

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: _____ BOONE COUNTY PUBLIC HOUSING AGENCY _____ PHA Code: _____ MO198 _____ PHA Type: <input 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): _____ 10/01/2010 _____					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: _____ 401 _____					
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: The mission for the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.					
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. Boone County Public Housing Agency (BCPHA) is working on increasing the availability of decent, safe and affordable housing over the next five years. We strive to increase customer satisfaction, to continue to improve the quality of information provided to participants and landlords, owners and managers so that families are able to locate units outside the areas of minority and poverty concentration. In addition, we have a goal to improve specific management functions so that we are able to increase SEMAP scores. BCPHA would like to, if the opportunity would arise, to increase the number of units by applying for new vouchers such as family self-sufficiency vouchers and vouchers specifically for the disabled and elderly. With the success of families served by the self-sufficiency vouchers BCPHA would like to begin to implement a Homeownership program. With the availability of vouchers for the disabled, the agency will be able to serve those who are facing housing challenges due to state budget cuts. BCPHA was unable to meet all the goals and objectives describe the previous 5 year plan. The agency faced challenges of high staff turnover and maintaining a standard SEMAP score.					

PHA Plan Update

(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:

- 1) The largest change in the Annual plan is changing the Administrative plan from 13 pages to 245 pages BCPHA has included references and wording from the Code of Federal Regulations and added additional agency policies into the plan.
- 2) Applications must be received complete. All applicants whose applications are incomplete will receive a letter stating the application was denied and why and that they may apply again. This change was made due to staffing size and the time and expenses it took to approve incomplete applications
- 3) Applicants who owe BCPHA or another PHA will be denied. The applicant will receive notification as to why they are denied along with information from EIV on which PHA has said that they owe a debt.
- 4) BCPHA policy is now that a family can be denied for 5 years and until the debt is paid in full and that we will enforce the length of a sanction of another housing agency with is a maximum of 10 years per the EIV.
- 5) Local preferences, if verified; at application will be place at the top of the waiting list to be served first when funding is available.
- 6) BCPHA has better defined its policy on drug activity. Denial will be given if any household member is currently engaged in the use of illegal drugs - "current" is defined as during the previous 6 months. In addition, denial will occur if any household member is currently or has engaged in drug related or criminal activities in the past 5 years. This has changed from 3 to 5 years.
- 7) Rent Reasonable Comparability will now be effective for 24 months instead of the current 12 months if the rents in the jurisdiction do not change on an annual basis.
- 8) Reexamination of families. Families are required to bring in requested information at time of renewal. If the family does not provide the information they are given 10 days to provide documentation. If it is not provided after the 10 day grace period, the family and the landlord will be given notice of termination. Families that are non cooperative in keeping appointments for re-exams or interims will be give 2 opportunities for the paperwork appointment and 1 opportunity for inspection. When they miss the first appointment, they will receive written notice that an appointment has been missed and must be at the next appointment scheduled by the Assisted Housing Representative. If this appointment is missed the family will be terminated. If the inspection appointment is missed then the family and the owner will be given a written notice of termination.
- 9) Interim re-examinations will be completed for decreases and increases of income.
- 10) HQS enforcement of inspection deadlines will be enforced with abatements on 24 hours repairs being 24 hours after notification if repairs are not completed. On 30 day repairs abatements will begin on the day after the deadline if not completed. Maximum length a unit will be abated is 30 days.
- 11) Removal of additional HQS local requirements.
- 12) EIV income verifications will be completed on all new leases ups as required by HUD 120 days from admission to the program. If information does not match what was reported by the participant, they will be required to complete an interim adjustment of income and if necessary to enter into a repayment plan with Boone County PHA.

(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.

The PHA plan including the PHA plan elements and attachments are available for public review at the main administrative office of the PHA, 807-B North Providence, Columbia, MO 65203. It is also available at each of the six family resource centers listed below:

- Callaway County—610 Collier Lane, Fulton, MO
- Cole County---2010 William Street, Jefferson City, MO
- Cooper County---401 East High Street, Boonville, MO
- Howard County---104 N. Church Street, Fayette, MO
- Moniteau County---318 S. Oak Street, California, MO
- Osage County--- Kuster Building, Main Street, P.O. Box 228, Linn, MO

