

**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: Plattsburgh Housing Authority PHA Code: NY018  
 PHA Type:  Small  High Performing  Standard  HCV (Section 8)  
 PHA Fiscal Year Beginning: (MM/YYYY): 07/2009

**2.0 Inventory** (based on ACC units at time of FY beginning in 1.0 above)  
 Number of PH units: 558 Number of HCV units: 191

**3.0 Submission Type**  
 5-Year and Annual Plan  Annual Plan Only  5-Year Plan Only

**4.0 PHA Consortia**  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.** 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 for the next five years:

**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 PHA Plan Update**

(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:  
 Attachment A: PHA changes to ACOP  
 Attachment B: HCVP changes to Admin. Plan

(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan.  
 The complete PHA plan is posted at Amp 101, the Ted K Center, Amp 102, Lakeview Towers Bulletin Board, and the PHA Central Office located at 39 Oak Street.

**7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.** Include statements related to these programs as applicable.

**8.0 Capital Improvements.** Please complete Parts 8.1 through 8.3, as applicable.

**8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report.** As part of the PHA 5-Year and Annual Plan, annually complete and submit the *Capital Fund Program Annual Statement/Performance and Evaluation Report*, form HUD-50075.1, for each current and open CFP grant and CFFP financing.

**8.2 Capital Fund Program Five-Year Action Plan.** As part of the submission of the Annual Plan, PHAs must complete and submit the *Capital Fund Program Five-Year Action Plan*, 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.

**8.3 Capital Fund Financing Program (CFFP).**  
 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.

9.0	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.
9.1	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.
10.0	Additional Information. Describe the following, as well as any additional information HUD has requested.  (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. (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"
11.0	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.  (a) Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations (which includes all certifications relating to Civil Rights) (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. 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, Capital Fund Program Annual Statement/Performance and Evaluation Report (PHAs receiving CFP grants only) (i) Form HUD-50075.2, Capital Fund Program Five-Year Action Plan (PHAs receiving CFP grants only)

**ATTACHMENT A.**

**Revisions to the Admissions and Continued Occupancy Policy (ACOP):**

**The lettering inside the {} are words that were in the ACOP and have been deleted. The wording that is underlined shows what was added to the ACOP during the revisions. All other wording is unchanged due to the updates.**

**Chapter 3-III.F. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING**

**Notification (and Victim Documentation)**

**PHA Policy** The PHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under the PHA's policies. Therefore, if the PHA makes a determination to deny admission to an applicant family (on the basis of an unfavorable history), the PHA will include in its notice of denial:

{a} A statement of the protection against denial provided by VAWA

A description of PHA confidentiality requirements

A request that an applicant wishing to claim this protection submit to the PHA documentation meeting the specifications below with her or his request for an informal hearing (see section 14-I.B)

**Documentation**

**Victim Documentation**

**PHA Policy** An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking must provide documentation (1) demonstrating the connection between the abuse and the unfavorable history and (2) naming the perpetrator of the abuse. The documentation may consist of any of the following:

A statement signed by the victim certifying that the information provided is true and correct and that it describes bona fide incident(s) of actual or threatened domestic violence, dating violence, or stalking

A police or court record documenting the domestic violence, dating violence, or stalking

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse.

This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse.

The victim must also sign the documentation.

**Perpetrator Documentation**

**PHA Policy** If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the public housing unit

Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. 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.

{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.)

#### Time Frame for Submitting Documentation

**PHA Policy** The applicant must submit the required documentation with her or his request for an informal hearing (see section 14-1.B) or must request an extension in writing at that time. If the applicant so requests, the PHA 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, the PHA determines that the family is eligible for assistance, no informal hearing will be scheduled, and the PHA will proceed with admission of the applicant family.

#### **{Perpetrator Removal or Documentation of Rehabilitation**

**PHA Policy** In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, or stalking, the PHA 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.)

**PHA Confidentiality Requirements** All information provided to the PHA 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.

**PHA Policy** If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the PHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

#### **Chapter 6-I.C. ANTICIPATING ANNUAL INCOME**

##### **Up-Front Income Verification (UIV) and Income Projection [HUD 2008 EIV Webcasts]**

HUD strongly recommends the use of up-front income verification (UIV) techniques. UIV is "the verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals" [VG, p. 7]. One such source is HUD's Enterprise Income Verification (EIV) system, which maintains data on three types of income: wages, unemployment benefits, and social security (SS) and supplemental security income (SSI) benefits.

HUD allows the PHA to use UIV data as third-party verification of an income source when a resident does not dispute the source. UIV data, however, is generally several months old. Therefore, except in the case of SS and SSI benefits, which are not subject to frequent or dramatic changes, HUD expects the PHA to base its income projection on documentation of current circumstances provided by the resident (such as consecutive pay stubs dated within the last 60 days) or by the income source (if the PHA determines that additional verification is necessary).

(Using Up-Front Income Verification (UIV) to Project Income HUD strongly recommends the use of up-front income verification (UIV). UIV is "the verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals" [PIH Notice 2004-01 Verification Guidance ("VG"), p. 7]. HUD allows PHAs to use UIV information in conjunction with family-provided documents to anticipate income.

**PHA Policy** PHA procedures for anticipating annual income will include the use of UIV methods approved by HUD in conjunction with family-provided documents dated within the last 60 days of the PHA interview date. The PHA will follow "HUD Guidelines for Projecting Annual Income When Up-Front Income Verification (UIV) Data Is Available" in handling differences between UIV and family-provided income data. The guidelines depend on whether a difference is substantial or not. HUD defines *substantial difference* as a difference of \$200 or more per month. **No Substantial Difference.** If UIV information for a particular income source differs from the information provided by a family by less than \$200 per month, the PHA will follow these guidelines:

If the UIV figure is less than the family's figure, the PHA will use the family's information.

If the UIV figure is more than the family's figure, the PHA will use the UIV data unless the family provides documentation of a change in circumstances to explain the discrepancy (e.g., a reduction in work hours). Upon receipt of acceptable family-provided documentation of a change in circumstances, the PHA will use the family-provided information.

**Substantial Difference.** If UIV information for a particular income source differs from the information provided by a family by \$200 or more per month, the PHA will follow these guidelines:

The PHA will request written third-party verification from the discrepant income source in accordance with 24 CFR 5.236(b)(3)(i).

When the PHA cannot readily anticipate income (e.g., in cases of seasonal employment, unstable working hours, or suspected fraud), the PHA will review historical income data for patterns of employment, paid benefits, and receipt of other income.

The PHA will analyze all UIV, third-party, and family-provided data and attempt to resolve the income discrepancy.

The PHA will use the most current verified income data and, if appropriate, historical income data to calculate anticipated annual income.)

#### **Chapter 6-I.L. ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME**

The full amount of student financial assistance paid directly to the student or to the educational institution [24 CFR 5.609(c)(6)], except that in accordance with Section 224 of the FY 2005 Appropriations Act, the portion of any athletic scholarship assistance available for housing costs must be included in annual income [PIH Notice 2005-16].

#### **Chapter 7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

Up-front income verification (UIV) refers to the PHA's use of the verification tools available from independent sources that maintain computerized information about earnings and benefits. UIV will be used to the extent that these systems are available to the PHA.

PHA Policy

The PHA will inform all applicants and residents of its use of the following UIV resources during the admission and reexamination process: HUD's EIV system {The PHA must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.} There may be legitimate differences between the information provided by the family and UIV generated information. The PHA may not take any adverse action against a family based solely on UIV data unless the family does not dispute the data. The PHA must independently verify any UIV data that the family disputes, and, before taking any adverse action, it must give the family the {No adverse action can be taken against a family until the PHA has independently verified the UIV information and the family has been granted an} opportunity to contest {any adverse Findings} the action through the PHA's informal review/hearing processes. {For more on UIV and income projection, see section 6-1.C.}

**{Definition of Substantial Difference** UIV information is used differently depending upon whether there is a *substantial difference* between information provided by the family and the UIV information. In "HUD Guidelines for Projecting Annual Income When UIV Data is Available," HUD recommends using \$200 per month as the threshold for a substantial difference. The PHA will use the \$200 per month as the threshold for a substantial difference. See Chapter 6 for the PHA's policies on the definition of substantial difference and the use of UIV to project annual income and for the PHA's threshold for substantial difference.

**When No Substantial Difference Exists** If UIV information does not differ substantially from family information, the UIV documentation may serve as third-party written verification.

**When a Substantial Difference Exists [24 CFR 5.236(b)]** When there is a substantial difference between the information provided by the UIV source and the family, the PHA must request another form of third-party written verification and use any other verification methods (in priority order) to reconcile the difference(s).

**Use of HUD's Enterprise Income Verification (EIV) System** HUD's EIV system contains data showing earned income, unemployment benefits, and {Social} social {Security} security (SS) and supplemental security income (SSI) benefits for resident families. HUD requires the PHA to use the EIV system {when available}. The following policies {will} apply {when the PHA has access} to use of HUD's EIV system. The EIV system contains two main components: {tenant} income {data} reports and {"exceeds threshold"} income discrepancy reports. **{Tenant} Income{Data (TID)} Reports** The data shown on {TID} income reports is updated quarterly. Data may be between (3) three and Six (6) months old at the time reports are generated.

PHA Policy

The PHA will obtain {TID} income reports for annual reexaminations on a monthly basis. Reports will be generated as part of the regular reexamination process. {TID} income reports will be compared to family-provided information as part of the annual reexamination process. When the family does not dispute the UIV data, {TID} income reports may be used {in the calculation of annual income, as described in Chapter 6.1.C. TID reports may also be used} to meet the regulatory requirement for {third} third party verification. {, as described above. Policies for resolving discrepancies between TID reports and family-provided information will be resolved as described in Chapter 6.1.C. and in this chapter.} {TID} income reports will be used in interim reexaminations when {it is} necessary to verify {and calculate} earned {employment} income, unemployment benefits, {Social Security and/or} and SS/ SSI benefits {,} and to verify that families claiming zero income are not receiving income from any of these sources. {TID} income reports will be retained in resident files with the applicable annual or interim reexamination documents. When the PHA determines through {TID} income reports and independent {third} third-party verification that a family has concealed or under{-}reported income, corrective action will be taken pursuant to the policies in Chapter 15, "Program Integrity." **{Exceeds Threshold Reports (ETRs)} Income Discrepancy Reports (IDRs)** The {ETR} income discrepancy report (IDR) is a tool for identifying families {who} that may have concealed or under-reported income. Data in the {ETR} IDR represents income for past reporting periods and may be between 6 (months) and 30 months old at the time the {ETRs IDR} report {s are} is generated. Families {who} that have not concealed or under{-}reported income may appear on the {ETR} IDR in some circumstances, such as loss of a job or addition of new family members.

PHA Policy

The PHA will generate and review {ETRs} IDRs {on a} at least {monthly} semiannually {basis}. The {ETR} IDR threshold percentage will be adjusted as necessary based on the findings in the {ETRs} IDRs. In reviewing {ETRs} IDRs, the PHA will begin with the largest discrepancies. When the PHA determines that a resident appearing on the {ETR} IDR has not concealed or under{-}reported income, the resident's name will be placed on a list of "false positive" reviews. To avoid multiple reviews in this situation, residents appearing on this list will be eliminated from {ETR} IDR processing until a subsequent interim or annual reexamination has been completed. When it appears that a family may have concealed or under-reported income, the PHA will request independent third-party written verification of the income in question. When the PHA determines through {ETR} IDR review and independent {third} third-party verification that a family has concealed or under{-}reported income, corrective action will be taken pursuant to the policies in Chapter 15, "Program Integrity." **EIV Identity Verification** The EIV system verifies resident identities against Social Security Administration (SSA) records. These records are compared to Public and Indian Housing Information Center (PIC) data for a match on {S} social {S} security number, name, and date of birth. When identity verification for a resident fails, a message will be displayed within the EIV system and no income information will be displayed.

