

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
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1.0	PHA Information PHA Name: <u>Housing Authority of the City of San Marcos Texas</u> PHA Code: <u>TX 087</u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>09/2009</u>												
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u>287</u> Number of HCV units: <u>206</u>												
3.0	Submission Type <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only												
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)												
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program <table border="1"> <thead> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>PHA 1:</td> <td></td> </tr> <tr> <td>PHA 2:</td> <td></td> </tr> <tr> <td>PHA 3:</td> <td></td> </tr> </tbody> </table>	PH	HCV	PHA 1:		PHA 2:		PHA 3:	
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: The Housing Authority of the City of San Marcos (SMHA) is a public agency whose business is to: <ul style="list-style-type: none"> ★ Ensure that safe, quality affordable housing opportunities exist for families of low income, ★ Break the poverty cycle by serving as a catalyst for our residents to become economically self-sufficient, ★ Create meaningful partnerships to maximize available community resources for our residents, ★ Efficiently and effectively meet federal, state and local mandates The Housing Authority of the City of San Marcos (SMHA) will pursue entrepreneurial opportunities to address emerging trends and respond to the challenges of the future.												

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. **Increase the availability of decent, safe, and affordable housing by applying for additional rental vouchers, leverage private or other public funds to create additional housing opportunities. Improve the quality of assisted housing by increasing the Public Housing Assessment System and the Section Eight Management Assessment Program scores, increasing customer service and renovating/modernizing public housing. Provide an improved living environment by implementing measures to deconcentrate poverty by bringing higher income public housing households into lower income developments, by implementing measures to promote income mixing in public housing. Ensure equal opportunity and affirmatively further fair housing Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability by**

Undertaking affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:

Undertaking affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:

Complying with the Violence Against Women Act (Victims of Domestic Violence)

SMHA will continue its efforts to support and assist children and adult victims of domestic violence, dating violence, sexual assault, and stalking and will continue to establish collaborative programs with domestic violence service providers.

With respect to the Public Housing and Housing Choice Voucher programs:

A. SMHA will inform all public housing and housing choice voucher program participants of their rights under the Violence Against Women's Act of 2005 (VAWA).

B. SMHA inform property owners of their rights and responsibilities in regards to VAWA.

C. SMHA will develop policies and procedures to allow victims of domestic violence, dating violence, sexual assault and stalking an opportunity to claim their status as a victim.

D. Any information provided by the victim will be kept confidential and will not be shared with other related agencies unless requested or consented to by the victim in writing, required for use in an eviction proceeding of an abuser, stalker or perpetrator of domestic violence, or is otherwise required by applicable law.

E. SMHA will allow such victim(s) an opportunity to explain negative rental, financial or criminal history and lease violations, which were caused by such violence, prior to taking final adverse action against the victim such as denial into the program or termination/eviction.

F. SMHA's procedures will ensure SMHA does not deny admission or terminate assistance, tenancy or occupancy rights of such victims and their immediate family members when the reason for denial/termination is directly related to such violence, unless the member is the perpetrator

G. SMHA will ensure the following policies allow such victims, and their family members, protections provided by VAWA:

1. Eligibility Screening policy to take into account victim status when reviewing negative history;

2. Transfer and portability policies to efficiently expedite requests made by victims;

3. Lease provisions to include bifurcation of leases and exceptions to repeated and serious violations when directly related to such violence;

4. Emergency maintenance work order definitions to include safety requests made by victims;

5. Termination/Eviction Policy to take into account victim status, criminal activity, and lease violations with local dropout prevention efforts.

6. directly related to such violence when considering/processing an eviction/termination.

7. One-strike policy to include exception for victims when the criminal activity is related to such violence.

8. Employee Training content to include the protections provided by VAWA and SMHA's policies and definitions in regards to victims of domestic violence, dating violence, sexual assault and stalking.

SMHA will follow the PIH Notices and Regulations mandated by the U.S. Department of Housing and Urban Development in reference to the 2005 Violence Against Women Act.

Other PHA Goals and Objectives:

Retain 80% of high quality employees

Improve physical conditions of all properties by establishing and utilizing a preventative maintenance and inspection schedule with emphasis on meeting the Uniform Physical Condition Standards.

Create a safe workplace through continuous enhancement of the agency's safety program.

