

PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011
-----------------------------------	---	--

1.0	PHA Information PHA Name: HOUSING AUTHORITY OF THE CITY OF SAN LUIS OBISPO PHA Code: CA064 PHA Type: <input checked="" type="checkbox"/> Small <input type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): 10./2009				
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: 172 Number of HCV units: 1,825				
3.0	Submission Type <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only				
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)				
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program
					PH HCV
	PHA 1:				
	PHA 2:				
	PHA 3:				
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.				
5.1	Mission.				
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.				
6.0	<p>PHA Plan Update</p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: 1. The PHA has submitted a request for HUD to review and approve a Designated Housing Plan. This DHP would allow one complex to be utilized for elderly and/or near elderly only, consistent with the project plans when it was built. 2. Proposal to convert four of the 5 bedroom units to eight – 2 bedroom units. This would enable the PHA to better utilize the smaller units for either families or non-elderly disabled persons.</p> <p>(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions. The PHA Plan revised policies or program changes, as well as the supporting documents are available for public review and inspection at the main Administrative office of the PHA, which is located at 487 Leff Street, San Luis Obispo, CA The PHA will also post the Plans on its' website. The PHA has included the agency's VAWA amendments to ACOP and Admin Plan that was adopted in 2007. No other changes have been implemented since that time. Documentation reflecting program policy and notices to landlords are included in Attachment E.</p>				
7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i></p> <p>Homeownership program: HASLO continues to work with clients under the Family Self Sufficiency program to be prepared for homeownership. In partnership with local banks, classes are being offered to all participants in financial management, budgeting, savings programs and downpayment assistance programs. HASLO also administers the downpayment assistance grant funds for the County of San Luis Obispo if there are HOME funds awarded.</p> <p>Project-Based Assistance: HASLO will be submitting a request for HUD approval of a Project Based Voucher program. These funds will be targeted to projects that maintain a contract rent that is lower than the current Payment Standard, in order to minimize the amount of HAP subsidy and to ensure the clients have options for affordable units county-wide.</p>				
8.0	Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.				
8.1	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p> <p>Annual Statement/Performance and Evaluation Reports are included for open Capital Fund Programs. The PHA continues to expend any capital funding awarded on an expeditious basis.</p>				

8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p> <p>The Capital Fund Program Five-Year Action Plan is attached. The focus in these five years is for energy efficiency upgrades, reconfiguration of some of the 5 bedroom units to 2 bedroom units, and construction of new office and maintenance facilities.</p>
8.3	<p>Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>Housing need continues to exceed the amount of affordable housing available in this county. The PHA could utilize more vouchers, which would minimize the length of time applicants have to wait. There is currently at least a 3-4 year wait depending upon turn-over. In 2008, the PHA had the lowest number of vacancies in the public housing units that it has ever experienced. This is reflective of the fact that clients do not have affordable choices even if the household income increases. It is also reflective of the quality of housing that the PHA maintains. The Consolidated Plan and the 10-Year Plan to End Homelessness both identify the lack of affordable housing in this county as critical. There are three elements listed in the County's Action Plan which are aimed at increasing or retaining affordable housing in the county, Economic Development and strategies to end Homelessness. The PHA works closely with the county in all of these areas.</p> <p>In 2008, San Luis Obispo County was the third least affordable area in the nation! Rental rates and homeownership costs versus the lower incomes are making it virtually impossible for even the workforce income households to afford decent housing. The County of SLO is in the process of updating the Consolidated Plan. The PHA is looking at any and all funding options to assist with the foreclosure crisis, development of affordable rental units and downpayment assistance for those that are able to take advantage of the lower housing costs.</p>
9.1	<p>Strategy for Addressing Housing 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. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p>
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>The PHA has made progress in several areas:</p> <ol style="list-style-type: none"> 1. leverage resources to create additional housing opportunities: the PHA worked with a local apartment owner wishing to convert apartments to rentals and was donated 34 units in the complex to retain as affordable housing. The PHA is in the planning stages for the new construction of affordable homeownership units to be sold. 2. Conduct outreach to landlords: the PHA had a landlord briefing to expand knowledge of the program and intends to do this on an annual basis. 3. FSS continues to assist clients in financial management and credit issues, educational opportunities. All are geared towards becoming employed and self sufficient. 4. Improvement in PHA PHAS and SEMAP scores: SEMAP scores and related PIC reporting have increased greatly. The current PHAS score will be appealed, but with this fiscal year report, it will be reflecting a marked improvement in the financial area as well. <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"</p> <p>Significant Amendment and Substantial deviation/modification definition: Any change with regard to demolition or disposition of public housing units.</p>

11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <ul style="list-style-type: none">(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.(g) Challenged Elements(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)
-------------	---

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for

maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected.
7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. (**Note: applies to only public housing.**)
8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: **(i)** A description of the need for measures to ensure the safety of public housing residents; **(ii)** A description of any crime prevention activities

conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
13. **Violence Against Women Act (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or Mixed Finance Modernization or Development.** **1)** A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: **(1)** A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and **(2)** A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm

Note: This statement must be submitted to the extent that

approved and/or pending demolition and/or disposition has changed.

- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: **1)** A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or that the public housing agency plans to voluntarily convert; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>
- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).

