis on the public housing program. It also contains information about the purpose, intent and use of the plan and guide.

There are three parts to this chapter:

> Part I: Marin Housing Authority (MHA). This part includes a description of MHA, its jurisdiction, its programs, and its mission and intent.
>
> Part II: The Public Housing Program. This part contains information about public housing operation, roles and responsibilities, and partnerships.
>
> Part III: The Admissions and Continued Occupancy (ACOP). This part discusses the purpose and organization of the plan and its revision requirements.

## PART I: MHA

### 1-I.A. OVERVIEW

The Housing Authority of the County of Marin (MHA) was established in 1942, in the State of California, pursuant to the United States Housing Act of 1937, to provide decent, safe and sanitary affordable housing to low-income families, elderly and disabled persons. In accordance with this objective, the development of standard policies and procedures are necessary in order to ensure equitable treatment for all applicants and residents, as well as to promote the efficient operation of public housing units managed by MHA.

Administration of the Public Housing Program and the functions and responsibilities of the Marin Housing Authority (MHA) staff shall be in compliance with MHA's Personnel Policy, Collective Bargaining Agreement between the Union and MHA, and this Admissions and Continued Occupancy Policy. The administration of MHA's housing program will also meet the requirements of the U. S. Department of Housing and Urban Development (HUD). Such requirements include any Public Housing Regulations, Handbooks, and applicable Notices. All applicable Federal, State and local laws, including Fair Housing laws and regulations also apply. Changes in applicable federal laws or regulations shall supersede provisions in conflict with this policy. Federal regulations shall include those found in 24 CFR, Parts 1, 5, 8, 35, 100 and 900-966 (Code of Federal Regulations- CFR) In the event of inconsistencies, the provisions of the CFR shall prevail.

In Marin County, this Admissions and Occupancy Policy applies to the following Public Housing Properties

**Family Housing: Golden Gate Village (Marin City Public Housing)**

These 300 units were occupied in 1960, replacing federal Lanham Housing

Senior/Disabled Housing: These complexes were constructed, originally in the unincorporated area of the County, under the public housing Turnkey method between 1968 and 1972 and provide 200 apartments.

Venetia Oaks, San Rafael
Homestead Terrace, Mill Valley
Casa Nova, Novato
Golden Hinde, San Rafael
Kruger Pines, Mill Valley

In this document, the term "PHA" is used interchangeable with "MHA" and "HA". "MHA", when used herein, refers to the Housing Authority of the County of Marin, also known as Marin Housing.

## 1-I.B. ORGANIZATION AND STRUCTURE OF MHA

Public housing is funded by the federal government and administered by the **Marin Housing Authority** for the jurisdiction of **County of Marin, California**.

PHAs are governed by a board of officials that are generally called "commissioners." Although some PHAs may use a different title for their officials, this document will hitherto refer to the "board of commissioners" or the "board" when discussing the board of governing officials.

Commissioners are appointed in accordance with state housing law and generally serve in the same capacity as the directors of a corporation. The board of commissioners establishes policies under which MHA conducts business, and ensures that those policies are followed by PHA staff. The board is responsible for preserving and expanding the agency's resources and assuring the agency's continued viability and success.

Formal actions of MHA are taken through written resolutions, adopted by the board and entered into the official records of MHA.

The principal staff member of MHA is the executive director (ED), who is selected and hired by the board. The ED oversees the day to day operations of MHA and is directly responsible for carrying out the policies established by the commissioners. The ED's duties include hiring, training, and supervising MHA's staff, as well as budgeting and financial planning for the

agency. Additionally, the ED is charged with ensuring compliance with federal and state laws, and program mandates. In some PHAs, the ED is known by another title, such as chief executive officer or president.

## 1-I.C. PHA MISSION

MHA's mission is to provide safe, decent and sanitary housing conditions for very low-income families and to manage resources efficiently. MHA is to promote personal, economic and social upward mobility to provide families the opportunity to make the transition from subsidized to non-subsidized housing.

## 1-I.D. MHA'S COMMITMENT TO ETHICS AND SERVICE

As a public service agency, MHA is committed to providing excellent service to all public housing applicants, residents, and the public. In order to provide superior service, MHA resolves to:

- Administer applicable federal and state laws and regulations to achieve high ratings in compliance measurement indicators while maintaining efficiency in program operation to ensure fair and consistent treatment of clients served.
- Provide decent, safe, and sanitary housing in good repair – in compliance with program uniform physical condition standards – for very low- and low-income families.
- Achieve a healthy mix of incomes in its public housing developments by attracting and retaining higher income families and by working toward deconcentration of poverty goals.
- Encourage self-sufficiency of participant families and assist in the expansion of family opportunities which address educational, socio-economic, recreational and other human services needs.
- Promote fair housing and the opportunity for very low- and low-income families of all races, ethnicities, national origins, religions, ethnic backgrounds, and with all types of disabilities, to participate in the public housing program and its services.
- Create positive public awareness and expand the level of family and community support in accomplishing MHA's mission.
- Attain and maintain a high level of standards and professionalism in day-to-day management of all program components.
- Administer an efficient, high-performing agency through continuous improvement of MHA's support systems and commitment to our employees and their development.

MHA will make every effort to keep residents informed of program rules and regulations, and to advise participants of how the program rules affect them.

## PART II: THE PUBLIC HOUSING PROGRAM

### 1-II. A. OVERVIEW AND HISTORY OF THE PROGRAM

The intent of this section is to provide the public and staff an overview of the history and operation of public housing.

The United States Housing Act of 1937 (the "Act") is responsible for the birth of federal housing program initiatives, known as public housing. The Act was intended to provide financial assistance to states and cities for public works projects, slum clearance and the development of affordable housing for low-income residents. There have been many changes to the program since its inception in 1937.

The Housing Act of 1965 established the availability of federal assistance, administered through local public agencies, to provide rehabilitation grants for home repairs and rehabilitation. This act also created the federal Department of Housing and Urban Development (HUD).

The Housing Act of 1969 created an operating subsidy for the public housing program for the first time. Until that time, public housing was a self-sustaining program.

In 1998, the Quality Housing and Work Responsibility Act (QHWRA) – also known as the Public Housing Reform Act or Housing Act of 1998 – was signed into law. Its purpose was to provide more private sector management guidelines to the public housing program and provide residents with greater choices. It also allowed PHAs more remedies to replace or revitalize severely distressed public housing developments. Highlights of the Reform Act include: the establishment of flat rents; the requirement for PHAs to develop five-year and annual plans; income targeting, a requirement that 40% of all new admissions in public housing during any given fiscal year be reserved for extremely low-income families; and resident self-sufficiency incentives.

## 1-II. B. PUBLIC HOUSING PROGRAM BASICS

HUD writes and publishes regulations in order to implement public housing laws enacted by Congress. HUD contracts with MHA to administer programs in accordance with HUD regulations and provides an operating subsidy to MHA. MHA must create written policies that are consistent with HUD regulations. Among these policies is MHA's Admissions and Continued Occupancy Policy (ACOP). The ACOP must be approved by the board of commissioners of MHA.

The job of MHA pursuant to HUD regulations is to provide decent, safe, and sanitary housing, in good repair, to low-income families at an affordable rent. MHA screens applicants for public housing and, if they are found eligible and accepted, MHA offers the applicant a unit. If the applicant accepts the offer, MHA will enter into a contract with the applicant known as the lease. At this point, the applicant becomes a tenant of the public housing program.

In the context of the public housing program, a tenant is defined as the adult person(s) (other than a live-in aide who (1) executed the lease with MHA as lessee of the dwelling unit, or, if no such person now resides in the unit, (2) who resides in the unit, and who is the remaining head of household of the tenant family residing in the dwelling unit. [24 CFR 966.53]. The Public Housing Occupancy Guidebook refers to tenants as "residents." The terms "tenant" and "resident" are used interchangeably in this policy. Additionally, this policy uses the term "family" or "families" for residents or applicants, depending on context.

Since MHA owns the public housing development, MHA is the landlord. MHA must comply with all of the legal and management responsibilities of a landlord in addition to administering the program in accordance with HUD regulations and PHA policy.

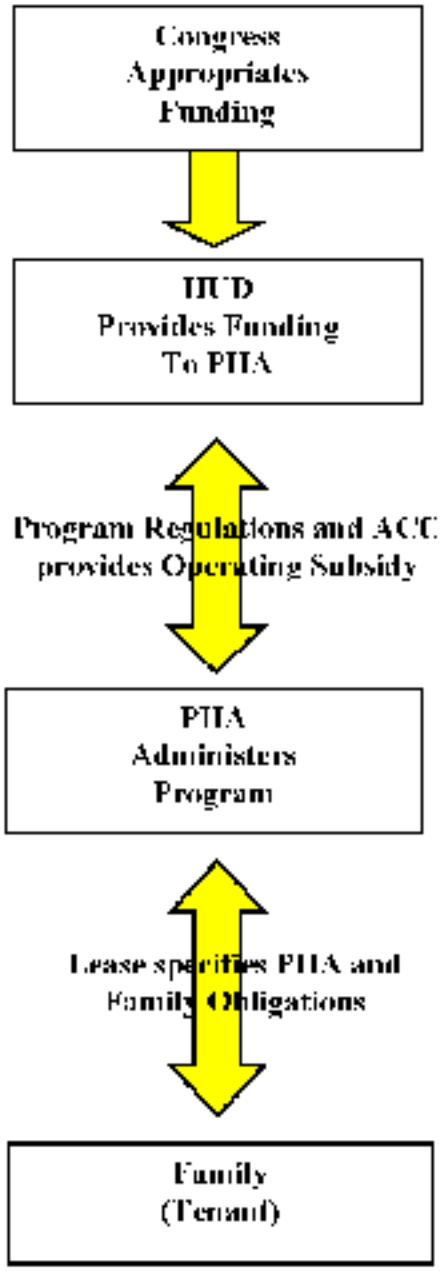
## 1-II. C. PUBLIC HOUSING PARTNERSHIPS

Relationships between the important parties are defined by federal regulations and by contract. To administer the public housing program, MHA enters into a contractual relationship with HUD through the ACC. MHA also enters into a contractual relationship with the tenant through the public housing lease. These contracts outline the roles and responsibilities of each party.

Federal regulations further identify the important roles of the parties involved. For the program to work and be successful, all parties involved – HUD, MHA, and the tenant – must play their important parts.

The chart on the following page illustrates key aspects of these relationships.

**The Public Housing Relationships**



**What does HUD do?**

Federal law is the source of HUD responsibilities. HUD has the following major responsibilities:

- Develop regulations, requirements, handbooks, notices and other guidance to implement housing legislation passed by Congress
- Allocate operating subsidies to PHAs
- Allocate capital funding to PHAs
- Provide technical assistance to PHAs on interpreting and applying program requirements
- Monitor PHA compliance with program requirements and PHA performance in program administration.

**What does MHA do?**

MHA's responsibilities originate in federal regulations and the ACC. MHA owns and manages public housing developments, administers the program under contract with HUD and has the following major responsibilities:

- Establish local policies
- Review applications from interested applicant families to determine whether applicants are eligible for the program
- Maintain waiting list and select families for admission
- Maintain housing units by making any necessary repairs in a timely manner
- Screen families who apply for tenancy, to determine if they will be good renters
- Offer units to families (minimize vacancies without overcrowding)
- Maintain properties to the standard of decent, safe, sanitary, and in good repair (including assuring compliance with uniform physical conditions standards)
- Make sure MHA has adequate financial resources to maintain its housing stock
- Ensure that families continue to qualify under the program
- Collect rent due from the assisted family and comply with and enforce provisions of the lease
- Ensure that families comply with program rules
- Provide families with prompt and professional service
- Comply with all fair housing and equal opportunity requirements, HUD regulations and requirements, the Annual Contributions Contract, HUD-approved applications for funding, MHA's ACOP, and other applicable federal, state and local laws.

**What does the Tenant do?**

The tenant's responsibilities are articulated in the public housing lease. The tenant has the following broad responsibilities:

- Comply with the terms of the lease
- Provide MHA with complete and accurate information, determined by MHA to be necessary for administration of the program
- Cooperate in attending all appointments scheduled by MHA
- Allow MHA to inspect the unit at reasonable times and after reasonable notice
- Take responsibility for care of the housing unit, including any violations of uniform physical condition standards caused by the family
- Not engage in drug-related or violent criminal activity
- Notify MHA before moving or termination of the lease
- Use the assisted unit only for residence and as the sole residence of the family. Not sublet the unit or assign the lease
- Promptly notify MHA of any changes in family composition
- Not commit fraud, bribery, or any other corrupt or criminal act in connection with any housing programs.

If all parties fulfill their obligations in a professional and timely manner, the program responsibilities will be fulfilled in an effective manner.

## 1-II. D. APPLICABLE REGULATIONS

Applicable regulations include:

- 24 CFR Part 5: General Program Requirements
- 24 CFR Part 8: Nondiscrimination
- 24 CFR Part 902: Public Housing Assessment System
- 24 CFR Part 903: Public Housing Agency Plans
- 24 CFR Part 945: Designated Housing
- 24 CFR Part 960: Admission and Occupancy Policies
- 24 CFR Part 965: PHA-Owned or Leased Projects – General Provisions
- 24 CFR Part 966: Lease and Grievance Procedures

## PART III: THE ADMISSIONS AND CONTINUED OCCUPANCY POLICIES

### 1-III. A. OVERVIEW AND PURPOSE OF THE POLICY

The ACOP is MHA's written statement of policies used to carry out the housing program in accordance with federal law and regulations, and HUD requirements. The ACOP is required by HUD and it must be available for public review [CFR 24 Part 903]. The ACOP also contains policies that support the objectives contained in MHA's Agency Plan.

All issues related to public housing not addressed in this ACOP are governed by federal regulations, HUD handbooks and guidebooks, notices and applicable state and local laws. The policies in this ACOP have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding. MHA is responsible for complying with all changes in HUD regulations pertaining to public housing. If such changes conflict with this plan, HUD regulations will have precedence.

### 1-III. B. CONTENTS OF THE POLICY

Unlike the housing choice voucher program, HUD regulations for public housing do not contain a list of what must be included in the ACOP. However, individual regulations contain requirements of inclusion in MHA's written policy. At a minimum, the ACOP plan should cover PHA policies on these subjects:

- The organization of the waiting list and how families are selected and offered available units, including any PHA admission preferences, procedures for removing applicant names from the waiting list, and procedures for closing and reopening MHA waiting list (Chapters 4 and 5)
- Transfer policies and the circumstances under which a transfer would take precedence over an admission (Chapter 12)
- Standards for determining eligibility, suitability for tenancy, and the size and type of the unit needed (Chapters 3 and 5)
- Procedures for verifying the information the family has provided (Chapter 7)
- The method for achieving deconcentration of poverty and income-mixing of public housing developments (Chapter 4)
- Grievance procedures (Chapter 14)
- Policies concerning payment by a family to MHA of amounts the family owes MHA (Chapter 15 and 16)
- Interim redeterminations of family income and composition (Chapter 9)
- Policies regarding community service requirements; (Chapter 11)
- Polices and rules about safety and ownership of pets in public housing (Chapter 10).

**New Approach to Policy Development**

HUD has developed an approach to monitoring policy that emphasizes the importance of consistency. The ACOP supports that goal by clearly defining PHA policy for PHA management and staff.

A primary focus of programs like HUD's Rental Integrity Monitoring (RIM) program has been consistency in how PHAs conduct their business and in how HUD monitors PHA activities. HUD has made it clear that consistency in PHA conduct is important. Referring to and following the ACOP is essential to maintaining consistency in applying PHA policy.

HUD makes a distinction between:

- Mandatory policies: those driven by legislation, regulations, current handbooks, notices, and legal opinions, and
- Optional, non-binding guidance, including guidebooks, notices that have expired and recommendations from individual HUD staff.

HUD expects PHAs to develop policies and procedures that are consistent with mandatory policies and to make clear the optional policies MHA has adopted. MHA's Admissions and Continued Occupancy Policy is the document that contains and clarifies PHA policy. HUD's new direction adds additional emphasis to the need for a clearly written and comprehensive ACOP to guide staff in the clear and consistent application of policy.

HUD has already determined that the recommendations and suggestions it makes are consistent with mandatory policies. Therefore, following HUD guidance in the preparation of PHA policy, even though it is not mandatory, provides a PHA with a "safe harbor." If a PHA adopts its own optional policy, it must make its own determination that such policy is consistent with legislation, regulations, and other mandatory requirements. There may be very good reasons for adopting a policy or procedure that is different than that suggested by HUD, but PHAs should carefully think through those decisions and be able to articulate how their policy is consistent with federal laws, regulations and mandatory policy.

## 1-III. C. UPDATING AND REVISING THE POLICY

MHA will revise this ACOP as needed to comply with changes in HUD regulations. The original policy and any changes must be approved by the board of commissioners of MHA, the pertinent sections included in the Agency Plan, and a copy provided to HUD.

> MHA will review and update the ACOP at least once a year, and more often if needed, to reflect changes in regulations, PHA operations, or when needed to ensure staff consistency in operation.

# Chapter 2

# FAIR HOUSING AND EQUAL OPPORTUNITY

## INTRODUCTION

This chapter explains the laws and HUD regulations requiring PHAs to affirmatively further civil rights and fair housing in all federally-assisted housing programs. The letter and spirit of these laws are implemented through consistent policy and processes. The responsibility to further nondiscrimination pertains to all areas of MHA's public housing operations.

This chapter describes HUD regulations and MHA policies related to these topics in three parts:

> Part I: Nondiscrimination. This part presents the body of laws and regulations governing the responsibilities of MHA regarding nondiscrimination.
>
> Part II: Policies Related to Persons with Disabilities. This part discusses the rules and policies of the public housing program related to reasonable accommodation for persons with disabilities. These rules and policies are based on the Fair Housing Act (42.U.S.C.) and Section 504 of the Rehabilitation Act of 1973, and incorporate guidance from the Joint Statement of The Department of Housing and Urban Development and the Department of Justice (DOJ), issued May 17, 2004.
>
> Part III: Prohibition of Discrimination Against Limited English Proficiency Persons. This part details the obligations of MHA to ensure meaningful access to the public housing program and its activities by persons with limited English proficiency (LEP). This part incorporates HUD's Notice of Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Affecting Limited English Proficient Persons, published December 19, 2003 in the *Federal* Register ("Notice of Guidance").

# PART I: NONDISCRIMINATION

## 2-I.A. OVERVIEW

Federal laws require PHAs to treat all applicants and tenant families equally, providing the same quality of service, regardless of family characteristics and background. Federal law prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, age, familial status, and disability. MHA will comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment, including:

- Title VI of the Civil Rights Act of 1964
- Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988)
- Executive Order 11063
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section

504 and the Fair Housing Amendments govern)

- Violence Against Women Reauthorization Act of 2005 (VAWA)
- Any applicable state laws or local ordinances and any legislation protecting individual rights of tenants, applicants, or staff that may subsequently be enacted

When more than one civil rights law applies to a situation, the laws will be read and applied together.

## 2-I.B. NONDISCRIMINATION

Federal regulations prohibit discrimination against certain protected classes. State and local requirements, as well as MHA policies, can prohibit discrimination against additional classes of people.

MHA shall not discriminate because of race, color, sex, religion, familial status, age, disability or national origin (called "protected classes").

Familial status includes children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18.

MHA will not discriminate on the basis of marital status or sexual orientation.

MHA will not use any of these factors to:

- Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to participate in the public housing program
- Provide housing that is different from that provided to others
- Subject anyone to segregation or disparate treatment
- Restrict anyone's access to any benefit enjoyed by others in connection with the housing program
- Treat a person differently in determining eligibility or other requirements for admission
- Steer an applicant or tenant toward or away from a particular area based on any of these factors
- Deny anyone access to the same level of services
- Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program
- Discriminate in the provision of residential real estate transactions
- Discriminate against someone because they are related to or associated with a member of a protected class
- Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons who are members of a protected class

### Providing Information to Families

MHA must take steps to ensure that families are fully aware of all applicable civil rights laws. As part of the public housing orientation process, MHA will provide information to public housing applicant families about civil rights requirements.

### Discrimination Complaints

If an applicant or tenant family believes that any family member has been discriminated against by MHA, the family should advise MHA. HUD requires MHA to make every reasonable attempt to determine whether the applicant's or tenant family's assertions have merit and take any warranted corrective action.

MHA Policy

Applicants or tenant families who believe that they have been subject to unlawful discrimination may notify MHA either orally or in writing.

MHA will attempt to remedy discrimination complaints made against MHA.

MHA will provide a copy of a discrimination complaint form to the complainant and provide them with information on how to complete and submit the form to HUD's Office of Fair Housing and Equal Opportunity (FHEO).

## PART II: POLICIES RELATED TO PERSONS WITH DISABILITIES

### 2-II. A. OVERVIEW

One type of disability discrimination prohibited by the Fair Housing Act is the refusal to make reasonable accommodation in rules, policies, practices, or services when such accommodation may be necessary to afford a person with a disability the equal opportunity to use and enjoy a program or dwelling under the program.