Promote self-sufficiency and asset development of families and individuals

6.0	<p>PHA Plan Update</p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.</p> <p>(a) No PHA Plan Elements have been revised by the PHA since its last Annual Plan submission (b) Complete copies of the 5-Year and Annual PHA Plan are kept at the main administration building 1201 Thorpe Lane San Marcos , Texas 78666 Also all elements of the plan may also be reviewed at the main office.</p>																																																																																								
7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i> Currently none of these programs are applicable to the SMHA Annual Plan or 5-year plan.</p>																																																																																								
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>																																																																																								
8.1	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing. Please see attached Capital Fund Program Annual Statement/Performance and Evaluation Report for CF 2008</p>																																																																																								
8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan. Please see attached Capital Fund Program Five-Year Action Plan.</p>																																																																																								
8.3	<p>Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>																																																																																								
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <table border="1" data-bbox="240 947 1515 1598"> <thead> <tr> <th colspan="8">Housing Needs of Families in the Jurisdiction by Family Type</th> </tr> <tr> <th>Family Type</th> <th>Overall</th> <th>Afford-ability</th> <th>Supply</th> <th>Quality</th> <th>Access-ibility</th> <th>Size</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>Income <= 30% of AMI</td> <td>2886</td> <td>5</td> <td>5</td> <td>2</td> <td>1</td> <td>4</td> <td>4</td> </tr> <tr> <td>Income >30% but <=50% of AMI</td> <td>1235</td> <td>5</td> <td>5</td> <td>2</td> <td>1</td> <td>3</td> <td>4</td> </tr> <tr> <td>Income >50% but <80% of AMI</td> <td>1200</td> <td>5</td> <td>4</td> <td>4</td> <td>1</td> <td>4</td> <td>3</td> </tr> <tr> <td>Elderly</td> <td>840</td> <td>5</td> <td>4</td> <td>4</td> <td>4</td> <td>3</td> <td>4</td> </tr> <tr> <td>Families with Disabilities</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Black</td> <td>341</td> <td>5</td> <td>5</td> <td>2</td> <td>1</td> <td>3</td> <td>3</td> </tr> <tr> <td>Hispanic</td> <td>1888</td> <td>5</td> <td>5</td> <td>2</td> <td>1</td> <td>3</td> <td>2</td> </tr> <tr> <td>White/ Non-Hispanic</td> <td>4337</td> <td>5</td> <td>4</td> <td>2</td> <td>1</td> <td>3</td> <td>2</td> </tr> <tr> <td>Race/Ethnicity</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Housing Needs of Families in the Jurisdiction by Family Type								Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Location	Income <= 30% of AMI	2886	5	5	2	1	4	4	Income >30% but <=50% of AMI	1235	5	5	2	1	3	4	Income >50% but <80% of AMI	1200	5	4	4	1	4	3	Elderly	840	5	4	4	4	3	4	Families with Disabilities	N/A	Black	341	5	5	2	1	3	3	Hispanic	1888	5	5	2	1	3	2	White/ Non-Hispanic	4337	5	4	2	1	3	2	Race/Ethnicity													
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9.1	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p>																																																																																								

10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”</p> <p>(a) Progress in Meeting Mission and Goals: The SMHA has improved the PHAS score each year for the last three years which was a goal of the 5-year plan our score this year has achieved high performer status. We also set a goal to renovate or modernize our units and we are currently working towards that goal. Improve customer satisfaction was also a goal . We also will continue to work with the local domestic violence shelter to serve the needs of child and adult victims of domestic violence, date violence, sexual assault or stalking.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “: Any change to the Mission Statement; 50% deletion from or addition to the goals and objectives as a whole; and 50% or more decrease in quantifiable measurement of any individual goal and objective. Significant Amendment or Modification to the Annual Plan Any increase or decrease over 50% in the funds projected In the Financial Resource Statement and/or the Capital Fund program Annual Statement; Any change in a policy or procedure that requires a Regulatory 30-day posting; Any submission to HUD that requires a separate notification to residents, such as HOPE VI, Public Housing Conversions, Demolition/Disposition, Designated Housing or Homeownership programs; & Any change inconsistent with local, approved Consolidated Plan, and the discretion of the Executive Director.</p>
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11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(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.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>
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Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary

PHA Name: Housing Authority of the City of San Marcos, Texas	Grant Type and Number Capital Fund Program Grant No: TX59P08750109 Replacement Housing Factor Grant No:	Federal FY of Grant: 2009
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending:
 Final Performance and Evaluation Report

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	\$ 30,000.00			
3	1408 Management Improvements	\$ 46,000.00			
4	1410 Administration	\$ 50,000.00			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$ 66,575.00			
8	1440 Site Acquisition				
9	1450 Site Improvement	\$ 14,200.00			
10	1460 Dwelling Structures	\$ 148,300.00			
11	1465.1 Dwelling Equipment—Nonexpendable	\$ 10,400.00			
12	1470 Nondwelling Structures	\$ 74,000.00			
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency	\$ 24,670.00			
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$ 464,246.00			
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance	\$ 16,250.00			
24	Amount of line 21 Related to Security – Soft Costs	\$ 35,465.00			
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

