

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 style="text-align: center;">N/A</p>
8.3	<p>Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p> <p style="text-align: center;">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><i>Housing needs according with CHAS 2009, total persons in housing needs are 1,965.</i></p> <p><i>Census 2000 housing data reflects:</i></p> <ul style="list-style-type: none"> a. Total housing units.....12,854 b. Occupied.....11,741 <ul style="list-style-type: none"> 1) By owner.....9,555 2) Tenant.....2,186 c. Not occupied.....1,113 <ul style="list-style-type: none"> 1) Available for rent.....132 2) Seasonal housing.....137 3) Sold and/or rent not occupied....134 4) Other status.....550 d. Rented.....2,186 <p><i>Garabó Public Housing Authority (GPHA) administer a tenant based Housing Choice Voucher Program across the city. The PHA maintains a waiting list sufficient to meet lease-up needs on a year basis. The waiting list is closed. The PHA does not expect to reopen waiting list during coming year. The waiting lists have 85 persons: 24% are very low income; 76% are extremely low income persons; Families with children are 5%; elderly families 2%; families with disabilities are 1%; 100 percent are Hispanic and Spanish spoken people. In waiting list: 39 people's needs 3BR voucher; 33 person's need 2BR; and 13 people's need 1BR.</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.</p> <ol style="list-style-type: none"> 1. Maintain or increase Section 8 lease-up rates by establishing payments standards that will enable families to rent throughout the jurisdiction. 2. Undertake measures to ensure access to affordable housing among families assisted by the PHA regardless of unit size required. The PHA will identify housing units available for lease based on family size. 3. Maintain or increase Section 8 lease-up rates by marketing the program to owners particularly those outside of areas of minority and poverty concentration. PHA will circulate fliers with program information. 4. Participate in the State Consolidated Plan development process to ensure coordination with broader community strategies. 5. Apply for additional Section 8 units should they become available. 6. Exceeds HUD federal targeting requirements for families at or below 30% of AMI in public housing 7. Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant- based Section 8 assistance. 8. Apply for special- purpose vouchers targeted to families with disabilities, should they become available. 9. PHA will make a market study to determinate reasonable rents within the PHA jurisdiction.

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.

The main mission in the Section 8 Program administrations is to satisfy the housing needs of very-low and low income families that don’t have the resources to satisfy themselves. Through Section 8 Program, the Municipality can bring the benefit of rent subsidy to many families. The municipal authority has been administrating the funding in the best way possible to reach the maximum number of families according to the available resource. However we want to have more opportunities to assist our very low income and low income citizen in their needs to aid and guide them to acquire a better quality of life.

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

A significant amendment will be a change or modification in the Annual Plan of any of the Agency Policies or Administrative Plan like changes to minimum rent, or admissions policies or organization of the waiting list. All changes to the Agency Annual Plan will be subject to an opportunity for public comment at public hearing. Substantial Deviations will be when the Agency intends to eliminate a program or existing policy stated in the Agency 5 Year Plan and formal hearings will be held. PHA any significant amendment or substantial deviation/modification must ensure consistency with the Consolidated Plan of the jurisdiction as defined in 24 CFR Part 903.15.

10.0

(c) Resident Advisory Board Members:

- 1) Ms. Carol Sanchez 3) Ms. Zuleika Baez 5) Ms. Herminia Perez
- 2) Ms. Yvonne Caraballo 4) Ms. Bianca Estrada

(d) Sex Offender Policy (See attachment 2):

The PHA will proceed to to:

- 1) *Ask households at each recertification/reexamination whether any member is subject to a lifetime registration requirement under a state sex offender registration program.*
- 2) *Use the Dru Sjodin National Sex Offender Website (NSOPW) to confirm that applicants and federal housing assistance recipients are not lifetime registered sex offenders.*
- 3) *Aggressively pursue termination of tenancy or assistance, as appropriate, for tenants subject to a State lifetime sex offender registration requirement to the extent currently allowed by law.*

(e) Notice for Public Comments, Newspaper photocopy (See attachment 3).

(f) Violence against woman policy:

Specific requirements include a description of: (a)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; (b) any activities, services or programs provided or offered by a public housing agency that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and (c) 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. (See attachment 4)

11.0

Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. **Note:** Faxed copies of these documents will not be accepted by the Field Office.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights) **Included as Attachment 5**
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace* (PHAs receiving CFP grants only)..... **N/A**
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* (PHAs receiving CFP grants only) **N/A**
- (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only).... **N/A**.
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only) **N/A**
- (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. **No comments received from Advisory Board. See CertificationAttachment 6**
- (g) Challenged Elements..... **N/A. None elements have been revised by PHA since its last Annual Plan submission on April 2008.**
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (PHAs receiving CFP grants only)..... **N/A**
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)..... **N/A**

ATTACHMENT 1: VAWA STATEMENT

The Gurabo Public Housing Authority (GPHA) has adopted a policy to implement applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162,-VAWA). The PHA amended the Housing Choice Voucher Program Administrative Plan to include such policy.

The PHA goals and objectives under VAWA regulations are:

1. Maintaining compliances with all applicable legal requirements imposed by VAWA.
2. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or staking who are assisted by Gurabo PHA.
3. Taking appropriate action in response to an incident of domestic violence, dating violence, or staking, affecting individuals assisted by Gurabo PHA.
4. Providing and maintaining housing opportunities for victims of domestic violence, dating violence, or staking.
5. Creating and maintaining collaborative arrangement between PHA, law enforcement authorities, victim service providers, and others entities to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by the PHA.

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

The PHA coordinate services for victims of domestic violence with “Oficina de Asuntos de la Mujer” (Woman Affairs Office) located in Caguas, Puerto Rico. The PHA coordinates with “*Milagros de Amor*”, a non-profit organization that brings assistance to victims of domestic violence. These services are available to victims whose are non Section 8 participants and Section 8 participants, if needed. However, Gurabo Housing Authority has no report of incident or incidents of actual or threatened domestic violence, dating violence or staking.

B. Activities, services, or programs are provided by GPHA to help child and adult victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing.

- (1) All owners were notifying on family's rights under VAWA and their responsibilities as owners.

- (2) Families participating in Section 8 Voucher Program received information on VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

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

- (1) Family's were orientated on their rights to move (portability) in behavior of victim safety.
- (2) Annually the Municipality participates in meetings and conferences sponsored by Office for Woman Affairs (*Procuradora Asuntos de la Mujer*), related to domestic violence prevention and sexual assault.

Mrs. Glenda Villafañe
Section 8 Program Director
Municipality of Gurabo
Gurabo, Puerto Rico

We, members of Resident Advisory Board (RAB) of Gurabo Public Agency, endorse the Five Years Plan 2010-2014 and the Annual Plan 2010-2011 to be submitted by the Municipality of Gurabo to US Department of Housing (Section 8 Division). We endorse without comments.

Signed by:

1. Carol Sanchez
2. Bianca Estrada
3. Yomel Canabalo
4. Zuleika Baez
5. Herminia Perez

Signed in Gurabo, Puerto Rico, on April 5, 2010.



ESTADO LIBRE ASOCIADO DE PUERTO RICO
MUNICIPIO DE GURABO



El Municipio de Gurabo está revisando y preparando el Plan de Cinco Años 2010-2014 y el Plan Anual 2010-2011 para el Programa de Sección 8 que administra el municipio. Este documento contiene los procedimientos que seguirá el programa para atender las necesidades de vivienda de familias de ingresos muy bajos y extremadamente bajos. También se incluye la misión, objetivos y metas que ha establecido el Municipio de Gurabo para la operación inmediata del programa de Renta subsidiada (Sección 8) y servicios que se estarán ofreciendo a los participantes así como las estrategias para atender las necesidades de éstos dentro del año fiscal 2010-2011. Copia del Plan y la documentación relacionada con el mismo estarán disponible en la Oficina de Sección 8. Como parte del proceso de participación ciudadana, se celebrará una vista el día 5 de abril del 2010, a las 10:00 a.m. en el Salón de Reuniones de Manejo de Emergencias, Casa Alcaldía.

Los participantes deberán presentar sus comentarios, sugerencias y/o recomendaciones por escrito el día de la vista pública o enviarlas antes del 4 de abril de 2010 a la siguiente dirección postal: Gobierno Municipal de Gurabo, Programa Sección 8, Atención Sra. Glenda Villafaña, Apdo. 3020, Gurabo, PR 00778. Para información adicional sobre este proceso se pueden comunicar con la Sra. Glenda Villafaña, al teléfono (787)737-8411, extensión 242, 264 y 258.

El Municipio de Gurabo ofrece igualdad de oportunidad de vivienda sin discriminar por raza, color, origen, religión, sexo, incapacidad, estatus familiar u origen nacional.


Víctor M. Ortiz Díaz
Alcalde

ISOS



AVISO DE VISTA PÚBLICA



ESTADO LIBRE ASOCIADO DE PUERTO RICO
Gobierno Municipal de Camuy
OFICINA DE SECRETARÍA MUNICIPAL
P.O. Box 539 • Camuy, Puerto Rico 00627



AVISO VISTA PÚBLICA

Al público en general y operadores de servicios de transportación del área de Camuy se informa que el Municipio de Camuy tiene la intención de radicar una propuesta en la Autoridad de Carreteras y Transportación para solicitar fondos bajo el Programa 5310 de la Administración Federal de Transportación Colectiva (FTA, por sus siglas en inglés), para obtener vehículos especializados para ofrecer servicios de transportación a las personas de edad avanzada y/o con impedimentos en el área de Camuy.