MHA must ensure that persons with disabilities have full access to MHA's programs and services. This responsibility begins with the first inquiry of an interested family and continues through every programmatic area of the public housing program [24 CFR 8].

MHA must provide a notice to each tenant that the tenant may, at any time during the tenancy, request reasonable accommodation of a handicap of a household member, including reasonable accommodation so that the tenant can meet lease requirements or other requirements of tenancy [24 CFR 966.7(b)].

> MHA Policy
>
> MHA will ask all applicants and resident families if they require any type of accommodations, in writing, on the intake application, reexamination documents, and notices of adverse action by MHA, by including the following language:
>
> > "If you or anyone in your family is a person with disabilities, and you require a specific accommodation in order to fully utilize our programs and services, please contact the housing authority."
>
> A specific name and phone number will be indicated as the contact for requests for accommodation for persons with disabilities.

### 2-II. B. DEFINITION OF REASONABLE ACCOMMODATION

A "reasonable accommodation" is a change, exception, or adjustment to a policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Since policies and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others will sometimes deny them an equal opportunity to use and enjoy a dwelling. [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act]

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an "undue financial and administrative burden" for MHA, or result in a "fundamental alteration" in the nature of the program or service offered. A fundamental alteration is a modification that alters the essential nature of a provider's operations.

#### Types of Reasonable Accommodations

When it is reasonable (see definition above and Section 2-II.E), MHA shall accommodate the needs of a person with disabilities. Examples include but are not limited to:

- Permitting applications and reexaminations to be completed by mail
- Conducting home visits

- Permitting a higher utility allowance for the unit if a person with disabilities requires the use of specialized equipment related to the disability
- Modifying or altering a unit or physical system if such a modification or alteration is necessary to provide equal access to a person with a disability
- Installing a ramp into a dwelling or building
- Installing grab bars in a bathroom
- Installing visual fire alarms for hearing impaired persons
- Allowing a MHA-approved live-in aide to reside in the unit if that person is determined to be essential to the care of a person with disabilities, is not obligated for the support of the person with disabilities, and would not be otherwise living in the unit.
- Providing a designated handicapped-accessible parking space
- Allowing an assistance animal
- Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with MHA staff
- Displaying posters and other housing information in locations throughout MHA's office in such a manner as to be easily readable from a wheelchair

## 2-II. C. REQUEST FOR AN ACCOMMODATION

If an applicant or participant indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, HUD requires that MHA treat the information as a request for a reasonable accommodation, even if no formal request is made [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

The family must explain what type of accommodation is needed to provide the person with the disability full access to MHA’s programs and services.

If the need for the accommodation is not readily apparent or known to MHA, the family must explain the relationship between the requested accommodation and the disability.

<u>MHA Policy</u>

MHA will encourage the family to make its request in writing using a reasonable accommodation request form. However, MHA will consider the accommodation any time the family indicates that an accommodation is needed whether or not a formal written request is submitted.

## 2-II. D. VERIFICATION OF DISABILITY

*The regulatory civil rights definition for persons with disabilities is provided in Exhibit 2-1 at the end of this chapter. The definition of a person with a disability for the purpose of obtaining a reasonable accommodation is much broader than the HUD definition of disability which is used for waiting list preferences and income allowances.*

Before providing an accommodation, MHA must determine that the person meets the definition of a person with a disability, and that the accommodation will enhance the family's access to MHA's programs and services.

If a person's disability is obvious or otherwise known to MHA, and if the need for the requested accommodation is also readily apparent or known, no further verification will be required [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

If a family indicates that an accommodation is required for a disability that is not obvious or otherwise known to MHA, MHA must verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation.

When verifying a disability, MHA will follow the verification policies provided in Chapter 7. All information related to a person's disability will be treated in accordance with the confidentiality policies provided in Chapter 16 (Program Administration). In addition to the general requirements that govern all verification efforts, the following requirements apply when verifying a disability:

- Third-party verification must be obtained from an individual identified by the family who is competent to make the determination. 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 of a disability [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act]
- MHA must request only information that is necessary to evaluate the disability-related need for the accommodation. MHA may not inquire about the nature or extent of any disability.
- Medical records will not be accepted or retained in the participant file.

## 2-II. E. APPROVAL/DENIAL OF A REQUESTED ACCOMMODATION [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act]

MHA must approve a request for an accommodation if the following three conditions are met.

- The request was made by or on behalf of a person with a disability.
- There is a disability-related need for the accommodation.
- The requested accommodation is reasonable, meaning it would not impose an undue financial and administrative burden on MHA, or fundamentally alter the nature of MHA's operations.

Requests for accommodations must be assessed on a case-by-case basis. The determination of undue financial and administrative burden must be made on a case-by-case basis involving various factors, such as the cost of the requested accommodation, the financial resources of MHA at the time of the request, the benefits that the accommodation would provide to the family, and the availability of alternative accommodations that would effectively meet the family's disability-related needs.

Before making a determination whether to approve the request, MHA 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 MHA may verify the need for the requested accommodation.

MHA Policy

After a request for an accommodation is presented, MHA will respond, in writing, within 10 business days.

If MHA denies a request for an accommodation because there is no relationship, or nexus, found between the disability and the requested accommodation, the notice will inform the family of the right to appeal MHA's decision through an informal hearing (if applicable) or the grievance process (see Chapter 14).

If MHA denies a request for an accommodation because it is not reasonable (it would impose an undue financial and administrative burden or fundamentally alter the nature of MHA's operations), MHA will discuss with the family whether an alternative accommodation could effectively address the family's disability-related needs without a fundamental alteration to the public housing program and without imposing an undue financial and administrative burden.

If MHA believes that the family has failed to identify a reasonable alternative accommodation after interactive discussion and negotiation, MHA will notify the family, in writing, of its determination within 10 business days from the date of the most recent discussion or communication with the family. The notice will inform the family of the right to appeal MHA's decision through an informal hearing (if applicable) or the grievance process (see Chapter 14).

## 2-II. F. PROGRAM ACCESSIBILITY FOR PERSONS WITH HEARING OR VISION IMPAIRMENTS

HUD regulations require MHA to take reasonable steps to ensure that persons with disabilities related to hearing and vision have reasonable access to MHA's programs and services [24 CFR 8.6].

At the initial point of contact with each applicant, MHA shall inform all applicants of alternative forms of communication that can be used other than plain language paperwork.

MHA Policy

To meet the needs of persons with hearing impairments, TTD/TTY (text telephone display / teletype) communication will be available.

To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request. When visual aids are used

in public meetings or presentations, or in meetings with MHA staff, one-on-one assistance will be provided upon request.

Additional examples of alternative forms of communication are sign language interpretation; having material explained orally by staff; or having a third party representative (a friend, relative or advocate, named by the applicant) to receive, interpret and explain housing materials and be present at all meetings.

## 2-II. G. PHYSICAL ACCESSIBILITY

MHA must comply with a variety of regulations pertaining to physical accessibility, including the following.

- PIH 2002-01 (HA), Accessibility Notice
- Section 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act of 1990
- The Architectural Barriers Act of 1968
- The Fair Housing Act of 1988

MHA's policies concerning physical accessibility must be readily available to applicants and resident families. They can be found in three key documents.

- This policy, the Admissions and Continued Occupancy Policy, describes the key policies that govern MHA's responsibilities with regard to physical accessibility.
- Notice PIH 2002-01(HA) Accessibility Notice (which must be posted in the public housing offices in a conspicuous place) summarizes information about pertinent laws and implementing regulations related to non-discrimination and accessibility in federally-funded housing programs.
- MHA Plan provides information about self-evaluation, needs assessment, and transition plans.

The design, construction, or alteration of MHA facilities must conform to the Uniform Federal Accessibility Standards (UFAS). Newly-constructed facilities must be designed to be readily accessible to and usable by persons with disabilities. Alterations to existing facilities must be accessible to the maximum extent feasible, defined as not imposing an undue financial and administrative burden on the operations of the public housing program.

## 2-II. H. DENIAL OR TERMINATION OF ASSISTANCE

A MHA's decision to deny or terminate the assistance of a family that includes a person with disabilities is subject to consideration of reasonable accommodation [24 CFR 966.7].

When applicants with disabilities are denied assistance, the notice of denial must inform them of their right to request an informal hearing [24 CFR 960.208(a)].

When a family's lease is terminated, the notice of termination must inform the family of their right to request a hearing in accordance with MHA's grievance process [24 CFR 966.4(l)(3)(ii)].

When reviewing reasonable accommodation requests, MHA must consider whether reasonable accommodation will allow the family to overcome the problem that led to MHA's decision to deny or terminate assistance. If a reasonable accommodation will allow the family to meet the requirements, MHA must make the accommodation [24 CFR 966.7].

In addition, MHA must provide reasonable accommodation for persons with disabilities to participate in the hearing process [24 CFR 966.56(h)].

## PART III: IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

### 2-III. A. OVERVIEW

Language for Limited English Proficiency Persons (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the public housing program. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally-assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin. This part incorporates the Notice of Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Affecting Limited English Proficient Persons, published December 19, 2003 in the *Federal Register.*

MHA will take affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP).

LEP persons are defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this Admissions and Continued Occupancy Policy, LEP persons are public housing applicants and resident families, and parents and family members of applicants and resident families.

In order to determine the level of access needed by LEP persons, MHA will balance the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the public housing program; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to MHA and costs. Balancing these four factors will ensure meaningful access by LEP persons to critical services while not imposing undue burdens on MHA.

### 2-III. B. ORAL INTERPRETATION

In a courtroom, a hearing, or situations in which health, safety, or access to important benefits and services are at stake, MHA will generally offer, or ensure that the family is offered through other sources, competent interpretation services free of charge to the LEP person.

<u>MHA Policy</u>

MHA will analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken. "Reasonable steps" may not be reasonable where the costs imposed substantially exceed the benefits.

Where feasible, MHA will train and hire bilingual staff to be available to act as interpreters and translators, will pool resources with other MHAs, and will standardize documents. Where feasible and possible, MHA will encourage the use of qualified community volunteers.

Where LEP persons desire, they will be permitted to use, at their own expense, an interpreter of their own choosing, in place of or as a supplement to the free language services offered by MHA. The interpreter may be a family member or friend.

## 2-III. C. WRITTEN TRANSLATION

Translation is the replacement of a written text from one language into an equivalent written text in another language.

MHA Policy

In order to comply with written-translation obligations, MHA will take the following steps:

MHA will provide written translations of vital documents for each eligible LEP language group that constitutes **5 percent or 1,000 persons**, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or

If there are fewer than 50 persons in a language group that reaches the 5 percent trigger, MHA may not translate vital written materials, but will provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

## 2-III. D. IMPLEMENTATION PLAN

After completing the four-factor analysis and deciding what language assistance services are appropriate, MHA shall determine whether it is necessary to develop a written implementation plan to address the identified needs of the LEP populations it serves.

If MHA determines that it is not necessary to develop a written implementation plan, the absence of a written plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to MHA's public housing program and services.

MHA Policy

If it is determined that MHA serves very few LEP persons, and MHA has very limited resources, MHA will not develop a written LEP plan, but will consider alternative ways to articulate in a reasonable manner a plan for providing meaningful access. Entities having significant contact with LEP persons, such as schools, grassroots and faith-based organizations, community groups, and groups working with new immigrants will be contacted for input into the process.

If MHA determines it is appropriate to develop a written LEP plan, the following five steps will be taken: (1) Identifying LEP individuals who need language assistance; (2) identifying language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the LEP plan.

## EXHIBIT 2-1: DEFINITION OF A PERSON WITH A DISABILITY UNDER FEDERAL CIVIL RIGHTS LAWS [24 CFR Parts 8.3 and 100.201]

A person with a disability, as defined under federal civil rights laws, is any person who:

- Has a physical or mental impairment that substantially limits one or more of the major life activities of an individual, or
- Has a record of such impairment, or
- Is regarded as having such impairment

The phrase "physical or mental impairment" includes:

- Any physiological disorder or condition, cosmetic or disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
- Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to: such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

"Major life activities" includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, learning, and/or working.

"Has a record of such impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major live activities.

"Is regarded as having an impairment" is defined as having a physical or mental impairment that does not substantially limit one or more major life activities but is treated by a public entity (such as MHA) as constituting such a limitation; has none of the impairments defined in this section but is treated by a public entity as having such an impairment; or has a physical or mental impairment that substantially limits one or more major life activities, only as a result of the attitudes of others toward that impairment.

The definition of a person with disabilities does not include:

- Current illegal drug users
- People whose alcohol use interferes with the rights of others
- Persons who objectively pose a direct threat or substantial risk of harm to others that cannot be controlled with a reasonable accommodation under the public housing program

The above definition of disability determines whether an applicant or participant is entitled to any of the protections of federal disability civil rights laws. Thus, a person who does not meet this definition of disability is not entitled to a reasonable accommodation under federal civil rights and fair housing laws and regulations.

The HUD definition of a person with a disability is much narrower than the civil rights definition of disability. The HUD definition of a person with a disability is used for purposes of receiving the disabled family preference, the $400 elderly/disabled household deduction, the allowance for medical expenses, or the allowance for disability assistance expenses.

*The definition of a person with a disability for purposes of granting a reasonable accommodation request is much broader than the HUD definition of disability. Many people will not qualify as a disabled person under the public housing program, yet an accommodation is needed to provide equal opportunity.*

# Chapter 3

## ELIGIBILITY

### INTRODUCTION

MHA is responsible for ensuring that every individual and family admitted to the public housing program meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by MHA to confirm eligibility and determine the level of the family's assistance.

To be eligible for the public housing program:

- The applicant family must:
  - Qualify as a family as defined by HUD and MHA.
  - Have income at or below HUD-specified income limits.
  - Qualify on the basis of citizenship or the eligible immigrant status of family members.
  - Provide social security number information for family members as required.
  - Consent to MHA's collection and use of family information as provided for in MHA-provided consent forms.
- MHA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or MHA.

This chapter contains three parts:

Part I: Definitions of Family and Household Members. This part contains HUD and MHA definitions of family and household members and explains initial and ongoing eligibility issues related to these members.

Part II: Basic Eligibility Criteria. This part discusses income eligibility, and rules regarding citizenship, social security numbers, and family consent.

Part III: Denial of Admission. This part covers factors related to an applicant's past or current conduct (e.g. criminal activity) that can cause MHA to deny admission.

## PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS

### 3-I.A. OVERVIEW

Some eligibility criteria and program rules vary depending upon the composition of the family requesting assistance. In addition, some requirements apply to the family as a whole and others apply to individual persons who will live in the public housing unit. This part provides information that is needed to correctly identify family and household members, and to apply HUD's eligibility rules.

### 3-I.B. FAMILY AND HOUSEHOLD [24 CFR 5.403 and HUD-50058 IB, p. 13]

The terms *family* and *household* have different meanings in the public housing program.

**Family**

To be eligible for admission, an applicant must qualify as a family. A family may be a single person or a group of persons. *Family* as defined by HUD includes a family with a child or children, two or more elderly or disabled persons living together, one or more elderly or disabled persons living with one or more live-in aides, or a single person. MHA has the discretion to determine if any other group of persons qualifies as a family.

MHA Policy

A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

**Household**

*Household* is a broader term that includes additional people who, with MHA's permission, live in a public housing unit, such as live-in aides, foster children, and foster adults.

## 3-I.C. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY

### Family Break-up

MHA Policy

When a family on the waiting list breaks up 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 living in public housing, only one of the new families will continue to be assisted.

If a court determines the disposition of property between members of the applicant or resident family in a divorce or separation decree, MHA will abide by the court's determination.

In the absence of a judicial decision or an agreement among the original family members, MHA will determine which family retains their placement on the waiting list, or will continue in occupancy taking into consideration the following factors: (1) the interest of any minor children, including custody arrangements, (2) the interest of any ill, elderly, or disabled family members, (3) any possible risks to family members as a result of domestic violence or criminal activity, and (4) the recommendations of social service professionals.

### Remaining Member of a Tenant Family [24 CFR 5.403]

The HUD definition of family includes the *remaining member of a tenant family*, which is a member of a resident family who remains in the unit when other members of the family have left the unit [PH Occ GB, p. 26]. Household members such as live-in aides, foster children, and foster adults do not qualify as remaining members of a family.

If dependents are the only “remaining members of a tenant family” and there is no family member able to assume the responsibilities of the head of household, see Chapter 6, Section 6-I.B, for the policy on “Caretakers for a Child.”

## 3-I.D. HEAD OF HOUSEHOLD [24 CFR 5.504(b)]

*Head of household* means the adult member of the family who is considered the head for purposes of determining income eligibility and rent. The head of household is responsible for ensuring that the family fulfills all of its responsibilities under the program, alone or in conjunction with a cohead or spouse.

MHA Policy

The family may designate any qualified family member as the head of household.

The head of household must have the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.

## 3-I.E. SPOUSE, COHEAD, AND OTHER ADULT

A family may have a spouse or cohead, but not both [HUD-50058 IB, p. 13].

*Spouse* means the marriage partner of the head of household.

MHA Policy

A *marriage partner* includes the partner in a "common law" marriage as defined in state law. The term “spouse” does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.

A *cohead* is an individual in the household who is equally responsible with the head of household for ensuring that the family fulfills all of its responsibilities under the program, but who is not a spouse. A family can have only one cohead.

MHA Policy

Minors who are emancipated under state law may be designated as a cohead.

*Other adult* means a family member, other than the head, spouse, or cohead, who is 18 years of age or older. Foster adults and live-in aides are not considered other adults [HUD-50058 IB, p. 14].

## 3-I.F. DEPENDENT [24 CFR 5.603]

A *dependent* is a family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student, except that the following persons can never be dependents: the head of household, spouse, cohead, foster children/adults and live-in aides. Identifying each dependent in the family is important because each dependent qualifies the family for a deduction from annual income as described in Chapter 6.

**Joint Custody of Dependents**

MHA Policy

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or resident family 50 percent or more of the time.

When more than one applicant or assisted family (regardless of program) are claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, MHA will make the determination based on available documents such as court orders, or an IRS return showing which family has claimed the child for income tax purposes.

## 3-I.G. FULL-TIME STUDENT [24 CFR 5.603]

A *full-time student* (FTS) is a person who is attending school or vocational training on a full-time basis. The time commitment or subject load that is needed to be full-time is defined by the educational institution.

Identifying each FTS is important because (1) each family member that is an FTS, other than the head, spouse, or cohead, qualifies the family for a dependent deduction and (2) the income of such an FTS is treated differently from the income of other family members.

## 3-I.H. ELDERLY AND NEAR-ELDERLY PERSONS, AND ELDERLY FAMILY

### Elderly Persons

An *elderly person* is a person who is at least 62 years of age [24 CFR 5.100].

### Near-Elderly Persons

A *near-elderly person* is a person who is 50-61 years of age [24 CFR 945.105].

### Elderly Family

An *elderly family* is one in which the head, spouse, cohead, or sole member is an elderly person [24 CFR 5.403]. Identifying elderly families is important because these families qualify for special deductions from income as described in Chapter 6 and may qualify for a particular type of development as noted in Chapter 4.

## 3-I.I. PERSONS WITH DISABILITIES AND DISABLED FAMILY [24 CFR 5.403]

### Persons with Disabilities

Under the public housing program, special rules apply to persons with disabilities and to any family whose head, spouse, or cohead is a person with disabilities. The technical definitions of individual with handicaps and persons with disabilities are provided in Exhibit 3-1 at the end of this chapter. These definitions are used for a number of purposes including ensuring that persons with disabilities are not discriminated against based upon disability.

As discussed in Chapter 2, MHA must make all aspects of the public housing program accessible to persons with disabilities and consider reasonable accommodations requested based upon a person's disability.

### Disabled Family

A *disabled family* is one in which the head, spouse, or cohead is a person with disabilities. Identifying disabled families is important because these families qualify for special deductions from income as described in Chapter 6 and may qualify for a particular type of development as noted in Chapter 4.

Even though persons with drug or alcohol dependencies are considered persons with disabilities for the purpose of non-discrimination, this does not prevent MHA from denying admission for reasons related to alcohol and drug abuse following policies found in Part III of this chapter, or from enforcing the lease following the policies in Chapter 13.

## 3-I.J. GUESTS [24 CFR 5.100]

A *guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

The lease must provide that the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near MHA premises [24 CFR 966.4(f)].

MHA Policy

A resident family must notify MHA when overnight guests will be staying in the unit for more than 3 days. A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12 month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit **more than** 50 percent of the time, are not subject to the time limitations of guests as described above.

Former residents who have been evicted are not permitted as overnight guests.

Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized occupants. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized occupants, and their presence constitutes violation of the lease.

## 3-I.K. FOSTER CHILDREN AND FOSTER ADULTS

*Foster adults* are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone [24 CFR 5.609(c)(2)].

The term *foster child* is not specifically defined by the regulations.

Foster children and foster adults that are living with an applicant or resident family are considered household members but not family members. The income of foster children/adults is not counted in family annual income and foster children/adults do not qualify for a dependent deduction [24 CFR 5.603 and HUD-50058 IB, pp. 13-14].

> MHA Policy
>
> A foster child is a child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

Children that are temporarily absent from the home as a result of placement in foster care are discussed in Section 3-I.L.