Signature of Executive Director	Signature of Public Housing Director Office Programs Administrator
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Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of the City of San Marcos, Texas		Grant Type and Number Capital Fund Program Grant No: TX59P08750109 Replacement Housing Factor Grant No:			Federal FY of Grant: 2009			
Dev No./Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Qty	Total Est Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	<u>Operations</u>	1406		\$ 30,000.00				
PHA Wide	<i>Operations</i>	1406		\$ 30,000.00				
	The PHA requires assistance in training and certification of personnel							
	<u>Management Improvements</u>	1408		\$ 46,000.00				
PHA Wide .	<i>FSS and Resident Services</i>	1408		\$ 46,000.00				
	The PHA requires funding for Staffing and expenses associated with Resident Services activities including FSS activities, youth activities, educational, senior citizens activities and various other initiatives							
	<u>Administration</u>	1410		\$ 50,000.00				
PHA Wide	<i>Technical Salaries</i>	1410		\$ 33,000.00				
	The PHA requires additional personnel to administer and review work progress							
PHA Wide	<i>Benefits</i>	1410		\$ 15,000.00				
	The PHA requires funding for vacations, sick leave, &etc. for workers involved in remodeling work							
PHA Wide	<i>Sundry</i>	1410		\$ 2,000.00				
	Costs associated with program admin.							
	<u>Fees and Costs</u>	1430		\$ 66,575.00				
	<i>Design Professional Fees</i>	1430		\$ 28,655.00				
	<i>Construction Management</i>	1430		\$ 16,800.00				
	<i>Modernization Coordinator</i>	1430		\$ 18,320.00				
	<i>Fee Accountant</i>	1430		\$ 2,800.00				

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

PHA Name: Housing Authority of the City of San Marcos, Texas		Grant Type and Number Capital Fund Program Grant No: TX59P08750109 Replacement Housing Factor Grant No:			Federal FY of Grant: 2009			
Dev No./Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Qty	Total Est Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	<u>Site Improvements</u>	1450		<u>\$ 14,200.00</u>				
TX 087-003	<i><u>Drainage Improvements</u></i>	1450		\$ 14,200.00				
Chapultepec	The PHA requires funding for drainage improvements of existing dwelling units							
	<u>Dwelling Unit</u>	1460		<u>\$ 148,300.00</u>				
TX 087-004	<i><u>Dwelling Unit Modernization</u></i>	1460		\$ 148,300.00				
Allen Woods	Dwelling Structure Improvements including: Fascia, Soffit & Gable ends; Security Screen Doors; Exterior & Interior Doors; Door Hardware; Insulation; Flooring; Kitchen & Bath Improvements; Ceiling & Wall Finishes; Utility Room Additions; Plumbing; Electrical; Mechanical							
	<u>Dwelling Equipment</u>	1465.1		<u>\$ 10,400.00</u>				
PHA Wide	<i><u>Refrigerators</u></i>	1465.1		\$ 5,700.00				
	The PHA is engaged in a long term replacement policy to replace refrigerators in all units every fifteen (15) years for safe and energy efficient equipment. 10 @ \$ 570.00							
PHA Wide	<i><u>Stoves and Ranges</u></i>	1465.1		\$ 4,700.00				
	The PHA is engaged in a long term replacement policy to replace refrigerators in all units every fifteen (15) years to maintain the highest standards for safe and energy efficient equipment. 10 @ \$ 470.00							

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

PHA Name: Housing Authority of the City of San Marcos, Texas			Grant Type and Number Capital Fund Program No: TX59P08750109 Replacement Housing Factor No:			Federal FY of Grant: 2009	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Tx087-004	06/2011			06/2012			
Allen Wood Homes							
Tx087-005	06/2011			06/2012			
CM Allen Homes							
PHA Wide	06/2011			06/2012			

Annual Statement/Performance and Evaluation Report

Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary

PHA Name: Housing Authority of the City of San Marcos, Texas	Grant Type and Number Capital Fund Program Grant No: TX59P08750108 Replacement Housing Factor Grant No:	Federal FY of Grant: 2008
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Original Annual Statement
 Reserve for Disasters/ Emergencies
 Revised Annual Statement (revision no:)
 Performance and Evaluation Report for Period Ending: 3/01/2009
 Final Performance and Evaluation Report

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	\$ 30,000.00	\$ 30,000.00	\$ 0.00	\$ 0.00
3	1408 Management Improvements	\$ 44,000.00	\$ 46,000.00	\$ 28,880.00	\$ 28,880.00
4	1410 Administration	\$ 50,000.00	\$ 50,000.00	\$ 2,094.00	\$ 2,094.00
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	\$ 66,575.00	\$ 66,575.00	\$ 66,575.00	\$ 21,300.00
8	1440 Site Acquisition				
9	1450 Site Improvement	\$ 34,255.00	\$ 32,255.00	\$ 0.00	\$ 0.00
10	1460 Dwelling Structures	\$ 159,602.00	\$ 182,602.00	\$ 182,102.00	\$ 128,103.00
11	1465.1 Dwelling Equipment—Nonexpendable	\$ 10,400.00	\$ 10,400.00	\$ 0.00	\$ 0.00
12	1470 Nondwelling Structures	\$ 23,000.00	\$ 0.00	\$ 0.00	\$ 0.00
13	1475 Nondwelling Equipment	\$ 18,000.00	\$ 18,000.00	\$ 0.00	\$ 0.00
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collaterization or Debt Service				
20	1502 Contingency	\$ 29,414.00	\$ 29,414.00	\$ 0.00	\$ 0.00
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$ 464,246.00	\$ 464,246.00	\$ 280,151.00	\$ 179,877.00
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance	\$ 16,250.00	\$ 16,250.00		
24	Amount of line 21 Related to Security – Soft Costs	\$ 35,465.00	\$ 35,465.00		
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