6.0

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>N/A Boone County PHA does not administer the Homeownership Program.</p>																																																	
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p> <p>N/A</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.</p> <p>N/A</p>																																																	
8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p> <p>N/A</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.</p> <p>N/A</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>BCPHA has been influenced by the following factors in identifying the housing needs of low-income families that live in our jurisdiction. We are beginning to see the effect of the economy of the housing market in that there is a limited number of available housing units and the units available maybe of lower quality or in less desirable locations. The newly instituted utility allowance is anticipated to also influence the availability of affordable units. The following rating (1-5 with 5 being the highest need) is based on an assessment of the agency's past experience, review of the current State Consolidated Plan, and the most recent (2009) needs assessment conducted by the agency.</p> <table border="1" data-bbox="240 991 1463 1251"> <thead> <tr> <th>Family Type</th> <th>Overall</th> <th>Affordability</th> <th>Supply</th> <th>Quality</th> <th>Size</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>Income<=30% of AMI</td> <td>22776</td> <td>4</td> <td>4</td> <td>4</td> <td>2</td> <td>4</td> </tr> <tr> <td>Income>30% but <50% of AMI</td> <td>1996</td> <td>4</td> <td>4</td> <td>4</td> <td>2</td> <td>4</td> </tr> <tr> <td>Income>50% but <80% of AMI</td> <td>2365</td> <td>4</td> <td>4</td> <td>4</td> <td>2</td> <td>4</td> </tr> <tr> <td>Elderly</td> <td>3472</td> <td>4</td> <td>5</td> <td>4</td> <td>4</td> <td>4</td> </tr> <tr> <td>Families with Disabilities</td> <td>330</td> <td>4</td> <td>5</td> <td>4</td> <td>4</td> <td>4</td> </tr> <tr> <td>Race/Ethnicity Non-White</td> <td>826</td> <td>4</td> <td>4</td> <td>4</td> <td>2</td> <td>4</td> </tr> </tbody> </table>	Family Type	Overall	Affordability	Supply	Quality	Size	Location	Income<=30% of AMI	22776	4	4	4	2	4	Income>30% but <50% of AMI	1996	4	4	4	2	4	Income>50% but <80% of AMI	2365	4	4	4	2	4	Elderly	3472	4	5	4	4	4	Families with Disabilities	330	4	5	4	4	4	Race/Ethnicity Non-White	826	4	4	4	2	4
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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.**

BCPHA is currently leasing the maximum vouchers based on the amount of funding we are receiving. BCPHA is trying to maintain lease-up rates by effectively screening Section 8 applicants prior to being placed on the waiting list so only eligible applicants will be placed on the list. The BCPHA Board voted on June 29, 2010 to close the waiting list effective July 30, 2010. BCPHA last issued housing choice vouchers to those on the waiting list in September 2009.

9.1

	# of families	% of families
Waiting list total	285	
Elderly/Near Elderly	17	5%
Families with Disabilities	83	29%
Race/ethnicity Hispanic	3	1%
Race/ethnicity White	184	64%
Race/ethnicity Black	83	29%
Race/ethnicity Indian/Alaskan	3	1%
Race/ethnicity Pacific Islander	1	0%
Race/ethnicity Mixed	6	2%

Additional Information. Describe the following, as well as any additional information HUD has requested.

(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.

Boone County PHA although in trouble status since 2007 is striving to make improvements. We continue to assist low-income families obtain suitable housing. BCPHA provides 953 individuals and families with rental assistance. BCPHA is currently leased to the maximum amount of units based on the funding provided. The wait list is currently open but BCPHA is currently in the process of deciding to close the list.

(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"

The basic criteria that the Boone County PHA will use in for determining a substantial deviation from its 5 year plan is:

- a significant natural disaster that has been declared by the Federal Emergency Management affecting the availability of affordable rental units in the agency service area.
- a federal statutory or regulatory change that is made effective and, in the opinion of the Agency, has either substantial programmatic or financial effects on programs administered by the Agency; or creates substantial obligation or administrative burdens beyond the program under administration at the start of the Plan year.
- any other event that the Agency's Board determines to be a significant amendment or modification of the approved annual plan.

The basic criteria that the Boone County PHA will use for determining a significant amendment or modification to its 5year and annual plan is:

- a significant natural disaster that has been declared by the Federal Emergency Management affecting the availability of affordable rental units in the agency service area.
- a federal statutory or regulatory change is made effective and, in the opinion of the Agency, has either substantial programmatic or financial effects on programs administered by the Agency; or creates substantial obligation or administrative burdens beyond the program under administration at the start of the Plan year.
- any other event that the Agency's Board determines to be a significant amendment or modification of the approved annual plan.

(c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance.

Boone County PHA has completed the corrective action plan with the terms of November 1, 2008 –October 31, 2009. Even though BCPHA has made improvements as request in the Corrective Action plan we are still under troubled status. BCPHA is awaiting the result of a review made by the Kansas City Regional HUD office and will comply with the corrective action plan from the Kansas City Regional HUD office to continue to improve the Housing Choice Voucher program.

10.0

11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <ul style="list-style-type: none"> (a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights) (b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only) (c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only) (d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only) (e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only) (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations. (g) Challenged Elements <ul style="list-style-type: none"> BCPHA held two public hearings one in Cooper County on June 22, 2010 in which the following verbal comment was made: The landlord agreed with the changes being put into place but was more interested in information related to HQS and PIH Notice 2010-10 HQS Inspection for the Housing Choice Voucher Program and Guidance Related to Electrical Outlets. The second was in Cole County on June 23, 2010 in which the following verbal comment was made: But did say that if the government keeps making all these regulations that landlords will stop taking Section 8 Vouchers. (h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only) (i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)
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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.