El propósito de esta VISTA PÚBLICA es darle la oportunidad a cualquier entidad privada sin fines de lucro dispuesta a ofrecer servicios, así como a cualquier entidad o ciudadano interesado en expresarse sobre el asunto.

Cumpliendo con las disposiciones de la FTA, el Departamento de Transportación y Obras Públicas y la Autoridad de Carreteras, este Municipio invita a la ciudadanía en general a participar en esta Vista Pública a llevarse a cabo:

Día: miércoles, 24 de febrero de 2010

Hora: 6:30 p.m.

Lugar: Salón de Actos Isidra Natal, 2do piso,
Casa Alcaldía de Camuy

Todo comentario debe enviarse durante los próximos diez (10) días laborales a partir de la celebración de la Vista a la siguiente dirección:

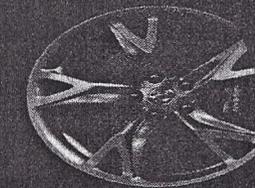
Oficina Programas Federales
PO Box 539
Camuy, PR 00627

En Camuy, Puerto Rico, hoy 11 de febrero de 2010.


Hon. Edwilio García Feliciano
Alcalde

AVISOS Y SUBASTA

La mejor
cobertura
de autos



FOR
LOS DEALERS

Todos los viernes

Estado Libre Asociado de Puerto Rico



AVISO DE VISTA PÚBLICA

Para conocimiento del público en general y de conformidad con las disposi...

Civil Rights Certification

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

Civil Rights Certification

Annual Certification and Board Resolution

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

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

Municipality of Gurabo

RQ041

PHA Name

PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

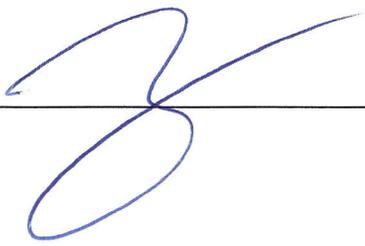
Name of Authorized Official

Hon. Víctor Ortiz Díaz

Title

Mayor

Signature



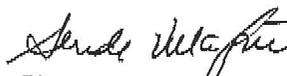
Date

3/26/2010

**MUNICIPAL GOVERNMENT OF GURABO
SECTION 8**

PUBLIC HEARING CERTIFICATION

The Public Hearing was cited for April 5, 2010 at 10:00 AM, to discuss the Annual Plan 2010 and the Five Year Plan 2010-2014, Section 8 Housing Choice Voucher Program. No citizen assisted or asked to depose and no comments were received.


Glenda Villafane

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

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the X 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning ^{07/01/2010}, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

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

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

Municipality of Gurabo

RQ041

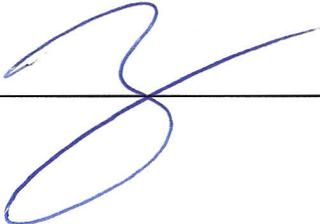
PHA Name

PHA Number/HA Code

5-Year PHA Plan for Fiscal Years 20 10 - 20 14

Annual PHA Plan for Fiscal Years 20 10 - 20 11

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Hon. Víctor Ortiz Díaz	Mayor
Signature	Date
	3/26/2010

MUNICIPAL GOVERNMENT OF GURABO
GURABO PUBLIC HOUSING AUTHORITY
Gurabo, Puerto Rico

Hon. Victor M. Ortiz Diaz
Alcalde

PUBLIC HEARING
HOUSING VOUCHER PROGRAM
SECTION 8 ANNUAL PLAN
FIVE YEARS PLAN

DATE: April 5, 2010; 10:00 AM

NAME	SIGNATURE	ADDRESS
<i>No hubo</i>	<i>asistentes</i>	<i>a la</i>
<i>Pública.</i>		<i>Vista</i>

MUNICIPALITY OF GURABO ADMINISTRATIVE PLAN

HOUSING CHOICE VOUCHER PROGRAM RQ 041

Hon. Victor Manuel Ortiz Diaz
Mayor

Mrs. Glenda Villafañe García
Social -Economic Development Office Director

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I. INTRODUCTION

The Municipality of Gurabo has revised its administrative plan so that it covers the merger of the Certificate and the Voucher Program, respectively, in accordance with the Quality Housing and Works Responsibility Act of 1998, 24 CFR 903, section 545. All Voucher Program, as they may be amended. Except as expressly provide herein, all of Program will apply to all programs that are currently being administered by this Municipality.

II. GOALS AND OBJECTIVES

The design of the Housing Choice Voucher Program is to achieve the following:

1. To promote housing choice and de-concentration of very low income, and low income minority families.
2. Consolidate the Section 8 Voucher and Certificate Programs into a single market driven program.
3. To create incentives and economic opportunities for PHAS residents assisting them to enter in the working market enabling them to become self sufficient.
4. Increase accountability and reward effective management of the program.
5. To provide decent, safe and sanitary housing for eligible families.
6. To provide improved conditions for very low-income families while maintaining their rent payments at an affordable level.
7. To provide an incentive to private owners to rent their dwelling units to economically distressed families by offering timely assistance payments and protection against unpaid rent, damages and vacancy loss.

The Municipality is responsible for complying with all subsequent changes enacted by HUD that pertains to these same programs. Should such changes conflict with this plan, HUD regulations will prevail.

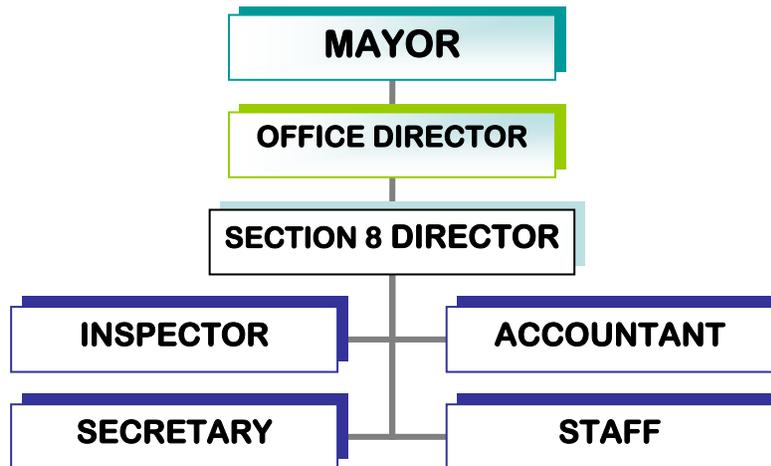
The purpose of the municipal program is to assist families that are economically disadvantage and to gradually reduce the amount paid by the program. There is an undeniable need for low-income housing within the PHA jurisdiction as evidenced by the waiting list as well as the 1990 and 2000 U.S. Census. There also exists a need for quality housing units available for program participants but there is not an abundance of affordable housing for low income family within the same Municipality.

Recognizing these conditions, our Municipality has established realistic and attainable goals, giving particular thought to the number of families that can be expected to need and want better housing.

By setting attainable goals, the PHA intends to provide a vehicle for those in needs and for those who have available units by coming together in a manner beneficial to both.

III. PROGRAM STAFFING

The Housing Choice Voucher Program extends the PHA fiscal responsibility and flexibility to manage s subsidy funds and administrative costs in a efficient manner according to QHWRA, section 502(b). As a result of this same merger, the staff directly involved in the administration on the Housing Program Municipality will be so designated according the number of units assigned to the Program as stated in the ACC between the Municipality and HUD. The organizational chart for this Municipality is as follows.



The following functions will be performed by the local housing staff:

1. Prepare all necessary documents, budget, forms and any files which may be required for the efficient administration of the program.
2. Prepare and/or adapt the necessary forms, information, instructions, and material required for the organization and implementation of the subsidized housing program.
3. During the leasing schedule and intake period, the staff will coordinate, supervise, organize, and actively participate in the following:
 - a. Outreach to eligible families and homeowners.
 - b. Determination of family eligibility and tenant selection, so as to ensure compliance with income targeting as stipulated in QHWRA.
 - c. Interviewing and counseling of eligible families.
 - d. Reviewing and approving applications for housing vouchers.
 - e. Briefing the family and issuance of vouchers.

- f. Compliance by homeowners of Housing Quality Standards as established by existing HUD regulations as well as the required initial, interim and annual inspections.
- g. Lease approval and contract execution in accordance with existing regulations.
- j. Briefing of the family on established regulations concerning mobility and portability to ensure compliance with QHWRA of de-concentration of families.
- k. Prompt HAP payments to participating homeowners.
- l. Briefing of the families and participating homeowners concerning existing HUD regulations.
- m. Monitoring applicable payment standards as established under QHWRA which is to be set between 90%- 110% of the Fair Market Rents for the PHA jurisdiction.
- n. Assure compliance of security deposits and claims for damage and unpaid rents.
- o. Briefing of families concerning the policy for informal hearing for denial, reduction and/ or termination of assistance as required by existing HUD regulations.
- p. Compliance by families in the other subsidized housing programs that a be administered by the Municipality.

IV. OUTREACH EFFORTS

A. Eligible Families

A public notice announcing the opening and closing of the waiting list will be published in a newspaper of general circulation. Afterwards the publication will be posted prominently in all local government facilities, and other public buildings informing all interested individuals, families, and groups of both the intent, purpose an eligibility requirements of the program itself, as well as indicating both the time and place where additional information may be obtained in accordance with existing HUD regulations.