Signature of Executive Director	Signature of Public Housing Director Office Programs Administrator
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Annual Statement/Performance and Evaluation Report
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)
Part II: Supporting Pages

PHA Name: Housing Authority of the City of San Marcos, Texas		Grant Type and Number Capital Fund Program Grant No: TX59P08750108 Replacement Housing Factor Grant No:			Federal FY of Grant: 2008			
Dev No./Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Q t y	Total Est Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	<u>Operations</u>	1406		\$ 30,000.00		\$ 0.00	\$ 0.00	
PHA Wide	<i>Operations</i>	1406		\$ 30,000.00		\$ 0.00	\$ 0.00	
	The PHA requires assistance in training and certification of personnel							Planning
	<u>Management Improvements</u>	1408		\$ 44,000.00	\$ 46,000.00	\$ 28,880.00	\$ 28,880.00	
PHA Wide .	<i>FSS and Resident Services</i>	1408		\$ 44,000.00	\$ 46,000.00	\$ 28,880.00	\$ 28,880.00	On Going
	The PHA requires funding for Staffing and expenses associated with Resident Services activities including FSS activities, youth activities, educational, senior citizens activities and various other initiatives							
	<u>Administration</u>	1410		\$ 50,000.00	\$ 50,000.00	\$ 2,094.00	\$ 2,094.00	
PHA Wide	<i>Technical Salaries</i>	1410		\$ 33,000.00	\$ 33,000.00	\$ 1,192.00	\$ 1,192.00	On Going
	The PHA requires additional personnel to administer and review work progress							
PHA Wide	<i>Benefits</i>	1410		\$ 15,000.00	\$ 15,000.00	\$ 902.00	\$ 902.00	On Going
	The PHA requires funding for vacations, sick leave, &etc. for workers involved in remodeling work							
PHA Wide	<i>Sundry</i>	1410		\$ 2,000.00	\$ 2,000.00	\$ 0.00	\$ 0.00	On Going
	Costs associated with program admin.							
	<u>Fees and Costs</u>	1430		\$ 66,575.00	\$ 66,575.00	\$ 66,575.00	\$ 21,300.00	
	<i>Design Professional Fees</i>	1430		\$ 28,655.00	\$ 28,655.00	\$ 28,655.00	\$ 8,236.00	On Going
	<i>Construction Management</i>	1430		\$ 16,800.00	\$ 16,800.00	\$ 16,800.00	\$ 5,546.00	On Going
	<i>Modernization Coordinator</i>	1430		\$ 18,320.00	\$ 18,320.00	\$ 18,320.00	\$ 6,018.00	On Going
	<i>Fee Accountant</i>	1430		\$ 2,800.00	\$ 2,800.00	\$ 2,800.00	\$ 500.00	On Going

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

PHA Name: Housing Authority of the City of San Marcos, Texas		Grant Type and Number Capital Fund Program Grant No: TX59P08750108 Replacement Housing Factor Grant No:			Federal FY of Grant: 2008			
Dev No./Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Q t y	Total Est Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	Site Improvements	1450		\$ 34,255.00		\$ 0.00	\$ 0.00	
TX 087-003	<u>Drainage Improvements</u>	1450		\$ 11,255.00		\$ 0.00	\$ 0.00	
Chapultepec	The PHA requires funding for drainage improvements of existing dwelling units							Planning
PHA Wide	<u>Ramps & Sidewalks</u>	1450		\$ 15,000.00		\$ 0.00	\$ 0.00	
	Install Ramps and curb cuts to improve "Visitability" per HUD / REAC	1450						Planning
TX 087-004	<u>Fencing</u>	1450		\$ 8,000.00		\$ 0.00	\$ 0.00	
Allen Woods	Replace deteriorated fencing							Planning
	Dwelling Unit	1460		\$ 159,602.00	\$182,602.00	\$182,602.00	\$ 128,103.00	
TX 087-004	<u>Dwelling Unit Modernization</u>	1460		\$ 159,602.00	\$182,602.00	\$182,602.00	\$ 128,103.00	
Allen Woods	Dwelling Structure Improvements including: Fascia, Soffit & Gable ends; Security Screen Doors; Exterior & Interior Doors; Door Hardware; Insulation; Flooring; Kitchen & Bath Improvements; Ceiling & Wall Finishes; Utility Room Additions; Plumbing; Electrical; Mechanical							On Going
	Dwelling Equipment	1465.1		\$ 10,400.00	\$ 10,400.00	\$ 0.00	\$ 0.00	
PHA Wide	<u>Refrigerators</u>	1465.1		\$ 5,700.00	\$ 5,700.00	\$ 0.00	\$ 0.00	On Going
	The PHA is engaged in a long term replacement policy to replace refrigerators in all units every fifteen (15) years for safe and energy efficient equipment. 10 @ \$ 570.00							
PHA Wide	<u>Stoves and Ranges</u>	1465.1		\$ 4,700.00	\$ 4,700.00	\$ 0.00	\$ 0.00	On Going

