

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: Kendall Housing Authority _____ PHA Code: <u>IL-137</u> PHA Type: <input checked="" type="checkbox"/> Small <input type="checkbox"/> High Performing <input type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>01/01/2010</u>					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u>NA</u> Number of HCV units: <u>160</u>					
3.0	Submission Type <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only					
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)					
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program	
					PH	HCV
PHA 1:						
PHA 2:						
	PHA 3:					
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.					
5.1	Mission. 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: <i>The mission of the Authority is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.</i>					
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. <ul style="list-style-type: none"> • Clean audit opinion; • Implement a Homeownership program; • Develop senior housing; • New Waiting List Established; • Pursuit of new programs (RHS, NSP, FUP); and • Computerize the program files 					

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: <i>Section 3/HCV Homeownership - A program is still in the development stage. It is hoped that this will change soon.</i></p> <p>(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions. <i>Main office of the Kendall Housing Authority (208 S. Bridge St., Yorkville, IL) and the HUD website.</i></p> <p>PHA Plan Elements</p> <p>1) <i>During the previous year, the KHA accepted applications to the general waiting list for the first time in several years. While plenty of applications were received, it is hoped that those with a local preference will be able to submit at some time in the near future. The KHA Administrative Plan details the policies relating to eligibility and preferences.</i></p> <p>2) <i>The primary source of funding for the HCV program is HAP from HUD. The KHA also receives subsidy funding under the RHS program from the state of Illinois.</i></p> <p>3) <i>Payment standards are set at 100% of the most recent FMR. Minimum rent payment is \$50.</i></p> <p>4) <i>The DuPage Housing Authority (DHA) administers the HCV program under the approved Administrative Plan for the KHA under an Intergovernmental Agreement. The Authority is also operated under Board approved policies, including but not limited to By-Laws, Ethics, Personnel, Financial Policies, and Purchasing, the rules and regulations of the HUD, and the laws of the State of Illinois. Property owned by the Authority conforms to the rules and regulations of the appropriate oversight body.</i></p> <p>5) <i>Terminated HCV program participants may be eligible for an informal hearing. The KHA Administrative Plan details the procedures.</i></p> <p>6) <i>The KHA has no public housing developments.</i></p> <p>7) <i>The KHA continues to administer a Family Self-Sufficiency program for HCV clients.</i></p> <p>8) <i>Not applicable.</i></p> <p>9) <i>Not applicable.</i></p> <p>10) <i>The KHA, in conjunction with the DHA, annually has reviews performed both internally and by outsiders including fair housing organization, legal counsel, and outside auditors, to insure that it is in compliance and performing outreach on fair housing matters.</i></p> <p>11) <i>The most recent audit of the KHA is available for inspection at its offices.</i></p> <p>12) <i>Not applicable.</i></p> <p>13) <i>The KHA has previously taken action both in the form of internal Staff policy directives, modification to the Administrative Plan, and formal Board review and adoption of the attached Violence Against Women's Act Policy and Procedures Addendum. In addition the KHA has made outreach efforts and coordinated potential referrals as necessary with the Kendall County Health Department.</i></p>
7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i></p> <p>A Homeownership Program using Vouchers is in the development phase.</p>
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable. <i>NA</i></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. <i>NA</i></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. <i>NA</i></p>
8.3	<p>Capital Fund Financing Program (CFFP).</p> <p><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. <i>NA</i></p>
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p><i>There is a continued need for affordable housing across all levels of the income spectrum and of all sizes, although there always seems to be a more pressing demand for larger (three bedroom and larger) units. Especially needed is subsidized housing in the county of Kendall. The poverty rate is approaching 5% or more than \$5000 folks. Those eligible for the HCV program are double that number. Currently, there are 200 Vouchers in use (above the budgeted amount due to portability). Following the current breakdown of the current HCV program, it is estimated that 27 % of those in need are disabled, 23% elderly, and 50% family. While there are many available units in Kendall County, two issues are of concern. First is the great need for more rental subsidy of any sort. When the KHA opened its waiting list, hundreds applied for the few available Vouchers. The second issue deals with want versus need. The KHA hears all the time about people who need housing, but in reality they want something very specific – often units that exceed affordable standards or located in a certain area.</i></p>
9.1	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan. <i>The KHA intends to continue its efforts to secure additional Vouchers as well as develop affordable housing for seniors. It also hopes to be involved with the Neighborhood Stabilization Program and the homeownership opportunities that are created through that effort.</i></p>