Special outreach efforts such as conducting field canvassing in low income areas, where living conditions are such, as to make residents possible prospect to become participants under the same program. Inform all local civic organizations as well as State agencies located within the Municipality of the existence of the program, and request their assistance in spreading information regarding the program to their respective members or clients served.

1- Family Definition

A fundamental social group in society typically consisting of one or two parents and their dependants (dependant: an individual for whom another individual is financially responsible).

B. Homeowners

Contact with prospective homeowners and real estate brokers will be made by advertisements in local newspaper inviting them to participate within the program. The information will be mailed to local Real Estate Agents, merchants, local banks, mortgage companies and professional organizations informing them of the program and its benefits enabling them to properly inform their clients. Efforts will be made to reach the maximum number of owners and real estate brokers within our community.

The Municipality will create a special information brochure for homeowner's providing information on all major aspects of the program.

After having the staff properly trained a field survey will be made in those areas where acceptable housing is available to determine the location of possible additional dwelling units.

A program policy will be established ensuring good communication among all parties, as well as prompt, accurate, and timely payments to individual homeowners, hence, encouraging the homeowner's confidence in continuing to participate within the program. This in turn will encourage other homeowners to participate within the program.

The Municipality of Gurabo strongly believes that owners should be encouraged to make units available for leasing in the program, including owners of suitable units located outside areas of poverty concentration by the following methods.

1. The Municipality has prepared maps that show areas of housing opportunities outside the poverty concentration areas within the jurisdiction.
2. A list of owners who are willing to lease under Section 8 is included in the information packet for voucher holders. This list includes the phone numbers and addresses of these owners that have available units located outside the poverty concentration areas.
3. Post notice in public places in order to advise those interested persons, parties, and groups where information regarding the leasing of units may be obtained.
4. Affirmatively further fair housing goals and comply with equal opportunity requirements by visiting homeowners of suitable housing units outside of minority areas so as to explain the program's operational policies, as well as the numerous benefits to be derived from participating within the same program.
5. Conduct other outreach programs such as conducting public hearings in order to explain program benefits and policies to not only prospective homeowners but also to prospective tenant as well. The public hearings will be held at centrally located places at times convenient to the general population.

V. POLICIES AND PROCEDURES

A. The following have been repealed under the QHWRA regulations recently enacted:

- Take one -take all;
- Shopping incentive:
- 3- month holdback;
- Federal preferences have been eliminated

B. The following will be adhered to by the PHA:

- The PHA will promote a greater choice of housing opportunities for eligible families beyond the municipality's jurisdiction or MSA, when necessary.
- Families holding a voucher will be advised that it is their responsibility to find an existing unit suitable to their individual needs within the PHA's jurisdiction or MSA.
- By no means will the actions of the Municipality reduce, directly or indirectly, the opportunities of the family to choose among the available units in the housing market.
- The voucher holder will be advised that he or she may select a unit that he already occupies if the unit qualifies as existing housing and meets or can be made to meet the Housing Quality Standards.
- Upon request, the Municipality will provide, without limiting opportunities to families to select assistance in findings units to those family who because of age, handicap or other reasons are unable to locate such approved housing units.
- Information on available units which may become available to the municipality because of tits program and outreach efforts to attract new owners, will be posted in the owner's registry and in no way will the Municipality direct a family to a specific property thus limiting their right to choose and select.
- Where a family alleges that illegal discrimination is preventing them from finding a suitable unit the municipality will provide reasonable assistance to this matter by directing the aggrieved to the necessary agencies.
- When circumstances permit, communications with neighboring PHA's will be established to offer available voucher to families which may be participating in the House Choice Voucher Program of the other PHA but are contemplating moving to the area of operation of the Municipality.

**VI. COMPLETION OF APLLICATION PROCESS AND
DETERMINATION OF FAMILY ELIGIBILITY.**

Gurabo residents which are interested in applying for the subsidized housing program will be provided with the necessary applications, and will receive a briefing on the programs offered by the local PHA, **which includes proof of residency.** Specific days of the week will be established to receive applications, so as to permit sufficient time to properly carry out the administrative requirements of the program in an acceptable manner, which is in compliance with existing regulations.

The Section 8 Director will assign numbers to each application received, and maintains a list of qualified candidates assuring equality and fairness to all persons under this program.

If during the application stage it can be determined, and it is obvious, that a family will not be eligible because of exceeding income limits **and/or** few or too many household members for the voucher size authorized by ACC, etc., no additional documents and materials will be requested from the family to avoid unnecessary waste of time and expenses. The family will be so advised, and will **be also notified** in writing indicating the reasons and affording them an opportunity to request an informal hearing, within **ten (10) work days following the date of receipt of said notice.** However, the family will be encouraged to reapply should the circumstances change.

All information requested within this same form will be obtained at the interview with the applicant, and that which must be verified, will be verified by the appropriate Housing Staff official assigned to the case.

People with applications not expected to be awarded vouchers upon completion of their files because their number in the waiting list is lower than the number of available vouchers as per the ACC and number of bedrooms that may be available will be so advised that based in the date and time of the completed application, if the family was found to be eligible, and once there are additional vouchers, they will be notified of the same. The families will be informed that their applications are valid for one year only and in order to maintain their case file opened they must answer the letter sent in the time established in this letter, on a yearly basis. Failure to answer this letter will result in the removal of the name from the waiting list. The PHA will inform the families accordingly in writing.

The PHA will retain for three (3) years the records cases where families have been determined ineligible or their contracts have been terminated, including (1) copy of the application, (2) notification letters, if applicable. (3) the applicant's responses (4) if any, the record of an informal hearing, and statement of final deposition. Furthermore, records pertaining to eligible and those under a lease will be maintained within the active file unless the family becomes ineligible or terminates its contract.

The application forms will contain both date and time of filing, and will be signed by the applicant or applicant's spouse and by the interviewer from the Municipal Staff which processed the family's application; and said forms will be reviewed by the Section 8 Director and properly identified with director's initials.

After the families have completed their applications, except those that for obvious reasons will not qualify, a series of documents will be requested from them and they will be required to bring these documents within a reasonable period specified by the intake Housing Staff member. The family will be given a sheet outlining the necessary documents needed to complete their file. The Municipal staff will go over the list and inform the family that should

they not be able to comply with the time frame, their respective application will be withdrawn and case considered closed; except those families which were not able to comply due to extenuating circumstances will be offered the opportunity to voluntarily be placed at the end of the waiting list. To ensure that the family understands and is in agreement, the form will be signed by the family and the Municipal staff attending the family. A copy will be given to the family.

Should the family again be interested in applying and the waiting list opened, they would be required to start by completing a new application based on the new date and time, thus, determining the position or number on the waiting list. This same procedure will be used when a candidate family is summoned for a voucher issuance.

A. The following items will be requested from the applicant family and verified:

1. Family composition-Birth, certificates of no penal Record for the adults, a family photograph, sworn statement & school records.
2. Special medical needs which require larger units- Medical Certificates.
3. Income form wage- Verification from the employer.
4. Social Security- Verification from the S.S. office or through HUD's website.
5. State disability and other pensions- Verification forms from an employer.
6. Welfare payments- Verification from the State Department of the family agency.
7. Alimony and child support court records.
8. Unemployment compensation- Verification from the State Department of Labor (Form W-5).
9. Family financial assistance- Letter from benefactor.
10. Family type (Elderly- Disabled)- From appropriate agency granting benefits and birth certificate.
11. Full time student status- A letter from school or college.
12. Scholarships-grants- A written confirmation from the source of benefits, as well as confirmation from an Education Institution as to cost. The net balance is the amount available for subsistence.
13. Income interest and dividends- Verification from bank, or financial institution, bank passbook, etc.
14. Assets- a certificate of good conduct from the State police Department this as per QHWRA of 1998.
15. Other- Any other document deemed necessary for the family applicant to qualify for the subsidized housing program under established HUD regulations.

VII. SELECTION OF APPLICANTS

A. Admission of a family applicant.

The PHA may admit an applicant for participation into its subsidized housing program as:

1. Waiting list admission.

B. Targeting

In accordance with 24 CFR parts 5, subpart F, section 5.607(b), not less than 75% of the families admitted to the Municipality of Gurabo subsidized housing program during the Municipality's fiscal year will be families whose annual income does not exceed the following amounts.

1. 30% of the area median income, with adjustments for smaller and larger families;
2. A higher or lower percent of the area median income; if HUD determines a higher or lower percent is necessary because of usually high or low family incomes.

C. Conversion of assistance

Conversion of assistance for a participant in the Municipality of Gurabo Certificate Program to assistance in the Housing Choice Voucher program does not count as an "admission", and is subject to targeting as set forth in part V, section B of this administrative plan.

D. Inapplicability of targeting

Admission of the following categories of families are not subject to targeting under Part V, section B of this administrative plan:

1. A low - income family that is continuously assisted under the USHA of 1937.
2. A low income or moderate income family that is displaced as a result of the pre-payment of the mortgage or voluntary termination of an insurance contract on eligible low income housing as defined in 24 CFR part 5, section 248.101

E. Use of family's income

The annual income (gross income) of an applicant family is used both for determination of income eligibility under 24 CFR part 5, section 5.601 © and for the municipality of Gurabo income targeting as set forth in part V, section B of this plan.