9.1 Strategy for Addressing Housing Needs. Provide a 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. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition

of "significant amendment" and "substantial deviation/modification". (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. (Note: Standard and Troubled PHAs complete annually).

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.

Part I: Summary

PHA Name: HOUSING AUTHORITY OF THE
 CITY OF SAN LUIS OBISPO

Grant Type and Number
 Capital Fund Program Grant No: CA16P064501-07
 Replacement Housing Factor Grant No:

FFY of Grant: 2007
 FFY of Grant Approval: 2007

Date of CFPP:

Type of Grant
 Original Statement
 Performance and Evaluation Report for Period Ending: 3/31/2009
 Reserve for Disasters/Emergencies

Revised Annual Statement (revision no: 2)
 Final Performance and Evaluation Report

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised:	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21),	82,050	82,050	82,050	82,050
3	1408 Management Improvements	8,000	8,000	6,000	6,000
4	1410 Administration (may not exceed 10% of line 21)	28,166	24,166	34,479	34,479
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	9,500	4,500	460	460
8	1440 Site Acquisition				
9	1450 Site Improvement	10,000	-	1,520	1,520
10	1460 Dwelling Structures	109,150	128,150	34,481	34,481
11	1465.1 Dwelling Equipment—Nonexpendable	8,500	8,500	-	-
12	1470 Non Dwelling Structures				
13	1475 Non Dwelling Equipment	26,300	26,300	25,021	25,021
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495.1 Relocation Costs				
17	1499 Development Activities				
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency				
20	Amount of Annual Grant: (sum of lines 2 - 19)	281,666	281,666	184,011	184,011
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 compliance				
23	Amount of line 20 Related to Security - Soft Costs				
24	Amount of Line 20 Related to Security - Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				

Signature of Executive Director _____ Date 4-30-09
 Signature of Public Housing Director _____ Date _____

1 To be completed for the Performance and Evaluation Report
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement
 3 PHA's with under 250 units in management may use 100% of CFP Grants for operations
 4 ~~Revised~~ shall be included here.

Part I: Summary

PHA Name: HOUSING AUTHORITY OF THE CITY OF SAN LUIS OBISPO	Grant Type and Number Capital Fund Program Grant No: CA16P064501-08 Replacement Housing Factor Grant No: Date of CFFP:	FFY of Grant: 2008 FFY of Grant Approval: 2008
---	---	---

Type of Grant Original Statement Reserve for Disasters/Emergencies Revised Annual Statement (revision no: 2) Final Performance and Evaluation Report

Line	Summary by Development Account	Original	Revised	Obligated	Total Actual Cost, Expended
1	Total non-CFF Funds				
2	1406 Operations (may not exceed 20% of line 21)	39,185	39,185		
3	1408 Management Improvements	5,000	5,000		
4	1410 Administration (may not exceed 10% of line 21)	27,576	27,576	3,005	3,005
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	3,000	3,000		
8	1440 Site Acquisition				
9	1450 Site Improvement	44,000	44,000	6	6
10	1460 Dwelling Structures	132,000	132,000	374	374
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment	25,000	25,000		
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495.1 Relocation Costs				
17	1499 Development Activities				
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9000 Collateralization or Debt Service paid Via System of				
19	1502 Contingency				
20	Amount of Annual Grant: (sum of lines 2 – 19)	275,761	275,761	3,385	3,385
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 compliance				
23	Amount of line 20 Related to Security – Soft Costs				
24	Amount of line 20 Related to Security – Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				

Signature of Executive Director *[Signature]* Date **4-30-09** Signature of Public Housing Director _____ Date _____

- 1 To be completed for the Performance and Evaluation Report
- 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement
- 3 PHA's with under 250 units in management may use 100% of CFFP Grants for operations
- 4 RHF funds shall be included here.

Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Expires 4/30/2011

Part I: Summary						
PHA Name/Number: Hosing Authority of the City of San Luis Obispo/CA064		Locality (City/County & State): San Luis Obispo, San Luis Obispo County, California			<input checked="" type="checkbox"/> Original 5-Year Plan <input type="checkbox"/> Revision No:	
A.	Development Number and Name	Work Statement for Year 1 FFY <u>2009</u>	Work Statement for Year 2 FFY <u>2010</u>	Work Statement for Year 3 FFY <u>2011</u>	Work Statement for Year 4 FFY <u>2012</u>	Work Statement for Year 5 FFY <u>2013</u>
	64-4 Hathway		\$ 10,000	\$245,000	\$250,000	\$ 5,000
	64-5 Archer & High			\$ 35,000		\$155,000
	64-6 LOVR		\$245,000	\$ 5,000		
	64-7 Leff Street			\$ 5,000		
	64-8 High & Hutton		\$155,000			\$ 5,000
	64-9 Augusta		\$ 5,000		\$ 10,000	
	64-13 Harris		\$ 12,000		\$112,500	
	64-14 Puerta Del Sol					\$250,000
B.	Physical Improvements Subtotal	Annual Statement	\$427,000	\$290,000	\$372,500	\$415,000
C.	Management Improvements		\$ 50,000	\$ 50,000	\$ 85,000	\$ 90,000
D.	PHA-Wide Non-dwelling Structures and Equipment		\$307,250	\$219,250	\$239,250	\$210,00
E.	Administration		\$ 29,700	\$ 33,000	\$ 36,300	\$40,000
F.	Other					
G.	Operations (1406)		\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
H.	Demolition			\$ 50,000		
I.	Development					
J.	Capital Fund Financing – Debt Service					
K.	Total CFP Funds		\$843,950	\$672,250	\$763,050	\$785,000
L.	Total Non-CFP Funds					
M.	Grand Total		\$843,950	\$672,250	\$763,050	\$785,000