PHA Policy

The PHA will identify residents whose identity verification has failed as part of the annual reexamination process. The PHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When the PHA determines that discrepancies exist {due to} as a result of PHA errors, such as spelling errors or incorrect birth dates, it will correct the errors {will be corrected} promptly.

Chapter 7-1.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION

When any source responds {verbally} orally to the initial written request for verification, the PHA will accept the {verbal} oral response as oral verification but will also request that the source complete and return any verification forms that were provided.

Chapter 7-1.F. DOCUMENTATION OF DISABILITY

The PHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. The PHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The PHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the PHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a resident's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' {w} Web site at [www.os.dhhs.gov](http://www.os.dhhs.gov). The {above cited regulation does not prohibit} PHA may make the following inquiries, provided {these inquiries are made} it makes them of all applicants, whether or not they are persons with disabilities [VG, p. 24]:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- {Inquiring} Inquiry about whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring Inquiry about whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance

**Family Members Receiving SSA Disability Benefits** Verification of receipt of {SSA benefits or SSI based upon} disability benefits from the Social Security Administration (SSA) is sufficient for verification of disability for the purpose of qualification for waiting list preferences or certain income disallowances and deductions [VG, p. 23].

PHA Policy

For family members claiming disability who receive {SSI or other} disability payments from the SSA, the PHA will attempt to obtain information about disability benefits through {the} HUD's Enterprise Income Verification (EIV) system. {when it is available, or HUD's Tenant Assessment Subsystem (TASS).} If documentation {from} is not available through HUD's EIV {S} system {or TASS is not available}, the PHA will request a current {dated within the last 60 days} SSA benefit verification letter from each family member claiming disability status. If {the} a family member is unable to provide the document{{s}}, the PHA will ask the family to {request} obtain a benefit verification letter either by {either} calling SSA at 1-800-

772-1213 (,) or by requesting (it) one from www.ssa.gov. Once the (applicant or resident) family receives the benefit verification letter, (they) it will be required to provide (it) the letter to the PHA.

#### Chapter 7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS Social Security/SSI Benefits

**PHA Policy** To verify the SS/SSI benefits of applicants, the PHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member (that) who receives social security benefits. If (the) a family member is unable to provide the document(s), the PHA will ask the family to (request) obtain a benefit verification letter either by (either) calling SSA at 1-800-772-1213 (,) or by requesting (it) one from www.ssa.gov. Once the (applicant) family has received the original benefit verification letter, (they) it will be required to provide (it) the letter to the PHA. To verify the SS/SSI benefits of residents, the PHA will obtain information about social security/SSI benefits through (the) HUD's EIV (S) system (or the Tenant Assessment Subsystem (TASS)). If benefit information is not available in (HUD) the EIV system(s), the PHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member (that) who receives social security benefits. If (the) a family member is unable to provide the document(s), the PHA will ask the family to (request) obtain a benefit verification letter either by (either) calling SSA at 1-800-772-1213 (,) or by requesting (it) one from www.ssa.gov. Once the (resident) family has received the benefit verification letter, (they) it will be required to provide (it) the letter to the PHA.

#### Chapter 12-III.E. COST OF TRANSFER

The PHA must pay moving expenses to transfer a resident with a disability to an accessible unit as an accommodation for the resident's disability [Notice PIH 2006-13].

**PHA Policy** The resident will bear all of the costs of transfer s/he requests. However, (in cases of documented financial hardship,) the PHA will (consider assuming) bear the transfer costs when the transfer is done as a reasonable accommodation.

#### Chapter 13-III.B. MANDATORY LEASE PROVISIONS [24 CFR 966.4(i)(5)] Drug Crime On or Off the Premises [24 CFR 66.4(i)(5)(i)(B)]

The lease must provide that drug-related criminal activity engaged in on or off the premises by the tenant, member of the tenant's household or guest, or any such activity engaged in on the premises by any other person under the tenant's control is grounds for termination.

**PHA Policy** The PHA will terminate the lease for drug-related criminal activity engaged in on or off the premises by any tenant, member of the tenant's household or guest, and any such activity engaged in on the premises by any other person under the tenant's control. The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of covered persons related to the drug-related criminal activity. In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by case basis, choose not to terminate the lease.

#### Illegal Use of a Drug [24 CFR 966.4(i)(5)(i)(B)]

The lease must provide that a PHA may evict a family when the PHA determines that a household member is illegally using a drug or that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

**PHA Policy** The PHA will terminate the lease when the PHA determines that a household member is illegally using a drug or the PHA determines that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. A pattern of illegal drug use means more than one incident of any use of illegal drugs during the previous six months. The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of household members related to the use of illegal drugs. In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by case basis, choose not to terminate the lease.

#### Furnishing False or Misleading Information Concerning Illegal Drug Use or Alcohol Abuse or Rehabilitation [24 CFR 966.4(i)(5)(vi)(B)]

PHAs must establish standards that allow termination of tenancy if the PHA determines that a household member has furnished false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation of illegal drug users or alcohol abusers.

**PHA Policy** The PHA will terminate the lease if the PHA determines that a household member has furnished false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation of illegal drug users or alcohol abusers. The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of household members related to the use of illegal drugs or the abuse of alcohol, and any records or other documentation (or lack of records or documentation) supporting claims of rehabilitation of illegal drug users or alcohol abusers. In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by case basis, choose not to terminate the lease.

#### Chapter 13-III.C. OTHER AUTHORIZED REASONS FOR TERMINATION [24 CFR 966.4(i)(2) and (5)(ii)(B)]

In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate the lease.

#### Chapter 13-III.F. PROHIBITION AGAINST TERMINATING TENANCY OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162 and 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 cause for termination of the tenancy or occupancy rights, if the tenant or immediate family member of the tenant's family is the victim or threatened victim of that abuse." VAWA further provides that incidents of actual or threatened domestic violence, dating violence, or stalking may not be construed either as serious or repeated violations of the lease by the victim of such violence or as good cause for terminating the tenancy or occupancy rights of the victim of such violence. (VAWA does not limit the PHA's authority to terminate the tenancy of any tenant if the PHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property.)

**Definitions** For the definitions of domestic violence, dating violence, stalking, and immediate family member, see section 3-III.F. VAWA and Other Laws [Pub.L. 109-162] VAWA does not supersede any other federal, state, or local law that provides greater protection

to victims of domestic violence, dating violence, or stalking. Moreover, VAWA does not limit the PHA's duty to honor court orders issued to protect a victim or to address the distribution of property when a family breaks up. Limits on VAWA Protections [Pub.L. 109-162] While VAWA prohibits a PHA from using domestic violence, dating violence, or stalking as the cause for a termination or eviction action against a public housing tenant who is the victim of the abuse, the protections it provides are not absolute. Specifically:

- VAWA does not limit a PHA's otherwise available authority to terminate assistance to or evict a victim for lease violations not premised on an act of domestic violence, dating violence, or stalking providing that the PHA does not subject the victim to a more demanding standard than other tenants.
- VAWA does not limit a PHA's authority to terminate the tenancy of any public housing tenant if the PHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant's tenancy is not terminated.

**PHA Policy** In determining whether a public housing tenant who is a victim of domestic violence, dating violence, or stalking is an actual and imminent threat to other tenants or those employed at or providing service to a property, the PHA will consider the following, and any other relevant, factors:

Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, or stalking

Whether the threat is a physical danger beyond a speculative threat

Whether the threat is likely to happen within a short period of time

Whether the threat to other tenants or employees can be eliminated in some other way, such as by helping the victim relocate to a confidential location

If the tenant wishes to contest the PHA's determination that he or she is an actual and imminent threat to other tenants or employees, the tenant may do so as part of the grievance hearing or in a court proceeding.

#### Victim Notification [Notice PIH 2006-42]

VAWA requires PHAs to notify tenants of their rights under VAWA and to inform them about the existence of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. (For general VAWA notification policies, see section 16-VI.) Notice PIH 2006-42 identifies two ways that a PHA may fulfill this requirement in the event of a termination or start of an eviction proceeding:

- It may enclose the form with the termination or eviction notice and direct the family to complete, sign, and return the form, if applicable, by a specified date.
- It may include language discussing the protections provided by VAWA in the termination or eviction notice and request that a tenant come to the PHA office and pick up the form if the tenant believes the VAWA protections apply. Notice PIH 2006-42 points out that mailing the certification form in response to an incident could place the victim at risk, since the abuser may be monitoring the mail. In such cases, the notice recommends that PHAs work with tenants to make other delivery arrangements.

**PHA Policy** The PHA will follow the lease termination notice policy in section 13-IV.D. If the PHA has reason to suspect that the notice might place a victim of domestic violence at risk, it will attempt to deliver the notice by hand directly to the victim. The PHA will use the same caution if it decides to deliver VAWA information to a victim at any other time following an incident of domestic violence.

**Victim Documentation [Notice PIH 2006-42]** VAWA authorizes PHAs responding to incidents of actual or threatened domestic violence, dating violence, or stalking to request in writing that a tenant complete, sign, and submit a HUD-approved certification form (form HUD-50066). In lieu of a certification form, or in addition to the certification form, a tenant may provide one of the following:

- A federal, state, tribal, territorial, or local police or court record documenting the domestic violence, dating violence, or stalking
- Documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking, or the effects of such abuse, in which the professional attests under penalty of perjury to the professional's belief that the incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence, or stalking has signed or attested to the documentation. A PHA is not required to demand that an individual produce official documentation or physical proof of an individual's status as a victim of domestic violence, dating violence, or stalking in order to receive the protections of VAWA. A PHA may, at its discretion, provide assistance to an individual based solely upon the individual's statement or other corroborating evidence. VAWA specifies that a victim of domestic violence, dating violence, or stalking must provide documentation of abuse within 14 business days after receipt of a written request for such documentation by a PHA. If the victim does not provide the documentation within that time frame, or any extension approved by the PHA, the victim forfeits the protections against termination afforded by VAWA, and the PHA is free to evict or terminate the assistance of the victim in accordance with otherwise applicable law and lease provisions.

**PHA Policy** When a tenant family is facing lease termination because of the actions of a tenant, household member, guest, or other person under the tenant's control and a tenant or immediate family member of the tenant'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 PHA will (require) request in writing that the individual (to) submit documentation affirming that claim. The written request will include explicit instructions on where, when, and to whom the documentation must be submitted. It will also state the consequences for failure to submit the documentation by the deadline. The documentation (must include two elements) will consist of a completed and signed form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. In lieu of the certification form, the PHA will accept either of the following forms of documentation:

{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} Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider, an attorney, or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation, {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 PHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the individual will suffice. The individual claiming victim status must submit the requested documentation within 14 business days after receipt of the PHA's written request or must request an extension within that time frame. The PHA may, at its discretion, extend the deadline for 10 business days. If the individual provides the requested documentation within 14 business days, or any PHA-approved extension, the PHA will reconsider its termination decision in light of the documentation. If the individual does not provide the requested documentation within 14 business days, or any PHA-approved extension, the PHA will proceed with termination of the family's lease in accordance with applicable local, state, and federal law and the policies in this ACOP.