F. Administration of waiting list

1. Participants must be selected from the PHA waiting list. The PHA must select participants from the waiting list on a first- come, first served basis, in accordance with this same plan, which includes Equal Opportunity.
2. The PHA has agreed to cooperate fully with HUD, in respect to when HUD provides funding to the PHA for a special purpose such as desegregation, family Unification, etc., including but not limited to including funding for specified families and/ or a specified category of families. The PHA has further agreed to issue the required voucher.

G. Organization of the waiting list

1. Applicants names
2. Family composition (adults/children, age/sex)
3. Racial or ethnic designation of the head of household.
4. Programs for which the PHA feels that the family qualifies fro an would be interested in participating in under the umbrella of the subsidized housing program being administered by the PHA. Should the family not be interested in participating in any special program, this will not affect the place and position of the family on the waiting list.

H. Occupancy Standards

Based on the family composition the subsidy to be paid will be based upon the unit size that the family is eligible to occupy. The following table will be used to determine unit size for the family:

UNIT SIZE	MINIMUM NO. OF PERSON IN HOUSEHOLD	MAXIMUM NO. OF PERSONS IN HOUSEHOLD
0 BR	-0-	-1-
1 BR	-1-	-2-
2 BR	-2-	-4-
3 BR	-4-	-6-
4 BR	-6-	-8-

A family may select a unit that is larger than the bedroom size authorized by the PHA but only in the owner is willing to accept the rent for the number of bedrooms in the voucher.

I. Opening the waiting list

1. When the PHA opens a waiting list, it will publish a public notice informing all interested families and homeowner of the opening of a new waiting list. The public notice will state where and when to apply and/ or to receive additional information on all aspects of the program.
2. The PHA must provide the public notices publication in a local newspaper of general

circulation, in which also include minority media.

3. Only Gurabo residents may apply except convicted sexual offenders.
4. When the waiting list is open, the PHA must accept applications from families for whom the list is open, unless there is good cause for not accepting the application.

J. Closing the waiting list

1. The PHA at this discretion will determine that the existing waiting list does contain an adequate pool for use of available program funding and may stop accepting new applications.
2. However, even if the PHA is not otherwise accepting additional applications from those applicants who demonstrated a need beyond extraordinary circumstances and/ or qualify under of the programs being offered by the PHA, said application will be accepted and so classified when placed on the waiting list.
3. When a decision has been made to close the existing waiting list, the PHA will publish a public notice in a local newspaper of general circulation advising all interested persons, parties, and groups of the same.

K. Updating the waiting list:

The waiting list will be updated on an annual basis to ensure that it is recent and accurate. This will be accomplished by the following procedures:

1. A letter will be mailed to the applicant's last known address.
2. The notice will inform the applicant family that a year has passed and information will be requested regarding their continued interest in maintaining a place on the waiting list.
3. A time limit will be established in the notice, whereby, the applicant will be requested to pass by the PHA main office to hand in the notice. The family has demonstrated interest as well as assured itself of continuing their position for one year on the waiting list.
4. If the PHA fails to receive the applicants notice or renewed application of continuance, the applicant's name will be removed from the waiting list.
5. The applicant family will have 15 days to respond to the notice upon receipt of said notice. The PHA does not accept responsibility for any mail delay or non-deliverance by the post office.

L. Issuance of Voucher

1. Prior to selection of a qualified family from the waiting list, all information will be verified so that it is up to date and in accordance with 24 CFR part 5, subpart F.
2. When a qualified family has been selected, the PHA will issue a voucher to the family that would allow them to search for a unit .
3. The family will be notified via a certified letter informing them of their selection and affording

them the opportunity to participate in the PHA's Housing Choice Voucher Program. This same notification will contain the date and time in which the family must present itself to accept the voucher and at which time the family will be receiving a briefing outlining the rules and regulations of the program, as well as the participant's packet.

4. INITIAL TERM:

The initial term of a voucher must be at least 60 calendar days. The initial term will be stated on the voucher.

5. EXTENSIONS OF TERM:

At its discretion, the PHA may select to grant a family one or more extension of the initial term. However, the initial terms plus any extensions cannot exceed a total period of 120 calendar days from the beginning of the initial term in accordance with established HUD regulations. The approval of any extensions to a family will be in written form.

6. REASON FOR GRANTING EXTENSION:

If a member of the family is a disabled person, or is suffering from a serious illness, the PHA may contingent upon individual circumstances, grant the required extensions up to a maximum of 120 days.

7. SUSPENSION OF TERM:

It is the policy of the Municipality of Gurabo to grant a family a suspension of the voucher terms if the family has submitted a request for lease approval during the term of the voucher.

At its discretion the Municipality may grant a suspension for any part of the period after the family has submitted a request for lease approval up to time when the city approves or denies said request.

8. PROGRESS REPORT BY THE FAMILY TO THE PHA:

During the initial or any term of the voucher, the Municipality of Gurabo will require the family to report their progress in leasing a unit. These same reports may be accomplished either by visiting or telephoning the municipality every 30 calendar days.

M. Briefing

1. The families will brief in a detailed manner about Housing Choice Voucher Program. In accordance with 24 CFR Section 982.301(a), the following will be discussed in the briefing.
 - a. Family and owner responsibilities.

- b. Where the family may lease a unit, including renting a dwelling unit inside or outside the PHA jurisdiction.
 - c. If the family qualifies to lease a unit outside the PHA jurisdiction under portability procedures , the briefing will include an explanation of how portability works.
 - d. If the family should have a disabled person, appropriate steps will e taken to ensure effective communication in accordance with 24 CFR 8.6.
2. In compliance with 24CFR Subpart G, Section 982.301 (b), the participant’s packet will contain the following:
- a. The term of the voucher and the PHA policy concerning extensions of the term. Said policy will contain information concerning how the family may request an extension.
 - b. Request for lease approval and an explanation on how to request PHA approval to lease this same unit.
 - c. Required lease provisions and instructions for the preparation of the lease between owner and tenant as per QHWRA regulations.
 - d. Lead base paint notices.
 - e. Fair housing information and a statement of the PHA policy on providing information about a family to prospective owners. A copy of the housing discrimination complaint form.
 - f. Utility allowance schedule.
 - g. Informal hearing procedures.
 - h. General information on how families are selected, how the PJA determines the housing assistance payment for a family and how the PHA determines the maximum rent for an assisted unit.
 - i. General information about Housing Quality Standards.
 - j. What the family should consider in deciding whether to lease a unit is as follows:
 - 1. The condition of the unit;
 - 2. The reasonability of the rent;
 - 3. The cost of any tenant paid utilities;
 - 4. Whether the unit is energy efficient;
 - 5. The location of the unit, including proximity to public transportation, center of employment, schools and shopping.
 - k. Program brochure and FSS brochure.
 - l. Where the family may lease a unit.
 - m. The HUD brochure on how to select a unit.

- n. A list of landlords or other parties known to the PHA who may be willing to lease a unit to the family or assist the family in finding a unit.
- o. Information on the PHA's grievance procedures.
- p. Family obligations under the program.
- q. The grounds on which the PHA may terminate assistance for a participant family because of a family action or failure to act.

Additionally, when this same packet is presented to the participant, a member of the Housing Staff will review each document in detail so as to ensure that the participants is fully cognizant of both his or her rights and responsibilities under the program. This procedure complies with 24-CFR subpart G, Section 982.301.

VIII. REDETERMINATION AND VERIFICATION OF FAMILY INCOME AND COMPOSITION

A. Initial determination and regular determination

Initial certification (regular determination) will be carried out prior to the signing of HAP contract between the Municipality and the owner.

B. Re-determination of family income

The Municipality as specified in 24 CFR part5, subpart F, will conduct re-determination of fail income and composition on an annual basis. All re-determination will be effective on the anniversary date of the HAP contract.

Ninety (90) to seventy-five (75) days prior to the expiration of the HAP contract, the participating family will be notified in writing that an annual reexamination will be made in the following order:

- 90 to 75 days initial notice
- 60 days second notice
- 30 days final notice
- Cancellation notice due to noncompliance by the family

Step 1: An initial 90 to 75 day notice will be sent to the family requesting that they fill out a re-certification application (form included with the notice) and a schedule interview. The tenant will be interviewed and the following documents will be requested based on the information provided.

1. Signed consent from to release information;
2. Signed verification of income form;
3. Change in family composition;

- a) Copy of S.S.N card
- b) Copy of birth certificate
- c) Photograph (when necessary)

4. Form W-5 from the State of Labor Department:
5. Verification of student status if deem necessary (under the new regulations a full time student is defined as a person who is attending school or vocational training on a full time basis);
6. Issuance of Certificate of Good Conduct from State Police Department;
7. Any other document that are deemed necessary, so as to complete the re-certification process of the family.
8. A date will be set for submitting the requested documents.

Step 2: During the follow- up notice, the Municipality will make a second request in writing requesting those items not submitted or received in order to complete the reexamination process. The municipality will begin to compile the information received, assure for completeness and accuracy, and will follow- up on third party verification, thus, initiating the necessary action to certify said information. The appropriate form designated by the Municipality will be prepared and said form will be signed by the family. Form 50058 will also prepared so that the verified information can be entered into the system and electronically sent to MTCS in accordance with existing HUD regulations.

Step 3: The yearly mandatory inspections will be carried out on both owner and family will be notified in writing of the results of the reexamination and changes in family contribution or eligibility for the unit they may occupy if any. A final notice will be issued that will contain a scheduled date to sign the addendum to the original contract reflecting these same changes for the coming year. In the event that for some valid reason there is a delay in completing said reexamination, the owner and tenant would be notified of an extension, under the same terms and conditions presently existing, until the reexamination is completed.