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

PHA Name: Housing Authority of the City of San Marcos, Texas		Grant Type and Number Capital Fund Program Grant No: TX59P08750108 Replacement Housing Factor Grant No:			Federal FY of Grant: 2008			
Dev No./Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Q t y	Total Est Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
	The PHA is engaged in a long term replacement policy to replace refrigerators in all units every fifteen (15) years to maintain the highest standards for safe and energy efficient equipment. 10 @ \$ 470.00							
	<u>Non Dwelling Structures</u>	1470		\$ 23,000.00	\$ 0.00	\$ 0.00	\$ 0.00	
Tx 87-5	<u>Additional Maintenance Space</u>	1470		\$ 12,000.00	\$ 0.00	\$ 0.00	\$ 0.00	
	Additional Maintenance space needed to comply with "Asset Management"							Reprogramed to 2010
Tx 87-3	<u>Additional Office space</u>	1470		\$ 11,000.00	\$ 0.00	\$ 0.00	\$ 0.00	
	Additional Office space needed to comply with "Asset Management"							Reprogramed to 2010
	<u>Non Dwelling Equipment</u>	1475		\$ 18,000.00	\$ 18,000.00	\$ 0.00	\$ 0.00	
PHA Wide	<u>Maintenance Vehicle</u>			\$ 18,000.00	\$ 18,000.00	\$ 0.00	\$ 0.00	
	The PHA has a need to replace a Maintenance vehicle							Planning
	<u>Contingency</u>	1502		\$ 29,414.00	\$ 29,414.00	\$ 0.00	\$ 0.00	
PHA Wide	<u>Contingency</u>	1502		\$ 29,414.00	\$ 29,414.00	\$ 0.00	\$ 0.00	
	The PHA requires the flexibility to adjust funding of listed activities due to inflationary other factors							

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

PHA Name: Housing Authority of the City of San Marcos, Texas				Grant Type and Number Capital Fund Program No: TX59P08750108 Replacement Housing Factor No:			Federal FY of Grant: 2008
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
Tx087-004	06/2010			06/2011			
Allen Wood Homes							
Tx087-005	06/2010			06/2011			
CM Allen Homes							
PHA Wide	06/2010			06/2011			

Capital Fund Program Five-Year Action Plan

PART I: SUMMARY

PHA Name		The Housing Authority of the City Of San Marcos, Texas		<input type="checkbox"/> Original 5-Year Plan <input checked="" type="checkbox"/> Revision No: Three (3)	
Development Number/Name/HA -Wide	Year 1	Work Statement for Year 2 FFY Grant: 2010 PHA FY: 2011	Work Statement for Year 3 FFY Grant: 2011 PHA FY: 2012	Work Statement for Year 4 FFY Grant: 2012 PHA FY: 2013	Work Statement for Year 5 FFY Grant: 2012 PHA FY: 2013
	Annual Smt				
Tx087-001 Porter Homes		\$ 18,500.00	\$.00	\$ 0.00	\$ 0.00
Tx087-004 CHAPULTEPEC		\$ 38,750.00	\$.00	\$ 0.00	\$ 0.00
Tx087-004 Allen Wood		\$ 165,890.00	\$ 196,490.00	\$ 200,140.00	\$ 223,140.00
Tx087-005 C M Allen		\$ 37,500.00	\$ 26,550.00	\$ 23,000.00	\$ 0.00
Tx087-007 Scattered Site Homes		\$.00	\$ 0.00	\$ 00.00	\$ 0.00
PHA WIDE		\$ 226,650.00	\$ 226,650.00	\$ 226,650.00	\$ 226,650.00
CFP Funds Listed for 5-year planning		\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Replacement Housing Factor Funds					