Part II: Supporting Pages – Physical Needs Work Statement(s)						
Work Statement for Year 1 FFY <u>2009</u>	Work Statement for Year: <u>4</u> FFY <u>2011</u>			Work Statement for Year: <u>5</u> FFY <u>2012</u>		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
See	64-2 KS&B			64-2 KS&B		
Annual	64-3 Toro			64-3 Toro		
Statement	64-4 Hathway	2 Bldgs. - Install solar energy panels	\$250,000	64-4 Hathway	1 - Install new irrigation meter and backflow device	\$5,000
	64-5-Archer & High			64-5-Archer & High	1 Bldg. - Install solar energy panels 1 - Replace roof	\$125,000 \$30,000
	64-6 LOVR			64-6 LOVR		
	64-7 Leff Street			64-7 Leff Street		
	64-8 High & Hutton			64-8 High & Hutton	1 - Install new irrigation meter and backflow device	\$5,000
	64-9 Augusta	16 - Replace ranges	\$10,000	64-9 Augusta		
	64-13 - 1497 Royal Way	1 - Install new irrigation meter and backflow device	\$5,000	64-13 - 1497 Royal Way		
	64-13 - 2126 Harris	1 Bldg. - Install solar energy panels 1 - Replace Fence	\$100,000 \$7,500	64-13 - 2126 Harris		
	64-13 - 1240 Southwood			64-13 - 1240 Southwood		
	64-13 - 711 Upham			64-13 - 711 Upham		
	64-14 Puerta Del Sol			64-14 Puerta Del Sol	2 Bldgs. - Install solar energy panels	\$250,000
	64-16 Arbor Place			64-16 Arbor Place		
	Subtotal of Estimated Cost		\$372,500	Subtotal of Estimated Cost		\$415,000

Response to Resident Advisory Board Comments

The PHA wishes to thank the participants for their comments. It is a very useful segment of the process and a perspective that allows staff to serve the residents more effectively!

1. Comment regarding termite treatment for 64-7 Leff Street Apartments.

The PHA has currently contracted to have an evaluation of the extent of treatment needed for the termites at this project. Spot treatment has been performed in the past. In the event of a more aggressive treatment is needed, the project would be phased to minimize impact to the residents.

Bus passes for the summer will be looked at as options for older youth.

2. Suggestions regarding 64-4 Hathway complex:

Further investigation is needed to review the suggestions put forth. The comments are appreciated however. If implemented, some of the suggestions could be performed out of the operational budget, such as mini blinds and ash tray receptacles. The others would need to be explored, as tree removal needs city approval, screen doors have to meet safety requirements, etc.

3. Comment regarding a bench seat at 64-16 Toro complex.

When the patio area was done out of previous Capital Funds allocated, there was not a mention of a bench at the curb. However, given the tenant population and the need to wait for rides, at least one bench will be implemented immediately.

4. Comment regarding providing bus passes for access to public transit.

We appreciate the suggestion and will look for ways to implement this. This comment came from a non-public housing representative, which will require other sources of funding to implement.

5. Comments regarding 64-13 Royal Way complex.

Further follow-up will be needed on this comment. The PHA was unaware there were any security issues at this complex. Staff monitor police reports and have not had any reason to feel safety was an issue. Staff will meet with residents on this complex.

The recycling container's depends on what the garbage company will allow. Maintenance will follow-up and inform the Executive Director as to options.

Violence Against Woman Act Implemented Changes

The Housing Authority in response to the Violence against Woman Act (VAWA) will implement changes to the Section 8 Administrative Plan, Admissions and Occupancy Policy, and Public Housing Lease Amendment. Such changes will include:

- An applicant or participant is, or has been, a victim of domestic violence, dating violence or stalking (collectively referred to as "abuse"), is not an appropriate basis for denial or termination of program assistance, or for denial of admission to Public Housing or assisted housing if the applicant otherwise qualifies for assistance or admission.
- HASLO may not terminate assistance to a participant in any assisted housing program on the basis of an incident or incidents of actual or threatened domestic violence, dating violence or stalking against that participant.
- HASLO will consider bifurcation (splitting) of the lease for victims of domestic violence, dating violence, sexual assault or stalking as it applies to the perpetrator while allowing the victim to remain in the residence.
- Housing Choice Vouchers will not be cancelled for a member or members of a family who move out in violation of the lease due to a threat or perceived threat of domestic violence, dating violence or stalking. Portability benefits remain unaffected.
- Criminal activity directly relating to abuse engaged in by a member of a tenant's household or any guest or other person under the tenants control will not be considered a serious or repeated violation of the lease and shall not be cause for termination of assistance, tenancy or occupancy rights if the tenant or an immediate family member is the victim or threatened victim of that abuse.