## 3-I.L. ABSENT FAMILY MEMBERS

Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, and illness.

**Definitions of Temporarily and Permanently Absent**

MHA Policy

Generally an individual who is or is expected to be absent from the public housing unit for 180 consecutive days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the public housing unit for more than 180 consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

**Absent Students**

MHA Policy

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to MHA indicating that the student has established a separate household or the family declares that the student has established a separate household.

**Absences Due to Placement in Foster Care [24 CFR 5.403]**

Children temporarily absent from the home as a result of placement in foster care are considered members of the family.

MHA Policy

If a child has been placed in foster care, MHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member.

**Absent Head, Spouse, or Cohead**

MHA Policy

An employed head, spouse, or cohead absent from the unit more than 180 consecutive days due to employment will continue to be considered a family member.

**Individuals Confined for Medical Reasons**

MHA Policy

An individual confined to a nursing home or hospital on a permanent basis is not considered a family member.

If there is a question about the status of a family member, MHA will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

**Return of Permanently Absent Family Members**

MHA Policy

The family must request MHA approval for the return of any adult family members that MHA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed elsewhere in this chapter.

## 3-I.M. LIVE-IN AIDE

*Live-in aide* means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the persons, (2) is not obligated for the support of the persons, and (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

MHA must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR 8, to make the program accessible to and usable by a family member with disabilities.

A live-in aide is a member of the household, not the family, and the income of the aide is not considered in income calculations [24 CFR 5.609(c)(5)]. Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.

MHA Policy

A family's request for a live-in aide must be made in writing. Written verification will be required from a reliable, knowledgeable professional of the family's choosing, such as a doctor, social worker, or case worker, that the live-in aide is essential for the care and well-being of the elderly, near-elderly, or disabled family member. For continued approval, the family must submit a new, written request—subject to MHA verification—at each annual reexamination.

In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.

MHA has the discretion not to approve a particular person as a live-in aide, and may withdraw such approval, if [24 CFR 966.4(d)(3)(i)]:

The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

The person has a history of drug-related criminal activity or violent criminal activity; or

The person currently owes rent or other amounts to MHA or to another MHA in connection with Section 8 or public housing assistance under the 1937 Act.

Within 10 business days of receiving a request for a live-in aide, including all required documentation related to the request, MHA will notify the family of its decision in writing.

## PART II: BASIC ELIGIBILITY CRITERIA

### 3-II.A. INCOME ELIGIBILITY AND TARGETING

**Income Limits**

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the public housing program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

**Types of Low-Income Families [24 CFR 5.603(b)]**

*Low-income family.* A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

*Very low-income family.* A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

*Extremely low-income family.* A family whose annual income does not exceed 30 percent of the median income for the area, adjusted for family size.

HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

**Using Income Limits for Eligibility [24 CFR 960.201]**

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be a *low-income* family.

**Using Income Limits for Targeting [24 CFR 960.202(b)]**

At least 40 percent of the families admitted to MHA's public housing program during a MHA fiscal year from MHA waiting list must be *extremely low-income* families. This is called the "basic targeting requirement".

If admissions of extremely low-income families to MHA's housing choice voucher program during a MHA fiscal year exceed the 75 percent minimum targeting requirement for that program, such excess shall be credited against MHA's public housing basic targeting requirement for the same fiscal year.

The fiscal year credit for housing choice voucher program admissions that exceed the minimum voucher program targeting requirement must not exceed the lower of:

- Ten percent of public housing waiting list admissions during MHA fiscal year
- Ten percent of waiting list admission to MHA's housing choice voucher program during MHA fiscal year
- The number of qualifying low-income families who commence occupancy during the fiscal year of public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

For discussion of how income targeting is used in tenant selection, see Chapter 4.

## 3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, Subpart E]

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with MHA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

**Declaration [24 CFR 5.508]**

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible noncitizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, cohead, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Noncitizens below). No declaration is required for live-in aides, foster children, or foster adults.

***U.S. Citizens and Nationals***

In general, citizens and nationals are required to submit only a signed declaration that claims their status. However, HUD regulations permit MHA to request additional documentation of their status, such as a passport.

MHA Policy

Family members who declare citizenship or national status will not be required to provide additional documentation unless MHA receives information indicating that an individual's declaration may not be accurate.

***Eligible Noncitizens***

In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with MHA efforts to verify their immigration status as described in Chapter 7. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

***Ineligible Noncitizens***

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a noncontending family members listing, signed by the head, spouse, or cohead (regardless of citizenship status), indicating their ineligible immigration status. MHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

**Mixed Families**

A family is eligible for admission as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 14 for a discussion of informal hearing procedures.

**Ineligible Families [24 CFR 5.514(d), (e), and (f)]**

A MHA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by MHA that the individual or at least one family member is eligible [24 CFR 5.512(a)].

MHA Policy

MHA will not provide assistance to a family before the verification of at least one family member as a citizen, national, or eligible noncitizen.

When a MHA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family will be sent a written notice within 10 business days of the determination.

The notice will explain the reasons for the denial of assistance and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with MHA. The informal hearing with MHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Informal hearing procedures are contained in Chapter 14.

**Timeframe for Determination of Citizenship Status [24 CFR 5.508(g)]**
For new occupants joining the resident family MHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.
If an individual qualifies for a time extension for the submission of required documents, MHA must grant such an extension for no more than 30 days [24 CFR 5.508(h)].
Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

MHA Policy

MHA will verify the status of applicants at the time other eligibility factors are determined.

**3-II.C. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218]**
The applicant and all members of the applicant's household age 6 or older must provide documentation of a valid Social Security Number (SSN) or a certification stating that no SSN has been issued. If a household member who is required to execute a certification is less than 18 years old, the certification must be executed by the individual's parent or guardian [24 CFR 5.216(j)]. Assistance cannot be provided to a family until all SSN documentation requirements are met. A detailed discussion of acceptable documentation is provided in Chapter 7.

If a new member who is at least six years of age is added to the household, the new member's SSN documentation must be submitted at the family's next interim or regular reexamination, whichever comes first. If any member of the household who is at least six years of age obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted at the family's next regularly scheduled reexamination.

MHA must deny admission to an applicant family if they do not meet the SSN disclosure, documentation and verification, and certification requirements contained in 24 CFR 5.216.

### 3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230]

HUD requires each adult family member, and the head of household, spouse, or co-head, regardless of age, to sign form HUD-9886, Authorization for the Release of Information/ Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Chapter 7 provides detailed information concerning the consent forms and verification requirements.

MHA must deny admission to the program if any member of the applicant family fails to sign and submit consent forms which allow MHA to obtain information that MHA has determined is necessary in administration of the public housing program [24 CFR 960.259(a) and (b)].

## PART III: DENIAL OF ADMISSION

### 3-III.A. OVERVIEW

A family that does not meet the eligibility criteria discussed in Parts I and II, must be denied admission.

In addition, HUD requires or permits MHA to deny admission based on certain types of current or past behaviors of family members as discussed in this part. MHA's authority in this area is limited by the Violence against Women Reauthorization Act of 2005 (VAWA), which expressly prohibits the denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been the victim of domestic violence, dating violence, or stalking.
This part covers the following topics:

- Required denial of admission
- Other permitted reasons for denial of admission
- Screening
- Criteria for deciding to deny admission
- Prohibition against denial of admission to victims of domestic violence, dating violence, or stalking
- Notice of eligibility or denial

### 3-III.B. REQUIRED DENIAL OF ADMISSION [24 CFR 960.204]

MHAs are required to establish standards that prohibit admission of an applicant to the public housing program if they have engaged in certain criminal activity or if MHA has reasonable cause to believe that a household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
Where the statute requires that MHA prohibit admission for a prescribed period of time after some disqualifying behavior or event, MHA may choose to continue that prohibition for a longer period of time [24 CFR 960.203(c)(3)(ii)].

HUD requires MHA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD permits but does not require MHA to admit an otherwise-eligible family if the household member has completed a MHA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g. the person involved in the criminal activity no longer lives in the household).

  MHA Policy
  MHA will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past 3 years for drug-related criminal activity, if MHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by MHA, or the person who committed the crime is no longer living in the household.

- MHA determines that any household member is currently engaged in the use of illegal drugs. *Drug* means a controlled substance as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]. *Currently engaged in the illegal use of a drug* means a person has engaged in the behavior recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member [24 CFR 960.205(b)(1)].
  MHA Policy
  *Currently engaged in* is defined as any use of illegal drugs during the previous six months.

- MHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
  MHA Policy
  In determining reasonable cause, MHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight than an arrest. MHA will also consider evidence from treatment providers or community-based organizations providing services to household members.

- Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing.

- Any household member is subject to a lifetime registration requirement under a state sex offender registration program.

## 3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION

HUD permits, but does not require MHA to deny admission for the reasons discussed in this section.

### Criminal Activity [24 CFR 960.203 (b) and (c)]

Under the Public Housing Assessment System (MHAS), MHAs that have adopted policies, implemented procedures and can document that they successfully screen out and deny admission to certain applicants with unfavorable criminal histories receive points.

MHA is responsible for screening family behavior and suitability for tenancy. In doing so, MHA may consider an applicant's history of criminal activity involving crimes of physical violence to persons or property and other criminal acts which would adversely affect the health, safety or welfare of other tenants.

MHA Policy

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied admission.

*Drug-related criminal activity*, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].

*Violent criminal activity*, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].

Criminal activity that may threaten the health, safety, or welfare of other tenants [24 CFR 960.203(c)(3)].

Criminal activity that may threaten the health or safety of MHA staff, contractors, subcontractors, or agents.

Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse.

Evidence of such criminal activity includes, but is not limited to any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past 5 years. A conviction for such activity will be given more weight than an arrest or an eviction.

In making its decision to deny assistance, MHA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, MHA may, on a case-by-case basis, decide not to deny assistance.

**Previous Behavior [960.203(c) and (d) and PH Occ GB, p. 48]**
HUD authorizes MHA to deny admission based on relevant information pertaining to the family's previous behavior and suitability for tenancy.

In the event of the receipt of unfavorable information with respect to an applicant, MHA must consider the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). As discussed in Section 3-III.F, MHA may also need to consider whether the cause of the unfavorable information may be that the applicant is the victim of domestic violence, dating violence, or stalking.

MHA Policy
MHA will deny admission to an applicant family if MHA determines that the family:

Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past three years

Has a pattern of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences within the past three years which may adversely affect the health, safety, or welfare of other tenants

Has a pattern of eviction from housing or termination from residential programs within the past three years (considering relevant circumstances)

Owes rent or other amounts to this or any other MHA or owner in connection with any assisted housing program

Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent

Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program

Has engaged in or threatened violent or abusive behavior toward MHA personnel

*Abusive or violent behavior towards MHA personnel* includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

*Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

In making its decision to deny admission, MHA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, MHA may, on a case-by-case basis, decide not to deny admission.
MHA will consider the existence of mitigating factors, such as loss of employment or other financial difficulties, before denying admission to an applicant based on the failure to meet prior financial obligations.

## 3-III.D. SCREENING

### Screening for Eligibility

MHAs are authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to the public housing program. This authority assists MHA in complying with HUD requirements and MHA policies to deny assistance to applicants who are engaging in or have engaged in certain criminal activities. In order to obtain access to the records MHA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

MHA may not pass along to the applicant the costs of a criminal records check [24 CFR 960.204(d)].

> MHA Policy
> MHA will perform criminal background checks through local law enforcement for all adult household members.

MHAs are required to perform criminal background checks necessary to determine whether any household member is subject to a lifetime registration requirement under a state sex offender program in the state where the housing is located, as well as in any other state where a household member is known to have resided [24 CFR 960.204(a)(4)].
If MHA proposes to deny admission based on a criminal record or on lifetime sex offender registration information, MHA must notify the household of the proposed action and must provide the subject of the record and the applicant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to a denial of admission [24 CFR 5.903(f) and 5.905(d)].

***Obtaining Information from Drug Treatment Facilities [24 CFR 960.205]***

HUD authorizes MHAs to request and obtain information from drug abuse treatment facilities concerning applicants. Specifically, MHA may require each applicant to submit for all household members who are at least 18 years of age, and for each family head, spouse, or co-head regardless of age, one or more consent forms signed by such household members that requests any drug abuse treatment facility to inform MHA whether the drug abuse treatment facility has reasonable cause to believe that the household member is currently engaging in illegal drug use.

*Drug Abuse Treatment Facility* means an entity that holds itself out as providing, and provides, diagnosis, treatment, or referral for treatment with respect to the illegal drug use, and is either an identified unit within a general care facility, or an entity other than a general medical care facility.

*Currently engaging in illegal use of a drug* means illegal use of a drug that occurred recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member.

Any consent form used for the purpose of obtaining information from a drug abuse treatment facility to determine whether a household member is currently engaging in illegal drug use must expire automatically after MHA has made a final decision to either approve or deny the admission of such person.

Any charges incurred by MHA for information provided from a drug abuse treatment facility may not be passed on to the applicant or tenant.

If MHA chooses to obtain such information from drug abuse treatment facilities, it must adopt and implement one of the two following policies:

Policy A: MHA must submit a request for information to a drug abuse treatment facility for all families before they are admitted. The request must be submitted for each proposed household member who is at least 18 years of age, and for each family head, spouse, or co-head regardless of age.

Policy B: MHA must submit a request for information only for certain household members, whose criminal record indicates prior arrests or conviction for any criminal activity that may be a basis for denial of admission or whose prior tenancy records indicate that the proposed household member engaged in destruction of property or violent activity against another person, or they interfered with the right of peaceful enjoyment of the premises of other residents.

If MHA chooses to obtain such information, it must abide by the HUD requirements for records management and confidentiality as described in 24 CFR 960.205(f).

<u>MHA Policy</u>

MHA will obtain information from drug abuse treatment facilities to determine whether any applicant family's household members are currently engaging in illegal drug activity only when MHA has determined that the family will be denied admission based on a family member's drug-related criminal activity, and the family claims that the culpable family member has successfully completed a supervised drug or alcohol rehabilitation program.

**Screening for Suitability as a Tenant [24 CFR 960.203(c)]**

MHA is responsible for the screening and selection of families to occupy public housing units. MHA may consider all relevant information. Screening is important to public housing communities and program integrity, and to ensure that assisted housing is provided to those families that will adhere to lease obligations.

MHA Policy

MHA will consider the family's history with respect to the following factors:

- Payment of rent and utilities
- Caring for a unit and premises
- Respecting the rights of other residents to the peaceful enjoyment of their housing
- Criminal activity that is a threat to the health, safety, or property of others
- Behavior of all household members as related to the grounds for denial as detailed in Sections 3-III. B and C
- Compliance with any other essential conditions of tenancy

**Resources Used to Check Applicant Suitability [PH Occ GB, pp. 47-56]**

MHAs have a variety of resources available to them for determination of the suitability of applicants. Generally, MHAs should reject applicants who have recent behavior that would warrant lease termination for a public housing resident.

MHA Policy

In order to determine the suitability of applicants MHA will examine applicant history for the past five years. Such background checks will include:

*Past Performance in Meeting Financial Obligations, Especially Rent*

MHA and landlord references for the past five years, gathering information about past performance meeting rental obligations such as rent payment record, late payment record, whether MHA/landlord ever began or completed lease termination for non-payment, and whether utilities were ever disconnected in the unit. MHAs and landlords will be asked if they would rent to the applicant family again.

Utility company references covering the monthly amount of utilities, late payment, disconnection, return of a utility deposit and whether the applicant can get utilities turned on in his/her name. (Use of this inquiry will be reserved for applicants applying for units where there are tenant-paid utilities.)

If an applicant has no rental payment history MHA will check court records of eviction actions and other financial judgments, and credit reports. A lack of credit history will not disqualify someone from becoming a public housing resident, but a poor credit rating may.

Applicants with no rental payment history will also be asked to provide MHA with personal references. The references will be requested to complete a verification of the applicant's ability to pay rent if no other documentation of ability to meet financial obligations is available. The applicant will also be required to complete a checklist documenting their ability to meet financial obligations.

If previous landlords or the utility company do not respond to requests from MHA, the applicant may provide other documentation that demonstrates their ability to meet financial obligations (e.g. rent receipts, cancelled checks, etc.)

*Disturbances of Neighbors, Destruction of Property or Living or Housekeeping Habits at Prior Residences that May Adversely Affect Health, Safety, or Welfare of Other Tenants, or Cause Damage to the Unit or the Development*

MHA and landlord references for the past five years, gathering information on whether the applicant kept a unit clean, safe and sanitary; whether they violated health or safety codes; whether any damage was done by the applicant to a current or previous unit or the development, and, if so, how much the repair of the damage cost; whether the applicant's housekeeping caused insect or rodent infestation; and whether the neighbors complained about the applicant or whether the police were ever called because of disturbances.

Police and court records within the past five years will be used to check for any evidence of disturbance of neighbors or destruction of property that might have resulted in arrest or conviction.

A personal reference will be requested to complete a verification of the applicant's ability to care for the unit and avoid disturbing neighbors if no other documentation is available. In these cases, the applicant will also be required to complete a checklist documenting their ability to care for the unit and to avoid disturbing neighbors.

Home visits may be used to determine the applicant's ability to care for the unit.

## 3-III.E. CRITERIA FOR DECIDING TO DENY ADMISSION

### Evidence

MHA Policy

MHA will use the concept of the preponderance of the evidence as the standard for making all admission decisions.

*Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not.

Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

### Consideration of Circumstances [24 CFR 960.203(c)(3) and (d)]

HUD authorizes MHA to consider all relevant circumstances when deciding whether to deny admission based on a family's past history except in the situations for which denial of admission is mandated (see Section 3-III.B).

In the event MHA receives unfavorable information with respect to an applicant, consideration must be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). In a manner consistent with its policies, MHAs may give consideration to factors which might indicate a reasonable probability of favorable future conduct.

MHA Policy

MHA will consider the following factors prior to making its decision:

The seriousness of the case, especially with respect to how it would affect other residents

The effects that denial of admission 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, or (as discussed further in section 3-III.F) a victim of domestic violence, dating violence, or stalking.

The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future

Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully

MHA will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

**Removal of a Family Member's Name from the Application [24 CFR 960.203(c)(3)(i)]**
HUD permits MHAs to impose as a condition of admission, a requirement that family members who participated in or were culpable for an action or failure to act which warrants denial of admission, to not reside in the unit.

MHA Policy

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the public housing unit.

After admission to the program, the family must present evidence of the former family member's current address upon MHA request.

**Reasonable Accommodation [PH Occ GB, pp. 58-60]**
If the family includes a person with disabilities, MHA's decision concerning denial of admission is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

MHA Policy

If the family indicates that the behavior of a family member with a disability is the reason for the proposed denial of admission, MHA will determine whether the behavior is related to the disability. If so, upon the family's request, MHA will determine whether alternative measures are appropriate as a reasonable accommodation. MHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of admission. See Chapter 2 for a discussion of reasonable accommodation.

## 3-III.F. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162]

The Violence against Women Reauthorization Act of 2005 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. Specifically, Section 607(2) of VAWA adds the following provision to Section 6 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the public housing program:

> Every contract for contributions shall provide that . . . the public housing agency shall not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for assistance or admission, and that nothing in this section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, or stalking.

**Definitions**

As used in VAWA:

- 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 cohabitating with or has cohabitated 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.
- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship
  - The type of relationship
  - The frequency of interaction between the persons involved in the relationship
- The term *stalking* means:
  - To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
  - To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
  - 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 (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

- The term *immediate family member* means, with respect to a person –
  - A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or
  - Any other person living in the household of that person and related to that person by blood and marriage.

**Notification and Victim Documentation**

MHA Policy

MHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history that would warrant denial under MHA's policies. Therefore, if MHA makes a determination to deny admission to an applicant family on the basis of an unfavorable history, MHA will include in its notice of denial a statement of the protection against denial provided by VAWA and will offer the applicant the opportunity to provide documentation affirming that the cause of the unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking.

The documentation must include two elements:

A signed statement by the victim that provides 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

One of the following:

A police or court record documenting the actual or threatened abuse

A statement signed by an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional from whom the victim has sought assistance in addressing the actual or threatened abuse. The professional must attest under penalty of perjury that the incidents in question are bona fide incidents of abuse, and the victim must sign or attest to the statement.

The applicant must submit the required documentation with her or his request for an informal hearing (see section 14-I.B) or must request an extension in writing at that time. If the applicant so requests, MHA will grant an extension of 10 business days, and will postpone scheduling the applicant's informal hearing until after it has received the documentation or the extension period has elapsed. If after reviewing the documentation provided by the applicant MHA determines the family is eligible for assistance, no informal hearing will be scheduled and MHA will proceed with admission of the applicant family.

**Perpetrator Removal or Documentation of Rehabilitation**

MHA Policy

In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, or stalking, MHA will proceed as above but will require, in addition, either (a) that the perpetrator be removed from the applicant household and not reside in the public housing unit or (b) that the family provide documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment.

If the family elects the second option, the documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

This additional documentation must be submitted within the same time frame as the documentation required above from the victim.