CAPITAL FUND PROGRAM FIVE-YEAR ACTION PLAN

Part II: Supporting Pages—Work Activities

Activities for Year 1	Activities for Year :2 FFY Grant: 2010 PHA FY: 2011			Activities for Year: 3 FFY Grant: 2011 PHA FY: 2012		
	Development Name/Number	Major Work Categories		Development Name/Number	Major Work Categories	Estimated Cost
SEE		<i>Porch Renovations</i>	\$ 18,500.00	<i>Tx087-001</i>		
ANNUAL	<i>Porter Homes</i>	Subtotal	\$ 18,500.00	<i>Porter Homes</i>		
Statement						
	<i>Tx087-003</i>	<i>Hand Rail and Stair Replace</i>	\$ 8,450.00	<i>Tx087-003</i>		
	<i>Chapultepec</i>	<i>Tree Removal</i>	\$ 5,800.00	<i>Chapultepec</i>	Subtotal	
		Subtotal	\$ 14,250.00			
	<i>Tx087-004</i>	<i>Unit Renovations</i>	\$ 150,250.00	<i>Tx087-004</i>	<i>Unit Renovations</i>	\$ 192,026.00
	<i>Allen Woods</i>			<i>Allen Woods</i>	<i>Site Lighting</i>	\$ 7,000.00
		Subtotal	\$ 150,250.00		Subtotal	\$ 199,026.00
	<i>Tx087-005</i>	<i>Storage At KAD</i>	\$ 21,230.00	<i>Tx087-005</i>	<i>Unit Renovations</i>	\$ 35,154.00
	<i>CM Allen</i>	<i>Site work</i>	\$ 29,950.00	<i>CM Allen</i>		
		Subtotal	\$ 51,180.00		Subtotal	\$ 35,154.00
	<i>Tx087-007</i>					
	<i>Scattered Site</i>					
	<i>PHA Wide</i>	<i>FSS Services</i>	\$ 46,000.00	<i>PHA Wide</i>	<i>FSS Services</i>	\$ 46,000.00
		<i>Technical Salaries & Benefits</i>	\$ 50,000.00		<i>Technical Salaries & Benefits</i>	\$ 50,000.00
		<i>Operations</i>	\$ 30,000.00		<i>Operations</i>	\$ 30,000.00
		<i>Fees & Costs</i>	\$ 66,250.00		<i>Fees & Costs</i>	\$ 66,250.00
		<i>Refrigerators & Stoves</i>	\$ 10,400.00		<i>Refrigerators & Stoves</i>	\$ 10,400.00
		<i>Contingency</i>	\$ 27,416.00		<i>Contingency</i>	\$ 27,416.00
		Subtotal	\$ 230,066.00		Subtotal	\$ 230,066.00
	Total CFP Estimated Cost		\$ 464,246.00			\$ 464,246.00

CAPITAL FUND PROGRAM FIVE-YEAR ACTION PLAN

Part II: Supporting Pages—Work Activities

Activities for Year : 4 FFY Grant: 2012 PHA FY: 2013			Activities for Year: 5 FFY Grant: 2013 PHA FY: 2014		
Development Name/Number	Major Work Categories		Development Name/Number	Major Work Categories	Estimated Cost
			<i>Tx087-001</i>		
<i>Porter Homes</i>			<i>Porter Homes</i>		
<i>Tx087-003</i>			<i>Tx087-003</i>		
<i>Chapultepec</i>	Subtotal		<i>Chapultepec</i>		
<i>Tx087-004</i>	<i>Unit Renovations</i>	\$ 200,140.00	<i>Tx087-004</i>	<i>Unit Renovations</i>	\$ 234,180.00
Allen Woods	Subtotal	\$ 200,140.00	Allen Woods	Subtotal	\$ 234,180.00
<i>Tx087-005</i>	<i>Unit Renovations</i>	\$ 34,040.00	<i>Tx087-005</i>	<i>Unit Renovations</i>	
<i>CM Allen</i>	Subtotal	\$ 34,040.00	<i>CM Allen</i>	Subtotal	
<i>Tx087-007</i>		0	<i>Tx087-007</i>		0
<i>Scattered Site</i>	Subtotal	0	<i>Scattered Site</i>	Subtotal	0
<i>PHA Wide</i>	<i>FSS Services</i>	\$ 46,000.00	<i>PHA Wide</i>	<i>FSS Services</i>	\$ 46,000.00
	<i>Technical Salaries & Benefits</i>	\$ 50,000.00		<i>Technical Salaries & Benefits</i>	\$ 50,000.00
	<i>Operations</i>	\$ 30,000.00		<i>Operations</i>	\$ 30,000.00
	<i>Fees & Costs</i>	\$ 66,250.00		<i>Fees & Costs</i>	\$ 66,250.00
	<i>Refrigerators & Stoves</i>	\$ 10,400.00		<i>Refrigerators & Stoves</i>	\$ 10,400.00
	<i>Contingency</i>	\$ 27,416.00		<i>Contingency</i>	\$ 27,416.00
	Subtotal	\$ 230,066.00		Subtotal	\$ 230,066.00
Total CFP Estimated Cost	\$ 464,246.00			\$ 464,246.00	

Capital Fund FY2009 Public Meeting -- Thursday May 28, 2009

Resident Advisory Council Board (RACB)

Albert Sierra – Executive Director San Marcos Housing Authority

Attendee:

Matias Montemayor	Allen Woods	# 76
Marcy Mata	C. M Allen	# 193
Flora Flores	C. M Allen	# 241
Frank Hall	Allen Woods	
Lola Bell	Allen Woods	# 175
Beatrice Paulie	Allen Woods	# 159
Ellen Reynolds	Allen Woods	# 66
Pablo Gomez	Allen Woods	# 64
Bruce Smith	106 Meiners	
Randy Haae	McCoys	
Don Staethfer	McCoys	
Chris Lampina		
Bonnie Pecenia		

Concerns Addressed:

Corrective action

Sidewalks and curb cuts-	<i>In plan and being addressed on a continuing basis</i>
Lighting-	<i>Problem of lights not working—City will be advised of problem</i>
Speed humps and speed limits -	<i>City will be advised</i>
Storage at KAD (C. M. Allen)-	<i>Will be added to priority and addressed in Plan</i>
Chapultepec Meeting Room-	<i>Has been addressed in Plan and will be moved in priority</i>
Dryer connections Allen Woods –	<i>On going as units are remodeled will be addressed</i>
Kitchen / Meeting Room (Allen Woods) –	<i>Planning will be prioritized in current plan</i>

NO CHANGLANGES TO THE PLAN WERE RECIEVED

Required Attachment VAWA Provisions

Public Housing Agency Plan Provision – Annual Plan San Marcos Housing Authority (SMHA)

Sec. ____ Domestic Violence, Dating Violence, Sexual Assault, Stalking

The San Marcos Housing Authority (SMHA) has adopted a policy (the “SMHA VAWA Policy” attached) to implement applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) (VAWA). SMHA’s goals, objectives and policies to enable SMHA to serve the needs of child and adult victims of domestic violence, dating violence and stalking, as defined in VAWA, are stated in the SMHA VAWA Policy, a copy of which will be attached to future Plans.

In addition:

A. The following activities, services, or programs are provided by SMHA, directly or in partnership with other service providers, to child and adult victims of domestic violence, dating violence, sexual assault or stalking.

“None” but planning is ongoing

B The following activities, services, or programs are provided by SMHA to help child and adult victims of domestic violence, dating violence, sexual assault, or stalking maintain housing.

“None.” ” but planning is ongoing

C. The following activities, services, or programs are provided by SMHA to prevent domestic violence, dating violence, sexual assault and stalking, or to enhance victim safety in assisted families.

“None”

SAN MARCOS HOUSING AUTHORITY

VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

I. PURPOSE AND APPLICABILITY

THE PURPOSE OF THIS POLICY (HEREIN CALLED “POLICY”) IS TO IMPLEMENT THE APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005 (PUB. L. 109-162) AND MORE GENERALLY TO SET FORTH SMHA’S POLICIES AND PROCEDURES REGARDING DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING, AS HEREINAFTER DEFINED.

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

II. GOALS AND OBJECTIVES

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by SMHA;
- C. Providing and maintaining housing opportunities for victims of domestic violence dating violence, or stalking;
- D. Creating and maintaining collaborative arrangements between SMHA, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by SMHA; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by SMHA.

III. Other AHA Policies and Procedures

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

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

IV. DEFINITIONS

As used in this Policy:

- A. **Domestic Violence** – The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”
- B. **Dating Violence** – means violence committed by a person—
- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim;
and
 - (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.
- (B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to –
- (i) that person;
 - (ii) a member of the immediate family of that person; or
 - (iii) the spouse or intimate partner of that person;
- D. **Immediate Family Member** - means, with respect to a person –
- (A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
 - (B) any other person living in the household of that person and related to that person by blood or marriage.
- E. **Perpetrator** – means person who commits an act of domestic violence, dating violence or stalking against a victim.

ADMISSIONS AND SCREENING

- A. **Non-Denial of Assistance.** SMHA will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

TERMINATION OF TENANCY OR ASSISTANCE

- A. **VAWA Protections.** Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by SMHA:
1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a “serious or repeated” violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
 2. In addition to the foregoing, tenancy or assistance will not be terminated by SMHA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant’s control, and the tenant or an immediate family member is the victim or threatened victim

of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:

- (a) Nothing contained in this paragraph shall limit any otherwise available authority of SMHA' or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither AHA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.
- (b) Nothing contained in this paragraph shall be construed to limit the authority of SMHA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or SMHA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

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

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

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

1. **HUD-approved form** - by providing to SMHA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
2. **Other documentation** - by providing to SMHA or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation.

The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.

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

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

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

Confidentiality

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

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

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

VIII. Transfer to New Residence

A. **Application for transfer.** In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, SMHA will, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit in order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

B. **Action on applications.** SMHA will act upon such an application promptly 14 business days.

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

COURT ORDERS/FAMILY BREAK-UP

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

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

RELATIONSHIPS WITH SERVICE PROVIDERS

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

NOTIFICATION

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

RELATIONSHIP WITH OTHER APPLICABLE LAWS

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

AMENDMENT

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

Certification of Exemption for HUD funded projects

Determination of activities listed at 24 CFR 58.34(a)

May be subject to provisions of Sec 58.6, as applicable

Project Name: San Marcos Housing Authority 2006 THRU 2010

Project Description (Include all actions which are either geographically or functionally related):

Renovation of Allen Wood Home

Location: 1201 Thorpe Lane San Marcos Texas 78666

Funding Source: CDBG HOME ESG HOPWA EDI Capital Fund Operating Subsidy Hope VI Other

Funding Amount: \$2,248,950.00 Grant Number: TX59P08750106,07,08,09,10

I hereby certify that the abovementioned project has been reviewed and determined an Exempt activity per 24 CFR 58.34(a) as follows:

	1. Environmental & other studies, resource identification & the development of plans & strategies;
XX	2. Information and financial services;
XX	3. Administrative and management activities;
	4. Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
	5. Inspections and testing of properties for hazards or defects;
	6. Purchase of insurance;
	7. Purchase of tools;
XX	8. Engineering or design costs;
	9. Technical assistance and training;
	10. Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
	11. Payment of principal and interest on loans made or obligations guaranteed by HUD;
XX	12. Any of the categorical exclusions listed in Sec. 58.35(a) provided that there are no circumstances that require compliance with any other Federal laws and authorities cited in Sec. 58.5.