Detailed language changes will be addressed in the Section 8 Administrative Plan (Chapters 1,13,15) and the Admissions and Occupancy Policy (Chapters 1,3,9,12):

- Actual or Threatened Physical Violence
- Certification of Domestic Violence
- Domestic Violence, Dating Violence and Stalking
- Serious or Repeated Violations of the Lease
- Denial of Portable Voucher for Moves in Violation of the Lease
- Eviction from Public & Assisted Housing
- Public Housing Lease Agreement

HASLO will provide applicants / participants with the names of local agencies specializing in services for victims of domestic violence:

- San Luis Obispo County DA's office (Victim Witness Division)
- Sheriff's Office (Offender Release Information & Notification)
- Sexual Assault Recovery and Prevention (SARP) Center
- Department of Social Services
- Child Welfare Services
- North County Women's Shelter & Resource Center
- Women's Shelter San Luis Obispo



Housing Authority of the City Of San Luis Obispo
487 Leff Street - P.O. Box 1289, San Luis Obispo, CA 93406
(805) 543-4478 FAX (805) 543-4992

**NOTICE TO HOUSING CHOICE VOUCHER PROGRAM
LANDLORDS/OWNERS/MANAGERS, RESIDENTS, AND APPLICANTS
REGARDING VIOLENCE AGAINST WOMEN ACT [VAWA]**

The Congress of the United States passed the Violence Against Women and Department of Justice Reauthorization Act of 2005 (the "VAWA"), and President Bush signed it into law effective January 2006. This law affects resident selection, lease provisions that deal with termination and eviction, the termination of assistance or eviction provisions in the HAP contract, the Tenancy Addendum, and the resident's relationship with the Housing Authority and the landlord/manager/owner.

Selection of Participants and Tenants: The fact that an applicant for program assistance or a lease applicant is or has been the victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance, or denial of admission to the program if they are otherwise qualified.

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

The VAWA, however, does not limit the Housing Authority or owner/manager from terminating assistance or evicting for other good cause unrelated to the incident or incidents of domestic violence, provided that the victim is not held "to a more demanding standard than other tenants in determining whether to evict or terminate."

In addition, the VAWA does not prohibit the termination of assistance or eviction if the Housing Authority and/or the owner/manager can demonstrate an "actual and imminent threat" to other tenants or those employed at or providing service to the property if that tenant's assistance is not terminated or if that tenant is not evicted.

Families who wish to move to another jurisdiction using "portability" in the Housing Choice Voucher program may not be prohibited from doing so on the basis of lease violations, if the victim vacated the unit due to the threat or actual harm from domestic violence, dating violence, or stalking. The family must still meet all the other requirements of portability.

Any other federal state or local law that provides greater protections to victims of domestic violence, dating violence, or stalking is not superseded by the VAWA provisions.

Criminal Activity: Criminal activity directly relating to domestic violence, dating violence, or stalking engaged in by a member of the tenant's household or any guest or other person under the tenant's control shall not be the cause for termination of tenancy occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that domestic violence, dating violence, or stalking.

However, the Housing Authority may terminate assistance and/or the owner/manager may bifurcate (split) the lease to terminate assistance to remove an unlawful occupant or tenant who engages in criminal acts of violence to family members or others without terminating the assistance of or evicting victimized lawful occupants. In addition, the Housing Authority and/or the owner/manager is required to honor any court orders regarding the rights of access to or control of the property.

Certification of Domestic Violence: The Housing Authority and/or an owner/manager may require a resident to provide written certification of his or her status as a victim of domestic violence, dating violence or stalking, to obtain the protections afforded by the Act. The owner/manager, however, is not required to demand a certification from the resident in order to provide VAWA benefits to individuals. At their discretion they may apply benefits under VAWA based solely upon the individual's statement or other corroborating evidence. If the Housing Authority terminates assistance, a resident who claims that the termination directly relates to domestic violence, dating violence or stalking, must provide written certification to the Housing Authority that he or she is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents which are the subject of the termination of assistance are bona fide incidents of actual or threatened abuse. **The resident must provide such certification within 14 business days after the owner/manager or Housing Authority requests such certification in writing.** If the certification is not received within this timeframe, nothing would limit the ability to evict/terminate assistance. The 14 day deadline may be extended at the discretion of the Housing Authority or owner/manager.

The resident may comply with the written certification requirement by completing form HUD-50066, a copy of which is attached, or in lieu of that form, by providing authorized documentation concerning the domestic violence, dating violence or stalking at issue, in accordance with the instructions provided on form HUD-50066.

Confidentiality: All information provided to the Housing Authority and/or the owner/manager relating to the incident(s) of domestic violence, including the fact that an individual is a victim of domestic violence, shall be retained in confidence and shall neither be entered into any shared database nor provided to any related entity, except to the extent that such disclosure is (i) requested or consented to by the individual in writing; (ii) required for use in an eviction proceeding or termination of assistance; or (iii) otherwise required by applicable law.

Portability: Families who wish to move to another jurisdiction "portable" in the HCV Program may not be prohibited from doing so on the basis of lease violations, if the victim vacated the unit due to the threat or actual harm from domestic violence, dating violence, or stalking. The family must still meet all the other requirements of portability.