{The required certification and supporting documentation must be submitted to the PHA within 14 business days after the individual claiming victim status receives a request for such certification. The PHA, owner or manager will be aware that the delivery of the certification form to the tenant in response to an incident via mail may place the victim at risk, e.g., the abuser may monitor the mail. The PHA may require that the tenant come into the office to pick up the certification form and will work with tenants to make delivery arrangements that do not place the tenant at risk. This 14-day deadline may be extended at the PHA's discretion. If the individual does not provide the required certification and supporting documentation within 14 business days, or the approved extension period, the PHA may proceed with assistance termination. The PHA also reserves the right to waive these victim verification requirements and

accepted only a self-certification from the victim if the PHA deems the victim's life to be in imminent danger. Once a victim has completed certification requirements, the PHA will continue to assist the victim and may use bifurcation as a tool to remove a perpetrator from assistance. Owners will be notified of their legal obligation to continue housing the victim, while using lease bifurcation to remove the perpetrator from a unit. The PHA will make all best efforts to work with victims of domestic violence before terminating the victim's assistance. In extreme circumstances when the PHA can demonstrate an actual and imminent threat to other participants or those employed at or providing service to the property if the participant's (including the victim's) tenancy is not terminated, the PHA will bypass the standard process and proceed with the immediate termination of the family's assistance.}

**Terminating or Evicting a Perpetrator of Domestic Violence** Although VAWA provides protection from termination for victims of domestic violence, it does not provide protection for perpetrators. In fact, VAWA gives the PHA the explicit authority to bifurcate a lease, or to remove a household member from a lease, "in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in 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." Specific lease language affirming this authority is not necessary. Further, the {This} authority supersedes any local, state, or other federal law to the contrary. However, if the PHA chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law for eviction, lease termination, or termination of assistance [Pub.L. 109-271]. This means that the PHA must follow the same rules when terminating or evicting an individual as it would when terminating or evicting an entire family [3/16/07 Federal Register notice on the applicability of VAWA to HUD programs].

**PHA Policy** The PHA will bifurcate a family's lease and terminate the tenancy of a family member if the PHA determines that the family member has committed criminal acts of physical violence against other family members or others. This action will not affect the tenancy or program assistance of the remaining, non-culpable family members. In making its decision, the PHA will consider all credible evidence, including, but not limited to, a signed certification (form HUD-50066) or other documentation of abuse submitted to the PHA by the victim in accordance with this section. The PHA will also consider the factors in section 13.III.E. Upon such consideration, the PHA may, on a case-by-case basis, choose not to bifurcate the lease and terminate the tenancy of the culpable family member. If the PHA does bifurcate the lease and terminate the tenancy of the culpable family member, it will do so in accordance with the lease,

applicable law, and the policies in this ACOP. If necessary, the PHA will also take steps to ensure that the remaining family members have a safe place to live during the termination process. For example, the PHA may offer the remaining family members another public housing unit, if available; it may help them relocate to a confidential location; or it may refer them to a victim service provider or other agency with shelter facilities. (When the actions of a tenant or other family member result in a determination by the PHA to terminate the family's lease and another family member claims that the actions involve criminal acts of physical violence against family members or others, the PHA 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 PHA will bifurcate the lease and evict or terminate the occupancy rights of the perpetrator. If the victim does not provide the certification and supporting documentation, as required, the PHA will proceed with termination of the family's lease. If the PHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if the tenant's tenancy is not terminated, the PHA will bypass the standard process and proceed with the immediate termination of the family.)

#### **PHA Confidentiality Requirements [Pub.L. 109-162]**

All information provided to the PHA 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 data base 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.

**PHA Policy** If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the PHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

#### **Chapter 13-IV.D. LEASE TERMINATION NOTICE [24 CFR 966.4(f)(3)]**

**PHA Policy** The PHA will attempt to deliver notices of lease termination directly to the tenant or an adult member of the household. (For terminations related to domestic violence, see also the policy under "Victim Notification" in section 13-III.F.) If such attempt fails, the notice will be sent by first-class mail the same day. All notices of lease termination will include a statement of the protection against termination provided by the Violence against Women Reauthorization Act of 2005 (VAWA) for victims of domestic violence, dating violence, or stalking. They will also include a copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. Any family member who claims that the cause for termination involves (a) criminal acts of physical violence against family members or others or (b) incidents of domestic violence, dating violence, or stalking of which a family member is the victim will be given the opportunity to provide documentation in accordance with the policies in (Section) section 13-III.F.

### **PART VII: NOTIFICATION TO APPLICANTS AND TENANTS REGARDING PROTECTIONS UNDER THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2005 (VAWA)**

**16-VII.A. OVERVIEW** The Violence against Women Reauthorization Act of 2005 (VAWA) requires PHAs to inform public housing tenants of their rights under this law, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as tenants, PHAs may elect to provide the same information to applicants. This part describes the steps that the PHA will take to ensure that all actual and potential beneficiaries of its public housing program are notified about their rights under VAWA.

#### **16-VII.B. VAWA NOTIFICATION**

**PHA Policy** The PHA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it. A summary of the rights and protections provided by VAWA to public housing applicants and residents who are or have been victims of domestic violence, dating violence, or stalking (see sample notice in Exhibit 16-1) The definitions of domestic violence, dating violence, and stalking provided in VAWA (included in Exhibit 16-1) An explanation of the documentation that the PHA may require from an individual who claims the protections provided by VAWA (included in Exhibit 16-1) A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibit 16-1) The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibit 16-1) Contact information for local victim advocacy groups or service providers

#### **Chapter 16-VII.(A)C. NOTIFICATION TO APPLICANTS**

**PHA Policy** The PHA 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 PHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers. The PHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-III.F).

#### **Chapter 16-VII.(B)D. NOTIFICATION TO TENANTS [Pub.L. 109-162]**

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

**PHA Policy** The PHA will provide all tenants 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 tenant of PHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers. The PHA will also include in all lease termination notices a statement explaining the protection against termination or eviction provided by VAWA (see Section 13-IV.D).

### **EXHIBIT 16-1: SAMPLE NOTICE TO PUBLIC HOUSING APPLICANTS AND RESIDENTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

*This sample notice was adapted from a notice prepared by the National Housing Law Project. A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your rights under VAWA.*

**Protections for Victims.** If you are eligible for public housing, the housing authority cannot refuse to admit you to the public housing program solely because you are a victim of domestic violence, dating violence, or stalking. If you are the victim of domestic violence, dating violence, or stalking, the housing authority cannot evict you based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a member of your household or a guest can't be the reason for evicting you if you were the victim of the abuse.

**Reasons You Can Be Evicted** The housing authority can still evict you if the housing authority can show there is an actual and imminent (immediate) threat to other tenants or housing authority staff if you are not evicted. Also, the housing authority can evict you for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking against you. The housing authority cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

**Removing the Abuser from the Household** The housing authority may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the public housing unit. If the housing authority chooses to remove the abuser, it may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, the housing authority must follow federal, state, and local eviction procedures.

**Proving that You Are a Victim of Domestic Violence, Dating Violence, or Stalking** The housing authority can ask you to prove or "certify" that you are a victim of domestic violence, dating violence, or stalking. In cases of termination or eviction, the housing authority must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority is free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority. The form will ask for your name, the name of your abuser, the abuser's relationship to you, the date, time, and location of the incident of violence, and a description of the violence.
- Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing "under penalty of perjury."
- Provide a police or court record, such as a protective order. If you fail to provide one of these documents within the required time, the housing authority may evict you.

**Confidentiality** The housing authority must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority to release the information.
- The housing authority needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority to release the information. If release of the information would put your safety at risk, you should inform the housing authority.

**VAWA and Other Laws** VAWA does not limit the housing authority's duty to honor court orders about access to or control of a public housing unit. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up. VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

**For Additional Information** If you have any questions regarding VAWA, please contact Jennifer Lambertson at the PHA, 39 Oak Street or at 518/561-0720 extension 24. For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

**Definitions** For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies: VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- 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

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) 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

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

## ATTACHMENT B:

### Changes to 2009 Admin Plan HCVP

**3-III.E. STUDENTS ENROLLED IN INSTITUTIONS OF HIGHER EDUCATION [24CFR 5.612 and FR Notice 4/10/06]** Section 327 of Public Law 109-115 and the implementing regulation at 24 CFR 5.612 established new restrictions on the eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education. If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, (and) does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the student's eligibility must be examined along with the income eligibility of the student's parents. In these cases, both the student and the student's parents must be income eligible for the student to receive HCV assistance. If, however, a student in these circumstances is determined independent from his/her parents in accordance with PHA policy, the income of the student's parents will not be considered in determining the student's eligibility.

#### Parents

PHA Policy For purposes of student eligibility restrictions, the definition of *parents* includes biological or adoptive parents, stepparents (as long as they are currently married to the biological or adoptive parent), and guardians (e.g., grandparents, aunt/uncle, godparents, etc).

#### Person with Disabilities

The PHA will use the statutory definition under section 3(b)(3)(E) of the 1937 Act to determine whether a student is a person with disabilities (see Exhibit 3-1).

### 3-III.G. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162] Notification (and Victim Documentation)

PHA Policy The PHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under the PHA's policies. Therefore, if the PHA makes a determination to deny admission to an applicant family, the PHA 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.)

A statement of the protection against denial provided by VAWA

A description of PHA confidentiality requirements

A request that an applicant wishing to claim this protection submit to the PHA documentation meeting the specifications below with her or his request for an informal review (see section 16-III.D)

(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.)

#### Documentation Victim Documentation

PHA Policy An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking must provide documentation (1) demonstrating the connection between the abuse and the unfavorable history and (2) naming the perpetrator of the abuse. The documentation may consist of any of the following:

A statement signed by the victim certifying that the information provided is true and correct and that it describes bona fide incident(s) of actual or threatened domestic violence, dating violence, or stalking

A police or court record documenting the domestic violence, dating violence, or stalking

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse.

This person may be an employee, agent, or volunteer of a victim service provider, an attorney, or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

#### **Perpetrator Documentation**

**PHA Policy** If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following: A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the assisted unit

Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. 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.

#### **Time Frame for Submitting Documentation**

**PHA Policy** The applicant must submit the required documentation with her or his request for an informal review (see section 16-III.D) or must request an extension in writing at that time. If the applicant so requests, the PHA 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 PHA determines that the family is eligible for assistance, no informal review will be scheduled and the PHA will proceed with admission of the applicant family.

#### **{Perpetrator Removal or Documentation of Rehabilitation}**

**PHA Policy** In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, or stalking, the PHA 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.)

#### **PHA Confidentiality Requirements**

All information provided to the PHA 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.

**PHA Policy** If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the PHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

### **3-III.G. 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)}{4}{A} 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:

#### **6-I.C. ANTICIPATING ANNUAL INCOME**

The PHA is required to count all income "anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date" [24 CFR 5.609(a)(2)]. Policies related to anticipating annual income are provided below.

#### **Basis of Annual Income Projection**

The PHA generally will use current circumstances to determine anticipated income for the coming 12-month period. HUD authorizes the PHA to use other than current circumstances to anticipate income when:

An imminent change in circumstances is expected [HCV GB, p. 5-17]

It is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income) [24 CFR 5.609(d)]

The PHA believes that past income is the best available indicator of expected future income [24 CFR 5.609(d)]

Most PHAs are required to use HUD's Enterprise Income Verification (EIV) system. HUD allows PHAs to use pay-stubs to project income once EIV data has been received in such cases where the family does not dispute the EIV employer data and where the PHA does not determine it is necessary to obtain additional third-party data.

**PHA Policy** Whenever possible, the PHA will use HUD's EIV system. When EIV is obtained and the family does not dispute the EIV employer data, the PHA will use current tenant-provided documents to project annual income. When the tenant provided documents are pay stubs, the PHA will make every effort to obtain at least 4 consecutive pay stubs dated within the last 60 days. The PHA will obtain written and/or oral third-party verification in accordance with the verification requirements and policy in Chapter 7 in the following cases:

If EIV or other UIV data is not available,

If the family disputes the accuracy of the EIV employer data, and/or

If the PHA determines additional information is needed,

In such cases, the PHA will review and analyze current data to anticipate annual income.

In all cases, the family file will be documented with a clear record of the reason for the decision, and a clear audit trail will be left as to how the PHA annualized projected income.

When the PHA cannot readily anticipate income based upon current circumstances (e.g., in the case of seasonal employment, unstable working hours, or suspected fraud), the PHA will review and analyze historical data for patterns of employment, paid benefits, and receipt of other income and use the results of this analysis to establish annual income.