<p>10.0</p>	<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. <i>The KHA continues on its mission to afford more residents of Kendall County the opportunity to live in decent, safe, and sanitary affordable housing. While additional Vouchers have been unsuccessfully applied for, other subsidy has been secured through the state RHS program.</i></p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification” <i>The definition of significant amendment used by the KHA is one, which involves a change in current <u>policy</u> that is approved by the Board of Commissioners. Substantial Deviation is interpreted to mean a change of enough magnitude to material effect the outcome from the original direction of the program or policy.</i></p>
<p>11.0</p>	<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>

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

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

Instructions form HUD-50075

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

1.0 PHA Information

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

2.0 Inventory

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

3.0 Submission Type

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

4.0 PHA Consortia

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

5.0 Five-Year Plan

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

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

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

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

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

PHA Plan Elements. (24 CFR 903.7)

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

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

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

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

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

that the public housing agency plans to voluntarily convert; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

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

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

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

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

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

8.2 Capital Fund Program Five-Year Action Plan

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

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

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

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

9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

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

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

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

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

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

**Five Year and Annual PHA Plan for Fiscal Year: 2010
Kendall Housing Authority (PHA IL-137)**

**KHA 2010
Annual Plan Supplemental Statement**

Compliance Illinois State Law-Carbon Monoxide Detectors (Pub. Act. 094-0741)

All KHA participating Landlords were notified via a mailing that would become effective and enforced by the KHA as of January 1, 2007. New landlords are also made aware of the Illinois carbon monoxide detector requirements.

All KHA Inspector materials were updated beginning and implemented effective January 1, 2007, Inspections have been and are being done in accordance with Illinois State law. Inspector Field sheets list failure to meet the requirements of Pub. Act 094-0741 as a 24-hour violation.

Finally, it should be noted that the current KHA Administrative Plan continues to use the policy standard of the "stricter of HQS or local building codes" in enforcing HQS compliance and accordingly, the carbon monoxide provisions were and would have been self incorporating into the KHA Administrative Plan, upon enactment and the January 1, 2007 Effective Date.

Five Year and Annual PHA Plan for Fiscal Year: 2010

Kendall Housing Authority (PHA IL-137)

Violence Against Women Act (VAWA) Statement and Supplemental Supporting Documents Available For Review

The Kendall Housing Authority (KHA) operates a Section 8 Housing Choice Voucher Program. The goals, objectives, policies, or programs have been revised to enable the housing authority to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. The KHA has previously taken action both in the form of internal Staff policy directives and formal Board review and adoption of the attached Violence Against Women's Act Policy and Procedures Addendum: *(See, Part I Below; Addendum as uploaded and copied below and available for review at the KHA Administrative Office)*

In addition the KHA has made outreach efforts and coordinated potential referrals as necessary.

KHA ANNUAL PLAN 2010 VAWA STATEMENT (Part I)

KHA ADMINISTRATIVE POLICY ADDENDUM

Compliance with the Violence Against Women Act (VAWA)

(Updated/Rev. 01.13.07) (PIH 2006-42; PIH 2006-23)

INTERIM POLICIES AND PROCEDURES:

(Pending Final and Additional HUD Technical Advice and Regulations)

On January 5, 2006, President Bush signed into law domestic violence legislation known as the "Violence Against Women and Department of Justice Reauthorization Act of 2005" (the "Act"). (P.L.109-162). The Violence Against Women and Justice Department Reauthorization Act of 2005, (VAWA, protects tenants and family members of tenants who are victims of domestic violence, dating violence, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them.