**HOUSING CHOICE VOUCHER PROGRAM
RIGHTS AND RESPONSIBILITIES UNDER THE VIOLENCE AGAINST WOMAN
ACT OF 2005**

**PROHIBITION AGAINST TERMINATION TENANCY OF VICTIMS OF DOMESTIC
VIOLENCE, DATING VIOLENCE, AND STALKING (PUBLIC LAW 109-162 AND 109-
271)**

The purpose of the Violence against Women Reauthorization Act of 2005 (VAWA), provides that “criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, shall not be caused for termination of the tenancy or occupancy rights, if the tenant or immediate family member of the tenant’s family is the victim or threatened victim of that abuse.” VAWA further provides that incidents of actual or threatened domestic violence, or stalking may not be construed either as serious or repeated violations of the lease by the victim of such violence or as good cause of termination the tenancy or occupancy rights of the victim of such violence. VAWA does not limit the Boone County PHA’s (BCPHA) authority to terminate the tenancy of any tenant if the PHA can demonstrate an actual and imminent threat to other tenants, applicants, while maintaining a safe environment for BCPHA, Central Missouri Community Action employees, and others.

Victim Documentation

PHA Policy

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

Documentation must include two elements:

1. A signed statement by the victim that provides the name of the perpetrator and certifies that the incidents in question are bona fide incidents of actual or threatened domestic violence, dating violence, or stalking.

One of the following:

A police or court record documenting the actual or threatened abuse.

A statement signed by an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional from whom the victim has sought assistance in addressing the actual or threatened abuse. The professional must attest under penalty of perjury that the incidents in question are bona fide incidents of abuse, and the victim must sign or attest to the statement.

The required certification, HUD form 50066, Certification of Domestic Violence, Dating Violence or Stalking, (attachments E) and supporting documentation must be submitted to BCPHA within 14 business days after the individual claiming victim status receives a request for such certification. BCPHA, owner manager will be aware that the delivery of the certification form to the tenant in

response to an incident via mail may place the victim at risk. BCPHA will require the tenant come into the office to pick up the certification form and will work with the tenant to make arrangements that do not place the tenant at risk. This 14-day deadline may be extended at the BCPHA's discretion. If the individual does not provide the required certification and supporting documentation within 14 business days, or the approved extension period, BCPHA may proceed with assistance termination.

BCPHA also reserves the right to waive victim verification requirements and accept only a self certification from the victim if BCPHA deems the victim's life to be in imminent danger. Once a victim has completed certification requirements, BCPHA will continue to assist the victim and may use bifurcation as a tool to remove a perpetrator from assistance. Owners will be notified of their legal obligation to continue housing the victim, while using lease bifurcation as a tool to remove a perpetrator from a unit. BCPHA will make efforts to work with victims of domestic violence before terminating the victim's assistance.

In extreme circumstances when BCPHA can demonstrate an actual and imminent threat to other participants or employees of BCPHA/Central Missouri Community Action if the participant's (including the victim's) tenancy is not terminated, BCPHA will bypass the standard process and proceed with the immediate termination of the family's assistance.

Termination or Evicting a Perpetrator of Domestic Violence

Although VAWA provides protection from termination for victims of domestic violence, it does not provide protection for perpetrators. In fact, VAWA give the PHA the explicit authority to bifurcate a lease, or to remove a household member from a lease, "in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant." This authority supersedes any local, state, or other federal law to the contrary. However, if BCPHA chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law for eviction, lease termination or termination of assistance [Pub. L. 109-271].

PHA Policy

When the actions of a tenant or other family member results in a determination by BCPHA to terminate the family's lease and another family member claims that the actions involve criminal acts of physical violence against family members or others, BCPHA will request that the victim submit the above required certification and supporting documentation in accordance with the stated time frame. If the certification and supporting documentation are submitted within the required time or any approved extension period, BCPHA will bifurcate the lease and evict or terminate the occupancy rights of the perpetrator. If the victim does not provide the certification and supporting documentation, as required, BCPHA will proceed with termination of the family's lease.

If BCPHA can demonstrate an actual and imminent threat to other tenants or those employed by BCPHA/Central Missouri Community Action if the tenant's tenancy is not terminated, BCPHA will bypass the standard process and proceed with the immediate termination of the family.

PHA Confidentiality Requirements

All information provided to BCPHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may either neither be entered into any shared data base nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

I understand my rights and obligations under the Violence Against Women Reauthorization Act of 2005.

Resident (Head of Household) Date

Resident (Other Adult) Date

Housing Authority Representative Date