Families that do not comply with the same submission of documents for the annual reexaminations once given all opportunities will be notified of their cancellation as participants within the program and will be advised of their rights as well as informed that they entitled to request an informal as established in this plan. The final determination of said hearing will be maintained with the family's file. A copy of the determination will be directed to the owner stating that the housing assistance payments will be discontinued.

C. Interim re-certification policy

When a participating family, due to on unforeseen or temporary events, request an adjustment in the family contribution, the documents submitted or the reason will be verified by the Section 8 Director. The common reasons for a family to make this request are: (1) loss of income or job, (2) medical expenses (applies to elderly or disabled family only), (3) increase of family composition.

Interim re-certification of income and change of family composition will be conducted by the housing staff within responsible time after the family has made such request.

After the interview, the following forms/ documents are requested:

1. Signed re-certification/re-determination form;
2. Signed consent to release information, if applicable;
3. Signed verification of income form, if applicable;
4. Change in family composition (same as in annual- re certification);
5. W-5 for any member who claims to be unemployed, except tenants and/or family members sixty five (65) years or older.
6. Whatever document is deemed pertinent for the completion of the re-certification process.

Upon filling out the re-certification form, the Housing Department will request the aforementioned documents from the participant family and a date will be scheduled by the Municipality for the family to present its situation to the Section 8 Director. This will allow the family to comply with the documents requested by the Municipality as well as the verification of the validity of the information provided by the family in accordance with 24-CFR part 5, subpart F, section 982.516.

According to established federal regulations, the case will be analyzed with the existing conditions and a new computation of tenant rent will be prepared. A notice will be sent to both the tenant and landlord informing them of the changes and the dates that they will become effective. For certain extraordinary reasons this determination could in fact be ruled retroactively. The correspondence notifying both the family and the landlord would constitute a valid amendment to the lease and Housing Assistance Payments contract, respectively.

The tenant will be instructed to notify the Municipality of any change in the conditions which originated the verification and periodic re-examinations to be scheduled. The family will be advised that failure to comply with the same condition could result in a decision to increase the family participation, effective the condition that originally caused the adjustment ease to exist.

D. Adjusted Income

It means annual income of the members of the family living or intending to live in the dwelling unit, after the making following mandatory deductions according to 25 CFR 5 (5:61):

In determining the adjusted income the Municipality will deduct the following amounts from annual income:

1. \$480 for each dependent;
2. \$400 for elderly or disabled family;
3. The sum of the following to the extent the amount exceeds 3% of annual income:
 - a) Medical expense of any elderly family or disabled not reimbursed.
 - b) Reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disability to the extent necessary to enable any member of the family (including those with a disability), to be employed.

4. Any reasonable childcare expense necessary to enable a member of the family to be employed or to advance in his or her education.
5. The amount of any earned income of the family member (other than the family head or spouse) who is not 18 years old or older .

IX. SELECTION PREFERENCES

A. Local Preferences:

According to the Quality Housing and Work Responsibility Act of 199, federal preferences as they were conceived have been substituted by the local preferences.

The local preferences for the Municipality of Gurabo are:

1. Families affected by fortuitous situations.

B. Qualifying for Local Preferences:

Applicants qualify for fortuitous situations if their home is affected in 50 % or more of it's structure, by fire earthquake, hurricane and/or any other natural disaster.

C. Notice and Opportunity for a Meeting there Local Preferences is Denied:

If the PHA determines that an applicant does not qualify for a Local Preference it must promptly give written notice of the determination to the applicant. The notice contain a brief statement of the reasons for the determination and state the applicant's right to meet with the PHA representative to review the decision.

The meeting may be conducted by the PHA's designee (s) who should be an officer or employee of the PHA including the officer who reaches the decision or his subordinate. The applicant may also use other the rights f he or she believes that they have been discriminated on the basis of race, color, religion, sex national origin, age, disability or family status.

X. INCOME LIMITS

As established in 24 CFR 545 eligibility is limited to the following:

- Extremely and very low income family based on the income limits established annually by HUD;
- Low income family previously assisted under the public housing, Section 23 or Section 8 programs ;
- Low-income family that is a non-purchasing tenant of certain home ownership programs;
- Low-income tenants displaced from certain Section 221 and 236 projects;
- Low in-income families that meet PHA specified eligibility criteria.

PHAS will be established to offer available vouchers to families, which may be participating in the subsidized housing program of the other PHA, but may move to the area of operation of the Municipality.

XI. Assistance Determination

A. Total Tenant Payment:

Computation of the total tenant payment will be determined according to 24 CFR 5 (5.613). The computation of TTP will be established once all income has been accounted and verified and all credits and unusual expenses have been determined eligible under the other applicable factors.

B. The total Tenant Payment Will Be the Highest of the Following Amount:

1. 30% of the family adjusted income;
2. 10% of the family monthly income;
3. If the family is receiving payments for welfare assistance from a public agency and a part of those payments adjusted according to the family's actual housing cost, is specifically designated by the agency to meet the family's housing cost, the portion of those payments which is designated for housing or;
4. Minimum rent according to applicable provisions of Section 5.616;
5. A family renting a unit above the payment standards pays higher of 30% of monthly adjusted income, 10% of monthly income, or the welfare rent and the amount of rent above the payment but no more than 40% as the cap established by QHWRA of income of the family share of rent initial leasing of any unit.

C. Utility Allowance

The utility allowance is calculated for each family based on a PHA schedule of average utility consumption by unit size for each of the family paid utilities.

When the HAP payment exceeds the rent to owner there is a utility reimbursement for the family. The utility reimbursement will be sent as partial payment directly to the appropriate government agency.

D. Minimum Rent:

The minimum rent established by the PHA will be \$50.00.

E. Hardship Exemption:

1. Should a family request a hardship exemption, said request will be honored upon determination of whether there is qualifying financial hardship. The suspension of the minimum rent requirement will begin the month following the family's hardship request.
2. The following will be considered financial hardship.

- a. When the family has lost eligibility r is waiting for and eligibility determination for Federal, State and Local Assistance;
- b. When the family should be evicted as a result of the imposition of the minimum rent requirement;
- c. When the income of the family has decreased because of changing circumstances such as loss of employment.
- d. When death has occurred in the family;
- e. Other conditions established by the Municipality of Gurabo.

E. Request of Hardship Exemption:

- 1. If a family request a family exemption the Municipality will suspend the minimum rent requirement beginning the family hardship request until the municipality determines if the qualifying financial hardship and if it is short or long term.
- 2. If the city establishes that there is a short term qualifying financial hardship it will not impose a minimum rent for no more than 90 day of the request. At the end of the 90 days waiver a minimum 90 days retroactive rent will be imposed.
- 3. If the Municipality establishes that there is no elements to qualify for a hardship exemption the minimum rent will be reinstated including the above-mentioned back payment.
- 4. When there is a long term qualifying hardship the family will be exempted from the minimum rent required according 24 CFR 5 (5.616).

F. Appeal of Financial Hardship:

Should a family appeal the financial hardship determination using the Municipality’s ‘grievance procedures it will be exempt of any escrow deposit that may be required following 24 CFR 5 (5.616).

XII. Family Mobility and Portability:

A participating family in the Housing Choice Voucher Program is allowed to rent a dwelling unit with tenant-based assistance outside the jurisdiction of the Municipality of Gurabo (initial PHA). The following policy will be adhered to by the Municipality according with established and existing Federal Regulations.

A. Cancel Procedures (Whenever the Municipality is the initial PHA for portability purpose).

A family must live in the initial PHA’s jurisdiction and hold a housing voucher or be a current participant to be eligible for portability. The family can rent any dwelling unit anywhere in the United States where there is a tenant-based subsidized housing program or in the same state or

MSA. The family could decide to reside in an adjacent MA to the initial PHA. According to existing regulations assistance will be administered by the initial PHA if there is no tenant-based program in the above-mentioned jurisdiction.

The family can decide to live in the initial PHA's MSA and the assistance will be administered by the initial PHA. This will expand the family's housing choices complying, at the same time with HUD de concentration policy as well as moving families for poverty areas.

B. Limitations on Participation:

The family will not be allowed to port under the following conditions;

1. A non-resident applicant will be required by the Municipality, as initial PHA, to live in the jurisdiction at least 12 months.
2. Families that have exceeded the limit of 5 moves within a year period following the execution of the initial lease and HAP contract.
3. The initial PHA can also deny a move under Section 982.552 of the Federal Register.
4. According with QWHRA families with lease violations will not be allowed to port out

C. Income Limits Under Portability:

Families must meet income guidelines for eligibility in the receiving jurisdiction if:

1. Leasing a unit for the first time.

D. Initial PHA Responsibilities under QHWRA:

The family information packet will include a written explanation of how portability works, its meaning from the family's perspective as well as specific procedures that the family will need to follow in order to be allowed to port of the Municipality. Income eligibility of the family will be determined according with established Federal Regulations as well as identify the receiving PHA if more than one PHA has jurisdiction. The family will be advised as how and when to contact the receding PHA. HUD form 52665, Part I will be completed and forwarded to the receiving PHA with supporting documentation. All pertinent forms will be forwarded to the receiving PHA via certified mail unless an emergency existed and the said documents will be faxed.