Pending further additional and/or final HUD technical advice and regulatory authority regarding the implementation of VAWA in an HCV only program, all related and relevant provisions of the currently adopted KHA Administrative Plan shall be operated in accordance with the following provisions:

1. Evidence and/or certification (as provided below under (10), (11) and (12) that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

2. Subject to certain limitations provided below, an incident or incidents of actual or threatened domestic violence, dating violence, or stalking cannot be construed as 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 assistance, tenancy, or occupancy rights of the victim of such violence".
3. 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 assistance, tenancy, or occupancy rights, if the tenant or immediate member of the tenant's family is a victim of domestic violence, or stalking.
4. A landlord/owner may bifurcate a lease in order to evict, remove 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.
5. In applying the provisions of VAWA, the KHA and landlord/owners, retain the right, when properly notified, to honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution of possession of property among the household members in cases where a non-authorized family member enters an assisted unit in contradiction to the legal authority above.
6. A landlord/owner retains the right to evict, and KHA retains the right to terminate assistance, on behalf of the tenant for any violation of a lease *not promised on act or acts of violence in question* against the tenant or a member of the tenant's household, provided that the landlord /owner subjecting an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate assistance.
7. A landlord /owner retains the right to evict, and KHA retains the right to terminate assistance on behalf of a tenant if it can be demonstrated that there is an actual and imminent threat to the other tenants or those employed at the property or providing services to the property if the tenant's tenancy or assistance is not terminated.
8. Nothing in the Act shall be construed by the neither KHA nor participating landlord/owners to supersede any provision of an Federal, State, or local law that provides greater protections to victims of domestic violence, dating violence or stalking than contained in the Act.
9. An HCV participating family may receive a voucher from the KHA and move to another jurisdiction under the tenant based assistance program under the following conditions:
 - (1) The family has complied with all other obligation of the HCV program;
 - (2) The family has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking and;
 - (3) The family reasonably believed he or she was imminently threatened by harm from further violence by having remained in the assisted dwelling unit.
10. In complying with the provisions above, a landlord/owner and the KHA may request that an individual certify via the HUD approved certification Form HUD form 50066, that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the requirements set forth in the Act such as indicated on form 50066. Such certification shall include the name of the perpetrator. Upon the request the individual shall provide the certification within 14 business days after the receipt of the certification.

11. If the individual fails to provide the Certification discussed in paragraph 10 above within 14 business days of a request, the Landlord/owner or KHA may terminate the assistance for any tenant or lawful occupant that commits a violation of the lease. The landlord/owner or KHA may extend the 14-day deadline at their discretion.
12. In lieu of, or in addition to completion of the HUD Form 50066 form a participant/applicant may satisfy the verification requirements discussed above in paragraph 10 by:
 - (1) Providing the requesting Lanlord/owner, or KHA with documentation signed by an employee, agent, or volunteer of victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, sexual assault, or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation; or
 - (2) Producing a Federal, State, tribal, territorial or local police or court record.
13. All information provided to a landlord/owner or the KHA relating to the fact that an individual is a victim of domestic violence, dating violence, or stalking, shall be retained in confidence, except to the extent that disclosure is: (1) requested or consented to by the individual in writing; (2) required for use in an eviction proceeding; or (3) otherwise required by applicable law.
14. It is the policy of the KHA that requests by HCV participants for emergency transfers that are the result of domestic violence, dating violence, or stalking will only be approved if they are accompanied by documentation substantiating the domestic violence, dating violence or stalking will only be approved if they are accompanied by documentation substantiating the domestic violence, dating violence or stalking.

KHA ANNUAL PLAN 2010 VAWA STATEMENT (Part II)

TO THE ATTENTION OF:

All KHA Participating Housing Choice Voucher (HCV) Holders,
Applicants, and Participating Landlords/Owners.