If your project falls into any of the above categories, no Request for Release of Funds (RROF) is required, and no further environmental approval from HUD will be needed by the recipient for the draw-down of funds to carry out exempt activities and projects. The responsible entity must maintain this document as a written record of the environmental review undertaken under this part for each project.

By signing below the Responsible Entity certifies in writing that each activity or project is exempt and meets the conditions specified for such exemption under section 24 CFR 58.34(a). Please keep a copy of this determination in your project files.

Dan O'Leary
Responsible Entity Certifying Official Name

City Manager
Title (please print)

Responsible Entity Certifying Official Signature

Date

24 CFR 58.34(a) - ERR Document
09/04 HUD Region VI

STATUTORY WORKSHEET

Use this worksheet only for projects which are Categorically Excluded per 24 CFR Section 58.35(a).

PROJECT NAME and DESCRIPTION - Include all contemplated actions which logically are either geographically or functionally part of the project:

Funding Source: Capital Fund 2006 thru 2010

Funding Amount: \$ 2,248,950.00 Grant Number: TX59P08750106,07,08,09,10

This project is determined to be **Categorically Excluded** according to: [Cite section(s)] 58.35(a)(3)(ii)

DIRECTIONS - Write "A" in the Status Column when the project, by its nature, does not affect the resources under consideration; OR write "B" if the project triggers formal compliance consultation procedures with the oversight agency, or requires mitigation (see Statutory Worksheet Instructions). Compliance documentation must contain verifiable source documents and relevant base data.

Compliance Factors:

Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Status A/B	COMPLIANCE DOCUMENTATION
Historic Preservation [36 CFR Part 800]	A	Letter from SHPO "Not Eligible" 9/25/2005
Floodplain Management [24 CFR 55, Executive Order 11988]	A	Location of Project is shown on FIRM map # 48209C393F is NOT located in the flood area
Wetland Protection [Executive Order 11990]	A	San Marcos , Hayes County Texas is NOT in wetlands area as shown on US Fish and Wildlife wetlands map
Coastal Zone Management Act [Sections 307(c), (d)]	A	San Marcos , Hayes County Texas is located 107 miles from the coastal Zone as shown on the Texas Coastal Zone map
Sole Source Aquifers [40 CFR 149]	A	The Property is located 7.3 miles from the boundary of the recharge zone of the Edwards Aquifer
Endangered Species Act [50 CFR 402]	A	The Property is NOT located in the habitat of any of the listed or threatened species as listed on US Fish and Wildlife maps
Wild and Scenic Rivers Act [Sections 7(b), and (c)]	A	No body of water listed in this act is near the Property—National Park Service List

Clean Air Act - [Sections 176(c), (d), and 40 CFR 6, 51, 93]	A	No monitoring or mitigation is located within the Property. San Marcos is in Attainment
Farmland Protection Policy Act [7 CFR 658]	A	Currently developed property and NOT zoned for agriculture
Environmental Justice [Executive Order 12898]	A	Enviromapper Minority Concentration Map
HUD ENVIRONMENTAL STANDARDS Noise Abatement and Control [24 CFR 51B]	A	The Property is NOT located within 1000 feet of a major 4 lane . The Property is NOT located within 15 miles of a major airport
Explosive and Flammable Operations [24 CFR 51C]	A	No above ground storage tanks are located in the vicinity of the Property (site visit)
Toxic Chemicals and Radioactive Materials [24CFR Part 58.5(i)(2)]	A	No “clean up areas” are located within the Property boundary. Gary AFB is 8.1 miles from the Property
Airport Clear Zones and Accident Potential Zones [24 CFR 51D]	A	The Property is NOT located within 5 miles of a Major Airport HUD list dated May 2003r

DETERMINATION:

- (XX) This project converts to Exempt, per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license (Status "A" has been determined in the status column for all authorities); **Funds may be drawn down** for this (now) EXEMPT project; OR
- () This project cannot convert to Exempt because one or more statutes/authorities require consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per Section 58.70 and 58.71 before drawing down funds; OR
- () The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

PREPARER SIGNATURE: _____ DATE: _____

PREPARER NAME & TITLE (please print): Leonard Hughes

RESPONSIBLE ENTITY CERTIFYING OFFICIAL SIGNATURE: _____

NAME & TITLE (please print): Dan O’Leary City Manager DATE: _____