**MHA Confidentiality Requirements**

All information provided to MHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

## 3-III.G. NOTICE OF ELIGIBILITY OR DENIAL

MHA will notify an applicant family of its final determination of eligibility in accordance with the policies in Section 4-III.E.

If a MHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before MHA can move to deny the application. In addition, a copy of the record must be provided to the subject of the record [24 CFR 5.903(f) and 5.905(d)].

MHA Policy

If, based on a criminal record or sex offender registration information an applicant family appears to be ineligible, MHA will notify the family in writing of the proposed denial and provide a copy of the record to the applicant and to the subject of the record. The family will be given 10 business days to dispute the accuracy and relevance of the information. If the family does not contact MHA to dispute the information within that 10 day period, MHA will proceed with issuing the notice of denial of admission. A family that does not exercise their right to dispute the accuracy of the information prior to issuance of the official denial letter will still be given the opportunity to do so as part of the informal hearing process.

Notice requirements related to denying admission to noncitizens are contained in Section 3-II.B.

Notice policies related to denying admission to applicants who may be victims of domestic violence, dating violence, or stalking are contained in Section 3-III.F.

## EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES

**Person with Disabilities [24 CFR 5.403]**

The term *person with disabilities* means a person who has any of the following types of conditions.

- Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads:
  Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months
  In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in section 416(i)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity, requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

- Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C.15002(8)], which defines developmental disability in functional terms as follows:

  (A) IN GENERAL – The term *developmental disability* means a severe, chronic disability of an individual that-
  (i) is attributable to a mental or physical impairment or combination of mental and physical impairments;
  (ii) is manifested before the individual attains age 22;
  (iii) is likely to continue indefinitely;
  (iv) results in substantial functional limitations in 3 or more of the following areas of major life activity: (I) self-care, (II) receptive and expressive language, (III) learning, (IV) mobility, (V) self-direction, (VI) capacity for independent living, (VII) economic self-sufficiency; and
  (v) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

  (B) INFANTS AND YOUNG CHILDREN – An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.

- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.

People with the acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for AIDS are not excluded from this definition.

A person whose disability is based solely on any drug or alcohol dependence does not qualify as a person with disabilities for the purposes of this program.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term person with disabilities refers to an individual with handicaps.

**Individual with Handicaps [24 CFR 8.3]**

*Individual with handicaps* means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

(1) Physical or mental impairment includes:

   (a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine

   (b) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

(2) Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(3) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) Is regarded as having an impairment means:

   (a) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation

   (b) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment

   (c) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment

# Chapter 4

## APPLICATIONS, WAITING LIST AND TENANT SELECTION

### INTRODUCTION

When a family wishes to reside in public housing, the family must submit an application that provides MHA with the information needed to determine the family's eligibility. HUD requires MHA to place all eligible families that apply for public housing on a waiting list. When a unit becomes available, MHA must select families from the waiting list in accordance with HUD requirements and PHA policies as stated in its Admissions and Continued Occupancy Policy (ACOP) and its annual plan.

MHA is required to adopt a clear approach to accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow this approach consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or MHA to receive preferential treatment.

HUD regulations require that MHA comply with all equal opportunity requirements and it must affirmatively further fair housing goals in the administration of the program [24 CFR 960.103, PH Occ GB p. 13]. Adherence to the selection policies described in this chapter ensures that MHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and PHA policies for taking applications, managing the waiting list and selecting families from the waiting list. MHAs policies for assigning unit size and making unit offers are contained in Chapter 5. Together, Chapters 4 and 5 of the ACOP comprise MHA's Tenant Selection and Assignment Plan (TSAP).

The policies outlined in this chapter are organized into three sections, as follows:

> Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how MHA will handle the applications it receives.
>
> Part II: Managing the Waiting List. This part presents the policies that govern how MHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for public housing. It also discusses the process MHA will use to keep the waiting list current.
>
> Part III: Tenant Selection. This part describes the policies that guide MHA in selecting families from the waiting list as units become available. It also specifies how in-person interviews will be used to ensure that MHA has the information needed to make a final eligibility determination.

## PART I: THE APPLICATION PROCESS

### 4-I.A. OVERVIEW

This part describes the policies that guide MHA's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes MHA's obligation to ensure the accessibility of the application process.

### 4-I.B. APPLYING FOR ASSISTANCE

Any family that wishes to reside in public housing must apply for admission to the program [24 CFR 1.4(b)(2)(ii), 24 CFR 960.202(a)(2)(iv), and PH Occ GB, p. 68]. HUD permits MHA to determine the format and content of its applications, as well how such applications will be made available to interested families and how applications will be accepted by MHA.

MHA Policy

Depending upon the length of time that applicants may need to wait to be housed, MHA may use a one- or two-step application process.

A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and the amount of rent the family will pay.

A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, MHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and the amount of rent the family will pay when selected from the waiting list.

Families may obtain application forms from MHA's office during normal business hours. Families may also request – by telephone or by mail – that a form be sent to the family via first class mail.

Completed applications must be returned to MHA by mail, by fax, or submitted in person during normal business hours. Applications must be complete in order to be accepted by MHA for processing. If an application is incomplete, MHA will notify the family of the additional information required.

## 4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

MHA must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard PHA application process.

### Disabled Populations [24 CFR 8; PH Occ GB, p. 68]

MHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or MHA must provide an alternate approach that provides equal access to the application process. Chapter 2 provides a full discussion of MHA's policies related to providing reasonable accommodations for people with disabilities.

### Limited English Proficiency

PHAs are required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on MHA's policies related to ensuring access to people with limited English proficiency (LEP).

## 4-I.D. PLACEMENT ON THE WAITING LIST

MHA must review each completed application received and make a preliminary assessment of the family's eligibility. MHA must place on the waiting list families for whom the list is open unless MHA determines the family to be ineligible. Where the family is determined to be ineligible, MHA must notify the family in writing [24 CFR 960.208(a); PH Occ GB, p. 41]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

### Ineligible for Placement on the Waiting List

MHA Policy

If MHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, MHA will send written notification of the ineligibility determination within 10 business days of receiving a completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so (see Chapter 14).

### Eligible for Placement on the Waiting List

MHA Policy

MHA will send written notification of the preliminary eligibility determination within 10 business days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. A final determination of eligibility and qualification for preferences will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to PHA preference(s) and the date and time their complete application is received by MHA.

MHA will assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards (see Chapter 5). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to PHA standards and local codes). However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition.

## PART II: MANAGING THE WAITING LIST

### 4-II.A. OVERVIEW

MHA must have policies regarding the type of waiting list it will utilize as well as the various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for public housing, and conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how MHA may structure its waiting list and how families must be treated if they apply for public housing at a PHA that administers more than one assisted housing program.

### 4-II.B. ORGANIZATION OF THE WAITING LIST

MHA's public housing waiting list must be organized in such a manner to allow MHA to accurately identify and select families in the proper order, according to the admissions policies described in this ACOP.

MPHA Policy

The waiting list will contain the following information for each applicant listed:

Name and social security number of head of household

Unit size required (number of family members)

Amount and source of annual income

Accessibility requirement, if any

Date and time of application or application number

Household type (family, elderly, disabled)

Admission preference, if any

Race and ethnicity of the head of household

The specific site(s) selected (only if PHA offers site-based waiting lists)

MHA may adopt one community-wide waiting list or site-based waiting lists. MHA must obtain approval from HUD through submission of its Annual Plan before it may offer site-based waiting lists. Site-based waiting lists allow families to select the development where they wish to reside and must be consistent with all applicable civil rights and fair housing laws and regulations [24 CFR 903.7(b)(2)].

MHA Policy

MHA will maintain one single community-wide waiting list for its developments. Within the list, MHA will designate subparts to easily identify who should be offered the next available unit (i.e. mixed populations, general occupancy, unit size, and accessible units).

MHA will not adopt site-based waiting lists.

HUD directs that a family that applies to reside in public housing must be offered the opportunity to be placed on the waiting list for any tenant-based or project-based voucher or moderate rehabilitation program that MHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs [24 CFR 982.205(a)(2)(i)].

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs [24 CFR 982.205(a)(1)].

MPHA Policy

MHA will not merge the public housing waiting list with the waiting list for any other program MHA operates.

## 4-II.C. OPENING AND CLOSING THE WAITING LIST

### Closing the Waiting List

MHA is permitted to close the waiting list, in whole or in part, if it has an adequate pool of families to fill its developments. MHA may close the waiting list completely, or restrict intake by preference, type of project, or by size and type of dwelling unit. [PH Occ GB, p. 31].

MHA Policy

MHA will close the waiting list when the estimated waiting period for housing applicants on the list reaches 12 months for the most current applicants. Where MHA has particular preferences or other criteria that require a specific category of family, MHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

### Reopening the Waiting List

If the waiting list has been closed, it may be reopened at any time. MHA should publish a notice in local newspapers of general circulation, minority media, and other suitable media outlets that MHA is reopening the waiting list. Such notice must comply with HUD fair housing requirements. MHA should specify who may apply, and where and when applications will be received.

MHA Policy

MHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice. The notice will specify where, when, and how applications are to be received.

MHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

***Independent Journal***

***San Francisco Chronicle***

***Marin Housing Authority Website***

## 4-II.D. FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]

MHA should conduct outreach as necessary to ensure that MHA has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that MHA is affirmatively furthering fair housing and complying with the Fair Housing Act.

Because HUD requires MHA to serve a specified percentage of extremely low income families, MHA may need to conduct special outreach to ensure that an adequate number of such families apply for public housing.

PHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

PHA outreach efforts must be designed to inform qualified families about the availability of units under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

<u>MHA Policy</u>

MHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in MHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

## 4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

MPHA Policy

While the family is on the waiting list, the family must inform MHA, within 10 business days, of changes in family size or composition, preference status, or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

## 4-II.F. UPDATING THE WAITING LIST

HUD requires MHA to establish policies to use when removing applicant names from the waiting list [24 CFR 960.202(a)(2)(iv)].

### Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to MHA's request for information or updates because of the family member's disability, MHA must, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 8.4(a), 24 CFR 100.204(a), and PH Occ GB, p. 39 and 40]. See Chapter 2 for further information regarding reasonable accommodations.

MHA Policy

The waiting list will be updated as needed to ensure that all applicants and applicant information is current and timely.

To update the waiting list, MHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that MHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by MHA not later than 15 business days from the date of MHA letter.

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

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.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the

date the letter was re-sent. If the family fails to respond within this time frame, the family will be removed from the waiting list without further notice.

When a family is removed from the waiting list during the update process for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent MHA from making an eligibility determination; therefore no informal hearing is required.

If a family is removed from the waiting list for failure to respond, the Executive Director may reinstate the family if s/he determines the lack of response was due to PHA error, or to circumstances beyond the family's control.

**Removal from the Waiting List**

MHA Policy

MHA will remove applicants from the waiting list if they have requested that their name be removed. In such cases no informal hearing is required.

If MHA determines that the family is not eligible for admission (see Chapter 3) at any time while the family is on the waiting list the family will be removed from the waiting list.

If a family is removed from the waiting list because MHA has determined the family is not eligible for admission, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal hearing regarding MHA's decision (see Chapter 14) [24 CFR 960.208(a)].

## PART III: TENANT SELECTION

### 4-III.A. OVERVIEW

MHA must establish tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. MHA must not require any specific income or racial quotas for any developments [24 CFR 903.2(d)]. MHA must not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations [24 CFR 1.4(b)(1)(iii) and 24 CFR 903.2(d)(1)].

The order in which families will be selected from the waiting list depends on the selection method chosen by MHA and is impacted in part by any selection preferences that the family qualifies for. The availability of units also may affect the order in which families are selected from the waiting list.

MHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to MHA's selection policies [24 CFR 960.206(e)(2)]. MHA's policies must be posted any place where MHA receives applications. MHA must provide a copy of its tenant selection policies upon request to any applicant or tenant. MHA may charge the family for providing a copy of its tenant selection policies [24 CFR 960.202(c)(2)].

MHA Policy

When an applicant or resident family requests a copy of MHA's tenant selection policies, MHA will provide copies to them free of charge.

### 4-III.B. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that MHA will use.

#### Local Preferences [24 CFR 960.206]

PHAs are permitted to establish local preferences and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits MHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with MHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources [24 CFR 960.206(a)].

MHA Policy

MHA will use the following local preferences:

***Working Preference***

In order to bring higher income families into public housing, MHA will establish a preference for "working" families, where the head, spouse, cohead, or sole member is employed at least 20 hours per week. As required by HUD, families where the head and spouse, or sole member is a person age 62 or older, or is a person with disabilities, will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].

***Domestic Violence Victims***

When there is actual or threatened, physical violence directed against the applicant or the applicant's family by a spouse or other household member who lives in the unit with the family.

The actual or threatened violence must have occurred within the past 30 days, be of a continuing nature, and be verified by law enforcement or a recognized agency.

To qualify for this preference, the abuser must still reside in the unit from which the victim was displaced. The applicant must certify that the abuser will not reside with the applicant unless MHA gives prior written approval.

MHA will approve the return of the abuser to the household after eviction only if a counselor, therapist, or other knowledgeable professional recommends in writing that the individual be allowed to reside with the family.

If the abuser returns to the family without approval of MHA, MHA will deny or termination assistance for breach of the certification. MHA will take precautions to ensure the new location of the family is concealed in cases of domestic abuse.

***Involuntary Displacement***

Families are considered to be involuntarily displaced if they are required to vacate their housing as a result of:

- Natural Disaster declared by a local, state, or federal government entity (fire, flood, earthquake, etc.) or any documented action by a local, state, or federal government entity related to code enforcement, public improvement or development.
- State or Federal Witness Protection to avoid reprisals because the family provided information on criminal activities to a law enforcement agency, and after a threat assessment the law enforcement agency recommends re-housing the family to avoid or reduce risk of violence against the family. The family must be a part of a State or Federal Witness Protection Program. Participation in a victim witness assistance program that offers only money to obtain services is not eligible for this preference.
- Hate Crimes if a member of the family has been the victim of one or more hate crimes, including racial and ethnic harassment, and the applicant has vacated the unit because of the crime, or the fear of such a crime has destroyed the applicant's peaceful enjoyment of the unit. A hate crime is actual or threatened physical violence or intimidation that is directed against a person or his property and is based on the person's race, color, religion, sex, national origin, disability or familial status including sexual orientation and occurred within the last 30 days or is of continuing nature. (as defined in California Penal Code Section 422.6) The family must be referred by a law enforcement agency.

***Homeless Preference***

Applies to applicants who:

- Lack a fixed, regular and adequate nighttime residence
- Have a primary nighttime residence that is a supervised public or private shelter providing temporary accommodations
- A public or private place not ordinarily used as an accommodation for human beings (lacks indoor plumbing, toilet facilities, bathing facilities, adequate or safe electrical service, heat, or kitchen.

***Family Preference***

The "family" preference is available to two or more persons related by blood, marriage, adoption, or laws who will live together in the same dwelling, or two or more persons who live together and whose income and resources are available for use in meeting regular living expenses for the family.

***Disabled Preference***

The "disabled" preference is available when the applicant's household will contain one or more members who are considered disabled as defined in Marin Housing's policy.

Education Preference

Applies to applicants who meet any of the following requirements:

The head of household, spouse/significant other or sole member is currently a student enrolled in, or a graduate in the last six months of, a school training program designed to prepare enrollees for the job market.

A student is an individual who is attending a school or training program full-time (12 units or more).

***Veteran Preference***

This preference is for active members in the military, veterans, or surviving spouses of veterans. Dishonorably discharged veterans are not entitled to this preference.

**Income Targeting Requirement [24 CFR 960.202(b)]**

HUD requires that extremely low-income (ELI) families make up at least 40% of the families admitted to public housing during MHA's fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, MHA may skip non-ELI families on the waiting list in order to select an ELI family.

If a PHA also operates a housing choice voucher (HCV) program, admissions of extremely low-income families to MHA's HCV program during a PHA fiscal year that exceed the 75% minimum target requirement for the voucher program, shall be credited against MHA's basic targeting requirement in the public housing program for the same fiscal year. However, under these circumstances the fiscal year credit to the public housing program must not exceed the lower of: (1) ten percent of public housing waiting list admissions during MHA fiscal year; (2) ten percent of waiting list admissions to MHA's housing choice voucher program during MHA fiscal year; or (3) the number of qualifying low-income families who commence occupancy during the fiscal year of PHA public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

<u>MHA Policy</u>

MHA will monitor progress in meeting the ELI requirement throughout the fiscal year. ELI families will be selected ahead of other eligible families on an as-needed basis to ensure that the income targeting requirement is met.

**Mixed Population Developments [24 CFR 960.407]**

A mixed population development is a public housing development or portion of a development that was reserved for elderly families and disabled families at its inception (and has retained that character) or MHA at some point after its inception obtained HUD approval to give preference in tenant selection for all units in the development (or portion of a development) to elderly and disabled families [24 CFR 960.102]. Elderly family means a family whose head, spouse, cohead, or sole member is a person who is at least 62 years of age. Disabled family means a family whose head, spouse, co-head, or sole member is a person with disabilities [24 CFR 5.403]. MHA must give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. MHA may not establish a limit on the number of elderly or disabled families that may occupy a mixed population development. In selecting elderly and disabled families to fill these units, MHA must first offer the units that have accessibility features for families that include a person with a disability and require the accessibility features of such

units. MHA may not discriminate against elderly or disabled families that include children (Fair Housing Amendments Act of 1988).

**Units Designated for Elderly or Disabled Families [24 CFR 945]**

MHA may designate projects or portions of a public housing project specifically for elderly or disabled families. MHA must have a HUD-approved allocation plan before the designation may take place.

Among the designated developments, MHA must also apply any preferences that it has established. If there are not enough elderly families to occupy the units in a designated elderly development, MHA may allow near-elderly families to occupy the units [24 CFR 945.303(c)(1)]. Near-elderly family means a family whose head, spouse, or co-head is at least 50 years old, but is less than 62 [24 CFR 5.403].

If there are an insufficient number of elderly families and near-elderly families for the units in a development designated for elderly families, MHA must make available to all other families any unit that is ready for re-rental and has been vacant for more than 60 consecutive days [24 CFR 945.303(c)(2)].

The decision of any disabled family or elderly family not to occupy or accept occupancy in designated housing shall not have an adverse affect on their admission or continued occupancy in public housing or their position on or placement on the waiting list. However, this protection does not apply to any family who refuses to occupy or accept occupancy in designated housing because of the race, color, religion, sex, disability, familial status, or national origin of the occupants of the designated housing or the surrounding area [24 CFR 945.303(d)(1) and (2)].

This protection does apply to an elderly family or disabled family that declines to accept occupancy, respectively, in a designated project for elderly families or for disabled families, and requests occupancy in a general occupancy project or in a mixed population project [24 CFR 945.303(d)(3)].

MHA Policy

MHA does not have designated elderly or designated disabled housing at this time.

**Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]**

MHA's admission policy must be designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of MHA’s deconcentration policies must be in included in its annual plan [24 CFR 903.7(b)].

MHA’s deconcentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)].

Developments subject to the deconcentration requirement are referred to as ‘covered developments’ and include general occupancy (family) public housing developments. The following developments are not subject to deconcentration and income mixing requirements: developments operated by a PHA with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by a PHA with only one general occupancy development; developments approved for demolition or

for conversion to tenant-based public housing; and developments approved for a mixed-finance plan using HOPE VI or public housing funds [24 CFR 903.2(b)].

***Steps for Implementation [24 CFR 903.2(c)(1)]***

To implement the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, MHA must comply with the following steps:

Step 1. MHA must determine the average income of all families residing in all MHA's covered developments. MHA may use the median income, instead of average income, provided that MHA includes a written explanation in its annual plan justifying the use of median income.

> MHA Policy
>
> MHA will determine the average income of all families in all covered developments on an annual basis.

Step 2. MHA must determine the average income (or median income, if median income was used in Step 1) of all families residing in each covered development. In determining average income for each development, MHA has the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.

> MHA Policy
>
> MHA will determine the average income of all families residing in each covered development (not adjusting for unit size) on an annual basis.

Step 3. MHA must then determine whether each of its covered developments falls above, within, or below the established income range (EIR), which is from 85% to 115% of the average family income determined in Step 1. However, the upper limit must never be less than the income at which a family would be defined as an extremely low income family (30% of median income).

Step 4. MHA with covered developments having average incomes outside the EIR must then determine whether or not these developments are consistent with its local goals and annual plan.

Step 5. Where the income profile for a covered development is not explained or justified in the annual plan submission, MHA must include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

Depending on local circumstances MHA’s deconcentration policy may include, but is not limited to the following:

- Providing incentives to encourage families to accept units in developments where their income level is needed, including rent incentives, affirmative marketing plans, or added amenities
- Targeting investment and capital improvements toward developments with an average income below the EIR to encourage families with incomes above the EIR to accept units in those developments
- Establishing a preference for admission of working families in developments below the EIR
- Skipping a family on the waiting list to reach another family in an effort to further the goals of deconcentration

- Providing other strategies permitted by statute and determined by MHA in consultation with the residents and the community through the annual plan process to be responsive to local needs and PHA strategic objectives

A family has the sole discretion whether to accept an offer of a unit made under MHA's deconcentration policy. MHA must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under MHA's deconcentration policy [24 CFR 903.2(c)(4)].