DEFINITIONS:

The following terms are defined in the Violence Against Women Act (VAWA)

Domestic Violence: The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is 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.

Dating Violence: The term "dating violence" means violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship, (ii) The type of relationship, (iii) The frequency of interaction between the persons involved in the relationship.

Stalking: The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

9/8/06
Rev: 11/29/07
03/21/08

VAWA - LOG

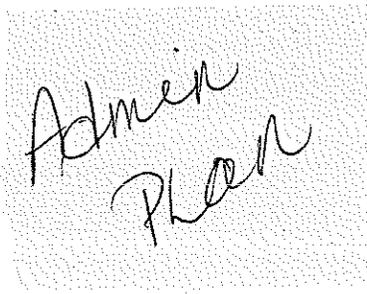
VAWA.#	APP #	WORKER	DATE	NAME	REQUEST
1		SC		[REDACTED]	Pub Hsg
2	24865	JR	11/12/07	[REDACTED]	Sec 8: VAWA Cert submitted
3	28949	IK	08/27/09	[REDACTED]	Sec. 8: VAWA Cert submitted

HOUSING AUTHORITY OF THE CITY OF SAN LUIS OBISPO

Changes to the Section 8 Housing Choice Voucher Program Amending
Sections of the Administrative Plan to Incorporate VAWA Requirements

Sections Amended and Approved by Board Resolution No. 855 on 4-19-07

M. NOTIFICATION REGARDING APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT



Notification to Participants [Pub.L.109-162]

VAWA requires PHAs to notify public housing program participants of their rights under this law, including their right to confidentiality and the limits thereof.

HASLO Policy

HASLO will provide all participants with notification of their protections and rights under VAWA at the time of admission and at annual reexamination.

The notice will explain the protections afforded under the law, inform the participant of HASLO confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

HASLO will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA.

Notification to Applicants

HASLO Policy

HASLO will provide all applicants with notification of their protections and rights under VAWA at the time they request an application for housing assistance.

The notice will explain the protections afforded under the law, inform each applicant of HASLO confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

HASLO will also include in all notices of denial a statement explaining the protection against denial provided by VAWA.

Notification to Owners and Managers [Pub.L.109-162]

VAWA requires PHAs to notify owners and managers of their rights and responsibilities under this law.

HASLO Policy

Inform property owners and managers of their screening and termination responsibilities

related to VAWA. HASLO may utilize any or all of the following means to notify owners of their VAWA responsibilities as appropriate in day to day interactions with owners and managers:

- Inserts in HAP payments;
- 1099s, owner workshops, classes;
- orientations, and/or newsletters;
- Signs in the HASLO lobby;
- mass mailings which include model VAWA certification forms.

Chapter 13

MOVES WITH CONTINUED ASSISTANCE / PORTABILITY

[24 CFR 982.314, 982.353, 982.355(a)]

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within HASLO's jurisdiction, or to a unit outside of HASLO's jurisdiction under Portability procedures. The regulations also allow HASLO the discretion to develop policies that define any limitations or restrictions on moves. This Chapter defines the procedures for moves, both within and outside of, HASLO's jurisdiction, and the policies for restriction and limitations on moves.

A. ALLOWABLE MOVES

A family may move to a new unit with continued assistance if:

- The assisted lease for the old unit has terminated because HASLO has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.
- The owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the family (unless assistance to the family will be terminated).
- The family has given proper notice of lease termination (and if the family has a right to terminate the lease on notice to owner).

Families who wish to move to another jurisdiction "portable" in the HCV program may not be prohibited from doing so on the basis of lease violations, if the victim vacated the unit due to the threat or actual harm from domestic violence, dating violence, or stalking. The family must still meet all the other requirements of portability.

B. RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552(a)]

Families will not be permitted to move within HASLO's jurisdiction during the initial year of assisted occupancy.

Families will not be permitted to move outside HASLO's jurisdiction under portability procedures during the initial year of assisted occupancy.

Families will not be permitted to move outside HASLO's jurisdiction under portability procedures if HASLO would be unable to avoid terminations of HCV assistance for current participants during the calendar year in order to remain within its budgetary allocations for housing assistance payments.

- The family breaches an agreement with a PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA. HASLO at its discretion may offer the family the opportunity to enter into a repayment agreement. HASLO will prescribe the terms of the agreement. (See Chapter 18, "Owner or Family Debts to HASLO".)
- The family participating in an FSS program fails to comply, without good cause, with the family's FSS contract of participation.
- If the family fails to fulfill its obligation under the Section 8 welfare-to-work voucher program.
- The family has engaged in or threatened abusive or violent behavior toward PHA personnel.
 - "Abusive or violent behavior towards PHA personnel" includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial.
 - "Threatening" refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence.
 - Actual physical abuse or violence will always be cause for termination.
- Any member of the family whose drug or alcohol abuse interferes with the health, safety or peaceful enjoyment of other project residents. Crime by Family Member (See One Strike policy section below.)
- If any member of the family commits drug-related criminal activity, or violent criminal activity. (See One-strike policy below and 982.553 of the regulations)

Refer to Chapter 2, "Eligibility for Admission", Section F, "Other Criteria for Admission" for further information.