Any time current circumstances are not used to project annual income, a clear rationale for the decision will be documented in the file. In all such cases the family may present information and documentation to the PHA to show why the historic pattern does not represent the family's anticipated income.

#### **Known Changes in Income**

If the PHA verifies an upcoming increase or decrease in income, annual income will be calculated by applying each income amount to the appropriate part of the 12-month period. Example: An employer reports that a full-time employee who has been receiving \$8/hour will begin to receive \$8.25/hour in the eighth week after the effective date of the reexamination. In such a case the PHA would calculate annual income as follows: (\$8/hour × 40 hours × 7 weeks) + (\$8.25 × 40 hours × 45 weeks).

The family may present information that demonstrates that implementing a change before its effective date would create a hardship for the family. In such cases the PHA will calculate annual income using current circumstances and then require an interim reexamination when the change actually occurs. This requirement will be imposed even if the PHA's policy on reexaminations does not require interim reexaminations for other types of changes. When tenant-provided documents are used to anticipate annual income, they will be dated within the last 60 days of the reexamination interview date. EIV quarterly wages will not be used to project annual income at an annual or interim reexamination. (When the PHA cannot readily anticipate income based upon current circumstances (e.g., in the case of seasonal employment, unstable working hours, or suspected fraud), the PHA will review and analyze historical data for patterns of employment, paid benefits, and receipt of other income and use the results of this analysis to establish annual income. Anytime current circumstances are not used to project annual income, a clear rationale for the decision will be documented in the file. In all such cases the family may present information and documentation to the PHA to show why the historic pattern does not represent the family's anticipated income.

#### **Known Changes in Income**

If the PHA verifies an upcoming increase or decrease in income, annual income will be calculated by applying each income amount to the appropriate part of the 12-month period. **Example:** An employer reports that a full-time employee who has been receiving \$6/hour will begin to receive \$6.25/hour in the eighth week after the effective date of the reexamination. In such a case the PHA would calculate annual income as follows: ( $\$6/\text{hour} \times 40 \text{ hours} \times 7 \text{ weeks}$ ) + ( $\$6.25 \times 40 \text{ hours} \times 45 \text{ weeks}$ ).

The family may present information that demonstrates that implementing a change before its effective date would create a hardship for the family. In such cases the PHA will calculate annual income using current circumstances and then require an interim reexamination when the change actually occurs. This requirement will be imposed even if the PHA's policy in Chapter 11 does not require interim reexaminations for other types of changes.

#### **Using Up-Front Income Verification (UIV) to Project Income**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "the verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals" [VG, p. 7]. HUD allows PHAs to use UIV information in conjunction with family-provided documents to anticipate income [UIV].

**PHA Policy** PHA procedures for anticipating annual income will include the use of UIV methods approved by HUD in conjunction with family-provided documents dated within the last 60 days of the PHA interview date. The PHA will follow "HUD Guidelines for Projecting Annual Income When Up-Front Income Verification (UIV) Data Is Available" in handling differences between UIV and family-provided income data. The guidelines depend on whether a difference is substantial or not. HUD defines *substantial difference* as a difference of \$200 or more per month.

**No Substantial Difference.** If UIV information for a particular income source differs from the information provided by a family by less than \$200 per month, the PHA will follow these guidelines:

If the UIV figure is less than the family's figure, the PHA will use the family's information.

If the UIV figure is more than the family's figure, the PHA will use the UIV data unless the family provides documentation of a change in circumstances to explain the discrepancy (e.g., a reduction in work hours). Upon receipt of acceptable family-provided documentation of a change in circumstances, the PHA will use the family-provided information.

**Substantial Difference.** If UIV information for a particular income source differs from the information provided by a family by \$200 or more per month, the PHA will follow these guidelines:

The PHA will request written third-party verification from the discrepant income source in accordance with 24 CFR 5.236(b)(3)(i).

When the PHA cannot readily anticipate income (e.g., in cases of seasonal employment, unstable working hours, or suspected fraud), the PHA will review historical income data for patterns of employment, paid benefits, and receipt of other income.

The PHA will analyze all UIV, third-party, and family-provided data and attempt to resolve the income discrepancy.

The PHA will use the most current verified income data and, if appropriate, historical income data to calculate anticipated annual income.)

### **7-II.E. VERIFICATION OF STUDENT STATUS**

#### **General Requirements**

**PHA Policy** The PHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or cohead.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

#### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving HCV assistance.

#### **PHA Policy**

In accordance with the verification hierarchy described in Section 7-1.B, the PHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).

The student is at least 24 years old.

The student is a veteran, as defined in Section 3-II.E.

The student is married.

The student has at least one dependent child, as defined in Section 3-II.E.

The student is a person with disabilities, as defined in Section 3-II.E, and was receiving assistance prior to November 30, 2005.

#### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions [VG, p. 23].

**PHA Policy** For family members claiming disability who receive disability benefits from the SSA, the PHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system (or HUD's Tenant Assessment Subsystem (TASS)). If documentation from HUD's EIV System (or TASS) is not available, the PHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status.

### **7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS**

#### **Social Security/SSI Benefits**

**PHA Policy** To verify the SS/SSI benefits of applicants, the PHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to the PHA. To verify the SS/SSI benefits of participants, the PHA will obtain information about social security/SSI benefits through the HUD EIV System (or the Tenant Assessment Subsystem (TASS)). If benefit information is not available in HUD systems, the PHA will request a current SSA benefit verification letter from each family member that receives social security benefits.

### **7-III.K. PARENTAL INCOME OF STUDENTS SUBJECT TO ELIGIBILITY RESTRICTIONS**

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, {and} does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the income of the student's parents must be considered when determining income eligibility, unless the student is determined independent from his or her parents in accordance with PHA policy [24 CFR 5.612 and FR 4/10/06, p. 18146].

#### **7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

Up-front income verification (UIV) refers to the PHA's use of the verification tools available from independent sources that maintain computerized information about earnings and benefits. UIV will be used to the extent that these systems are available to the PHA.

**PHA Policy** The PHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process: HUD's EIV system (when it is available to the PHA) (The PHA must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.) There may be legitimate differences between the information provided by the family and UIV generated information. No adverse action can be taken against a family until the PHA has independently verified the UIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the PHA. See Chapter 6 for the PHA's policy on the use of UIV/EIV to project annual income.

**{Definition of Substantial Difference}** UIV information is used differently depending upon whether there is a *substantial difference* between information provided by the family and the UIV information. In "HUD Guidelines for Projecting Annual Income When UIV Data is Available" [HUD website, April 2004], HUD recommends using \$200 per month as the threshold for a substantial difference. The PHA will therefore use \$200 per month as the threshold for a substantial difference. See Chapter 6 for the PHA's policy on the use of UIV to project annual income and for the PHA's threshold for substantial difference.

**When No Substantial Difference Exists** If UIV information does not differ substantially from family information, the UIV documentation may serve as third-party written verification.

**When a Substantial Difference Exists** When there is a substantial difference between the information provided by the UIV source and the family, the PHA must request another form of third-party written verification and use any other verification methods (in priority order) to reconcile the difference(s.)

**{Exceeds Threshold Report/Income Discrepancy Reports (ETR)IDRs}** The (ETR)IDR is a tool for identifying families who may have concealed or under-reported income. Data in the (ETR)IDR represents income for past reporting periods and may be between 6 months and 30 months old at the time (ETR)IDRs are generated. Families who have not concealed or under-reported income may appear on the (ETR)IDR in some circumstances, such as loss of a job or addition of new family members.

**PHA Policy** The PHA will generate and review (ETR)IDRs on a monthly basis. The (ETR)IDR threshold percentage will be adjusted as necessary based on the findings in the (ETR)IDRs. In reviewing (ETR)IDRs, the PHA will begin with the largest discrepancies. When the PHA determines that a participant appearing on the (ETR)IDR has not concealed or under-reported income, the participant's name will be placed on a list of "false positive" reviews. To avoid multiple reviews in this situation, participants appearing on this list will be eliminated from (ETR)IDR processing until a subsequent interim or annual reexamination has been completed. When it appears that a family may have concealed or under-reported income, the PHA will request third-party written verification of the income in question. When the PHA determines through (ETR)IDR review and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 14, Program Integrity.

#### **11-I.D. DETERMINING ONGOING ELIGIBILITY OF CERTAIN STUDENTS [24 CFR 982.552(b)(5)]**

Section 327 of Public Law 109-115 established new restrictions on the ongoing eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education. If a student enrolled in an institution of higher education is under the age of 24, is not a veteran, is not married, {and} does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the student's eligibility must be reexamined along with the income eligibility of the student's parents on an annual basis. In these cases, both the student and the student's parents must be income eligible for the student to continue to receive HCV assistance.

#### **12-I.E. MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS *Use of Illegal Drugs and Alcohol Abuse***

**PHA Policy** The PHA will terminate a family's assistance if any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. The PHA will terminate assistance if any household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents. *Currently engaged in* is defined as any use of illegal drugs during the previous six months. The PHA will consider all credible evidence, including but not limited to, any record of arrests, convictions, or eviction of household members related to the use of illegal drugs or abuse of alcohol. In making its decision to terminate assistance, the PHA will consider alternatives as described in Section 12-II.C and other factors described in Sections 12-II.D and 12-II.E. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate assistance.

#### ***Drug-Related and Violent Criminal Activity [24 CFR 5.100]***

**PHA Policy** The PHA will terminate a family's assistance if any household member has violated the family's obligation not to engage in any drug-related or violent criminal activity during participation in the HCV program. The PHA will consider all credible evidence, including but not limited to, any record of arrests and/or convictions of household members related to drug-related or violent criminal activity, and any eviction or notice to evict based on drug-related or violent criminal activity. In making its decision to terminate assistance, the PHA will consider alternatives as described in Section 12-II.C and other factors described in Sections 12-II.D and 12-II.E. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate assistance.

#### **12-II.E. 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 PHA to terminate the assistance of any participant if the PHA "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." However, situations where this might be relevant are extremely rare.

**PHA Policy** In determining whether a participant who is a victim of domestic violence, dating violence, or stalking is an actual and imminent threat to other tenants or those employed at or providing service to a property, the PHA will consider the following, and any other relevant, factors:  
Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, or stalking  
Whether the threat is a physical danger beyond a speculative threat  
Whether the threat is likely to happen within a short period of time  
Whether the threat to other tenants or employees can be eliminated in some other way, such as by helping the victim relocate to a confidential location  
If the tenant wishes to contest the PHA's determination that he or she is an actual and imminent threat to other tenants or employees, the tenant may do so as part of the informal hearing.

#### **Victim Documentation**

**PHA 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 PHA will request in writing that the individual submit documentation affirming that claim. The written request will include explicit instructions on where, when, and to whom the documentation must be submitted. It will also state the consequences for failure to submit the documentation by the deadline. The documentation will consist of a completed and signed form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. In lieu of the certification form, the PHA will accept either of the following forms of documentation:

A police or court record documenting the actual or threatened abuse

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse.

The victim must also sign the documentation. The PHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the individual will suffice. The individual claiming victim status must submit the requested documentation within 14 business days after receipt of the PHA's written request or must request an extension within that time frame. The PHA may, at its discretion, extend the deadline for 10 business days. If the individual provides the requested documentation within 14 business days, or any PHA-approved extension, the PHA will reconsider its termination decision in light of the documentation. If the individual does not provide the requested documentation within 14 business days, or any PHA-approved extension, the PHA will proceed with termination of the family's assistance in accordance with applicable law, program regulations, and the policies in this plan. (require the individual to submit documentation affirming that claim. 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 required certification and supporting documentation must be submitted to the PHA within 14 business days after the PHA issues their written request. The 14-day deadline may be extended at the PHA's discretion. If the individual does not provide the required certification and supporting documentation within 14 business days, or the approved extension period, the PHA may proceed with assistance termination. If the PHA 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 PHA will bypass the standard process and proceed with the immediate termination of the family's assistance.)