If, at annual review, the average incomes at all general occupancy developments are within the EIR, MHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

MHA Policy

For developments outside the EIR MHA will take the following actions to provide for deconcentration of poverty and income mixing:

**Order of Selection [24 CFR 960.206(e)]**

MHA system of preferences may select families either according to the date and time of application or by a random selection process.

PHA Policy

Families will be selected from the waiting list based on preference. Among applicants with the same preference, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by MHA.

When selecting applicants from the waiting list, MHA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting list. MHA will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and PHA policy.

## 4-III.C. NOTIFICATION OF SELECTION

When the family has been selected from the waiting list, MHA must notify the family.

MHA Policy

MHA will notify the family by first class mail when it is selected from the waiting list.

The notice will inform the family of the following:

Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

Who is required to attend the interview

Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

Documents that must be provided at the interview to document eligibility for a preference, if applicable

Other documents and information that should be brought to the interview

If a notification letter is returned to MHA with no forwarding address, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents MHA from making an eligibility determination; therefore no informal hearing will be offered.

## 4-III.D. THE APPLICATION INTERVIEW

HUD recommends that MHA obtain the information and documentation needed to make an eligibility determination through a private interview. Being invited to attend an interview does not constitute admission to the program.

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability [24 CFR 8.4(a) and 24 CFR 100.204(a)].

MHA Policy

Families selected from the waiting list are required to participate in an eligibility interview.

The head of household and the spouse/co-head will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/co-head may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to MHA.

The interview will be conducted only if the head of household or spouse/co-head provides appropriate documentation of legal identity (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.

If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for a preference (see Chapter 7). If the family is verified as eligible for the preference, MHA will proceed with the interview. If MHA determines the family is not eligible for the preference, the interview will not proceed and the family will be placed back on the waiting list according to the date and time of their application.

The family must provide the information necessary to establish the family's eligibility, including suitability, and to determine the appropriate amount of rent the family will pay. The family must also complete required forms, provide required signatures, and submit required documentation. If any materials are missing, MHA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (see Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

Interviews will be conducted in English. For limited English proficient (LEP) applicants, MHA will provide translation services in accordance with MHA's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact MHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, MHA will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without PHA approval will have their applications made inactive based on the family's failure to supply information needed to determine eligibility. The second appointment letter will state that failure to appear for the appointment without a request to reschedule will be interpreted to mean that the family is no longer interested and their application will be made inactive. Such failure to act on the part of the applicant prevents MHA from making an eligibility determination, therefore MHA will not offer an informal hearing.

## 4-III.E. FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]

MHA must verify all information provided by the family (see Chapter 7). Based on verified information related to the eligibility requirements, including PHA suitability standards, MHA must make a final determination of eligibility (see Chapter 3).

When a determination is made that a family is eligible and satisfies all requirements for admission, including tenant selection criteria, the applicant must be notified of the approximate date of occupancy insofar as that date can be reasonably determined [24 CFR 960.208(b)].

PHA Policy

MHA will notify a family in writing of their eligibility within 10 business days of the determination and will provide the approximate date of occupancy insofar as that date can be reasonably determined.

MHA must promptly notify any family determined to be ineligible for admission of the basis for such determination, and must provide the applicant upon request, within a reasonable time after the determination is made, with an opportunity for an informal hearing on such determination [24 CFR 960.208(a)].

MHA Policy

If MHA determines that the family is ineligible, MHA will send written notification of the ineligibility determination within 10 business days of the determination. The notice

will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing (see Chapter 14).

If MHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before MHA can move to deny the application. See Section 3-III.G for MHA's policy regarding such circumstances.

# Chapter 5
# OCCUPANCY GUIDELINES

## INTRODUCTION

Occupancy Guidelines are established by MHA to ensure that units are occupied by families of the appropriate size. This policy maintains the maximum usefulness of the units, while preserving them from excessive wear and tear or underutilization. This Chapter explains the Occupancy Guidelines used to determine minimum and maximum unit sizes for various sized families when they are selected from the waiting list, or when a family's size changes, or when a family requests an exception to the occupancy guidelines.

It is MHA's policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list. In filling an actual or expected vacancy, MHA will offer the dwelling unit to an applicant taken from the waiting list that has completed the eligibility process and has passed the screening procedures. This Chapter describes MHA's policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

## A. DETERMINING UNIT SIZE

MHA does not determine who shares a bedroom/sleeping room but there must always be at least one person per bedroom. MHA's Occupancy Guideline standards for determining unit size shall be applied in a manner consistent with Fair Housing and HUD guidelines which were established in the Federal Register on December 18, 1998 that "an occupancy policy of two persons in a bedroom, as a general rule, is reasonable…"

For occupancy guidelines, an adult is a person 18 years or older or an emancipated minor.

One bedroom will generally be assigned for every two family members within the following guidelines:

- Adults of different generations, adults of the opposite sex (other than spouses), and unrelated adults will not be required to share a bedroom.
- A single head of household parent shall not be required to share a bedroom with his/her child, although they may do so at the request of the family.
- Two children of the opposite sex over the age of six, will not be required to share a bedroom, although they may do so at the request of the family.

- An unborn child will not be counted as a person in determining unit size. A single pregnant woman may be assigned to a one-bedroom unit. In determining unit size, MHA will count a child who is temporarily away from the home because the child has been placed in foster care for a period not to exceed 12 months.

- Live-in attendants must be approved by MHA. Following approval they will generally be provided a sleeping area or a bedroom. No additional bedrooms are provided for the attendant's family.

- For the first year a child is away at school, a bedroom may be maintained as long as the child lives with the family during school recesses that include the summer break. The family must report that the child is only temporarily absent and provide proof of school attendance and alternative living arrangements.

- Space will not be provided for a family member who will be absent most of the time, such as a member who is away in the military for an extended period of time, except for the head of household or spouse.
- Single person families shall be allocated a studio unit when a studio unit is available in the public housing complex. If one is not available, a one-bedroom unit will be used.
- The living room may be used as a bedroom as a reasonable accommodation, at the request of the family or in 0-bedroom units.
- Exceptions to the largest permissible unit size may be made in cases of reasonable accommodations for a person with disabilities.

**B. GUIDELINES FOR DETERMINING UNIT SIZE**

| Unit Size | Persons in Household (Minimum #) | Persons in Household (Maximum #) |
|---|---|---|
| 0 Bedroom | 1 | 1 |
| 1 Bedroom | 1 | 2 |
| 2 Bedrooms | 2 | 4 |
| 3 Bedrooms | 3 | 6 |
| 4 Bedrooms | 4 | 8 |

The minimum standards above may be waived when necessary where the health or disability of a family member warrants assignment of a larger or smaller unit. Medical need for live-in attendant or exceptionally large medical equipment must be documented to the satisfaction of MHA for such waiver to be granted. Medical documentation for tenants to qualify for a separate bedroom must include a diagnosis, a prognosis, and the reason for a separate bedroom. The duration of the medical need must be twelve (12) months or more.

***C. PLAN FOR UNIT OFFERS***

**The plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is:**

In the event of two or more eligible applicants for the same unit size in the same rent range with identical preference/priority status, the date and time sequence of applications shall determine the order of selection, with the applicant who filed the earliest being offered the first available vacancy of appropriate size or application is completed first. If the applicant rejects an offer for a justifiable reason, as stated below, he or she shall retain his or her place on the eligible list. **If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy.**

**D. CHANGES IN UNIT SIZE**

**MHA will grant exceptions from the guidelines in cases where the family requests, MHA determines the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances, and there is a vacant unit available. If an applicant requests a change in unit size, the following guidelines will apply:**

a. When a family applies for housing, and each year when the waiting list is updated, a determination of unit size will be made. Some families will qualify for more than one unit size. The unit size standards shall be discussed with each applicant family that qualifies for more than one unit size. They will be asked to declare in writing the unit size they desire. Based on the family's choice they will be placed on the waiting list for the appropriate bedroom size, within the guidelines for determining unit size. (Section B)

b. Applicants may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines, as long as the unit is not overcrowded according to local code. The family will be required to sign a statement agreeing to occupy the unit assigned at their request until their family size or circumstances change.

c. The family may request to be placed on a larger bedroom size waiting list than indicated by MHA's occupancy guidelines. The request must explain the need or justification for a larger bedroom size, and must be verified by MHA before the family is placed on the larger bedroom size list. Examples are:

    - Elderly persons or persons with disabilities who may require a live-in attendant
    - Persons who would ordinarily occupy one bedroom, but cannot because of a verified medical or health reason, addition of a live-in aide, or need for medical equipment.
    - A doctor must verify requests based on health-related reasons.

All members of the family residing in the unit must be approved by MHA. The family must obtain approval of any additional family member before the person occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform MHA within **ten** days.
MHA will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage, or court-awarded custody. Such additions will be subject to eligibility and suitability screening as set forth in this policy.
If it is determined that a family who is licensed to provide foster care or adult care had not been utilizing the extra bedroom(s) a reasonable amount of time during the prior 12 month annual period, the family will be required to relocate to an appropriate size unit. A reasonable amount of time is a minimum if 90 days during the 12 month annual period.

To avoid vacancies, MHA may provide a family with a larger unit than the occupancy standards permit. The family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is a suitable smaller unit available. This requirement is a provision of the lease, and can result in eviction if the family refuses to move.

## E. ACCESSIBLE UNITS

MHA has units designed for persons with mobility impairments. These units were designed and constructed specifically to meet the needs of persons requiring the use of wheelchairs and persons requiring other physical modifications. Preference for occupancy of these units will be given to families with disabled family members who require the modifications or facilities provided in the units.

No non-mobility impaired families will be offered these units until all eligible mobility-impaired applicants have been considered, as long as a mobility-impaired applicant can be found.

Accessible units will be offered and accepted by non-mobility impaired applicants only with the understanding that such applicants must accept a transfer to a non-accessible unit at a later date if a person with a mobility impairment requiring the unit applies for housing and is determined eligible. MHA requires that the applicant agree to move within 30 days. This requirement is a provision of the lease, and eviction can result if the family refuses to move.

**Foster Care Provider**

Applicant - An applicant who claims to be a foster care provider must provide a copy of the foster care license and placement contracts for the last 12 months to verify the number of foster children that have resided in the home at the time of the initial determination of eligibility in order to obtain extra bedroom(s).

Resident – At the annual reexamination the resident must provide documentation that the foster care license is still active and copies of the placement contracts to document the number of placements and the number of children for each placement in the home during the prior 12-month annual period. Upon receipt of the documentation MHA will review the utilization of the extra bedroom(s) and determine if there has been a reasonable utilization of the extra space.

**Adult Care Provider**

Applicant - An applicant who claims to be a foster care provider must provide a copy of the foster care license and placement contracts for the last 12 months to verify the number of foster children that have resided in the home at the time of the initial determination of eligibility in order to obtain extra bedroom(s).

Resident – At the annual reexamination the resident must provide documentation that the adult care license is still active and copies of the placement contracts to document the number of placements and the number of adults for each placement in the home during the prior 12-month annual period. Upon receipt of the documentation MHA will review the utilization of the extra bedroom(s) and determine if there has been a reasonable utilization of the extra space.

**Reasonable Utilization**

If it is determined that a family who is licensed to provide foster care or adult care had not been utilizing the extra bedroom(s) a reasonable amount of time during the prior 12 month annual period, the family will be required to relocate to an appropriate size unit. A reasonable amount of time is a minimum of 90 days during the 12-month annual period per bedroom.

Unit Assignment

Units designated and specifically equipped for disabled individuals shall be assigned in the following order:

a. First to Housing Authority residents currently occupying a unit in the same project as the vacant accessible unit or occupying a unit in a comparable project operated by the Authority, where the resident has a disability requiring the accessibility features of the vacant unit and where the resident currently occupies a unit not having those features. The

resident must meet all other applicable transfer requirements (i.e. current resident account balance, unit in good repair). If such qualified resident does not exist, then the Authority shall offer the vacant unit;

b. Second to an eligible qualified applicant on the Authority's waiting list, where the applicant has a disability requiring the accessibility features of the vacant unit; or

c. Third when no eligible qualified resident or applicant can be found, a non-disabled applicant may be offered the unit with the following restrictions:

When there is no current MHA resident that required an accessible unit and no applicant can be found that requires an accessible unit then an applicant who does not have a disability requiring the accessibility features of the unit, the Authority requires the applicant to agree, and shall incorporate into the dwelling lease, an agreement that the resident will relocate to the next available, non-accessible unit of a suitable size within 30 days of receipt of a notice to go relocate. The Housing Authority may, at its discretion, pay to the resident a maximum of $100.00 to help cover the cost of relocating to another suitably-sized unit or provide assistance from the maintenance staff.

For applicants requiring accessible units for sight or hearing impairments, MHA will make reasonable accommodations or reasonable modifications to the units.

## F. TIME-LIMIT FOR ACCEPTANCE OF UNIT

The first qualified applicant will be offered two units. If the applicant turns down the first unit the applicant will be offered a second unit. The applicant must accept a unit offer within 2 working days of the date the offer is made. Offers made over the telephone will be confirmed by letter. If unable to contact an applicant by telephone, MHA will send a letter.

## G. APPLICANTS UNABLE TO TAKE OCCUPANCY

If an applicant is willing to accept the second unit offered, but is unable to take occupancy at the time of second offer for "good cause," the applicant will be given a third chance to accept a unit. Examples of "good cause" reasons for the refusal to take occupancy of a housing unit include, but are not limited to:

1. If the applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence of his or her inability to move, the applicant shall retain his or her place on the eligible applicant list and be offered the next succeeding vacancy of appropriate size.

2. If an applicant presents to the satisfaction of the Authority clear evidence that acceptance of a given offer of a suitable vacancy will result in undue hardship not related to consideration of race, creed, color, sex, national origin, or the handicapped status of another resident such as inaccessibility to source of employment, children's day care and the like, the applicant shall retain his or her place on the eligible applicant list and be offered the next succeeding vacancy of appropriate size. Inaccessibility to source of employment or children’s day care means such that an adult household member must quit a job, or drop out of an educational institution or a job training program;

3. The family demonstrates to MHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons offered must be specific to the family. Refusals due to the location of the unit alone are not considered to be good cause.

4. A qualified, knowledgeable, health professional verifies that temporary hospitalization or recovery from illness of the principal household member, other household members, or a live-in aide necessary to care for the principal household member is occurring at the time of the offer;
5. The unit is inappropriate for the applicant's disabilities. [24 CFR 945.303(d)]

## H. APPLICANT STATUS AFTER DENIAL OF UNIT OFFER

Once the applicant has been certified as suitable, the applicant will be offered a housing unit in the order established by this policy. If an applicant rejects the first unit offered he/she will be offered the next available unit. All offered and/or rejected units will be documented and placed in the applicant file. If the applicant rejects the second unit offer, MHA will remove the applicant from the waiting list, unless he qualifies for the offer of a third unit under F above. The applicant may reapply if or when the waiting list is open. If the unit offered is refused because it is inappropriate for the applicant's disability, the family will retain its place on the list. After an offer of a unit is made the applicant will have 2 working days to accept the unit. If MHA does not hear from the applicant it will be deemed a turn-down of the unit.

## I. APPLICANTS WITH A CHANGE IN FAMILY SIZE OR STATUS

Changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. MHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit.

## J. FAMILY MOVES

When a change in the circumstances in a tenant family requires another unit size, the family's move depends upon the availability of a suitable size and type of unit. If the unit is not available at the time it is requested, the family will be placed on the Transfer List.
The unit considerations in this section should be used as a guide to determine whether and when the bedroom size should be changed. If an unusual situation occurs, which is not currently covered in this policy, the case should be taken to the Program Manager who will review the situation, depending on the individual circumstances and the verification provided.
(See Transfer Policy Chapter 11)

# Chapter 6

## VERIFICATION PROCEDURES
24 CFR § 5.617 & 960.259

## INTRODUCTION

HUD regulations require that MHA verify information related to income, assets, preferences, deductions, and screening of applicants and resident families. Verification ensures both MHA and the family that all information contained in an applicant or family file, including that information used to determine eligibility and income-based rent calculations, is accurate. Accurate rent calculations help achieve MHA's and HUD's goal of using limited housing resources as correctly and efficiently as possible.

Applicants and program tenants must furnish proof of their statements whenever required by MHA, and the information they provide must be true and complete. MHA's verification procedures are designed to meet HUD's requirements and to maintain program integrity. This Chapter explains MHA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and when there are changes in family members. MHA will ensure that proper authorization for release of information, HUD form 9886, is always obtained from the family before making verification inquiries.

## A. METHODS OF VERIFICATION

Accurate determination of program eligibility, income eligibility, allowances, family composition, and family rent occur only with full verification of all factors related to the family circumstances. This verification process requires attention to the details, and must be done in a full and accurate manner in order to insure the best use of program funds and units and provide fair and equitable treatment to the applicants and participants. Up Front Income Verification or third party verification is required for all factors that affect eligibility and preference. Up Front Income Verification and third party written verification are used to verify information directly with the source.

Acceptable methods of verification are as follows:

1. Up Front Income Verification (UIV)
2. Third-Party Written: MHA's first choice is a written third party verification to substantiate claims made by an applicant or resident.
3. Third-Party Oral: MHA may also use telephone verifications.
4. Review of Documents: MHA will review documents, when relevant, to substantiate the claim of an applicant or resident.
5. Certification/Self-Declaration: A certification will be accepted when no other form of verification is available.

**Up Front Income Verification (UIV)** *(24 CFR 5.236(b)(2))*

UIV is the verification of income, before or during a reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals.

MHA will utilize Up Front Income Verification tools, including TASS and the Work Number, whenever possible.

When HUD announces the availability of a new UIV system for PHA's, MHA will utilize the additional UIV tools, including centralized computer matching systems. MHA may pursue other computer matching agreements with federal, state and local government systems.

When UIV does not differ substantially from tenant-provided documents, MHA may use the UIV to satisfy the regulatory obligation to obtain third party verification.

When the UIV "differs substantially" from tenant-provided documents third party verification is required. The verifications will be considered to "substantially differ" in cases where the UIV income data differs from tenant-provided and/or other verified income information by $200 or more per month.

MHA will use third party verifications to supplement up front income verification. Up front income verification replaces, to the maximum extent possible, the third party verifications process of contacting individual employers identified by families or reviewing outdated income verification documents.

Where necessary, third party verifications shall continue to complement UIV's. UIV's should not be considered an automatic substitute for third party verifications. Rather, UIV's may supplement other types of verifications such as original and current tenant-provided documents.

The use of up-front income verification enables MHA to have income information prior to the interview process. Acceptable up-front income verifications can be obtained from the following sources:

- *Tenant Assessment Sub-System (TASS),* which matches Social Security and Supplemental Security Income to HUD's MTCS and TRACS databases. (www.hdu.gov/reac/products/tass_guide_ssi.html)
- *State Wage Information Collection Agencies (SWICAs),* (EDD) which is a source of employers and reported wages. SWICAs are required to share data with MHA on request. (www.loc.gov/global/state/stategov.html)
- *The Work Number* is an automated service that provides access to a national database for employment and income records. (www.theworknumber.com)
- *Internal Revenue Service (IRS Letter 1722)* provides a tax account listing showing the applicant/resident filing status, exemptions claimed, adjusted gross income, taxable income, taxes paid. 1-800-829-1040

- *Credit Bureau Associations Credit Report* which contains public record information, credit relationships, inquiries and demographic information.

*Third Party Written Verification*

A third party written verification form must be sent to the provider via first class mail or faxed electronically and is to be returned by mail or fax. Verifications received electronically directly from the source are considered third party written verifications.

Third party verification forms cannot be hand carried by the family, except for forms and printouts from the following sources:

- Social Security Administration (only for initial applicants that are not in the TASS system)
- Veterans Administration
- Unemployment Compensation Board
- City or County Courts

If third party written verification is not available, the file must document efforts to obtain it and why MHA was not successful.

Third Party Oral Verification

Oral third party verification can be used when written third party verification is delayed or not possible. Prior to the use of the oral verification the file must be documented as to why the written verification was not used.

When a third party oral verification is used, staff must complete an Information Certification Phone Verification form, noting with whom they spoke, the date of the conversation, and the fact provided.

Review of Documents

If neither the third party written verification or the third party oral verification is available, or the information has not been verified by a third party within **15 business days** of the initial request, MHA must note the file as to the attempts to obtain the third party verification from the source provider. MHA can then utilize documents provided by the family as the primary source if the documents provide complete information.

All such documents will be photocopied and retained in the participant file. In cases where documents are viewed but cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed form.

MHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer print-out from the employer or pharmacy

- Signed letter on company letterhead (provided the information is confirmed by phone)
- Other documents as approved by the supervisor

If third party verification is received after documents have been accepted as provisional verification, they are to be compared with the documents, and if there is a discrepancy, MHA will utilize the third party verification and make adjustments as necessary.

MHA will not delay the processing of an application, annual, or interim beyond **20 business days** because a third party information provider does not return the verification in a timely manner.

All documents viewed must be the original documents.