E. Receiving PHA Responsibilities under QHWRA:

The receiving PHA must perform all regular PHA functions and responsibilities as required by existing HUD regulations. Always use HUD Part II Form 52665 to report information pertaining to the family initial PHA such as:

1. Initial billings and subsequent changes.
2. Absorption- if the receiving PHA misses initial billing deadline or has established policy and has sufficient funding in the ACC to absorb the family;

3. Family Leaves the Program.

F. Billing Issues Under Portability:

The receiving PHA must meet the initial billing deadline by completing Part II of HUD 52665 and also attach HUD 50058 within 10 calendar days as established by QWHRA. Form 52665 automatically will requisition amount due for each subsequent month. The initial PHA must pay within 30 days calendar following receipt of said from unless each PHA agreed to a different schedule.

XIII. Policy Statement about a Family To prospective Owners:

The Municipality of Gurabo will not allow the screening of prospective families based on their tenancy history. Accordingly the Administration will advise the owners to comply with the regulation. Owners will be advised that they can take into account the family background with respect of the following factors.

- A. Payment of rents and utilities bills;
- B. Caring of the unit and surrounding premises;
- C. Drug related criminal activity or other criminal activity that can be considered a threat to the life, safety or property of others.
- D. Drug related criminal activity or other criminal activity that can be considered a threat to the Life, safety or property of others;
- E. Compliance with other essential conditions of tenancy/

The city understands that the release of past history of a given family can block the family efforts to find a suitable housing, when in fact that family has changed their attitude and behavioral patterns for better.

XIV. Family Absences from the Dwelling Unit:

The family must inform in writing the absence from the dwelling unit and said absence, may not be, extended for more than thirty (30) calendar days. except, for medical reason in which evidence of medical condition shall be provide **The family may request and extension of thirty (30) calendar days for medical reasons providing it offers medical evidence of condition and treatment.** If the family absence surpasses the maximum period thirty days (30) payments will be terminated. Additionally the owner will be advised in writing that he or she must reimburse the city for any housing assistance over-paid during the period after the termination.

The family must designate a person to be in charge of the dwelling unit during their absence and notify in writing of the person's name, contact numbers and address.

It is the intention of the Municipality to advise the family either by mail or phone that they are responsible of supplying any information or certification requested to verify that the family is residing within the unit or in relation to any absence from the unit. They must cooperate with the Municipality for this purpose.

The city has adopted the by following procedure to verify family occupancy or absence from the housing unit:

- Telephone calls to the family every 90 to 120 days and mail communication directed to the family at the unit, the City may choose to make personal visits to the family at there housing unit.
- In addition the Municipality reserves the right to question the owner or the neighbors when considered appropriate.

XV. Determination as to who Remains in the Program Should a Family Breakup:

In the case of a family breakup the Municipality will review every case individually taking into account the following items.

1. Reexamination of family income to determine that the remaining numbers qualify for the assistance originally approved.
2. Determine if any of the remaining family members are either disabled or elderly;
3. The need for housing based on the size of the family by age groups;
4. Difficulty in alleviating severe hardship on individual family members including but not limited to:
 - a) The need to live close to a hospital or medical facility in order to receive medical treatment;
 - b) The need to be close to public and/or private transportation due to lack of a personal vehicle.
 - c) In the case families with school age children the need to live near schools.

If it is determined that with the breakup of family members they are employed now, an adjustment to the payment will be made based on the new economic and family characteristics and composition. The Municipality of Gurabo will work to satisfy the needs of all family members as long as they qualify for assistance and comply with regulations.

XVI. Informal Review Procedures for Applicant Families:

1. Informal Review:

The Municipality will always afford an applicant family the opportunity to request an informal review of any decision made to deny assistance under the Housing Choice Voucher Program.

The Municipality will be required to notify in writing to an applicant that assistance has been denied no later than 15 calendar days after decision was made. Within the same communications applicants will be informed of their right to appeal the decision either written or verbally. The term to request an informal hearing is 30 days and the Municipality in the same communication should inform this. The request to the informal review can be made either written or verbally and the applicant can be represented by any member of the family, a friend or a legal counsel.

The Municipality in its communication-advising applicants of their rights must state the regulations used as a basis for the denial.

2. Hearing Procedures:

The Municipality of Gurabo has developed the following procedures in order to conduct an informal hearing.

- a) The family will receive opportunity to review any HA documents that are considered necessary before the hearing. The PHA will allow the family the opportunity to copy the documents at the family expenses;
- b) It is agreed that the PHA will be given the opportunity to examine at its office any family documents that are directly relevant to the hearing. The PHA is allowed to copy the mentioned documents at its own expenses. It is also agreed that if a family does not make the documents available for examination at the request of the PHA, the family will not be permitted to submit the documents at the hearing.
- c) Representation of the Family: The Municipality agrees that a legal counsel or another representative at its own expenses may represent the family.
- d) Hearing Officers: The hearing will be conducted by a member of the legal staff of the Municipality or by another person designated by the Mayor other than the person that originated the decision in discussion or subordinate of the mentioned official. The Municipality is entitled to regulate the hearing through the official appointed to conduct it.
- e) Evidence The Municipality and the family will be given the opportunity to present evidence as well as question any witness brought by either party. The Municipality agrees that the evidence presented will be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- f) Issuance of Decision: The Municipality has agreed that the person who will be conducting the hearing must issue a written decision stating the basis of the decision taken within 30 days of the date of the informal hearing. The Municipality has agreed that factual determination relating to the individual circumstances of the family will be based on a preponderance of the evidence.
- g) Effect of Decision: The Municipality will not be bounded by a hearing decision as described in 982.555 (F) of the Federal Register.

XVII. Termination of Assistance:

When a contract is terminated at a time when the family is ineligible for payments the contract will not be renewed and all parties involved will be informed in writing stating the reason for the decision.

In the case of an overcrowded unit, where it is decided by the Section 8 Director that the dwelling is not decent, safe and sanitary due to an increase in the family size, and the PHA finds another acceptable unit available for occupancy, the lease between the first owner and the family will be

terminated and unless they state a valid reason to reject the new unit the contract can be terminated.

The reasons for terminating housing assistance payments are clearly established in the contract documents in addition to an improperly conduct by any family member that generates into a formal complaint which in turn results in a unfavorable court decision. In every case written notification will be directed to both the owner and the tenant, stating the basis and the date of termination.

In case a tenant abandons the program or termination of assistance is in place, it is the responsibility of the landlord to locate the tenant or solicit a court order to enter, inspect and remove personal belongings remaining in the dwelling unit.

If it is determined by the Municipality to terminate assistance to the family a written notification will be sent clearly stating the reasons for the decision and an opportunity will be afforded to the family to appeal the decision and for an informal hearing according Part VII, Section 2 of this plan and existing federal regulations as well as Section 982.552 and 982.553 respectively.

Once the family has received the opportunity to appeal if they fail to act or meet the due date for appeal they will have to wait for 5 years if they voluntarily hand in their voucher.

XVIII. Termination of HAP Contract due to Family Move:

During the briefing the family will be informed of established procedures within this same program that once they choose to relocate another unit they must notify the owner of their intent to move in written and with this copy to the Municipality. The family's requirement should be either if he or she decide to terminate the contract or not to renew it. A written statement of this will be provided to the family as well as owner in their respective packages.

By making this request of both the owner and the family participant, the Municipality will in fact have the necessary elements to judge if proper notice was given to the landlord or vice-versa, and in addition send the Housing inspector to review any claim of damages that can be claimed at the time.

If the family vacates the unit in violation of the lease or tenancy agreement, the owner will receive the housing assistance payment due under the HAP contract for the period of the month that the unit was occupied and no other payment will be made as soon as the Municipality has been informed of the noncompliance by the participant family. The owner must reimburse the PHA for any excess amounts collected from the PHA after the last payment was made.

XIX. Occupancy Policies:

- A. Definition of Family: The term family may be either a single person or a group of them. Family can be either a group of persons or a family with a child or children. This concept admits both a family with children and a multi-person family without children. The widening the term family will make the Municipality able to include for assistance aged, displaced and disabled.

B. Definition of Extremely Low-Income Family: The city considers a family to be an extremely low-income applicant when their annual income does not exceed 30 % of the median income for the Non-Metro Area, as established by HUD with adjustments to smaller and larger families.

C. Definition of Family when is considered to be Continuously Assisted: The Municipality is considers an applicant is continuously assisted under the subsidized housing program if the family is already receiving assistance under any federal housing program when the family is admitted to the Housing Choice Voucher Program.

It is in this regard that the city has established a policy concerning whether and to and to what extend a brief interruption between a brief interruption between assistance and admission to voucher program will be considered to break continuity of assistance.

“ Any family currently involved with any federally assisted public housing project has a total of 365 calendar days or one year between the periods they have left the federal housing program and applied for assistance under the Housing Choice Voucher Program in order to be considered under the continuously assisted.”

XX. Housing Quality Standards and Inspection:

A. Inspection:

Housing to be used and approved for the program will be subjected to meeting the Performance Requirements set within the Federal Register 982.4021 with the exception of requiring mechanical equipment such as cooling or ventilating under the criteria Thermal Environment. Natural ventilation when appropriate under windows and air circulation criteria will be considered acceptable.

The Housing Inspector will evaluate each unit to ensure that every one complies with Housing Qualities Standard as established by the HUD regulations. Pre-Occupancy inspections of units will be performed within 15 days after the participant family has presented the Lease Approval form using this document as the prescribed form. Landlords of inspected units classified as inadequate will be advised as to the repairs required to make the unit comply with HQS, thus enabling the Municipality to execute the HAP contract.