B. 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 606(1) of VAWA adds the following provision to Section 8 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the housing choice voucher program:

- That an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate reason for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

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

HASLO Policy

The HASLO acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history that would warrant denial under the HASLO's policies. Therefore, if the HASLO makes a determination to deny admission to an applicant family, the HASLO 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, and

One of the following:

- A police or court record documenting the actual or threatened abuse, or
- 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 review or must request an extension in writing at that time. If the applicant so requests, the HASLO will grant an extension of 10 business days, and will postpone scheduling the applicant's informal review until after it has received the documentation or the extension period has elapsed. If after reviewing the documentation provided by the applicant the HASLO determines the family is eligible for assistance, no informal review will be scheduled and the HASLO will proceed with admission of the applicant family.

Perpetrator Removal or Documentation of Rehabilitation

HASLO Policy

In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, or stalking, the HASLO 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 assisted 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.

HASLO Confidentiality Requirements

All information provided to the HASLO 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

C. SCREENING AND TERMINATION FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

Purpose

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of HASLO to fully endorse and implement a policy designed to:

- Help create and maintain a safe and drug-free community
- Keep our program participants free from threats to their personal and family safety
- Support parental efforts to instill values of personal responsibility and hard work
- Help maintain an environment where children can live safely, learn and grow up to be productive citizens
- Assist families in their vocational/educational goals in the pursuit of self-sufficiency

Administration

All screening and termination of assistance procedures shall be administered fairly and in such a way as not to violate rights to privacy or discriminate on the basis of race, color, nationality, religion, familial status, disability, sex, or other legally protected groups.

Serious or Repeated Violations of the Lease

The following criteria will be used to decide if a serious or repeated violation of the lease will result in termination of assistance:

- If the owner terminates tenancy through court action for serious or repeated violation of the lease.
 - Nonpayment of rent is considered a serious violation of the lease.
- If the owner notifies the family of termination of tenancy assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and HASLO determines that the cause is a serious or repeated violation of the lease based on available evidence.
- If there are police reports, neighborhood complaints or other third party information, that has been verified by HASLO.

VAWA – Criminal activity directly relating to domestic violence, dating violence or stalking shall not be considered a serious or repeated violation of the lease by the victim or threatened victim of that criminal activity or justify termination of assistance to the victim or threatened victim. However, this does not limit the authority of the HASLO to terminate voucher assistance to individuals who engage in criminal acts of physical violence against family members or others.

Notification of Eviction

If the family requests assistance to move and they did not notify HASLO of an eviction within 5 business days of receiving the Notice of Lease Termination, the move will be denied.

Proposed Additions to the Family

HASLO will deny a family's request to add additional family members who are:

- Persons who have been evicted from public housing.
- Persons who have previously violated a family obligation listed in 24CFR 982.551 of the HUD regulations.
- Persons who have been part of a family whose assistance has been terminated under the Voucher program.
- Persons who commit drug-related criminal activity or violent criminal activity.
- Persons who do not meet HASLO's definition of family.
- Persons who commit fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- Persons who currently owe rent or other amounts to HASLO or to another PHA in

F. ZERO (\$0) ASSISTANCE TENANCIES [24 CFR 982.455 (a)]

For contracts effective on or after 10/2/95, HASLO has no liability for unpaid rent or damages, and the family may remain in the unit at \$0 assistance for up to 180 days after the last HAP payment. If the family is still in the unit after 180-days, the assistance will be terminated. If, within the 180-day timeframe, an owner increases the rent or the Total Tenant Payment decreases enabling the family to be eligible for a housing assistance payment, HASLO will resume assistance payments for the family.

In order for a family to move to another unit during the 180 days, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

G. TERMINATING THE ASSISTANCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING VICTIMS AND PERPETRATORS [Pub.L. 109-162, Pub.L. 109-271]

The Violence Against Women Reauthorization Act of 2005 (VAWA) provides that “criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control shall not be a cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that domestic violence, dating violence, or stalking.”

VAWA also gives PHAs the authority to “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.”

VAWA does not limit the authority of the HASLO to terminate the assistance of any participant if the HASLO “can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant is not evicted or terminated from assistance.”

Victim Documentation

HASLO Policy

When a participant family is facing assistance termination because of the actions of a participant, household member, guest, or other person under the participant’s control and a participant or immediate family member of the participant’s family claims that she or he is the victim of such actions and that the actions are related to domestic violence, dating violence, or stalking, the HASLO will require the individual to submit documentation affirming that claim.

Certification of Domestic Violence

The HASLO does not accept self certification of domestic violence, dating violence, sexual assault or stalking. As verification that a family member has been the victim of domestic violence, dating violence, sexual assault or stalking, the HASLO will accept:

- (1) Documentation signed by an employee, agent or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence, sexual assault or stalking has signed and attested to the documentation; or
- (2) A Federal, State, tribal, territorial or local police report or court record or order; or
- (3) A HUD approved certification form that includes the name of the perpetrator.

The certification must be provided within 14 business days of the HASLO's written request. If not provided within 14 business days, the HASLO may, at its sole discretion, extend the deadline or begin action to terminate the family from the program due to an eviction for good cause or due to criminal activity if supported by a conviction.