Listed below is the number of documents necessary in order to use documents for review as the verification source:

- 6 to 8 paycheck stubs or earning statements or not less than three months of stubs,
- Copies of the two most recent checks for unemployment compensation,
- Copies of the two most recent checks for alimony or child support along with the court order,
- Two original bank statements from the last two months.
- 3 copies of receipts or cancelled checks indicating payment amount and frequency for childcare or attendant payments,

Self-Certification/Self-Declaration

MHA may resort to use of self-certification of facts only when neither a third party nor documents are available. Self-certifications must be notarized and approved by the department supervisor. The participant file must include notes documenting all efforts to obtain third party verification and documents for review and an explanation of why those were not obtained.

For applicants, verifications may not be more than **90** days old at the time of a unit offer. For tenants, they are valid for **120** from date of receipt.

## B. RELEASE OF INFORMATION *(24 CFR 5.230)*

The family is required to sign HUD's form 9886, "Authorization for Release of Information / Privacy Act Notice." In addition, the family will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886.

Each member requested to consent to the release of information will be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of tenancy because it is a family obligation under tenancy to supply any information requested by MHA or HUD.

## C. COMPUTER MATCHING

HUD has implemented a computer matching initiative to independently verify resident income. HUD can access income information from Social Security and Federal tax return data and compare it to information submitted to HUD by MHA. HUD will send letters to notify families of the discrepancies found. HUD can disclose Social Security information to MHA, but is precluded by law from disclosing Federal tax returns to MHA. The family is required to disclose this information to MHA. The letter the family receives from HUD will also inform them that HUD has notified MHA that a letter was sent, and advises the family to contact MHA.

HUD will send MHA a list of families who have received "income discrepancy" letters.

When MHA receives notice that a family has received such a letter.

When MHA receives notification from HUD that a family has been sent an "income discrepancy" letter, MHA will:

Wait 40 days after the date of notification before contacting tenant.

After 40 days following the date of notification, MHA will contact the tenant by mail and telephone asking the family to promptly furnish any letter or other notice by HUD concerning the amount or verification of family income.

MHA will fully document the contact in the tenant's file, including a copy of the letter to the family and/or written documentation of phone call.

When the family provides the required information, MHA will verify the accuracy of the income information received from the family, review MHA's interim recertification policy, will identify unreported income, will charge retroactive rent as appropriate, and change the amount of rent or terminate assistance, as appropriate, based on the information.
Where allowed by HUD and/or other State or local agencies, and when MHA has computer capability, other computer matching will be done.

If tenant fails to respond**:**

MHA will ask HUD to send a second letter.

After an additional 40 days, MHA will ask HUD to send a third letter. MHA will recommend that HUD send the third letter by certified mail return receipt requested.

After an additional 40 days, MHA will send a letter to the head of household, warning of the consequences if the family fails to contact MHA within two weeks.

If the tenant claims a letter from HUD was not received:

MHA will ask HUD to send a second letter with a verified address for the tenant.

After 40 days, MHA will contact the tenant family.

If the tenant family still claims they have not received a letter, MHA will ask HUD to send a third letter. MHA will recommend that HUD send the third letter by certified mail return receipt requested.

After an additional 40 days, MHA will set up a meeting with the family to complete IRS forms 4506 and 8821.

If the tenant family fails to meet with MHA or will not sign the IRS forms, MHA will send a warning letter to the head of household, notifying the family that termination proceedings will begin within one week if the tenant fails to meet with MHA and/or sign forms.

<u>If tenant does receive a discrepancy letter from HUD:</u>

MHA will set up a meeting with the family.

If the family fails to attend the meeting, MHA will reschedule the meeting.

If the family fails to attend the second meeting, MHA will send a termination warning.

The family must bring the original HUD discrepancy letter to MHA.

<u>If tenant disagrees with the Federal tax data contained in the HUD discrepancy letter:</u>

MHA will ask the tenant to provide documented proof that the tax data is incorrect.

If the tenant does not provide documented proof, MHA will obtain proof to verify the Federal tax data using third party verification.

## D. ITEMS TO BE VERIFIED

MHA is required to verify information related to eligibility, assets, income and deductions from income, admission preferences, and compliance with applicant selection criteria. This includes:

Eligibility for admission, such as:

- Income *(24 CFR § 5.609)*
- Assets and asset income *(24 CFR § 5.609)*
- Divested assets *(24 CFR § 5.609)*
- Family composition *(24 CFR § 5.403)*
- Age *(24 CFR § 5.403)*
- Disability Status *(24 CFR § 5.404)*
- Social Security numbers *(24 CFR § 5.216)*
- Citizenship or Eligible Immigration Status *(24 CFR § 5.508)*
- Required criminal history review *(24 CFR § 5.403)*

Preferences *(24 CFR § 960.206)*

- Displacement by natural disaster, government action, domestic violence, hate crime
- Working family
- Veteran
- Living or working or being hired to work in MHA jurisdiction
- Graduates of transitional housing
- Homeless or substandard housing
- Rent burden

Deductions *(24 CFR § 5.617)*

- Family members (other than head or spouse under age 18)
- Age or disability of family head or spouse
- Disability of family members other than head or spouse
- Full time student status of family members other than head or spouse
- Child care costs
- Disability assistance expenses (working families only)
- Unreimbursed medical costs (Elderly and Disabled families only)

Standards for Applicant Selection Criteria *(24 CFR § 960.203)*

- Documented ability to abide by MHA lease requirements
- Landlord references
- Credit checks
- Previous history of tenancy, rent paying, care of home
- Utility history
- Criminal background check

Special Program Requirements

- Transitional housing
- Congregate housing
- Special needs housing

## E. VERIFICATION OF INCOME

Verification of annual income is critical to ensure program integrity and is used to determine program eligibility, award preferences and determine income-based rents. Verification of annual income will be conducted through an interview with the applicant/resident. MHA may rely on a mail-in interview format. The purpose of the interview is to obtain complete and accurate household income information in order to establish the family's eligibility and correct level of housing benefit. All income information must be verified by use of the UIV or third party verification methods.

**Employment Income**

In processing income information MHA staff shall include:

- Projections of annual income based on the best available information; considerations can be given to the past year's income, current income rate and effective date, and shall include estimates for each income recipient in the family. *(24 CFR § 960.259)*
- Overtime income should be computed in accordance with verification obtained from the employer.
- The income of irregular workers should be estimated on the basis of the best available information.

Verification forms request the employer to specify the:

- Dates of employment
- Amount and frequency of pay
- Date of the last pay increase
- Likelihood of change of employment status and effective date of any known salary increase during the next 12 months
- Year to date earnings
- Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification include, in this order:

1. Employment verification form or letter completed by the employer.
2. UIV, such as from the Work Number
3. Phone verification with employer
4. Six to eight consecutive check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.
5. W-2 forms plus income tax return forms.
6. Self-certifications or income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities, when the tax return has been prepared by a certified tax preparer.

Applicants and program tenants may be requested to sign an authorization for release of information from the Internal Revenue Service for further verification of income, or

In cases where there are questions about the validity of information provided by the family, MHA will require the most recent federal income tax statements.

**Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

Acceptable methods of verification include, in this order:

- TASS
- Benefit verification form completed by agency providing the benefits.
- Award or benefit notification letters prepared and signed by the providing agency.
- Computer report electronically obtained or in hard copy.
- Bank statements for direct deposits *when used in conjunction with another allowable verification source.*

**Unemployment Compensation**

Acceptable methods of verification include, in this order:

- Verification form completed by the unemployment compensation agency. (In California this is the Employment Development Department (EDD))
- Computer printouts from unemployment office stating payment dates and amounts.
- Three or more recent payment stubs.

**Welfare Payments or General Assistance**

If a family's welfare or public assistance benefits are reduced because of any failure to comply with the conditions under the assistance program requiring participation in an economic self-sufficiency program or imposing a work activities requirement, the family's monthly rent contribution may not be decreased during the period of reduction. The expiration of a time limit for receiving benefits will not be considered a failure to comply.

In addition, if a family's welfare or public assistance benefits are reduced because of an act of fraud by a member of the family under the law or program, the family's monthly rent contribution may not be decreased during the period of reduction as a result of any decrease in the family's income (to the extent that such decrease in income is a result of the reduction in benefits).

Acceptable methods of verification include, in this order:

- MHA verification form completed by payment provider.
- Passport of Services directly from the provider.
- Written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next 12 months.
- Computer-generated Notice of Action if on letterhead and original is presented and no other verification is available. The file must be documented as to why this source of verification was accepted.

**Alimony or Child Support Payments**

Acceptable methods of verification include, in this order:

- Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.

- A notarized letter from the person paying the support.

- Copy of latest two checks and/or payment stubs from the Court Trustee. MHA must record the date, amount, and number of the check.

- Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

- If payments are irregular, the family must provide:

    1. A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

    2. The Family may provide copies of support checks received directly from the spouse paying the support, alone with a certificated statement from the supporting spouse regarding the amount s/he pays and his/her name, address, and phone number where the information can be verified by MHA staff.

    3. A welfare notice of action showing amounts received by the welfare agency for child support.

    4. A written statement from an attorney certifying that a collection or enforcement action has been filed.

**Net Income from a Business**

In order to verify the net income from a business, MHA will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable methods of verification include:

- IRS Form 1040, including:
    - Schedule C (Small Business)
    - Schedule E (Rental Property Income)
    - Schedule F (Farm Income)

- If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

- Audited or unaudited financial statement(s) of the business.

- Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.

**Child Care Business**

If an applicant/tenant is operating a licensed day care business, income will be verified as with any other business. If the applicant/tenant is operating a "cash and carry" operation (licensed or not), MHA will require the applicant/tenant to complete a form for each customer giving: name of person(s) whose child(ren) is/are being cared for, phone number, number of hours child is being cared for, method of payment (check/cash), amount paid, and signature of person.

If the family has filed a tax return, the family will be required to provide it.

If childcare services were terminated, a third-party verification will be sent to the parent whose child was cared for.

**Recurring Gifts**

The family must furnish a self-certification that contains the following information:

The person who provides the gifts
The value of the gifts
The regularity (dates) of the gifts
The purpose of the gifts

**Zero Income Status**

When a family claims to have little (less than $3,600 per year) or no income over a substantial period of time, MHA must determine the source of income when the family's regular expenses conflict with their claim of zero income. If the resident has a car, a telephone, cable television, Internet services, smokes or has other evidence of some form of income, the resident should be asked about the source of income supporting cash expenditures when zero income is reported.

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, AFDC, SSI, etc. are not being received by the household.

MHA will request information from the State Employment Development Department.

The family is required to complete a monthly declaration of zero income.

The family is required to complete a quarterly interim recertification and MHA can visit the unit to determine the likelihood of the zero income report.

Regular contributions (including non-cash contributions) to the household must be considered income if they are not for medical expenses. [example: someone who is not a household member pays the telephone bill or car payment every month]. A family budget or statement of financial responsibility may be required from the family. Investigations may include ordering a credit report.

**Full-Time Student Status**

Only the first $480 of the earned income of full time students 18 years of age or older, other than head or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by full time students is not counted towards family income.

Verification of full time student status includes:

- Written verification from the registrar's office or other school official.
- School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

**Verification of Income Exclusions**

In accordance with 24 CFR 960.259 (c ) and 24 CFR 982.516 and HUD Notice PIH 2001-15, MHA must obtain verification of income exclusions, if without that verification MHA would not be able to determine whether or not the income is to be excluded when calculating annual income. Exclusions from income must be reported on the 50058, under Income, as total/gross income. They are then subtracted from the total to arrive at Annual Income.

MHA will attempt third party verification of income exclusions wherever possible.

When third party verification of income exclusions are not possible or practical, a review of documents or notarized self certification will be obtained.

Exclusions from income that must be verified and reported on the 50058 include the following:

- Expenditures for business expansion.
- Amortization of capital indebtedness as deductions in determining net income of a business.
- Withdrawals of cash or assets from a professional or business operation if the withdrawal is a reimbursement for cash or assets invested in the operation by the family.
- Allowance for business asset depreciation, based on straight line depreciation, as provided in the Internal Revenue Service (IRS) regulations.
- Income from employment of children or foster children under 18 years old.

- Earnings in excess of $480 for each full-time student 18 years old or older (excluding head or household and spouse).
- Earned income disallowance.
- Amounts earned by temporary Census employees; terms of employment may not exceed 180 days for the purposes of the exclusion.
- Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed $200 per month) received by the resident for performing a service for MHA, on a part-time basis, that enhances the quality of life in the development.
- Stipends to reimburse residents for expenses for serving as members of MHA governing board or commission.
- The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
- The full amounts of military pay of any family member other than the head and spouse. If other family members are away from home in the military, MHA may remove their name from the lease and exclude their income.
- Other military pay specifically excluded by law (e.g. Desert Storm active duty).
- Income of a live-in aide.
- Earnings and benefits from employment training programs funded by HUD.
- Reimbursement for out-of-pocket expenses while attending a public assisted training program.
- Incremental earnings and benefits from participation in qualifying state and local employment programs.
- Payments to volunteers under the Domestic Volunteer Services Act.
- Payments received under programs funded in whole or in part under the Workforce Investment Act (WIA) (formerly known as the Job Training Partnership Act (JTPA)).
- Earnings and benefits to any family member from an employment training and supportive services program during the exclusion period. The exclusion is applicable only if the family was admitted to the qualifying program prior to October 1, 1999.
- Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.
- Food stamps.
- Annual Imputed Welfare Income if the family was not an assisted resident at the time of sanction.
- Short-term benefits under TANF assistance that:
- Are designed to deal with a specific crisis situation or episode of need;

- Are not intended to meet recurrent or ongoing needs; and
- Will not extend beyond four months.
- Work subsidies under TANF assistance (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training).
- Supportive services under TANF assistance such as child care and transportation provided to families who are employed.
- Refundable earned income tax credits.
- Individual Development Accounts under TANF.
- Services provided under TANF assistance such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support.
- Transportation benefits under TANF assistance provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of the Act, to an individual who is not otherwise receiving assistance.
- Lump-sum pension benefits payable as a death benefit.
- Deferred periodic amounts from SSI benefits that the family member received in a lump sum amount or in prospective monthly amounts.
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of SSI eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS).
- Deferred periodic amounts from Social Security benefits that the family member received in a lump sum amount or in prospective monthly amounts.
- Childcare arranged or provided under the Child Care and Development Block Grant Act.
- Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
- Payments received under the Alaska Native Claims Settlement Act.
- Income derived from certain sub-marginal land or the United States that is held in trust for certain Indian tribes.
- Income derived from the disposition of funds of the Grand River Band of Ottawa Indians.
- The first $2000 of per capita shares from judgment funds awarded by Indian Claims.
- Payments received under the Maine Indian Claims Settlement Act of 1980.
- Payments received by Indian Claims Commission to the Confederate Tribes and Bands of the Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation.
- The first $2000 of income received by individual Indians derived from interests or trust or restricted land.

- Payments received for the care of foster children or foster adults, usually persons with disabilities who are unable to live alone, that Health and Human Services verifies are receiving foster child/adult payments. The foster children or adults can be related or unrelated to the tenant family.
- Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses.
- Full amount of student financial assistance and paid directly to the student or to the educational institution.
- Temporary, nonrecurring or sporadic income (including gifts).
- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
- Adoption assistance payments in excess of $480 per adopted child.
- Refunds or rebates under state or local law for property taxes paid on dwelling unit.
- Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply.
- Payments or allowances under DHHS' low-income home energy assistance program (LIHEAP).
- Federal scholarships funded under Title IV of The Higher Education Act of 1965, including awards under the Federal work study program or under the Bureau of Indian Affairs student assistance program.
- Payments received from programs funded under Title V of the Older Americans Act of 1965.
- Payments received on or after January 1, 1989 from the Agent Orange Settlement Fund or any fund established pursuant to the settlement in the In Re Agent Orange product liability litigation.
- Earned Income Tax Credit refund tax payments.
- Any allowance paid under provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is a child of a Vietnam Veteran.
- Any amount of crime victim compensation that the applicant (under the Victims Crime Act) receives through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims Crime Act because of the commission of a crime against the applicant.

## F. INCOME FROM ASSETS *(24 CFR 5.603)*

An asset is real property, savings, trust funds, treasury bills, certifications of deposit, money market funds, retirement or pension funds, personal items held as investments (antique cars, coin or stamp collections, etc), checking account with interest, whole life insurance, stocks, bonds, and other forms of capital investment. The applicant or resident must declare all forms of assets.

MHA does not have a dollar limit on the amount of assets a family can possess and still be eligible for the low rent public housing program, but the income produced by net family assets is counted as part of Annual Income.

Net family assets are the net cash value, after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interest in Indian trust lands, equity accounts in HUD homeownership programs, and necessary items of personal property such as furniture and automobiles.

The withdrawal of cash or assets from an investment that is received as periodic payments should be counted as income, unless the family can document and MHA verifies that amounts withdrawn are reimbursement of amounts invested. When a family is making a withdrawal from an account in which it has made an investment, the withdrawals will count as income only after the amount invested has been totally paid out. *(24 CFR 5.609 (b)(3)*

Some types of lump sums a family receives, such as inheritances, insurance payments, capital gains and settlement for personal or property losses are excluded from Annual Income but are expressly identified as additions to family assets.

NOTE: When determining the value of net family assets, deduct the cost of disposing of the asset.

Examples include:

- If an asset is an Individual Retirement Account there will be income tax and interest penalties due in the case of any early withdrawal.
- Certificates of deposit have penalties for early withdrawal.
- If a family sells stocks or bonds, they would typically have a broker's commission to pay. Sale of real estate will typically involve a commission to the real estate agent plus various sellers' settlement costs.
- If it is necessary to hire an attorney to obtain and secure an asset, the attorney's fee would be deducted from the value of the assets in order to determine the net value.

If a family permanently transfers assets to an irrevocable trust not under the control of any family member who is part of the household, the value of the trust is not included as part of the Net Family Assets. Income distribution from the trust is included in the calculation of annual income.

If the combined value of net family assets is greater than $5,000, the amount of income from assets used in determining annual income is the greater of:

- Annual income from the assets, or
- Percentage of the value of the assets based on the current passbook savings rate, as determined by HUD. This is called imputed income from assets.

## G. VERIFICATION OF ASSETS

### Savings Account Interest Income and Dividends

MHA will require the necessary information to determine the current cash value, (the net amount the family would receive if the asset were converted to cash). Acceptable verifications to document the existence of an asset from a savings account or dividends and determine its value can include in this order:

1. Third party verification from MHA's verification documents filled out or other written statement supplied by the financial institution.
    - If the bank charges the resident to secure the verification and this charge can be considered a hardship to the resident MHA can take the following action:
    - Determine whether the payment for the bank verification does create a financial hardship, by conducted a survey of the leading banking institutions in the county to determine the fee required by the banks in order to supply the requested information. This survey will be conducted on an annual basis and is documented in Attachment M. The resident will not be charged for any fees in conjunction with verification of bank accounts.
    - If the above condition is verified, a review of documents is acceptable under the following limited circumstances,
        - Accept two consecutive original bank statements.

2. Broker statement showing the value of stocks or bonds and the earnings credited to the family. Earnings may also be obtained from the current newspaper quotations or orally from brokers.

3. IRS Form 1099 from a financial institution provided that MHA adjusts the information to project earnings expected for the next three months.

### Interest Income from Mortgages or Similar Arrangements

Acceptable verifications to document the existence of an asset from a mortgage or similar arrangements and determine its value can include in this order:

1. MHA's third party verification forms filled out by the financial institution or broker. A third party verification in the form of a letter or statement directly from an accountant, attorney, real estate broker, the buyer, or a financial institution stating the interest due for the next 12

months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)

2. An amortization schedule showing interest for the 12 months following the effective date of certification or recertification.

3. If third party verification is not available, quotes from a stockbroker or realty agent as to net amount family would receive if they liquidated securities or real estate.

**Net Rental Income from Property Owned by Family**

Acceptable verifications to document the existence of an asset from a mortgage or similar arrangements and determine its value can include in this order:

- IRS Form 1040 with Schedule E (Rental Income).

- Copies of latest rent receipts, leases, or other documentation of rent amounts.

- Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, mortgage payments, and bank statements or amortization schedules showing monthly interest expense.

- Lessee's written statement verifying rent payments to the family and family's self-certification as to net income realized.

**Assets Disposed of for Less than Fair Market Value (FMV)**

This section applies to those assets disposed of during the two years preceding the effective date of certification or recertification.

For all Certifications and Recertifications, MHA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.

If the family certifies that they have disposed of assets for less than fair market value, verification [or certification] is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

When a family has divested assets MHA must take into account any costs of divestiture and keep track of the date of divestiture, since these divested assets will not longer be included in annual income two years from the date of divestiture.

## H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

### Child Care Expenses

Written verification from the person who receives the payments is required. If the childcare provider is an individual, s/he must provide a statement of the amount they are charging the family for their services.

Verifications must specify the child care provider's name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

### Foster Care Provider

Applicant - An applicant who claims to be a foster care provider must provide a copy of the foster care license and placement contracts for the last 12 months to verify the number of foster children that have resided in the home at the time of the initial determination of eligibility in order to obtain extra bedroom(s).