Prior to a new lease, after re-examination, and at least once a year an inspection will be performed to assure compliance by both the owner and the tenant, with HQS. Complaints with the families regarding housing quality or contract violations shall be promptly investigated an a written notice shall be sent to the owner outlining the deficiencies found that made the unit not in compliance with established HQS and a time frame will be sent (Federal Register 982.401).

A deficiency is considered an emergency when it is a matter of security or life threatening. It must be corrected within the next 24 hours.

Example: exposed electrical cables
damaged front door
clogged toilet or shower drain

Any other type of deficiency will have 30 calendar days to be corrected. The Inspector must be informed so that he can visit the unit and verify that it now complies with the HQS.

Inspections at random will be programmed by the Section 8 Director for program monitoring purpose, as mean of quality control and this will cover at least 5% of the leased units. Copies of the inspections will be included in a separate file.

B. Enforcement of Housing Quality Standards

1- Landlord responsibilities:

The Municipality will complete HQS inspections and complaint inspections as needed to assure compliance with the dwelling unit with Federal Regulations. The Municipality may abate or terminate housing assistance payments to owners if the unit fails HQS and the owner does not comply with written request within the time frame the owner does not comply with written request within the established time frame. The city knows that HUD may reduce administrative fees if it fails to enforce HQS.

2- Tenant responsibilities:

The Municipality will complete HQS inspections and complaint inspections as needed to assure compliance with the dwelling unit with Federal Regulations. The Municipality may cancel the voucher if the tenant does not comply with the up keeping of the dwelling unit.

XXI. Lease Approval and Contract Execution

A. Program Requirements:

The Municipality will not approve any family to lease a unit or execute a HAP contract until it has been determined that the city has met the following items:

1. The unit is eligible.
 - a- Not eligible units built in wood and/or cement with zinc roofing.
2. The unit has been inspected by the Housing Inspector and passes the HQS.
3. The lease is approved including all the required lease provisions and has been duly executed between the owner and family participant.
4. The rent has been determined reasonable.
5. The total of contract rent plus any utility allowance does not exceed the FMR/ exception rent limit and is within the Payment Standard established by the Municipality .

B. Actions Prior To Lease Term:

It will be required that all of the following must always be completed before the beginning of the lease term:

1. The unit has been inspected by the Municipality and it has been determined that the dwelling unit satisfies HQS;
2. Both the landlord and tenant have duly executed the lease, and the Municipality has approved the leasing of the unit according the program requirements.

C. HAP Execution:

Prior to contract and lease execution, leases provisions, lease approval procedures, Housing Quality Inspection and payment procedures, will be fully discussed with the owner and, as it is required by the Law, all records and documents related to the lease approval will be filed and retained within the tenant's file for as long as the family stays within the program.

Every effort will be made by the City of Gurabo to execute HAP contract before the beginning of the lease term. The Municipality will not pay housing assistance to the owner until the HAP contract has been executed. Should the HAP be executed during the period of 60 calendar days from the beginning of the lease term, the contract. Any HAP contract executed after the 60 day period is void and the Municipality will not pay any housing assistance payment to the owner.

D. Notice to Family and Owner:

The Municipality will prompt notify both the family and the owner, after having received the family's request for lease approval to lease a particular unit.

E: Procedure after PHA Approval:

When the Municipality has authorized the family to lease the unit, the owner and the Municipality may execute the HAP contract. The owner will receive a briefing on the program and the Section 8 Director will closely work with both the family and the owner to expedite the procedures. During this briefing the municipal staff member will inform the landlord of his/hers responsibility of acquiring an insurance policy for the property if one is not available at the time. If the owner decides not to, he or she will sign a document accepting the risk of damage to his property in case of fire, hurricane or earthquake. At this time the Section 8 Director will coordinate with the owner and based on these instructions, as to where the payments of subsidies will be directed to or specific instruction on the persons authorized to pick up the payment at the Municipality of Gurabo or fill out the form for direct deposit.

F: Landlords Rejections:

It will be the policy of the City of Gurabo no to enter into a HAP contract with the owner who refuses or has history of refusing to evict families who disturb the peaceful enjoyment of the property, or who are engaged in drug related or violent crime activity, and threaten the health of safety of the other decision will be taken according to HUD regulations as set in the Quality Housing Work Responsibility Act of 1998.

Accordingly the City will not be approved a unit if it has been advised by HUD or otherwise that the owner is debarred, suspended or subjected to al limited denial of participation under 24 CFR 24. When directed by HUD the unit will not be approved if:

1. If the Federal Government has initiated an administrative of judicial action against the owner

for violation of the Fair Housing Act or the Federal equal opportunity requirement and the action is still pending to be resolved.

2. A court of Administrative Agency has determined that the owner violated the Fair Housing act or other Federal equal opportunity requirement and the action is still pending to be resolved.

As part of its administrative discretion, the Municipality may deny approval to lease a unit from an owner for any of the following reasons including but not limited to those mentioned above:

1. The owner has violated obligations under a housing assistance payment contract under Section 8 of the USHA of 1937 (43 USC 1437);
2. The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
3. The owner has engaged in drug trafficking;
4. The owner has a background of non-compliance with the HQS for units leased under the tenant based program or with applicable housing standards for unit leased with Housing Choice Voucher Assistance or lease under another federal housing program.
5. The owner has a history or practice of renting units that fail to meet State or Local housing codes;
6. The owner has not paid State or Local real state taxes, fines or assessments.

It should be clearly established that nothing within 24 CFR 24 (982.306) is intended to give any owner any right to participate in the program. For purpose of this plan the term owner includes a principal or other interested parties.

G. Initial Term Lease: It will be the policy of the Municipality that the initial lease term will be for no more than one year after the execution of the HAP contract between the owner and the Municipality. The prevailing practice in the local housing market is to execute a lease contract of no more than one year . This is in accordance with established HUD regulations, as set in the Quality Housing works responsibility act, Section 545.

H. Security Deposits; Owners may collect a security's deposit that is no greater than one month's rent which is the acceptable general practice within the Municipality. Every attempt will be made to brief the owners and tenants of the importance of this and encourage communications between the two parties.

If the owner fails to collect a security deposit, the Municipality will not be liable for any damages caused by the tenants according to the established federal regulations. The owner as well as the family should be briefed on their responsibilities concerning what have been stated above.

XXII. Rent Reasonableness:

A. **Determination:** According to 24 CFR 982.503 (k) the Municipality will not approve a lease unit it is determined that the initial rent is reasonable.

The Municipality will determine the reasonable rent under the following conditions:

1. Before any increase in the rent to the owner;
2. If there is a 5% decrease in the published FMR in effect 60 days before the contract anniversary (for unit size rented by the family) as compared with FMR in effect one year before the contract anniversary;
3. If directed by HUD.

The Municipality will determine the reasonable rent at any other time tat it deems necessary as a form of efficient management of the limited funds available.

B. **Comparability:** The city of Gurabo will determined whether the rent to the owner is a reasonable rent in comparison to rent for the other comparable unassisted units. To prove this determination the following will be considered:

1. The location, quality, size unit type and age of the contracted unit;
2. Any amenities, housing services, maintenance and utilities to be provided by the owner according to the lease.

C. **Owner certification:** By accepting each morning housing assistance payment from the Municipality, the owner certifies that the rent to the owner is no more than the rent charged by the owner or other owner for comparable unassisted units in the area. The owner must give to the Municipality any information requested on rents charged by the owner to other units in the premises or elsewhere.

In addition the Section 8 Director will establish data bank gathering information on the rental Values in different areas of his jurisdiction comparing them to proposed rents in the request for lease approval submitted to him by owners and applicants.

At time of the application being filled out the applicant will provide information as to the actual rent he is paying which can be verified by a certification from the landlord or agent. This will also constitute and index and in some cases an element to the survey conducted by him certify it as the Municipality customarily uses it The certification of Rent reasonableness will be kept as part as the tenant's file as long as the family stays as a program participant does.

XXIII. Payment Owners:

Details to process the monthly payments, calculations, preparation, delivery of the payments and the establishment of accounting and auditing procedure will be the responsibility of the program's accountant.

Both monthly checks to the owners and utility reimbursements to families will be delivered during the first week of the month.

Following the Quality Housing and Work Responsibility Act the City of Gurabo can be considered liable for late compensation of the housing assistance payment by the owner. The owner according with the generally accepted practices in the local housing market must impose any late payment penalties. A late payment fee must be paid from the Municipality's administrative fee unless authorized by HUD to make the payment from another source. No late fee will be made if HUD determines that the delay in payment is due to elements out of control to the City Authorities.

XXIV. THE PROCESS TO ESTABLISH AND REVISE PAYMENT STANDARDS INCLUDING AFFORDABILITY ADJUSTMENTS:

- A. Payment Standards: A payment standard is set from 90% of the Fair Market for the PHA jurisdiction as established by QWHRA. The Municipality has a payment standard of 100% of the Fair Market Rent established by HUD.

The following represents the subsidy standards that determine the number of bedrooms required for families of various sizes and composition:

0 BR	1 BR	2 BR	3 BR	4 BR

The local area office of HUD -Economic and Market Analysis Division (EMAD), and the HUD Public Section 8 Director will be annually consulted to confirm that the FMR used is accurate and reflects the general cost of housing to the City area.