#### **Terminating the Assistance of a Domestic Violence Perpetrator**

Although VAWA provides assistance termination protection for victims of domestic violence, it does not provide protection for perpetrators. VAWA gives the PHA 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 is not dependent on a bifurcated lease or other eviction action by an owner against an individual family member. Further, (T)his authority supersedes any local, state, or other federal law to the contrary. However, if the PHA 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]. This means that the PHA must follow the same rules when terminating assistance to an individual as it would when terminating the assistance of an entire family [3/16/07 Federal Register notice on the applicability of VAWA to HUD programs].

**PHA Policy** The PHA will terminate assistance to a family member if the PHA determines that the family member has committed criminal acts of physical violence against other family members or others. This action will not affect the assistance of the remaining, nonculpable family members. In making its decision, the PHA will consider all credible evidence, including, but not limited to, a signed certification (form HUD-50066) or other documentation of abuse submitted to the PHA by the victim in accordance with this section. The PHA will also consider the factors in section 12-II.D. Upon such consideration, the PHA may, on a case-by-case basis, choose not to terminate the assistance of the culpable family member. If the PHA does terminate the assistance of the culpable family member, it will do so in accordance with applicable law, HUD regulations, and the policies in this plan. (When the actions of a participant or other family member result in a PHA 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 PHA 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 PHA will terminate the perpetrator's assistance. If the victim does not provide the certification and supporting documentation, as required, the PHA will proceed with termination of the family's assistance. If the PHA 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 PHA will bypass the standard process and proceed with the immediate termination of the family's assistance.)

#### **PHA Confidentiality Requirements**

All information provided to the PHA 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 data base 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.

**PHA Policy** If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the PHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

#### **Chapter 16 PART IX:**

#### **NOTIFICATION REGARDING APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2005 (VAWA)**

The Violence against Women Reauthorization Act of 2005 (VAWA) requires PHAs to inform assisted tenants of their rights under this law, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as tenants, PHAs may elect to provide the same information to applicants. VAWA also requires PHAs to inform owners and managers of their obligations under this law. This part describes the steps that the PHA will take to ensure that all actual and potential beneficiaries of its housing choice voucher program are notified about their rights and that owners and managers are notified of their obligations under VAWA.

**PHA Policy** The PHA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it. A summary of the rights and protections provided by VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, or stalking (see sample notices in Exhibits 16-1 and 16-2). The definitions of domestic violence, dating violence, and stalking provided in VAWA (included in Exhibits 16-1 and 16-2) An explanation of the documentation that the PHA may require from an individual who claims the protections provided by VAWA (included in Exhibits 16-1 and 16-2) A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibits 16-1 and 16-2) The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2) Contact information for local victim advocacy groups or service providers

#### **16-IX.A. NOTIFICATION TO PARTICIPANTS [Pub.L. 109-162]**

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

**PHA Policy** The PHA 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 PHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers. The PHA will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA (see Section 12-II.E).

#### **16-IX.B. NOTIFICATION TO APPLICANTS**

**PHA Policy** The PHA 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 PHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers. The PHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-III.G).

#### **16-IX.C. 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.

**PHA Policy** Inform property owners and managers of their screening and termination responsibilities related to VAWA. The PHA 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 PHA lobby and/or mass mailings which include model VAWA certification forms

#### **EXHIBIT 16-1: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER APPLICANTS AND TENANTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

*This sample notice was adapted from a notice prepared by the National Housing Law Project. A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your rights under VAWA.*

**Protections for Victims** If you are eligible for a Section 8 voucher, the housing authority cannot deny you rental assistance solely because you are a victim of domestic violence, dating violence, or stalking. If you are the victim of domestic violence, dating violence, or stalking, you cannot be terminated from the Section 8 program or evicted based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a member of your household or a guest can't be the reason for evicting you or terminating your rental assistance if you were the victim of the abuse.

**Reasons You Can Be Evicted** You can be evicted and your rental assistance can be terminated if the housing authority or your landlord can show there is an *actual and imminent* (immediate) threat to other tenants or employees at the property if you remain in your housing. Also, you can be evicted and your rental assistance can be terminated for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking committed against you. The housing authority and your landlord cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

**Removing the Abuser from the Household** Your landlord may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the assisted unit. Also, the housing authority can terminate the abuser's Section 8 rental assistance while allowing you to continue to receive assistance. If the landlord or housing authority chooses to remove the abuser, it may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, your landlord must follow federal, state, and local eviction procedures.

**Moving to Protect Your Safety** The housing authority may permit you to move and still keep your rental assistance, even if your current lease has not yet expired. The housing authority may require that you be current on your rent or other obligations in the housing choice voucher program. The housing authority may ask you to provide proof that you are moving because of incidences of abuse.

**Proving that You Are a Victim of Domestic Violence, Dating Violence, or Stalking** The housing authority and your landlord can ask you to prove or "certify" that you are a victim of domestic violence, dating violence, or stalking. The housing authority or your landlord must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority and your landlord are free to extend the deadline. There are three ways you can prove that you are a victim:

Complete the certification form given to you by the housing authority or your landlord. The form will ask for your name, the name of your abuser, the abuser's relationship to you, the date, time, and location of the incident of violence, and a description of the violence.

Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing "under penalty of perjury."

Provide a police or court record, such as a protective order. If you fail to provide one of these documents within the required time, the landlord may evict you, and the housing authority may terminate your rental assistance.

**Confidentiality** The housing authority and your landlord must keep confidential any information you provide about the violence against you, unless:

You give written permission to the housing authority or your landlord to release the information.

Your landlord needs to use the information in an eviction proceeding, such as to evict your abuser.

A law requires the housing authority or your landlord to release the information.

If release of the information would put your safety at risk, you should inform the housing authority and your landlord.

**VAWA and Other Laws** VAWA does not limit the housing authority's or your landlord's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up. VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

**For Additional Information** If you have any questions regarding VAWA, please contact Shauna Miller at 518-561-0720 ext.#32. For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

**Definitions** For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

A current or former spouse of the victim

A person with whom the victim shares a child in common

A person who is cohabitating with or has cohabitated with the victim as a spouse

A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies

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.

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) 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

VAWA defines *stalking* as (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) in the course of, or as a result of, such following, pursuit, surveillance, or

repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.

**EXHIBIT 16-2: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER OWNERS AND MANAGERS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

This sample notice was adapted from a notice prepared by the National Housing Law Project.

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your obligations under VAWA.

**Protections for Victims** You cannot refuse to rent to an applicant solely because he or she is a victim of domestic violence, dating violence, or stalking. You cannot evict a tenant who is the victim of domestic violence, dating violence, or stalking based on acts or threats of violence committed against the victim. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a household member or guest cannot be cause for evicting the victim of the abuse.

**Permissible Evictions** You can evict a victim of domestic violence, dating violence, or stalking if you can demonstrate that there is an *actual or imminent* (immediate) threat to other tenants or employees at the property if the victim is not evicted. Also, you may evict a victim for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking. You cannot hold a victim of domestic violence, dating violence, or stalking to a more demanding standard than tenants who are not victims.

**Removing the Abuser from the Household** You may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the unit. If you choose to remove the abuser, you may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, you must follow federal, state, and local eviction procedures.

**Certification of Domestic Violence, Dating Violence, or Stalking** If a tenant asserts VAWA's protections, you can ask the tenant to certify that he or she is a victim of domestic violence, dating violence, or stalking. You are not required to demand official documentation and may rely upon the victim's statement alone. If you choose to request certification, you must do so in writing and give the tenant at least 14 business days to provide documentation. You are free to extend this deadline. A tenant can certify that he or she is a victim by providing any one of the following three documents:

By completing a HUD-approved certification form. The most recent form is HUD-50066. This form is available at the housing authority, or online at [www.hudclips.org](http://www.hudclips.org).

By providing a statement from a victim service provider, attorney, or medical professional who has helped the victim address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both the victim and the professional must sign the statement under penalty of perjury.

By providing a police or court record, such as a protective order. If the tenant fails to provide one of these documents within 14 business days, you may evict the tenant if authorized by otherwise applicable law and lease provisions.

**Confidentiality** You must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, or stalking. You cannot enter the information into a shared database or reveal it to outside entities unless:

The tenant provides written permission releasing the information.

The information is required for use in an eviction proceeding, such as to evict the abuser.

Release of the information is otherwise required by law. The victim should inform you if the release of the information would put his or her safety at risk.

**VAWA and Other Laws**

VAWA does not limit your obligation to honor court orders regarding access to or control of the property. This includes orders issued to protect the victim and orders dividing property among household members in cases where a family breaks up. VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

**Additional Information**

If you have any questions regarding VAWA, please contact Shauna Miller at 518-561-0720 ext#32.

HUD Notice PIH 2006-42 contains detailed information regarding VAWA's certification requirements. The notice is available at <http://www.hud.gov/offices/adm/hudclips/>.

An overview of VAWA's housing provisions is available at

<http://hmis.info/ClassicAsp/documents/March%2016,%202007%20HUD%20Notice%20on%20VAWA.pdf>

**Definitions** For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

A current or former spouse of the victim

A person with whom the victim shares a child in common

A person who is cohabitating with or has cohabitated with the victim as a spouse

A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies

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

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) 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

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

**4-III.C. SELECTION METHOD**

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

**Local Preferences [24 CFR 982.207; HCV p. 4-16]**

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 the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

**PHA Policy** Residency Preference:

Applicants who live, work or have been hired to work or attending school within Clinton County.

The PHA will make available two Housing Choice Vouchers for families of federally declared disasters who are Section 8 Voucher holders or public housing residents in another jurisdiction. These families will receive preference over other waiting list placeholders. A preference will be given to families who have been displaced by government action, (federal, state, or local).

The PHA will offer a preference to no more than two Shelter + Care participant that are within three months of successfully completing the requirements of the Shelter + Care program to insure continued permanent housing and encourage future self-sufficiency. Documentation verifying successful completion from the Sub-recipient grant provider is required.



39 OAK STREET  
PLATTSBURGH, NY 12901-2810

TEL: (518) 561-0720  
FAX: (518) 561-1769  
EMAIL: phoplattsburgh.com

S. PATRICIA LUCIA, PHM  
Executive Director

March 18, 2009

The Plattsburgh Housing Authority has not received any comments from any residents and/or Resident Advisory Board pursuant to the public hearing held March 17, 2009, as related to the submission of the PHA Five-Year Plan.