SUBJECT: Compliance with the Violence Against Women Act (VAWA)
(Updated/Rev. 01.13.07) (PIH 2006-42; PIH 2006-23)

On January 5, 2006, President Bush signed into law domestic violation legislation known as the "Violence against Women and Department of Justice Reauthorization Act of 2005" (the "Act"). (P.L.109-162). In general, the Violence Against Women and Justice Department Reauthorization Act of 2005, VAWA, protects tenants and family members of tenants who are victims of domestic violence, dating violence, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them.

In general, subject to certain limitations and KHA and/or Landlord Certification, the protections afforded under VAWA provide as follows:

- Applicants can't be denied rental assistance solely because they were previously evicted from an assisted site for being victims of domestic violence;
- Applicants can't be denied (nor tenants terminated from further housing assistance) solely for criminal activity that was directly related to domestic violence;
- Tenants/residents can't be evicted solely because they were victims of domestic violence; being a victim of domestic violence does not qualify as a "serious or repeated violation of the lease" or "other good cause" for eviction.

Detailed information regarding the Act is accessible at the following Website addresses: <http://www.gpoaccess.gov/plaws/index.html> and <http://thomas.loc.gov/bss/d1099/d109laws.html> by searching Public Law 109-162 to access the text of the final law.

KHA ANNUAL PLAN 2010 VAWA STATEMENT (Part III)

- Landlord -Tenants (Notice)
- KHA Briefing packet information notice

TO THE ATTENTION OF:

All KHA Participating Housing Choice Voucher (HCV) Holders, Applicants, and Participating Landlords/Owners.

SUBJECT: Compliance with the Violence Against Women Act (VAWA)
(Updated/Rev. 01.13.07) (PIH 2006-42; PIH 2006-23)

On January 5, 2006, President Bush signed into law domestic violation legislation known as the "Violence against Women and Department of Justice Reauthorization Act of 2005" (the "Act"). (P.L.109-162). In general, the Violence Against Women and Justice Department Reauthorization Act of 2005, VAWA, protects tenants and family members of tenants who are victims of domestic violence, dating violence, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them.

The provisions of the Act as they relate the KHA's HCV Program and to all HCV (Section 8) Holders, Applicants and Landlord/Owners are as follows:

**Protections, Limitations and Compliance with the Violence Against Women Act (VAWA)
(Updated/Rev. 01.13.07) (PIH 2006-42; PIH 2006-23)**

On January 5, 2006, President Bush signed into law domestic violence legislation known as the " Violence against Women and Department of Justice Reauthorization Act of 2005" (the "Act"). (P.L.109-162). In general, the Violence Against Women and Justice Department Reauthorization Act of 2005, VAWA, protects tenants and family members of tenants who are victims of domestic violence, dating violence, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them.

The provisions of the Act as they relate the KHA's HCV Program and to all HCV (Section 8) Holders, Applicants and Landlord/Owners are as follows:

Evidence and/or certification (as provided below under (10), (11) and (12) that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

Subject to certain limitations provided below, an incident or incidents of actual or threatened domestic violence, dating violence, or stalking cannot be construed as 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 assistance, tenancy, or occupancy rights of the victim of such violence".

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 assistance, tenancy, or occupancy rights, if the tenant or immediate member of the tenant's family is a victim of domestic violence, or stalking.

A landlord/owner may bifurcate a lease in order to evict, remove 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.

In applying the provisions of VAWA, the KHA and landlord/owners, retain the right, when properly notified, to honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution of possession of property among the household members in cases where a non-authorized family member enters an assisted unit in contradiction to the legal authority above.

A landlord/owner retains the right to evict, and KHA retains the right to terminate assistance, on behalf of the tenant for any violation of a lease *not promised on act or acts of violence in question* against the tenant or a member of the tenant's household, provided that the landlord /owner subjecting an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard that other tenants in determining whether to evict or terminate assistance.