Resident – At the annual reexamination the resident must provide documentation that the foster care license is still active and copies of the placement contracts to document the number of placements and the number of children for each placement in the home during the prior 12-month annual period. Upon receipt of the documentation MHA will review the utilization of the extra bedroom(s) and determine if there has been a reasonable utilization of the extra space.

### Adult Care Provider

Applicant - An applicant who claims to be a foster care provider must provide a copy of the foster care license and placement contracts for the last 12 months to verify the number of foster children that have resided in the home at the time of the initial determination of eligibility in order to obtain extra bedroom(s).

Resident – At the annual reexamination the resident must provide documentation that the adult care license is still active and copies of the placement contracts to document the number of placements and the number of adults for each placement in the home during the prior 12-month annual period. Upon receipt of the documentation MHA will review the utilization of the extra bedroom(s) and determine if there has been a reasonable utilization of the extra space.

**Reasonable Utilization**

If it is determined that a family who is licensed to provide foster care or adult care had not been utilizing the extra bedroom(s) a reasonable amount of time during the prior 12 month annual period, the family will be required to relocate to an appropriate size unit. A reasonable amount of time is a minimum of 90 days during the 12-month annual period per bedroom.

**Allowance For Disability Assistance Expense and Medical and Handicapped Assistance Expenses**

When verifying disability assistance expenses, MHA shall keep in mind the privacy requirements under the Health Insurance Portability and Accountability Act (HIPAA of 1996). HIPAA requires that patients sign a specific authorization before a covered entity can release their medical information to a third party for purposes not related to the patient's health care. If MHA finds that verification requests are not completed and returned directly to MHA, MHA will have to rely on tenant provided documentation and document in the resident file why third party verifications was not available.

Who Is Eligible:

*Families* are entitled to a deduction for unreimbursed expenses to cover attendants and auxiliary apparatus for any family member who is a person with disabilities, to the extent these expenses are necessary to enable a family member (including the member who is a person with disabilities) 18 years of age or older to be employed.

Types of allowable unreimbursed costs for attendant care or auxiliary apparatus:

- Wheelchairs
- Walkers
- Scooters
- Ramps
- Adaptations to vehicles
- Service animals
- Special equipment to enable a blind person to read or type
- In-home care
- Adult day care
- Nursing
- Housekeeping
- Personal care
- Errand services
- An interpreter for persons who are hearing impaired.

The cost must be the reasonable cost of the attendant and/or auxiliary apparatus. The deduction may not exceed the earned income received by the adult family members who are able to work because of the care or auxiliary apparatus.

When imposing the employment income ceiling, consider if the assistance enables more than one person to be employed including the person with a disability. If so you must combine the incomes of those persons to determine the ceiling.

If an auxiliary apparatus enables the person with a disability to be employed and frees another person to be employed, the allowance cannot exceed the combined incomes of those two people.

*Remember*: A deduction is allowed only if these items are directly related to permitting the disabled person or other family member to work.

Disability assistance expenses include the cost of maintenance and upkeep of any auxiliary apparatus.

If the apparatus is NOT used exclusively by the person with a disability, you may prorate the total cost and allow a specific amount to be applied toward the deduction.

If both child care and a disability expense are needed to enable a person(s) in the family to work, the employment income used to justify the child care allowance for employment purposes may be used, as long as it doesn't exceed the $150.00 week expense, to also justify disability assistance allowance.

*According to HUD Public Housing Occupancy Guidebook Chapter 10 page 125.* The total for BOTH the disability assistance allowance and the child care allowance for employment purposes may not exceed $150.00 per week

This allowance is equal to the amount by which the cost of the care attendant or auxiliary apparatus exceeds three (3%) percent of the gross annual family income. However, the allowance may not exceed the earned income received by the family member who is 18 years of age or older who is able to work because of such attendant care or auxiliary apparatus.

## Allowance For Medical Expenses

When verifying medical expenses, MHA shall keep in mind the privacy requirements under the Health Insurance Portability and Accountability Act (HIPAA of 1996). HIPAA requires that patients sign a specific authorization before a covered entity can release their medical information to a third party for purposes not related to the patient's health care. If MHA finds that verification requests are not completed and returned directly to MHA, MHA will have to rely on tenant provided documentation and document in the resident file why third party verifications was not available.

The medical expense deduction is permitted ***only*** for households in which the head or spouse is least 62 years old or disabled (elderly or disabled households).

If the household is eligible for a medical expense deduction, the medical expenses of all family members may be counted.

Medical expenses are expenses ***ANTICIPATED*** to be incurred during the 12 month period following certification or reexamination which are not covered by an outside source such as insurance or Medicare.

The medical allowance is *not intended* to give a family an allowance equal to last year's expenses, but to anticipate regular ongoing and anticipated expenses during the coming year.

**Types of Allowable Medical Expenses:**

- Services of doctors and health care professionals
- Services of health care facilities
- Expenses paid to HMO
- Payment made for live in aide
- Medical care of a permanently institutionalized family member IF his/her income is included in annual income
- Periodic attendant care
- Purchase or rental and upkeep of equipment (an additional utility costs to the tenant because of oxygen machine.)
- Medical insurance premiums
- Prescription and non-prescription medicines prescribed by a physician
- Transportation to treatment
- Dental expenses
- Eyeglasses
- Hearing aids and batteries
- Live-in or periodic medical assistance
- Monthly payments on accumulated medical bills

***These are regular monthly payments on a bill that was previously incurred and the allowance may include only the amount expected to be paid in the coming 12 months.***

If a family has medical expenses and no disability assistance expenses, the allowable medical expense is that portion of total medical expenses that exceeds three (3) percent of the annual income.

Over the counter medications may be used as a medical expense for an elderly or disabled family that has qualified for the deduction where they are supported by verification and/or documentation from medical personal that they are required for medical treatment.

**Special Calculation For Households Eligible For Disability Assistance And Medical Expenses**

If an elderly family or disabled family has both medical expenses and disability assistance expenses, a special calculation is required to insure that the family's 3% share of these expenses is applied only one time. Because the allowance for disability assistance expenses is limited by the amount earned by the person freed to work, the disability allowance must be calculated before the medical allowance is calculated.

When the family has disability assistance expenses greater than or equal to 3% of the annual income, an allowance for disability assistance expenses is computed as described above. In such an instance, the allowance for medical expenses will be equal to the family's total medical expenses.

When a family has disability assistance expenses that are less than 3% of annual income, the family will receive no allowance for disability assistance expense. However, the allowance for medical expenses will be equal to the amount by which the sum of both disability and medical expenses exceed 3% of annual income.

If the disability assistance expense exceeds the amount earned by the person who was freed for work, the allowance for disability assistance will be capped at the amount earned by that individual. When the household is also eligible for a medical expense allowance, however, the 3% may have been exhausted in the first calculation and it then will not be applied to medical expenses. The following example illustrates application of the cap on disability allowance permitted a maximum allowance equal to the income earned by the household member enabled to work.

**Process For Verification Of Disability Assistance And Medical Expenses**

1. You must obtain a written verification for a Doctor or Medical Provider that the expenses are medically necessary. The verification must contain the following information:

    - The type of anticipated service needed, and
    - The anticipated duration of the needed service, and
    - Projected cost of the needed service.

2. If the anticipated service is ongoing from the last annual period, and is the cost of prescriptions or maintenance of equipment, you may verify the anticipated cost in one of two ways:

    - Use a verification form and send it to the service provider, (example, the drug store or regular doctor) or
    - Have the participant/resident provide the previous three months of paid expense receipts. You then average the cost and anticipate the cost over the verified duration of the service.

3. If the expense is for monthly payments on accumulated medical bills, (regular monthly payments on a bill that was previously incurred) the allowance may include only the amount expected to be paid in the coming 12 months. The participant/resident must provide documentation that includes the following:
    - The balance of the bill,
    - A history of previous payment sufficient to establish a pattern of monthly payment so that you can anticipate the monthly payments will continue at the same rate or where the monthly payments receipts are not available, a payment plan from the provider.
    - ***Remember***, you cannot use previous payment or previous payment plan; only anticipated payments for the next annual period. If the payment plan covered the last annual and no payments were made you cannot assume the client will begin making payments this year.

## I. VERIFYING NON-FINANCIAL FACTORS

### Verification of Legal Identity

In order to prevent program abuse, MHA will require applicants to furnish verification of legal identity for all family members.

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Certificate of Birth
Naturalization papers
Church issued baptismal certificate
California ID card
    Current, valid Driver's license
    U.S. military discharge (DD 214)
    U.S. passport
    Voter's registration
    Company/agency Identification Card
Department of Motor Vehicles Identification Card
Hospital records

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Certificate of Birth
Adoption papers
Custody agreement
Health and Human Services ID
School records

If none of these documents can be provided, a third party who knows the person may, at MHA's discretion, provide a notarized verification.

**Verification of Marital Status**

- Verification of marital status will be used to determine spouse for income, deduction, and non citizen purposes.
- Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.
  Verification of a separation may be a copy of court-ordered maintenance or other records.
- Verification of marriage status is a marriage certificate.

**Familial Relationships**

The following verifications will be required as necessary to determine eligibility or continued eligibility:
Verification of relationship:
Official identification showing names

- Birth Certificates
- Baptismal certificates
- Verification of guardianship is:
- Court-ordered assignment
- Affidavit of parent
- Verification from social services agency
- School records
- Evidence of a stable family relationship (including domestic partners):
- Joint bank accounts or other shared financial transactions
- Leases or other evidence of prior cohabitation
- Credit reports showing relationship

**Verification of Permanent Absence of Adult Member**

If an adult member who was formerly a member of the household is reported permanently absent by the family, MHA will consider any of the following as verification:
Husband or wife institutes divorce action.

Husband or wife institutes legal separation.
Order of protection/restraining order obtained by one family member against another.
Proof of another home address, such as utility bills, canceled checks for rent, drivers license, or lease or rental agreement, if available.

Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.
If the adult family member is incarcerated, a document from the Court or prison should be obtained stating how long they will be incarcerated.
If no other proof can be provided, MHA can accept a notarized statement from the family.

**Split Households – Domestic Violence**

Verification of domestic violence when assisting applicants who want to split households includes:

- Shelter for battered person
- Police reports
- District Attorney's office

## Verification of Change in Family Composition

MHA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources as deemed necessary.

## Verification of Foster Care and Adult Care Provider Services

1) Foster Care Provider

Applicant - An applicant who claims to be a foster care provider must provide a copy of the foster care license and certification of the number of foster children they are licensed to have in the home and the estimated usage of the home for placements at the time of the initial determination of eligibility in order to obtain extra bedroom(s).

Resident – At the annual reexamination the resident must provide documentation that the foster care license is still active and provide documentation of the number of placements and the number of children for each placement in the home during the prior 12 month annual period. Upon receipt of the documentation MHA will review the utilization of the extra bedroom(s) and determine if there has been a reasonable utilization of the extra space.

2. Adult Care Provider

Applicant - An applicant who claims to be a adult care provider must provide a copy of the adult care license and certification of the number of adults they are licensed to have in the home and the estimated usage of the home for placements at the time of the initial determination of eligibility in order to obtain extra bedroom(s).

Resident – At the annual reexamination the resident must provide documentation that the adult care license is still active and provide documentation of the number of placements and the number of adult(s) for each placement in the home during the prior 12 month annual period. Upon receipt of the documentation MHA will review the utilization of the extra bedroom(s) and determine if there has been a reasonable utilization of the extra space.

3. Reasonable Utilization

If it is determined that a family who is licensed to provide foster care or adult care had not been utilizing the extra bedroom(s) a reasonable amount of time during the prior 12 month annual period, the family will be required to relocate to an appropriate size unit. A reasonable amount of time is a minimum if 90 days during the 12 month annual period.

**Verification of Disability**

Verification of disability must be receipt of SSI or SSA disability payments under Section 42 U.S.C. 423 (d) (1)(A) of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001 (8) or verified by an appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehabilitation specialist, or licensed social worker, using the HUD language as the verification format. See Glossary for HUD definition.

**Verification of Citizenship/Eligible Immigrant Status**

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by the Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while a MHA hearing is pending.

- Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.

- Eligible Immigrants who were tenants and 62 or over are required to sign a declaration of eligible immigration status and provide proof of age.

- Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. MHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, MHA must request within ten days that the INS conduct a manual search.

- Family members who do not claim to be citizens or eligible immigrants must be listed on a statement of non-contending family members signed by the head of household or spouse.

- Non citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of non-contending members.

**Failure to Provide.** If an applicant or tenant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

**Time of Verification**. For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial PHA does not supply the documents, MHA must conduct the determination.

**Extensions of Time to Provide Documents**. MHA may grant an extension of up to ***10 days*** for families to submit evidence of eligible immigrant status.

**Acceptable Documents of Eligible Immigration.** The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

Resident Alien Card (I-551)
Alien Registration Receipt Card (I-151)
Arrival-Departure Record (I-94)
Temporary Resident Card (I-688)
Work Authorization Card (I-688B)
Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

MHA will verify the eligibility of a family member at any time such eligibility is in question.

MHA can verify the eligibility of a family member at each annual recertification.

**Verification of Social Security Numbers**

Social security numbers must be provided as a condition of eligibility for all family members 6 and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security Card issued by the Social Security Administration.

If a family member cannot produce a Social Security Card, only the documents listed below showing his/her Social Security Number may be used for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the Social Security Card information provided is/are complete and accurate:

A valid driver's license
Identification card issued by a Federal, State or local agency
Identification card issued by a medical insurance company or provider (including Medicare and Medicaid)
An identification card issued by an employer or trade union
An identification card issued by a medical insurance company
Earnings statements or payroll stubs
Bank Statements
Benefit award letters from government agencies
Retirement benefit letter
Life insurance policies
Court records such as real estate, tax notices, marriage, divorce, judgment or bankruptcy records
Verification of benefits or SSN from Social Security Administration

New family members ages 6 and older will be required to produce their Social Security Card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to MHA.

If an applicant or tenant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or tenant must sign a certification to that effect provided by MHA. The applicant/tenant or family member will have an additional **60** days to provide proof of the Social Security Number. If they fail to provide this documentation, the family's tenancy will be terminated.

In the case of an individual at least 62 years of age, MHA may grant an extension for an additional 60 days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's tenancy will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

Medical Need for Larger Unit

A written certification that a larger unit is necessary must be obtained from a doctor.

## J. VERIFICATION OF SUITABILITY FOR ADMISSION

Poor tenant selection creates unnecessary expense to MHA, has a demoralizing affect on MHA staff, and ultimately devalues MHA's property. Standards for applicant screening must be

applied uniformly to all families and should require that they demonstrate the ability to comply with essential provisions of the lease.

*Sources to be used to determine suitability include but are not limited to:*

Criminal History Reports

Prior landlord references

Physicians, social workers, and other health professionals

MHA and other PHAs (to whom the family may owe debt)

*Suitability Criteria*

Applicants who have a history, due to a lack of willingness to meet financial obligations of previous tenancies will be denied admission.

Applicants who show a history of disturbance of neighbors, the inability to abide by house rules, or disturbance of neighbors will be denied admission.

Applicants who have a history of drug related or violent criminal activity within the past *3* years will be denied admission.

MHA may waive the policies prohibiting admission in these circumstances if the person demonstrates to MHA's satisfaction that the person is no longer engaging in illegal use of a controlled substance or abuse of alcohol and has successfully completed a supervised drug or alcohol rehabilitation program. The duration of such program should be no less than one year . If criminal activity is involved the last contact with law enforcement must be three (3) years.

Applicants, who have a record of eviction from housing or involuntary termination from residential programs, taking into account date and circumstances, will be denied admission.

Applicants must be able to demonstrate the ability and willingness to comply with the terms of MHA's lease, either alone or with assistance which they can demonstrate that they have or will have at the time of admission.

Applicants who have a history of damage or destruction of property, or housekeeping habits at present or prior residences that may adversely affect the health safety, or welfare of other tenants or neighbors will be denied admission.

Ability to meet financial obligations under the lease

All applicants will be subject to the following procedures to ensure their ability to meet financial obligations under the lease:

- All applicants will be interviewed and asked questions about the basic elements of tenancy.

- MHA will conduct a detailed interview of all applicants during which an evaluation will be made between income and expenditures

- MHA will access a Credit Report on all applicants prior to selection.

- MHA will determine if applicants owe any monies from previous tenancy or participation in any HUD housing program.

- MHA will independently verify the rent-paying history of all applicants for the previous 2 years directly with the landlord(s).

**2. Drug-related or violent criminal activity**

MHA will complete a criminal background check of all applicants, including other adult members in the household, for any member for which criminal records are available.

**3. Housekeeping**

MHA will obtain references from prior landlords for the previous 2 years to determine acceptable housekeeping standards.

## K. VERIFICATION OF WAITING LIST PREFERENCES

Local Preferences

The following forms of verification are acceptable:

1. Residency Preference: For families who live, work 20 or more hours per week, or have been hired to work in the jurisdiction of MHA. Families who are unable to work due to age or disability automatically qualify for this preference.

   In order to verify that an applicant is a county resident, MHA will require a minimum of 2 of the following documents: rent receipts, leases, utility bills, employer or agency records, school records, drivers licenses, voters registration records, credit reports, statement from household with whom the family is residing.

   For families who have been hired to work in the county, a statement from the employer will be required.

2. Veterans preference: This preference is available to current members of the U.S. Military Armed Forces, veterans, or surviving spouses of veterans.

   MHA will require U.S. government documents which indicate that the applicant qualifies under the above definition.

3. Homeless/Substandard Housing:

a. "Homeless" families: Written certification by a public or private facility providing shelter, the police, or a social services agency with a Memorandum of Understanding with MHA. A MHA inspector may verify that the applicant is living in a place not normally used for human habitation. If a family is in transitional housing and wishes MHA to hold the family's place on the waiting list, a statement is required from the agency providing the transitional housing.

b. Substandard housing: Written [or oral] verification by a government agency, or MHA inspection, or Landlord's statement of unit condition

4. Domestic violence:

Written verification from police, social service agency, court, clergyperson, physician, and/or public or private facility giving shelter and/or counseling to victims.

5. 50% Rent Burden:

a. Families will be required to verify their income, the amount of rent and utilities they are obligated to pay, and the period of time they have been residing in the unit.

Families must furnish copies of rental receipts/the lease/canceled checks/money orders.

MHA may contact the landlord directly by mail or telephone

MHA compares the address with address(es) used on other documents in the file

b. At the family's option, MHA can use either the actual cost of utilities or MHA's Section 8 Existing utility allowance schedule. To verify the amount the family actually paid for utilities not included in the rent (if the Section 8 Utility Allowance Schedule is not used):

Copies of receipts, canceled checks, bills showing previous utility payments

6. Involuntary Displacement

a. Disaster: A natural disaster declared in writing by a local, state, or federal government agency.
b. Government action: Federal, state, or local action verified in writing by a code enforcement or public improvement agency.
c. Homeowner's action: Written verification from the owner that the resident must vacate through no fault of the resident.
d. Witness protection: Written verification from a local, state or federal court or law enforcement agency that the family is part of a witness protection program.
e. Hate crimes: Written verification from a local, state or federal court or law enforcement agency that the crime meets the definition in California Penal Code section 422.6.
f. Non-suitability of the unit: Written verification that the unit is not accessible for a disabled individual.

**MAJOR CHANGE 1 VAWA: Administrative Plan**

**1. New Language**: The following definitions have been added to the Glossary of the Section 8 Administrative Plan. These terms are added as a result of the amendments to the 1937 Housing Act, which emanate from changes due to the passage of VAWA. The terms added are:

"1. *Domestic Violence* is defined to include "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 cohabitating with or has cohabitated with victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

2. *Dating Violence* is defined to mean "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 relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship."

3. *Stalking* is defined to mean: (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"; and

4. *Immediate family* is defined to mean, "with respect to a person: (A) a spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in loco parentis (in place of parents); or (B) any other person living in the household of that person and related to that person by blood or marriage."

**2. Statement of Policies and Objectives**

**New Language: Chapter 1, 1-2, D.**

"It is the policy of the Housing Authority to comply fully with the Violence Against Women and Department of Justice Reauthorization Act of 2005 and implement policies protecting victims of 'domestic violence' from discrimination."

"To comply with the Violence Against Women and Department of Justice Reauthorization Act of 2005, the Housing Authority has implemented policies protecting victims of domestic violence from discrimination. The Section 8 Program has also implemented policies permitting owners to bifurcate the lease of those in a violent relationship, allowing the victim of violence to remain in the unit. The Housing Authority will not deny admission to an applicant who is or has been a victim of domestic violence, dating violence, or stalking, if the person otherwise qualifies for assistance. Additionally, the Housing Authority will not evict a current tenant solely because the resident is or has been a victim of domestic violence, dating violence, or stalking."

**3. Eligibility for Admission**

**New Language: Chapter 3, I. "Other Criteria for Admissions, page 3-8**

- "MHA will not use as a basis for denial of admission that any applicant was the victim of domestic violence, dating violence, or stalking ("abuse") if the applicant otherwise qualifies for admission or assistance (pursuant to Sec. 606 & 607 of VAWA 2005)."