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

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

Part I: Summary		Grant Type and Number		FFY of Grant: 2009	
PHA Name: Plattsburgh Housing Authority		Capital Fund Program Grant No. NY06P01851109		FFY of Grant Approval: 2009	
Replacement Housing Factor Grant No:		Date of CFFP:			
Type of Grant	Original	Revised	Total Estimated Cost	Obligated	Total Actual Cost <sup>1</sup>
<input checked="" type="checkbox"/> Original Annual Statement and Evaluation Report for Period Ending:					
<input type="checkbox"/> Performance and Evaluation Report for Period Ending:					
<input type="checkbox"/> Reserve for Disasters/Emergencies					
<input type="checkbox"/> Revised Annual Statement (revision no: )					
<input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Revised?	Total Estimated Cost	Obligated	Total Actual Cost <sup>1</sup>
1	Total non-CFP Funds		200,000		
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>		79,000		
3	1408 Management Improvements		46,000		
4	1410 Administration (may not exceed 10% of line 21)		81,000		
5	1411 Audit		1,000		
6	1415 Liquidated Damages		0		
7	1430 Fees and Costs		34,500		
8	1440 Site Acquisition		0		
9	1450 Site Improvement		194,000		
10	1460 Dwelling Structures		163,166		
11	1465.1 Dwelling Equipment—Nonexpendable		0		
12	1470 Non-dwelling Structures		135,500		
13	1475 Non-dwelling Equipment		107,000		
14	1485 Demolition		0		
15	1492 Moving to Work Demonstration		0		
16	1495.1 Relocation Costs		1,000		
17	1499 Development Activities <sup>4</sup>		0		

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

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

<b>Part I: Summary</b>		FFY of Grant: 2009 FFY of Grant Approval: 2009	
PHA Name: Plattsburgh Housing Authority	Grant Type and Number Capital Fund Program Grant No: NY06P01851109 Replacement Housing Factor Grant No: Date of CFFP:		
Type of Grant	<input checked="" type="checkbox"/> Original Annual Statement	<input type="checkbox"/> Reserve for Disasters/Emergencies	<input type="checkbox"/> Revised Annual Statement (revision no: )
	<input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost <sup>1</sup>
		Original	Revised <sup>2</sup> Obligated Expended
18a	1501 Collateralization or Debt Service paid by the PHA	0	
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment	0	
19	1502 Contingency (may not exceed 8% of line 20)	0	
20	Amount of Annual Grant: (sum of lines 2 - 19)	842,166	
21	Amount of line 20 Related to LBP Activities	25,000	
22	Amount of line 20 Related to Section 504 Activities	0	
23	Amount of line 20 Related to Security - Soft Costs	33,000	
24	Amount of line 20 Related to Security - Hard Costs	0	
25	Amount of line 20 Related to Energy Conservation Measures	47,500	
Signature of Executive Director <i>Antonia Thomas</i>		Signature of Public Housing Director	
Date 4/3/09		Date	

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

Part II: Supporting Pages		Federal FFY of Grant: 2009						
PHA Name: Plattsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01851109 CFPP (Yes/ No): Replacement Housing Factor Grant No:						
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
NY18-101								
Lake City Family Housing	Asbestos Testing/Monitoring	1430.2	31 Bld	5,000				
	LBP Test/Monitoring	1430.2	31 Bld	5,000				
	Parking Lot Installation	1450		150,000				
	Parking Lot Light Upgrade	1450	10	6,000				
	Force Account Site Renovations	1450		5,000				
	Roof Replacement	1460	32	25,000				
	Storm Door Replacement	1460	300	500				
	Exterior Doors Replacement	1460	250	500				
	LBP Abatement	1460	31 Bld	20,000				
	Boiler Replacement	1460	51	25,000				
	Renovate Buildings	1460	1	10,000				
	Force Account Renovations	1460		25,000				
	Maintenance Shop Door Replacement (1)	1470	2	3,500				
	Center Door Replacement	1470	1	3,500				
	Relocation	1495.1	30	1,000				
	NY51P018101 Subtotal			285,000				

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Part II: Supporting Pages		Federal FFY of Grant: 2009						
PHA Name: Plattsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01851109 CFPP (Yes/No): Replacement Housing Factor Grant No:						
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
NY18-102	Asbestos Testing & Monitoring	1430.7	1	1,500				
Lake City Senior Housing	LBP Monitoring & Testing	1430.7	2	3,000				
	Concrete Sidewalk Replacement	1450	1 Dev	1,000				
	Force Account Site Renovations	1450		7,000				
	Install Stairwell Handrail	1460	1	1,000				
	Efficiency Apartment Conversion to One-Bedroom	1460	42 Apt	8,000				
	Asbestos Abatement	1460	101 Apt	5,000				
	Window Replacement	1460	196	8,500				
	Repair/Point Up Exterior Finish	1460	3	27,500				
	Force Account Building/Apartment Renovations	1460		6,166				
	Lobby Condition Repair/Improvement	1460		1,000				
	Transformer Door Replacement (5)	1470		3,500				
	Underground Propane Tank Removal	1475.1	1	5,000				
	Emergency Generator & Controls Replacement	1475.2	1	8,000				
	NY51P018102 Subtotal			86,166				
HA-Wide Operations	Operations	1406		79,000				
	Operations Subtotal			79,000				
Management Improvements	Purchase CFP Software & Training Abatement Training	1408	1	3,000				
	Drug Prevention	1408	1	10,000				
	Management Subtotal			33,000				
				46,000				
Nontechnical Salaries	Administration	1410.1		80,000				
	Staff Training for Capital Funds	1410.1		1,000				

CGP Audit Cost	Nontechnical Subtotal Audit	1411	1	81,000		
Architectural/Engineering Fees	CGP Audit Subtotal			1,000		
Site Improvements	Architect/Engineer Architecture Subtotal	1430.1		20,000		
Nondwelling Structures	Force Account Site Improvement Site Improvement Subtotal	1450	1	25,000		
Nondwelling Equipment-Furniture/Equipment	Force Account Building Labor Build Administration Building Nondwelling Subtotal	1470 1470	1 1 1	75,000 50,000 125,000		
Nondwelling Equipment-Maintenance Equipment	Purchase CFP Machines Purchase Office Furniture Nondwelling Subtotal	1475.1 1475.1	1 1	10,000 49,000 59,000		
Non CGP Cost	Force Account Tools & Equipment Purchase Abatement Equipment Nondwelling Subtotal	1475.2 1475.2 1475.2	100 1	10,000 25,000 35,000		
	Build Administration Office	NA-CGP		200,000		
	HA-Wide Subtotal			471,000		
	Grand Total			842,166		

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Annual Statement/Performance and Evaluation Report  
Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
Capital Fund Financing Program

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

Part III: Implementation Schedule for Capital Fund Financing Program

PHA Name: Plattsburgh Housing Authority

Federal FFY of Grant: 2009

Development Number Name/PHA-Wide Activities	All Fund Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates <sup>1</sup>
	Original Obligation End Date	Actual Obligation End Date	Original Expenditure End Date	Actual Expenditure End Date	
Ny18-001 John Collins Park	06/12/2011		06/12/2013		
NY18-101 Lake City Family Housing	06/12/2011		06/12/2013		
NY18-102 Lake City Senior Housing	06/12/2011		06/12/2013		
HA-Wide Activities	06/12/2011		06/12/2013		
Administration	06/12/2011		06/12/2013		
Staff Training for Capital Funds	06/12/2011		06/12/2013		
Purchase CFP Software & Training	06/12/2011		06/12/2013		
Purchase CFP Machines	06/12/2011		06/12/2013		
Architect/Engineer	06/12/2011		06/12/2013		
Force Account Building Labor	06/12/2011		06/12/2013		
Force Account Site Improvement	06/12/2011		06/12/2013		
Audit	06/12/2011		06/12/2013		
Operations	06/12/2011		06/12/2013		
Building Administration Building	06/12/2011		06/12/2013		
Drug Prevention	06/12/2011		06/12/2013		
Force Account Tools & Equipment	06/12/2011		06/12/2013		

<sup>1</sup> Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9(j) of the U.S. Housing Act of 1937, as amended.



Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/20011

Part I: Summary					
PHA Name/Number Authority NY018		Locality (City/County & State)			
Development Number and Name	Work Statement for Year 1 FFY 2009	Work Statement for Year 2 FFY 2010	Work Statement for Year 3 FFY 2011	Work Statement for Year 4 FFY 2012	Work Statement for Year 5 FFY 2013
A. NY18-101 Lake City Family Housing	Work Statement	419,166	529,666	482,666	391,066
B. Physical Improvements Subtotal	Work Statement	573,666	593,666	618,666	502,066
C. Management Improvements	Work Statement	36,000	34,500	34,500	134,500
D. PHA-Wide Non-dwelling Structures and Equipment	Work Statement	60,000	50,000	25,000	31,000
E. Administration	Work Statement	81,000	81,000	81,000	81,000
F. Other	Work Statement	91,500	83,000	83,000	93,600
G. Operations	Work Statement	0	0	0	0
H. Demolition	Work Statement	0	0	0	0
I. Development	Work Statement	0	0	0	0
J. Capital Fund Financing – Debt Service	Work Statement	0	0	0	0
K. Total CFP Funds	Work Statement	842,166	842,166	842,166	842,166
L. Total Non-CFP Funds	Work Statement	0	0	0	0
M. Grand Total	Work Statement	842,166	842,166	842,166	842,166

Original 5-Year Plan  Revision No:



Work Statement for Year: 1 FFY 2009	Work Statement for Year: 2 FFY 2010			Work Statement for Year: 3 FFY 2011		
	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 Appendix Statement	NY18-101			NY18-101		
	Lake City Family Housing			Lake City Family Housing		
	Window Replacement	31 Buildings	37,166	Bldg Mtd Sec Light Install	12	5,000
	Toilet Replacement	31 Buildings	10,000	Rear Light Apt Replacement	150	5,000
				Pave Off-Street Parking	2 LOC	10,166
				Toilet Replacement	31 Buildings	5,000
	Vinyl Siding Replacement	31 Buildings	100,000			
	LBP Abatement	31 Buildings	20,000			
	Hot Water Tank Replacement	150	2,000	Roof Replacement	32	50,000
				Galvanized Piping Replacement	31 Buildings	5,000
	Bilco Door Replacement	64	5,000			
	LBP Abatement	4	45,000	Kitchen Remodel	142	20,000
	Vinyl Floor Replacement	84	20,000	Concrete Sidewalk Replacement	1 Development	8,000
	Crawl Space Vent Replacement	66	10,000			
	Community Room Tables & Chairs	1	10,000	Hot Water Tank Replacement	150	5,000
	Renovate Buildings	1	10,000			
	Parking Lot & Entry Install	1	50,000	Modernize Laundry		20,000
	Force Account Renovations		90,000	LBP Abatement	31 Buildings	48,000

Capital Fund Program—Five-Year Action Plan

	Force Account Site Renovations		10,000	Boiler Replacement	1	20,000
	NY-102			Roof Replacement	1	20,000
	Lake City Senior Housing			Catch Basin Replacement	3	7,000
	Fire Pump Replacement		6,000	Thermostat Upgrade	100	12,000
	Efficiency Apartment Conversion to One Bedroom	42 Apartments	50,000	Overhead Light Replacement	22	4,500
	Ceiling Light Fixtures Replacement	1 Floor	500	Windows Replacement	1	95,000
	Floor Tiles in Public Areas Asbestos Abate Accessible Showers	1	2,000	Renovate Buildings	1	10,000
	Apartment Intercom System Replacement	101	2,000	Resurface McGauley Avenue	1	80,000
	Install Grounded Outlets	404	2,000	Force Account Renovations		90,000
	Asbestos & LBP Abatement	101 Apartments	50,000	Force Account Site Renovations		10,000
	Entry Closet Door Replacement	300	2,000	NY18-102 Lake City Senior Housing		
	Site Light Replacement	4	1,000	Efficiency Apartment Conversion to one-bedroom	42 Apartments	1,500
	Repair/Point Up Exterior Finish	3	11,000	Heaters in Mechanical Room Replacement	2	500
	Heaters in Bathroom Install (Barnard)	65	7,000	Add Parking Spaces	2	20,000
	Lower Kitchen/Living Room Divider (Barnard)	65	2,000	Kitchen Remodel	59	10,000
	Mixing Valves in Bathroom Replaced	101	6,000	Hot Water Heaters Replaced (Long)	60	1,000
	Canopy in Picnic Area Installation	1	1,000	Accessible Showers	1	6,000
				Fire Alarm System Upgrade	1 Building	20,000
				HA-Wide		
				Purchase CFP Machines	1	10,000