If the HASLO can demonstrate an actual and imminent threat to other participants or those employed at or providing service to the property if the participant's tenancy is not terminated, the HASLO will bypass the standard process and proceed with the immediate termination of the family's assistance.

Terminating the Assistance of a Domestic Violence Perpetrator (Bifurcation of Lease)

Although VAWA provides assistance termination protection for victims of domestic violence, it does not provide protection for perpetrators. VAWA gives the HASLO the explicit authority to "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 terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant." This authority supersedes any local, state, or other federal law to the contrary. However, if the HASLO chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law regarding termination of assistance [Pub.L. 109-271].

HASLO Policy

When the actions of a participant or other family member result in a HASLO decision to terminate the family's assistance and another family member claims that the actions involve criminal acts of physical violence against family members or others, the HASLO will request that the victim submit the above required certification and supporting documentation in accordance

with the stated time frame. If the certification and supporting documentation are submitted within the required time frame, or any approved extension period, the HASLO will terminate the

perpetrator's assistance also known as "Bifurcation of the Lease" or "splitting of the lease". If the victim does not provide the certification and supporting documentation, as required, the HASLO will proceed with termination of the family's assistance.

If the HASLO can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if the participant's tenancy is not terminated, the HASLO will bypass the standard process and proceed with the immediate termination of the family's assistance.

H. OPTION NOT TO TERMINATE FOR MISREPRESENTATION

[24 CFR 982.551, 982.552(c)]

If the family has misrepresented any facts that caused HASLO to overpay assistance, HASLO may choose not to terminate and may offer to continue assistance provided that the family executes a Repayment Agreement and makes payments in accordance with the agreement, or reimburses HASLO in full within 90 calendar days.

I. MISREPRESENTATION IN COLLUSION WITH OWNER

[24 CFR 982.551, 982.552 (c)]

If the family intentionally, willingly, and knowingly commits fraud or is involved in any other illegal scheme with the owner, HASLO will deny or terminate assistance.

In making this determination, HASLO will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

J. MISSED APPOINTMENTS AND DEADLINES [24 CFR 982.551, 982.552 (c)]

It is a Family Obligation to supply information, documentation, and certification as needed for HASLO to fulfill its responsibilities. HASLO schedules appointments and sets deadlines in order to obtain the required information. The Obligations also require that the family allow HASLO to inspect the unit, and appointments are made for this purpose.

An applicant or participant who fails to keep an appointment, or to supply information required by a deadline without notifying HASLO, may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow HASLO to inspect the unit.

The family will be given information about the requirement to keep appointments and the number of

HOUSING AUTHORITY OF THE CITY OF SAN LUIS OBISPO

Changes to the Public Housing Program Amending Sections of the
Admissions and Continued Occupancy Policy to Incorporate VAWA
Requirements

Sections Amended and Approved by Board Resolution No. 855 on 4-19-07

The notice will explain the protections afforded under the law, inform the participant of HASLO confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

HASLO will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA (see Section 12-D).

Notification to Applicants

HASLO Policy

HASLO will provide all applicants with notification of their protections and rights under VAWA at the time they request an application for housing assistance.

The notice will explain the protections afforded under the law, inform each applicant of HASLO confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

HASLO will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-G).

J. TERMINOLOGY

The Housing Authority of the City of San Luis Obispo is referred to as "HASLO" or "Housing Authority" throughout this document.

"Family" is used interchangeably with "Applicant," "Resident" or "Participant" or and can refer to a single-person family.

"Tenant" is used to refer to participants in terms of their relation as a lessee to HASLO as the landlord.

"Landlord" refers to HASLO.

"Disability" is used where "Handicap" was formerly used.

"Noncitizen Rule" refers to the regulation effective June 19, 1995, restricting assistance to U.S. citizens and eligible immigrants.

See Glossary for other terminology.

G. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is completed, HASLO will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by HASLO, and the tenant suitability determination (see Chapter on Eligibility for Admission).

Because HUD can make changes in rules or regulations and family circumstances may have changed during the review process that affect an applicant's eligibility, it is necessary to make final eligibility determination.

The fact that an applicant is or has been the victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance, or denial of admission to the program if they are otherwise qualified. HASLO may require the applicant to provide written certification of his or her status as a victim of domestic violence, dating violence or stalking to obtain the protections afforded by the VAWA Act. HASLO will reconsider the applicant's status for eligibility upon receipt of a written certification from the applicant.

The household is not actually eligible for a unit offer until this final determination has been made, even though they may have been preliminarily determined eligible and may have been listed on the waiting list.

Chapter 9

LEASING

[24 CFR 966.4]

INTRODUCTION

It is HASLO's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This Chapter describes pre-leasing activities and HASLO's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

A. LEASE ORIENTATION

Upon execution of the lease a HASLO representative will provide a lease orientation to the family head, spouse, and any other adult family member (18 years of age and over).

The family must attend an orientation before taking occupancy of the unit.

- Any family member not attending the initial orientation must attend another orientation within five (5) calendar days after execution of the lease.