A landlord /owner retains the right to evict, and KHA retains the right to terminate assistance on behalf of a tenant if it can be demonstrated that there is an actual and imminent threat to the other tenants or those employed at the property or providing services to the property if the tenant's tenancy or assistance is not terminated.

Nothing in the Act shall be construed by the KHA nor a participating landlord/owners to supersede any provision of an Federal, State, or local law that provides greater protections to victims of domestic violence, dating violence or stalking than contained in the Act.

An HCV participating family may receive a voucher from the KHA and move to another jurisdiction under the tenant based assistance program under the following conditions:

- The family has complied with all other obligation of the HCV program;
- The family has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been the victim of domestic violence, dating violence, or stalking and;
- The family reasonably believed he or she was imminently threatened by harm from further violence by having remained in the assisted dwelling unit.

In complying with the provisions above, a landlord/owner and the KHA may request that an individual certify via the HUD approved certification Form HUD form 50066, that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the requirements set forth in the Act such as indicated on form 50066. Such certification shall include the name of the perpetrator. Upon the request the individual shall provide the certification within 14 business days after the receipt of the certification.

If the individual fails to provide the Certification discussed in paragraph 10 above within 14 business days of a request, the Landlord/owner or KHA may terminate the assistance for any tenant or lawful occupant that commits a violation of the lease. The landlord/owner or KHA may extend the 14-day deadline at their discretion.

In lieu of, or in addition to completion of the HUD Form 50066 form a participant/applicant may satisfy the verification requirements discussed above in paragraph 10 by:

- (1) Providing the requesting Lanlord/owner, or KHA with documentation signed by an employee, agent, or volunteer of victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, sexual assault, or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation; or
- (2) Producing a Federal, State, tribal, territorial or local police or court record.

All information provided to a landlord/owner or the KHA relating to the fact that an individual is a victim of domestic violence, dating violence, or stalking, shall be retained in confidence, except to the extent that disclosure is: (1) requested or consented to by the individual in writing; (2) required for use in an eviction proceeding; or (3) otherwise required by applicable law.

It is the policy of the KHA that requests by HCV participants for emergency transfers that are the result of domestic violence, dating violence, or stalking will only be approved if they are accompanied by documentation substantiating the domestic violence, dating violence or stalking will only be approved if they are accompanied by documentation substantiating the domestic violence, dating violence or stalking.

Additional VAWA information and updated HUD guidance will continue to be posted on the KHA website at www.Kendallhousing.org, and www.hud.gov .Detailed information regarding the Act is

accessible at the following Website addresses: <http://www.gpoaccess.gov/plaws/index.html> and <http://thomas.loc.gov/bss/d1099/d109laws.html> by searching Public Law 109-162 to access the text of the final law.

NOTICE

ATTENTION ALL LANDLORDS, TENANTS AND APPLICANTS COMPLYING WITH THE VIOLENCE AGAINST WOMEN ACT

The Violence Against Women Act (VAWA) Public L. 109-162, as amended in 2006, addresses the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking. The 2006 provisions of VAWA are intended to protect victims domestic violence, dating violence, sexual assault, and stalking limit the right to of a public housing authority (PHA) and landlord-owners to terminate the tenancy or program assistance of a victim of domestic violence, dating violence, or stalking.

VAWA prohibits both the KHA and participating landlord-owners from considering actual or threatened domestic violence, dating violence, or stalking as 1) serious repeated violation of the lease by the victim; (2) other good cause for terminating the tenancy or occupancy rights of the victim; or (3) as criminal activity resulting in termination of tenancy or program assistance to the victim. If the perpetrator of domestic violence, dating violence, or stalking is a member of the victim's household, the KHA has the authority to require the perpetrator to leave the household as a condition of providing continued assistance to the remaining family members.

The protections against termination under the provisions of VAWA are not absolute and certain restrictions and certifications are and may be required.

Please contact your Certification Specialist or other KHA staff with any questions regarding the protections afforded by VAWA pending final HUD guidance on implementation of the new VAWA provisions