Work Statement for Year 1 FFY	Work Statement for Year 4 FFY 2012			Work Statement for Year 5 FFY 2013		
	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 Annual Statement	NY18-101 Lake City Family Housing			NY18-101 Lake City Family Housing		
	Toilet Replacement	31 Buildings	5,000	Entry Stoop & Handrail Replacement Front & Rear	150	20,000
				Playground Equipment Replacement/Accessible	2	5,000
				Seal Coat Re-stripe Parking Lots	2	10,000
	Upgrade Elect Outlets	31 Buildings	5,000	Force Account Structure Improvement	1	5,166
	Bathroom Remodel	142	20,000	Toilet Replacement	31 Buildings	5,000
				Front Door Light Replacement	150	5,000
	Rehab Management/Maint/Com Center	1	25,000			
	Baseboard Electric Heat Installation	31 Buildings	75,000			
	LBP Abatement	31 Buildings	49,000	Landscaping/Site Work	1	5,000
	Clean Exterior Brick	31	5,000	Address Number Replacement	150	5,000
	Back Flo Preventer Install	33	10,000	Storage Sheds Installation	150	10,000
	504 Units Compliance	3	45,500	Porch Roof Replacement	54	10,000
	Rain Gutter Installation	8 Buildings	20,000			
	Flag Pole (Lighted)	1	5,000	Curbing Replacement	960'	5,000

Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/2001

	Site Lighting Replacement	7		10,000	Washer Hook-Up Replacement	150	1,000
	Sprinkler System in Maint Buildings Install	1		10,000	Dryer Vent Replacement	150	1,000
	Renovate Buildings	1		10,000	Storage Shed Siding Replacement	8	10,000
	Soundproof Apartment Walls	150		40,000	Drying Rack Replacement	50	10,000
	Add Parking Spaces	1		13,166	Public Benches Installed	10	10,000
	Force Account Renovations			90,000	Garbage Area Concrete Pad Install	142	10,000
	Force Account Site Renovations			10,000	Insulate Crawl Spaces	31 Buildings	20,000
	Exterior Attic Door Replacement	31		35,000	Sheetrock Replacement	150 Apartments	10,000
	NY18-2 Lake City Senior Housing				LBP Abatement	4	68,000
	Bathroom Remodel	92		50,000	Add Telephone Jacks	300	10,000
	Kitchen Remodel	59		50,000	Add Cable Jacks	300	5,000
	Window Replacement	196		20,000	Tree & Stump Removal	1 Development	5,000
	Ceiling Replacement Common Space	1		5,000	Central Boiler Removal	1	25,900
	Electric Panel/4 Apts @ Long's Replaced	4		5,000	Closet Door Replacement	84 Apartments	5,000
	Elevator Modernization HA-Wide	1		1,000	Maintenance Shop Expansion	1	5,000
	Purchase CFP Machines	1		10,000	Renovate Buildings	1	10,000
	Force Account Building Labor	1		5,000	Force Account Renovations		90,000
	Force Account Site Improvement	1		5,000	Force Account Site Renovations		10,000
	Purchase Abatement Equipment	1		10,000	NY18-102 Lake City Senior Housing		
					Landscaping	1	1,000

Capital Fund Program—Five-Year Action Plan

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/2001

				Front Entry Canopy Installation	1	500
				Fire Walls Common Space Install	1	500
				Stairwell Light Fixture Replacement	16	500
				Walk-Off Carpet in Front Entry Replacement	8 Floors	500
				Corridor Light Fixture Replacement	8 Floors	500
				Kitchen Remodel	59	15,000
				Dining Room Light Fixture Replacement	59	500
				Bathroom Remodel	92	50,000
				Window Replacement	196	31,500
				Lightning Rods Install	1	1,000
				Apartment Entry Doors Replacement	65	500
				Automatic Door Openers Replacement	2	500
				Garbage Compactor Replacement	1	1,000
				Accessible Showers	1	500
				Accessible Apartment Upgrades	140	500
				Domestic Hot Water & Booster Repair	1	500
				A/C Community Space Replaced	1	1,000
					1	500
				HA-Wide		
				Purchase CFP Machines	1	10,000
				Force Account Building Labor	1	5,000



**Part III: Supporting Pages – Management Needs Work Statement(s)**

Work Statement for Year 1 FFY 2009	Work Statement for Year 2 FFY 2010		Work Statement for Year 3 FFY 2011	
	Development Number/Name General Description of Major Work Categories	Estimated Cost	Development Number/Name General Description of Major Work Categories	Estimated Cost
	NY18-101		NY18-101	
	Purchase CFP Software & Training	3,000	Purchase CFP Software & Training	1,500
	Drug Prevention	33,000	Drug Prevention	33,000
	Subtotal of Estimated Cost	\$36,000	Subtotal of Estimated Cost	\$34,500



Part I: Summary		Grant Type and Number Capital Fund Program Grant No: NY06P01850108	Replacement Housing Factor Grant No:	FFY of Grant: 2008	
PHA Name: Plattsburgh Housing Authority		FFY of Grant Approval: 2008			
Type of Grant	<input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 08	<input type="checkbox"/> Reserve for Disasters/Emergencies	<input checked="" type="checkbox"/> Revised Annual Statement (revision no:1 ) <input type="checkbox"/> Final Performance and Evaluation Report	Total Actual Cost <sup>1</sup>	
Line	Summary by Development Account	Original	Revised <sup>2</sup>	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	157,500	157,500	0	0
3	1408 Management Improvements	61,500	61,500	31,500	9,157
4	1410 Administration (may not exceed 10% of line 21)	78,750	78,750	78,750	0
5	1411 Audit	787	787	0	0
6	1415 Liquidated Damages	0			
7	1430 Fees and Costs	35,000	35,000	0	0
8	1440 Site Acquisition	0			
9	1450 Site Improvement	21,884	45,884	0	0
10	1460 Dwelling Structures	381,145	443,745		
11	1465.1 Dwelling Equipment—Nonexpendable	0			
12	1470 Non-dwelling Structures	37,000	5,000	0	0
13	1475 Non-dwelling Equipment	14,000	14,000	0	0
14	1485 Demolition	0			
15	1492 Moving to Work Demonstration	0			
16	1495.1 Relocation Costs	0			
17	1499 Development Activities <sup>4</sup>	0			
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 (may not exceed 8% of line 20)				
20	Amount of Annual Grant: (sum of lines 2 – 19)	787,566	842,166	110,250	9,157
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security – Soft Costs	31,500	31,500	31,500	0
24	Amount of line 20 Related to Security – Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

Part I: Summary	
PHA Name: Plattsburgh Housing Authority	Grant Type and Number Capital Fund Program Grant No: NY06P01850108 Date of CFFP: _____ Replacement Housing Factor Grant No: _____
Type of Grant <input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 08	FFY of Grant: 2008 FFY of Grant Approval: 2008
Line Summary by Development Account	<input checked="" type="checkbox"/> Revised Annual Statement (revision no: 1 ) <input type="checkbox"/> Final Performance and Evaluation Report
Signature of Executive Director <i>Esther Lucia</i>	Total Estimated Cost
Date 4/3/09	Revised 2
	Signature of Public Housing Director
	Obligated
	Expended
	Date

Part II: Supporting Pages

PHA Name: Plattsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01850108 CFFP (Yes/No):		Federal FFY of Grant: 2008				
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
18-1 JCP	Asbestos Testing	1430.2	31BLD		10,000	0	0	to be scheduled
John Collins Park	Entry Stoop/hndrl replmt front/rear	1450	150		25,000	0	0	"
	Force Account Site Renovations	1450			14,384	0	0	"
	Replace Roofs	1460	32		84,000	0	0	"
	Repair/Replace Vinyl Siding	1460	31BLD		73,100	0	0	"
	Replace Biico Doors	1460	64		32,000	0	0	"
	Force acct apt renovation	1460	25AP		17,000	0	0	"
	Replace exterior attic doors	1460	31		50,000	0	0	"
	Abate Asbestos	1470	29		5,000	0	0	"
	-----18-1 Subtotals---				310,484	0	0	
18-2 JCE	Force Account Site renovations	1450			500	0	0	to be scheduled
John Collins Ext	Replace Roofs	1460	8		100,000	0	0	"
	Force Account Apartment Renovation	1460	15 AP		10,000	0	0	"
	---18-2 Subtotals---				110,500	0	0	
18-3 T. Conway	Force Account Site Renovations	1450			1,000	0	0	"
Thomas Conway	Force Account Apt. Renovation	1460			10,000	0	0	"
	---18-3 Subtotals---				11,000	0	0	

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Part II: Supporting Pages

PHA Name: Plattsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01850108		CFFP (Yes/No):		Federal FFY of Grant: 2008		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sub>2</sub>	Funds Expended <sup>2</sup>	
18-4 Lakeview Twr	A/C & heater replacement in common space	1460	1		3,000	0	0	to be scheduled
	Force Acct Bldg/Apt renovations	1460			18,000	0	0	"
	Repair/improve lobby conditions	1460			7,500	0	0	"
	Elevator pit repair	1472.2	1		8,000	0	0	"
	---18-4 Subtotals---				36,500	0	0	"
18-5 RSL Apts	Force Account Site Renovations	1450			1,000	0	0	to be scheduled
Robert S. Long	Force Account Bldg/Apt Renovations	1460			5,000	0	0	"
	Instal emergency heater	1460	1		1,145	0	0	"
	Repair/improve lobby condition	1460			7,500	0	0	"
	---18-5 Subtotals---				14,645	0	0	"
18-6 RBA	Resurface Parking Lot	1450	1 lot		2,000	0	0	to be scheduled
Russell Barnard	Force Account Site Renovations	1450			1,000	0	0	"
	Force Account Apt/Bldg Renovations	1460			5,000	0	0	"
	Repair/improve lobby condition	1460			7,500	0	0	"
	---18-6 Subtotals---				15,500	0	0	"

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Part II: Supporting Pages

PHA Name: Pittsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01850108 CFFP (Yes/ No):		Federal FFY of Grant: 2008				
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
18-7 LBA	Force Account Site Renovations	1450			1,000	0	0	to be scheduled
Leander Bouyeya	Force Account Apt Renovations	1460			13,000	0	0	"
	---18-7 Subtotals---				14,000	0	0	"
HA-Wide Operations	Operations ---HA-Wide Subtotals---	1406			157,500 157,500	0 0	0 0	" "
Mgmt Improvements	Drug Prevention	1408	1		31,500	0	0	to be scheduled
	Purchase asbestos abatement equipment & training	1408	1		30,000	0	0	"
	---Mgmt Imprvmt subtotal---				61,500	31,500	9,157	
Nontechnical Salaries	Administration ---Nontechnical sal subtotal---	1410.1			78,750 78,750	78,750 78,750	0 0	to be scheduled
CGP Audit Cost	Audit ---CGP Audit Subtotal---	1411	1		787 787	0 0	0 0	to be scheduled

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.





Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

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

Part I: Summary		Grant Type and Number Capital Fund Program Grant No: Date of CFFP: NY06P01850107	Replacement Housing Factor Grant No:	FFY of Grant: FFY of Grant Approval: 2007	
PHA Name: Plattsburgh Housing Authority					
Type of Grant	<input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 08		<input checked="" type="checkbox"/> Revised Annual Statement (revision no:2 ) <input type="checkbox"/> Final Performance and Evaluation Report		
Line	Summary by Development Account	Original	Revised <sup>2</sup>	Obligated	Total Actual Cost <sup>1</sup> Expended
1	Total non-CFFP Funds				
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	157,500	50,000	0	0
3	1408 Management Improvements	31,500	31,500	31,500	31,500
4	1410 Administration (may not exceed 10% of line 21)	78,750	78,750	78,750	43,029
5	1411 Audit	100	100	0	0
6	1415 Liquidated Damages	0			
7	1430 Fees and Costs	135,884	73,500	4,100	4,093
8	1440 Site Acquisition	0			
9	1450 Site Improvement	6,884	177,768	256,473	142,803
10	1460 Dwelling Structures	276,948	276,948	233,456	79,944
11	1463.1 Dwelling Equipment—Nonexpendable	0			
12	1470 Non-dwelling Structures	66,000	66,000	17,738	6,599
13	1475 Non-dwelling Equipment	33,000	33,000	28,998	28,998
14	1485 Demolition	0			
15	1492 Moving to Work Demonstration	0			
16	1495.1 Relocation Costs	1,000			
17	1499 Development Activities <sup>4</sup>	0			
18a	1501 Collateralization or Debt Service paid by the PHA	0			
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant: (sum of lines 2 - 19)	787,566	787,566	651,015	336,956
21	Amount of line 20 Related to LBP Activities	10,000	0	0	336,956
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security - Soft Costs	31,500	31,500	31,500	31,500
24	Amount of line 20 Related to Security - Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures	1,000	1,000	0	0

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFF Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

Part I: Summary	
PHA Name: Plattsburgh Housing Authority	Grant Type and Number Capital Fund Program Grant No: Date of CFFP: NY06FP01850107
	Replacement Housing Factor Grant No:
	FFY of Grant: FFY of Grant Approval: 2007
Type of Grant <input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 08	<input checked="" type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Original Annual Statement (revision no: 2 ) <input type="checkbox"/> Final Performance and Evaluation Report
Line Summary by Development Account	Total Estimated Cost
Signature of Executive Director <i>Salvatore Lucia</i>	Original Date 4/3/09
	Revised <sup>2</sup> Signature of Public Housing Director
	Total Actual Cost <sup>1</sup>
	Obligated Expended
	Date

Part II: Supporting Pages

PHA Name: Plattsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01850107 CFFP (Yes/No):		Federal FFY of Grant: 2007				
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
18-1 JCP	Asbestos Testing	1430.2	31BLD	20,000	0	0	0	
John Collins Park	Lead Based Paint Test/Monitoring	1430.2	31BLD	5,000	0	0	0	
	Bathroom Window Replacement			0	0	21,559	21,559	complete
	Entry stoop & hndl replcmnt front/rear	1450	150	1,000	170,884	249,780	136,110	complete
	Force acct site renovations	1450		384	384	3,513	3,513	bilco labor cost
	Replace roofs	1460	32	31,448	31,448	198,500	49,094	complete
	Force account apt renovations	1460	25 apts	25,000	25,000	2,393	2,393	
	Upgrade office & Maintenance facility	1470		0	0	3,375	2,177	complete
	Abate Asbestos	1470	29	5,000	5,000	0	0	work not req.
	Relocation	1495.1	30	1,000	1,000	0	0	
	---18-1 Subtotals---			88,832	233,716	479,120	214,846	
18-2 JCE	Asbestos Testing	1430.2	8BLD	10,000	0	0	0	
John Collins Ext	Lead Based Paint Test/Monitoring	1430.2		5,000	0	0	0	
	Force Account site Renovations	1450		500	500	0	0	to be scheduled
	Force account apt renovations	1460	15 apts	10,000	10,000	0	0	to be scheduled
	Force Account renovations	1460		500	500	290	290	complete
	---18-2 Subtotals---			26,000	11,000	290	290	

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Part II: Supporting Pages

PHA Name: Plattsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01850107		CFPP (Yes/ No):		Federal FFY of Grant: 2007		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
18-3 TCA	Asbestos Testing	1430.2	8BLD	10,000	0	0	0	
Thomas Conway	Force acct site renovations	1450		1,000	1,000	3,180	3,180	sidewalk remov
	Force acct apt renovations	1460		10,000	10,000	0	0	to be scheduled
	Force account renovations	1460		1,000	1,000	15	15	
	Insulate Crawl Spaces	1470	8BLD	1,000	1,000	0	0	to be scheduled
	Remove underground fuel tank	1470	1	5,000	7,500	9,951	0	complete
	Remove Central Boiler	1470	1	5,000	2,500	0	0	to be scheduled
	---18-3 Subtotals---			33,000	23,000	13,146	3,195	
18-4 LVT	Asbestos Monitoring	1430.7	2	10,884	0	0	0	to be scheduled
Lakeview Towers	Force Account Site Renovations	1450		1,000	1,000	0	0	to be scheduled
	Replace cold/hot wtr booster pump	1460		0	0	10,700	6,594	installed in 09
	Abate Asbestos	1460	101 apts	1,000	1,000	0	0	to be scheduled
	Force acct bldg/apt renovations	1460		10,000	10,000	0	0	to be scheduled
	Replace flooring	1460	8	2,700	2,700	0	0	paid in 06
	Replace emergency generator/control	1475-2	1	1,000	1,000	0	0	in design phase
	---18-4 Subtotals---			26,584	15,700	10,700	6,594	

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Part II: Supporting Pages

PHA Name: Plattsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01850107 CFFP (Yes/No):		Federal FFY of Grant: 2007				
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
18-5 RSL Apts	Force Account Site renovations	1450		1,000	1,000	0	0	to be scheduled
Robert S. Long	Force acct Bldg/Apt. renovations	1460		10,000	10,000	0	0	to be scheduled
	Force account office renovations	1470	1	1,000	1,000	0	0	to be scheduled
	Replace emergency generator/control	1475.2	1	1,000	1,000	0	0	complete
	Install Emergency heater	1475.2	1	1,000	1,000	0	0	in planning phas
	---18-5 Subtotals---			14,000	14,000	0	0	
18-6 RBA Apts	Force Account Site Renovations	1450		1,000	1,000	0	0	to be scheduled
Russell Barnard	Force acct Apt/Bldg renovations	1460		5,000	5,000	0	0	to be scheduled
	---18-6- Subtotals---			6,000	6,000	0	0	
18-7 LBA Apts	Asbestos Abatement Proj Monitoring	1430.2		20,000	18,500	0	0	to be scheduled
Leander Bouyee	Force Account Site Renovations	1450		1,000	1,000	0	0	to be scheduled
	Modernize Kitchens	1460	84	135,300	135,300	0	0	to be scheduled
	Force Acct Apt Renovations	1460		25,000	25,000	0	0	to be scheduled
	Storage Bldg/salt shed	1470	1	49,000	49,000	4,412	4,412	split 05/06/07 yr
	---18-7 Subtotals---			230,300	228,800	4,412	4,412	

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

<sup>2</sup> To be completed for the Performance and Evaluation Report.

Part II: Supporting Pages									
PHA Name: Plattsburgh Housing Authority		Grant Type and Number Capital Fund Program Grant No: NY06P01850107			CFFP (Yes/No):		Federal FFY of Grant: 2007		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>		
HA-Wide Operations	Operations ---HA-Wide Subtotals---	1406		157,500	50,000	0	0		
Management Improvements	Drug Prevention ----Mgmt Improvements Subtotal----	1408	1	31,500	31,500	31,500	31,500	Police	
Nontechnical Salaries	Administration ----Nontechnical Salaries Subtotal----	1410.1		78,750	78,750	78,750	43,029		
CGP Audit	Audit ----CGP Audit Subtotal----	1411	1	100	100	0	0		
Architectural & Engineering Fees	Architect/Engineer ----Architectural/engineering Subtotal----	1430.1	5 yrs	55,000	55,000	4,100	4,093		
Dwelling Structures	Asbestos Abatement ----Dwelling Structures Subtotal----	1460	1	10,000	10,000	0	0		

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>2</sup> To be completed for the Performance and Evaluation Report.





David A. Paterson  
Governor



Deborah VanAmerongen  
Commissioner

**New York State Division of Housing and Community Renewal**  
Hampton Plaza  
38-40 State Street  
Albany, NY 12207

March 4, 2009

S. Patricia Lucia, PHM  
Executive Director  
Plattsburgh Housing Authority  
39 Oak Street  
Plattsburgh, NY 12901

**Re: Certification of Consistency with the New York State Consolidated Plan**

Dear S. Patricia Lucia;

Enclosed please find a Certificate of Consistency with the Consolidated Plan which has been signed by Deputy Commissioner, Lorrie Pizzola.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitzie Rowe".

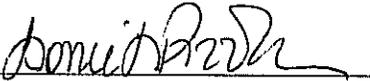
Mitzie Rowe  
Office of Legal Affairs

Enclosure

MAR 10 2009

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

I, Lorrie Pizzola the DHCR Deputy Commissioner certify  
that the Five Year and Annual PHA Plan of the Plattsburgh Housing Authority is  
consistent with the Consolidated Plan of the State of New York prepared  
pursuant to 24 CFR Part 91.

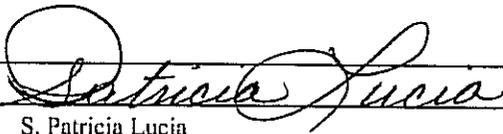
3-4-09 

Signed / Dated by Appropriate State or Local Official

## DISCLOSURE OF LOBBYING ACTIVITIES

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

Approved by OMB  
0348-0046

<b>1. Type of Federal Action:</b> <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  PLATTSBURGH HOUSING AUTHORITY 39 Oak Street, Plattsburgh NY 12901  Congressional District, if known: 24th	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>   Congressional District, if known:	
<b>6. Federal Department/Agency:</b> U.S. Department of Housing & Urban Development	<b>7. Federal Program Name/Description:</b> Capital Fund Program  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b> NY36P018501-09	<b>9. Award Amount, if known:</b> \$	
<b>10. a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):  N/A	<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):	
<b>11.</b> 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 available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: S. Patricia Lucia Title: Executive Director Telephone No.: 518-561-0720      Date: 03/17/09	
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

**Civil Rights Certification**

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

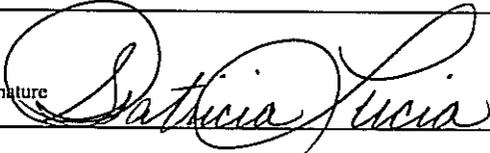
**Civil Rights Certification****Annual Certification and Board Resolution**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioner, I approve the submission of the Plan for the PHA of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing.

PLATTSBURGH HOUSING AUTHORITY  
 PHA Name

NY018  
 PHA Number/HA Code

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 S. PATRICIA LUCIA	Title EXECUTIVE DIRECTOR
Signature 	Date 03/17/09

# Certification of Payments to Influence Federal Transactions

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

Applicant Name

Plattsburgh Housing Authority

Program/Activity Receiving Federal Grant Funding

Capital Fund Program

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

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

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

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

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

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

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

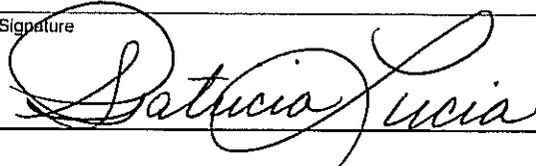
Name of Authorized Official

S. Patricia Lucia

Title

Executive Director

Signature



Date (mm/dd/yyyy)

03/17/09

# Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name

Plattsburgh Housing Authority

Program/Activity Receiving Federal Grant Funding

Capital Fund Program

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NY018-000101 Lake City Family Housing - Bushey Boulevard, McGaulley Avenue, Tyrell Avenue - Plattsburgh, Clinton County, New York 12901

NY018-000102 Lake City Senior Housing - 39 Oak Street, 34 Flynn Avenue, 46 Flynn Avenue - Plattsburgh, Clinton County, New York 12901

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.

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(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

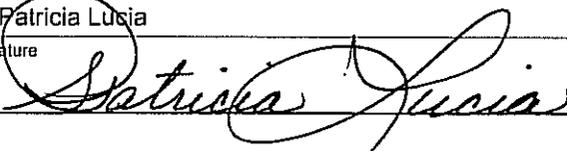
Name of Authorized Official

S. Patricia Lusja

Title

Executive Director

Signature

X 

Date

03/17/09

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

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning 07/01/08 hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
  - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

PLATTSBURGH HOUSING AUTHORITY

PHA Name

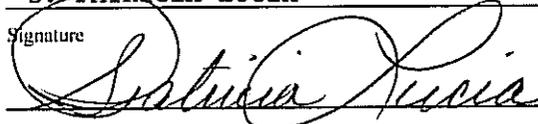
NY018

PHA Number/HA Code

       5-Year PHA Plan for Fiscal Years 20       - 20      

  X   Annual PHA Plan for Fiscal Years 20  09   - 20  10  

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
S. PATRICIA LUCIA	EXECUTIVE DIRECTOR
Signature 	Date 03/17/09