Orientation Agenda

When families attend the lease orientation, they will be provided with a copy of the following:

- Lease
- House Rules
- Parking Rules
- Residents Drug and Crime Abstention Agreement
- Violence Against Women Act (VAWA)
- Special Amendment for Accessible Units
- Guide for Move-Out Inspection
- Grievance and Hearing Procedure
- A copy of HASLO Newsletter

Topics to be discussed will include, but are not limited to:

- Applicable deposits and other charges
- Provisions of the Lease
- Orientation to the community
- Unit maintenance and work orders
- Explanation of occupancy forms
- Terms of occupancy
- Violence Against Women Act (VAWA)
- Drug & Crime Abstention

Families will be notified in writing at least 60 days in advance of the expiration of the deferral period that termination of assistance will not be deferred because:

1. granting another deferral will result in an aggregate deferral period of longer than the statutory maximum (three years for deferrals granted before 11/29/96; 18 months for deferrals granted after 11/29/96), or
2. a determination has been made that other affordable housing is available.

If HASLO determines that a family member has knowingly permitted an ineligible individual to reside in the family's unit on a permanent basis, the family's assistance will be terminated. This provision does not apply to a family if the eligibility of the ineligible individual was considered in calculating any proration of assistance provided for the family.

D. TERMINATING THE ASSISTANCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING VICTIMS AND PERPETRATORS [Pub.L. 109-162, Pub.L. 109-271]

The Violence Against Women Reauthorization Act of 2005 (VAWA) provides that “criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control shall not be a cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that domestic violence, dating violence, or stalking.”

VAWA also gives PHAs the authority to “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.”

VAWA does not limit the authority of the HASLO to terminate the assistance of any participant if the HASLO “can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant is not evicted or terminated from assistance.”

Victim Documentation

HASLO Policy

When a participant family is facing assistance termination because of the actions of a participant, household member, guest, or other person under the participant’s control and a participant or immediate family member of the participant’s family claims that she or he is the victim of such actions and that the actions are related to domestic violence, dating violence, or stalking, the HASLO will require the individual to submit documentation affirming that claim.

Certification of Domestic Violence

The HASLO does not accept self certification of domestic violence, dating violence, sexual assault or stalking. As verification that a family member has been the victim of domestic violence, dating violence, sexual assault or stalking, the HASLO will accept:

- (1) Documentation signed by an employee, agent or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence, sexual assault or stalking has signed and attested to the documentation; or
- (2) A Federal, State, tribal, territorial or local police report or court record or order; or
- (3) A HUD approved certification form that includes the name of the perpetrator.

The certification must be provided within 14 business days of the HASLO's written request. If not provided within 14 business days, the HASLO may, at its sole discretion, extend the deadline or begin action to terminate the family from the program due to an eviction for good cause or due to criminal activity if supported by a conviction.

If the HASLO can demonstrate an actual and imminent threat to other participants or those employed at or providing service to the property if the participant's tenancy is not terminated, the HASLO will bypass the standard process and proceed with the immediate termination of the family's assistance.

Terminating the Assistance of a Domestic Violence Perpetrator (Bifurcation of Lease)

Although VAWA provides assistance termination protection for victims of domestic violence, it does not provide protection for perpetrators. VAWA gives the HASLO the explicit authority to "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 terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant." This authority supersedes any local, state, or other federal law to the contrary. However, if the HASLO chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law regarding termination of assistance [Pub.L. 109-271].

HASLO Policy

When the actions of a participant or other family member result in a HASLO decision to terminate the family's assistance and another family member claims that the actions involve criminal acts of physical violence against family members or others, the HASLO will request that the victim submit the above required certification and supporting documentation in accordance

with the stated time frame. If the certification and supporting documentation are submitted within the required time frame, or any approved extension period, the HASLO will terminate the

perpetrator's assistance also known as "Bifurcation of the Lease" or "splitting of the lease". If the victim does not provide the certification and supporting documentation, as required, the HASLO will proceed with termination of the family's assistance.

If the HASLO can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if the participant's tenancy is not terminated, the HASLO will bypass the standard process and proceed with the immediate termination of the family's assistance.

E. NOTIFICATION REQUIREMENTS

HASLO's written Notice of Lease Termination will state the reason for the proposed termination, the date that the termination will take place, and it will offer the resident all of the rights and protections afforded by the regulations and this policy. (See Chapter on Complaints, Grievances and Hearings.)

Notices of lease termination shall be in writing and hand delivered to tenant or adult member of the household as well as being sent by first class and certified mail properly addressed to tenant with a return receipt requested.

The return of the certified mail receipt, whether signed or unsigned, shall be considered to be proof that the resident received proper notification.

Timing of the Notice

If HASLO terminates the lease, written notice will be given as follows:

At least 14 calendar days prior to termination in the case of failure to pay rent;

A reasonable time, defined in the lease as 3 calendar days, considering the seriousness of the situation when the health or safety of other residents or HASLO employees is threatened;

At least thirty days prior to termination in all other cases.

HASLO shall notify the Post Office that mail should no longer be delivered to the person who was evicted for criminal activity, including drug-related criminal activity.

Criminal Activity

HASLO will immediately and permanently terminate tenancy of persons convicted of manufacturing or producing methamphetamine on the premises of the assisted housing project in violation of any Federal or State law. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and grounds.

HASLO will terminate assistance of participants in cases where HASLO determines there is reasonable cause to believe that the person is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that the person abuses