**4. Establishing Preference and Maintaining the Waiting List**

**New Language: Section D. Local Preferences, 1. Domestic Violence, page 4-3**

➢ New Third paragraph: "The victim must provide a certification within 14 days of the request from the MHA that names the perpetrator, under a confidentiality agreement. It must be certified by a law enforcement, or self-certified with a neutral third party verification, as prescribed by HUD in its establishment of this requirement, and signed by the employee, agent, volunteer or other provider of social services, attorney, or medical professional."

➢ Add Notation End of Section 1. "MHA has an ongoing and long-standing approach and commitment to the housing needs of victims of domestic violence. Where there is any conflict in the application of the "definition" of a victim of domestic violence between the established local preference, and the "domestic violence" definition added in the glossary pursuant to VAWA, the VAWA definitions for domestic violence supersede."

**5. Verification Procedures**

**New Language: Section on "Split Households – Domestic Violence, page 7-18**

New Language: Add to existing language in this section – "Verification of the status of a victim of domestic violence as defined under VAWA 2005 must consider and differentiate between the abuser and the victim, so as not to deny housing assistance to an applicant "victim" who otherwise qualifies for the housing.

**6. Request for Tenancy Approval and Contract Execution**

**New Language: Section E. Information to Owners, pages 9-5**

New Language: "MHA will provide information to owners of their rights and obligations under Section 8 as amended by VAWA 2005. This information will include the ability to bifurcate the lease to remove the abuser in a domestic violence situation, and the prohibition from discriminating against the victim of domestic violence in screening applicants for suitability."

**7. Moves with Continued Assistance (Transfers)**

**New Language: Section A. Allowable Moves page 15-1**

New Language:

"5. The family may move if a family "split" due to domestic violence has occurred and the move is requested to protect the health and safety of an individual who is the victim of the domestic or dating violence or stalking. The family moving under this situation must have otherwise complied with all of the terms and obligations of their lease. HUD regulations implementing VAWA 2005 allow the prior lease to be bifurcated to remove the abuser in the situation. The acceptable means of certification of the domestic violence, as prescribed by HUD, must be provided by the victim to the owner or MHA."

**8. Portability**

**New Language: Section B. Determining Eligibility, Program Requirements for Participant Families, page 16-2**

New Language in Second Paragraph: "A participant family may move in violation of the lease under the portability procedures if the family has complied with all other obligations of the voucher program and has moved out of the assisted dwelling unit in order to protect the health and safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking."

**9. Denial or Termination of Assistance**

**New Language: Section A. Grounds for Denial or Termination of Assistance, page 17-2**

New Language:

"8. Any family member who engages, or who has engaged, in physical acts of violence against family members or others, that fall under the parameters of domestic violence, dating violence, or stalking as defined and authorized by the
VAWA of 2005 shall be denied assistance or terminated in accordance with the procedures prescribed by federal, state, and local law for termination of leases."

**10. Contract Terminations**

**New Language: Section B. Termination by the Family: Moves, page 18-1**

**~~Any~~ move that breaches the terms of the lease will disqualify the family for a transfer voucher.**

New Language: Family **moves that breach the terms of the lease will disqualify the family for a transfer voucher.** A violation of the lease when the victim of domestic violence has moved to protect

the health and safety of an individual who is or has been the victim of domestic violence shall not be grounds for denial of continuing assistance for the victim.

**MAJOR CHANGE No. 1 VAWA: ACOP**

**1. New Language:** The following definitions have been added to the Glossary of Terminology located in the Admissions and Continued Occupancy Policy, at the re-numbered Chapter 19. These terms are added as are a result of the amendments to the 1937 Housing Act, which emanate from changes due to the passage of VAWA. The terms added are:

1. *Domestic Violence* is defined to include "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 cohabitating with or has cohabitated with victim as a spouse, by a person similarly situated to a souse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

2. *Dating Violence* is defined to mean "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 relationship shall be determined based on a consideration of the following factors: (I) The length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship."

3. *Stalking* is defined to mean: (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"; and

4. *Immediate family* is defined to mean, "with respect to a person: (A) a spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in loco parentis (in place of parents); or (B) any other person living in the household of that person and related to that person by blood or marriage.

**1. Statement of Policies and Objectives**

**New Language: Section D. Fair Housing Policy, page 1-3**

Add New Language to List of FHEO Acts:

- Violence against Women and Department of Justice Reauthorization Act of 2005.

**2. Establishing Preference and Maintaining the Waiting List**

**New Language: Section D. Local Preferences, 1. Domestic Violence, page 2-5**

➢ New Third paragraph: "The victim must provide a certification within 14 days of the request from the MHA that names the perpetrator, under a confidentiality agreement. It must be certified by a law enforcement, or self-certified with a neutral third party verification, as prescribed by HUD in its

establishment of this requirement, and signed by the employee, agent, volunteer or other provider of social services, attorney, or medical professional."

➢ Add Notation End of Section 1. "MHA has an ongoing and long-standing approach and commitment to the housing needs of victims of domestic violence. Where there is any conflict in the application of the "definition" of a victim of domestic violence between the established local preference, and the "domestic violence" definition added in the glossary pursuant to VAWA, the VAWA definitions for domestic violence supersede."

**3. Eligibility for Admission**

**New Language: Chapter 4, Section C. "Resident Selection Criteria," page 4-3**

**General Principles (add a new principle to selection)**

"MHA will not use as a basis for denial of admission that any applicant was the victim of domestic violence, dating violence, or stalking ("abuse") if the applicant otherwise qualifies for admission or assistance (pursuant to Sec. 606 & 607 of VAWA 2005)."

**5. Verification Procedures**

**New Language: Chapter 6 Section on "Split Households – Domestic Violence, page 6-23**

New Language: Add to existing language in this section – "Verification of the status of a victim of domestic violence as defined under VAWA 2005 must consider and differentiate between the abuser and the victim, so as not to deny housing assistance to an applicant "victim" who otherwise qualifies for the housing.

**6. Leasing**

**New Language: Chapter 8, Leasing- New Section M., Bifurcation of the Lease, page 8-7 (Retitle Section on Inspections N.)**

New Language: "The MHA will bifurcate the lease of a resident family to protect the victim of domestic violence. The MHA will remove a household member from a lease under this section, without regard to whether a household member is a signatory to the lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant, and such eviction, removal, termination of assistance shall be effected in accordance with the procedures prescribed by federal, state, and local law for termination of leases under the relevant HUD-assisted program, in this case public housing. Certification of the abuse must be made within 14 of the request of the MHA in a form prescribed by HUD."

## 7. Transfers

**New Language: Chapter 11, Section H. Special Circumstances Transfer, page 11-4**

New Language: "The family may transfer if a family "split" due to domestic violence has occurred and the transfer is requested to protect the health and safety of an individual who is the victim of the domestic or dating violence or stalking. The family transferring under this situation must have otherwise complied with all of the terms and obligations of their lease. HUD regulations implementing VAWA 2005 allow the prior lease to bifurcated to remove the abuser in the situation. The acceptable means of certification of the domestic violence, as prescribed by HUD, must be provided by the victim to the owner or MHA."

## 8. Lease Terminations

**New Language: Chapter 12, Add Section F. " Terminations Due to Domestic Violence" (VAWA 2005), page 12-7**

New Language: Criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of tenancy or occupant rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse. The ability to bifurcate the lease and take appropriate termination of tenancy or occupancy rights of the "abuser" is authorized by VAWA and granted to the MHA.

**Resident Assessment**
**Improvement Plan**
**Housing Authority County of Marin**

The survey of residents residing in Marin Housing's six public housing complexes resulted in a score of less than 75% in three areas:

| | | |
|---|---|---|
| 1. | Communications | 66.6% |
| 2. | Safety | 73.9% |
| 3. | Housing Development Appearance | 73.5% |

Marin Housing is committed to providing the best service possible to all our residents and, therefore, is prepared to take affirmative steps to improve the residents' satisfaction with communication, safety and complex appearance.

Below we will address our plans to address the three areas of concern.

**Communications**

Marin Housing reviewed the survey results for each of the properties and it appears that the concerns of the residents surrounding communication are substantially the same at each property. Those concerns are:

1. Management providing information about the rules of the lease, meetings and events, and maintenance and repair work.

2. Management being responsive to questions and concerns.

3. Management being professional and courteous

4. Management being supportive of the resident council at Golden Gate Village

*Management providing information about the rules of the lease, meetings and events, and maintenance and repair work:*

Marin Housing staff is working on a tenant move-in packet which will be provided to each resident. We intend to make changes that will enhance communication surrounding the responsibilities of the resident and Marin Housing at the time of the initial move-in and annually.

Currently when a new resident moves into Public Housing, the Program Manager reviews the dwelling lease, complaint procedure, and resident responsibilities. Marin Housing will include a section in the newsletter that takes one aspect of the lease, complaint procedure, or resident responsibilities and explain and review the process and/or procedure. The Program Manager is available monthly at each one of the complexes where residents are invited to ask questions about any issue that concerns them. In the monthly newsletter that is provided to each resident the dates and times of monthly meetings are outlined.

Notices for resident inspections have been revised to include more information regarding the purpose of the inspection and the approximate time that the inspection will occur. More informative notices of modernization activities have been designed.
A notice letting residents know that a maintenance worker has entered the unit to make repairs will be left in the unit so residents will always be aware when staff enters. MHA posts notices when there is a water shut-off or like emergency as quickly as possible and staff will attempt to provide as clear an explanation of the problem as is possible.

*Management being responsive to questions and concerns:*
Marin Housing has a policy and is committed to returning telephone calls and e-mail requests within twenty-four hours and responding to written requests within three working days. However, this response time is not as quick as some residents would like.

At the Golden Gate Village Family complex there are two resident information meetings scheduled each month, one specifically designed to address maintenance and management issues and resident concerns in that area and one to address safety issues and concerns. These meetings are poorly attended and MHA will expand its efforts to involve the community in these meetings.

A taskforce has been formed to have a series of roundtable meetings to work on issues of hate and violence in the community. It is hoped that through open communication and problem solving the community and service agencies will work more closely to resolve these concerns.

*Management being professional and courteous:*
It is Marin Housing's mandate that all residents and members of the public be treated with courtesy, dignity, and respect. Each staff member strives to meet this standard. Nevertheless, staff is often in a position of giving information to the resident that is contrary to what the resident wishes. When that happens, staff can be perceived as being non-responsive or uncaring.

Marin Housing will continue to provide ongoing training to staff. Part of the training includes supervisory training that covers how to deal effectively with clients. Marin Housing will continue to seek opportunities to expand staff's communications skills.

*Management being supportive of the resident council at Golden Gate Village:*
Marin Housing supports the recognized resident council at Golden Gate Village. The Executive Director (and staff) attends one resident council meeting each month and responds to resident concerns.

The Interim Executive Director, Board of Supervisors, and staff have met with residents a several developments over the past six months. The Program Manager of the Elderly/Disabled projects meets with the resident representative of each complex regularly to discuss and address resident concerns.

**Safety**

1. Safety in the unit, building, parking areas.

2. Concerns that bad lighting, broken locks contribute to the crime rate.

3. Concerns that inadequate resident screening and vacant units contribute to the crime rate

*Safety in the unit, building, parking areas;*

Marin Housing has regular meetings with the Sheriff's department and the residents to work on ways to improve safety at the complex. New signs are being installed that will allow the police agencies to ask individuals who are not accompanied by residents to leave the area. If they refuse they can be arrested and removed. Vehicle towing policies will be enforced. Individuals who are gambling or committing crimes in the parking lots will be cited and/or arrested. Marin Housing will be evicting residents who engage in criminal activity or allow family members or guests to engage in such activities. No second chances will be allowed.

Marin Housing and the Resident Council are working on ways to improve communication between the residents and law enforcement. A series of roundtable meetings are going to be scheduled to work on issues of hate and violence in the community. It is hoped that through open communication and problem solving the community and service agencies will work more closely to resolve these concerns.

*Concerns that bad lighting and broken locks contribute to the crime rate;*
A survey of the lighting at Golden Gate Village has been completed and a plan to replace and expand lighting is underway. Marin Housing has plans through its Capital Fund to expand the lighting in some of the projects.

Broken locks are considered an emergency item and are replaced or repaired within 24 hours of reporting. This is being closely monitored.

*Concerns that resident screening and vacant units contribute to the crime rate;*
Screening of new residents. Marin Housing emphasizes screening out applicants with a history of drug or alcohol abuse. Staff runs a criminal record check for each applicant, including a check for sex offenses, a credit check, and references from past landlords or identified individuals who have knowledge of the applicant's behavior. Marin Housing uses a national screening service to check on criminal records and screens applicants to the maximum extent allowed by HUD regulations and the fair housing and non-discrimination laws. Marin Housing will continue to explore ways to better screen applicants for national crime detection.

**Neighborhood appearance**

1. Satisfaction with the upkeep of common areas, exterior of buildings, recreation and parking areas.
2. How often are the abandoned cars, noise, rodents and insects, trash, vacant units a problem?

The grounds at GGV are contracted out to a tenant based company and closely monitored by the Program Manager. There were few concerns at that property. Additional manpower will be redirected to the other properties to clean the common areas and take care of the grounds and parking areas.

Noise and litter are problems at GGV because non-residents and residents congregate in the parking lots. As described above, stricter enforcement of trespassing laws should help decrease this problem.

New signage at GGV will allow abandoned cars to be tagged and moved off the property. Residents at GGV place trash under trees and expect MHA to pick-up the trash while other residents throw trash outside their units, off the balcony, etc. MHA maintenance crews devote approximately 30-40 hours per week to picking up trash instead of completing work orders and apartment renovations. There are two trash collections per week made by the sanitary district in the low rise area and three per week in the high rise buildings. If MHA finds any identifying material in trash that is left on the property the resident will be billed for its collection and disposal. MHA is exploring the possibility of a fee to offset general garbage costs.

Staff will employ three approaches to address the vacancy turnaround problems. First, maintenance workers are being realigned to make vacancy turnover a top priority, with emergency work orders the only priority ahead of vacancy turnovers. Second, there is a concentrated effort, as described above to process applications and have them ready to immediately lease a unit as soon as it is released from the maintenance department. Third, structuring vacancy turnaround to be applicant driven insuring that as soon as an applicant is ready to be placed a unit will be ready for occupancy.

**Status Report**
**Goals and Objectives – 2009**

| 1. Maximize Affordable Housing Options | |
|---|---|
| **Fully Utilize Section 8 Voucher and Public Housing Programs** | As of June 30, 2008, the Utilization Rate for the Section 8 Program is 97.8%. The waiting list has been closed for six years. MHA plans to open the waitlist in Fall 2008. MHA also will explore opening Project based units through the RFP process. |
| **Preserve Existing Affordable Housing Stock** | MHA will achieve 100% of Section 8 Housing Quality Standards annual inspections. |
| **Prevent Homelessness** | Reporting period January through July 2008.<br><br>Through the Rebate to Marin Renters program, 40 eviction prevention subsidies were provided to elderly and disabled households. 130 formerly homeless mentally ill individuals received supportive services through the Shelter Plus Care Program.<br><br>MHA has executed a Memorandum of Understanding with Legal Aid of Marin to collaborate to prevent tenants from losing their housing.<br><br>26 persons with HIV/AIDS received HOPWA rental assistance.<br><br>Secured $50,000 new funds from the County of Marin to provide Information and Referral service to 2000 callers looking for housing assistance. |
| **Promote Homeownership Opportunities** | Maintained portfolio of 330 Below Market Rate homes; through July 2008.<br><br>Provided technical assistance to 3 developers regarding new affordable ownership housing developments. Conducted 1 first time homebuyer seminar.<br><br>The Section 8 Homeownership Program assisted 2 families who have completed the loan approval process and are now living in their own homes in 2008.<br><br>2 MCCs were issued to first-time homebuyers in |

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| | conjunction with home purchase, representing $631,700 in tax credits and $3.2 million in mortgage loans. MHA applied for new Mortgage Credit Certificates in December 2007 and was awarded a total of $952,550.00. MHA began implementation of the American Dream Downpayment Assistance Program in 2008. |
| **Increase Access to Housing Opportunities by Increasing Tenant Incomes** | The Family Self-Sufficiency Program provided services to 44 Marin City Public Housing residents and 128 Section 8 participants in 2008. Total number of escrow accounts is 96. |
| **2. Enhance Services to Clients** | |
| **Demystify Services Through Enhanced Communication** | The Housing Assistline responded to 1,814 calls and inquires.<br><br>There have been 9 Section 8 briefings since January 1, 2008 through August 31, 2008. 67 families received vouchers with 32 of them finding housing. 35 of that group is still actively seeking housing.<br><br>MHA has had monthly meetings with Marin City residents on maintenance and operations of the project. There have been several safety meetings with poor attendance. MHA is working with the residents and Sheriff's department to revitalize the meetings. MHA is participating in a Task Force to reduce violence and improve activities for youth.<br><br>MHA conducted resident meetings at each housing development.<br><br>Newsletters are sent to all residents in public housing. |
| **Implement, Monitor and Improve Client Feedback** | MHA staffs meet monthly with residents for informational exchange.<br><br>MHA's central office and the Marin City Public Housing project have client suggestion boxes.<br><br>MHA will post the Annual Plan when approved by the Board of Commissioners on the website. MHA also plans to update the ACOP and Administrative Plans and make them available on the website.<br><br>MHA also plans to establish a Fraud Hotline on the |

| | |
|---|---|
| | website. |
| **Streamline External Procedures** | Marin Housing is exploring ways to utilize the current technology to enhance the efficiency of the agency's operations. In-house information exchange will be via the computer. Information from HUD and other organizations will be gathered from the Internet and made available to staff on the computer. All employees with computers will have internal and external e-mail and the agency continues to explore the uses of computer technology to communicate with and transmit contract and amendment changes to owners and landlords.<br><br>Marin Housing Authority has posted the Public Housing application on the website. MHA also implemented a web-based application for the Section 8 Program.<br><br>MHA is implementing the Limited English Program. |
| **Streamline Internal Procedures and Systems** | The Section 8 Administrative and Public Housing Admission and Continual Occupancy policies are currently under review. |
| **New database system to track homeless in the county.** | MHA provides data regarding homelessness in Marin. MHA is working with the Continuum and the County of Marin to gather more specific data than that reported in MHA's APR. |

# 3. Continue to Build Collaborations

| | |
|---|---|
| ***Build Collaborations with Other Agencies, Local Jurisdictions and the Private Sector*** | MHA senior staff attends and plays a leadership role in the Marin Continuum of Housing & Services meetings and the Housing Council. MHA's Executive Director has been working with the County of Marin to launch a "Project Homeless Connect" effort. MHA staff has also been working with 7 jurisdictions in Marin County to financially support the Below Market Rate homeownership program. |

## RESIDENT ADVISORY BOARD COMMENTS

**Resident Membership of the PHA Governing Board**

The Board of Commissioners of the Housing Authority of the County of Marin is comprised of the five members of the Board of Supervisors augmented with two residents – Marilyn Thompson and Isaiah Wallace. The Marin County Board of Supervisors selects these members pursuant to a public selection process.

**Membership of the Resident Advisory Board**

The Resident Advisory Board (RAB) consists of six Section 8 participants and six public housing residents. The RAB is appointed by the Board of Commissioners. (See Section 6)

## 5 Year Plan for Fiscal Years 2009 - 2013
## Annual Plan for Fiscal Year 2009

We are members of Marin Housing Authority Resident Advisory Board (RAB) and do hereby certify that we have reviewed the above-referenced plans and have no objection to the contents of those plans other than those indicated in the RAB comments.

This review has taken place over the past eight months. During this time of review we have made suggestions and recommended changes, which are reflected in the final Plan.

Sincerely,

Resident Advisory Board

(Original signatures are on file at the Marin Housing Authority Main Office)

| | | | |
|---|---|---|---|
| RAB: | _____ | Sherri Anderson | Section 8 |
| | _____ | Jerry McDonald | Section 8 |
| | _____ | David Ervin | Section 8 |
| | _____ | Robert Gallimore | Public Housing (Mixed Population) |
| | _____ | Kevin Gladstone | Section 8 |
| | _____ | Robert Hernandez | Public Housing (Mixed Population) |
| | _____ | Jerry McDonald | Section 8 |
| | _____ | Royce McLemore | Public Housing (Family) |
| | _____ | Sandy Shartzer | Section 8 |
| | _____ | Gracie Stover | Public Housing (Family) |
| | _____ | Anne Taylor | Public Housing (Mixed Population) |
| | _____ | Isaiah Wallace | Public Housing (Family) |

**Golden Gate Village Resident Council Comments:**
**5 Year Plan for Fiscal Years 2009 – 2013;**
**Annual Plan for Fiscal Year 2009**

**Comments:**
**5 Year Plan for Fiscal Years 2009 – 2013;**
**Annual Plan for Fiscal Year 2009**

**Public/General Comments**

## 5 Year Plan for Fiscal Years 2009 – 2013
## Annual Plan for Fiscal Year 2009

***Will be included when the DRAFT Annual Plan goes to the Board of Commissioners for approval in October 2009***