In case that the PHA solicits a revision of the existing FMR, the City will submit documentation regarding median rate for the area. The PHAS will include in its solicitation:

- Evidence that significant changes in rents have been happening in the rental market which differ from the changes measured by the Consumer Price Index (CPI) factor which are used to update the Annual Housing Services based on the Median Rent
- Whenever is convenient or is required the PHA will provide local housing markets surveys to indicate the current median rent levels for standard units of various sizes within our designate FMR area.

- B. Determination of Unit Size in Relation to Family Composition:

The administration has applied the following requirements when determining the unit size in relation to the family composition under our subsidy standards:

1. The subsidy standard provided for the smallest number of bedrooms required to house a family without overcrowding;
2. The subsidy requirements are consistent with space requirements under the HQS;
3. The subsidy standards have been applied consistently to all families of the same size and composition;
4. A child who may be temporarily away from home because of placement in foster care is considered a member of family in determining the family unit size;
5. A family consisting of only a pregnant will be treated as a two person family;
6. Any live- in aide which has been authorized by the Municipality to live within the unit to care for a family member who is either disabled or at least 50 years old will be conducted in determining the family unit size;
7. The Municipality has agreed that unless a live-in aide lives with the family the unit size for any family consisting of a single person will be either 0 or 1 bedroom unit;
8. The Municipality will grant an exception to its established subsidy standards in determining the family unit size for a dwelling unit, if its established that the exception is justified by age, sex, health, handicapped or relationship of family members or other personal circumstances.

D. Exception to FMR on a Unit by Unit Base:

The PHA is entitled to establish its payments standards from 90% -110% of the FMR approved for a MSA of the PHA. The PHA will allow to improve initial gross rents on a unit by unit basis which can exceed the FMR or payment standard established by the PHA for units, which because of their size, amenities or location or in the case of expanding housing opportunities fro low income families or to obtain units which have been made accessible to the disabled which are determined to warrant exceptions rents. The PHA accepts the fact that this same authority will not be exercised for more than 20% of the units authorized by the ACC.

E. Affordability Adjustments:

Upon re- certification/re-determination of the applicant any adjustment will be appropriated to the Payment Standards established by the PHA. Whenever is accurately determined by the PHA that based on documentation available there is an overpayment, the PHA will immediately advise the participant and ask for a meeting in order to established a repayment schedule or any other acceptable plan to recover the overpayment.

F. Rent Adjustments:

Rent adjustments requested by landlords would be processed as indicated in Section 982.509, April 30, 1998, page 23863. The owner may request said revision to the contract rent 60 days prior to the HAP contract anniversary date.

XXV. Eviction

In the case the owner requested an eviction he will be required to follow the contractual obligations and procedures. The legal counsel will assist the Section 8 Director in consultation with the Municipality.

The owner will not evict any family unless he complies with the State and Local Laws and Regulations and with Section 983.310(e) of the Federal Register. The owner will provide a copy of the eviction notice to the Municipality and he will only be able to evict a tenant through a court action.

XXVII. Special Policies Concerning Special Housing Types in Program:

A. Policy Type of Unit Required:

Without incurring in vacancies the Municipality will make every reasonable effort to provide units of special housing types for the disabled families with physically disabled or elderly members who requires such units.

1. The Municipality will give elderly families a preference in admission to projects for the elderly;
2. The Municipality has agreed not to set a minimum age for the admission of disabled persons;
3. The Municipality will not exclude elderly families with children having units of appropriate size.
4. Accessible units counting with ramps, grab bars and other special facilities will be referred to as barrier free units.
5. The Municipality is aware that families defined as disabled often do not need designed units. That is the case of the mentally disabled.

C. Large Families:

When it is determined that a qualified family such as a single mother with numerous small children (4, 5 or 6) has difficulties to find an owner who is ready to rent an apartment or single detached unit the Municipality will provide the following assistance:

1. With homeowners who possess the proper sized units for the mentioned families and attempt to persuade them to accept these families.
2. Meet with representatives of the State Housing Department and Family Department to get assistance to solve the problem.

3. The city will do everything within its authority to assist disabled, elderly, and large families to obtain suitable, safe and decent housing.

PN-§1.01 Review of Owner's Form of Lease

The Housing Representative is to review the owner's form of lease against the *prohibited lease provisions* in the HUD tenancy addendum. Any prohibited lease provision must be struck in red ink from the owner's lease and the owner must initial and date the change. The owner is to be advised of their additional obligation to comply with material terms and provisions of the Louisiana State Landlord-Tenant laws, including laws prohibiting discrimination in the sale, rental or financing of housing.

The Section 8 Supervisor must approve the owner's lease and the Housing Representative must review the owner's lease for:

1. Initial term of tenancy of one year with a start and end date of 12 months. Where the lease will begin on other than the first day of the month the end date will be the last day of the same month one year later. For example, if the start date is 5/01/00 the end date will be 4/30/01.
2. Automatic renewal with defined successive term of *month-to-month, year to year, etc.*
3. Amount of rent due under the lease stated as the *tenant rent* calculated by the Housing Representative.
4. Amount of security deposit in an amount not to exceed one month's contract rent or the deposit charged by owner for their other *unassisted* units, whichever is the lesser.
5. Required provisions of HUD's Section 8 Tenancy Addendum dated March 2000.

O. TERM OF ASSISTED LEASE [24 CFR §982.309]

The initial term of the assisted lease between the owner and tenant must be at least one year, and the assisted lease must provide for automatic renewal. However, a shorter initial term may be entered into if consistent with local rental market practices.

The tenant family can terminate the lease at any time after the initial term of the lease. The tenant family must provide written notice of termination to the owner, pursuant to the lease, with a copy to the Housing Agency. The tenant cannot be required to give more than 60 days notice to the owner. [24 CFR §982.309(b)]

The lease can also be terminated at any time by mutual agreement of the owner and tenant. The assisted lease will automatically terminate if the PHA terminates the owner's HAP contract or assistance for the family.

The owner is required to give 30 days written notice to the tenant where the owner is terminating at the end of the lease term.

The owner can terminate the family's tenancy during the term of the lease only for serious or repeated violations of the lease; violation of federal, state, or local law; or other good cause. Owner must follow lease terms and landlord/tenant law for such terminations.

Grounds for owners to terminate the lease include, but is not limited to: criminal activity by the tenant, any member of the tenant's household, a guest, or any other person under the tenant's control that involves drugs or other criminal activity threatening the health, safety, or right to peaceful enjoyment of their residence by persons residing in or near the tenant's residence. [24 CFR §982.3 1 0].

Owner initiated eviction procedure must be established through the court systems, pursuant to State and local laws and any applicable HUD requirements.

Other good cause generally includes, but is not limited to: the family's failure to accept a new or revised lease; a family's history of disturbance of neighbors or destruction of property the owner's desire to use the unit for personal use or for a purpose other than as a residential rental unit; or a business or economic purpose, such as the owner's desire to lease the unit at a higher rent. During the first year of the lease, the owner may not terminate for other good cause unless it involves a family lease violation. [24 CFR §982.310]

PO-§1.00 Assisted Tenancy

The lease between the owner and tenant family is for less than the full rent due on the unit. The Housing Agency will make rental assistance payments to the owner on behalf of the assisted tenant. During the term of the assisted tenancy the owner and tenant family must comply with the terms of the lease and HAP contract to ensure continued eligibility for program participation.

PO-§1.01 Initial and Successive Lease Terms

The Housing Representative must review the owner's form of lease to ensure an initial term of lease for a period of not less than 12 months. The Housing Representative must also ensure that the assisted lease provides for automatic renewal (e.g., *month to month or year to year*) after the initial term.

P. HOUSING AGENCY POLICY GOVERNING OWNER APPROVAL OR DISAPPROVAL [24 CFR §982.306]

An owner can be disapproved for program participation. Reasons for denial of participation can include, but are not limited to: owner has been debarred, suspended, or is subject to a limited denial of participation (LDP) by HUD [24 CFR 24]; owner has been found to have a practice of serious and repeated noncompliance with the terms of the Section 8 housing assistance payments contract (Form HUD 52641); or criminal activity by the owner.

When directed by HUD, the Housing Agency will not approve an owner or owner's unit if there is a government initiated administrative or judicial action is pending against the owner for a violation of the Fair Housing Act or other federal equal opportunity requirements or if a court or administrative Housing Agency has determined that the owner has committed such a violation. [24 CFR§982.306 (a)-(b)]

The Housing Agency may deny an owner's request for participation for any of the following reasons: [24 CFR §982.306(c)]

- Violation of owner's obligations under any Section 8 contract;
- Fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- Drug trafficking (based on a *preponderance of evidence*);
- Owner's history of non-compliance with the HQS or other applicable housing standards,
- Owner's history or practice of renting units which fail to comply with state or local housing codes; and/or
- Owner's failure to pay state or local real estate taxes, fines, or assessments.

Q. PAYMENTS DUE THE OWNER: HOUSING ASSISTANCE PAYMENTS AND TENANT RENT

The Housing Agency shall make Housing Assistance Payments to the Owner on behalf of the eligible family in accordance with the HAP Contract. No payments shall be made for any unit occupied by an Owner except in the instance of owner occupied cooperative housing units or owner occupied mobile homes approved for pad rental assistance payments.

The lease between the owner and tenant shall provide *tenant rent* under the applicable HUD formula. The Housing Agency shall make a payment on behalf of the family to the owner that is known as the housing assistance payment (HAP). The lease between the owner and tenant shall state the tenant's share of the rent. The HAP contract will provide for the amount to be paid by the Housing Agency. Initially, and until notice of a change in tenant rent or HAP, the owner may collect only the amounts approved by the Housing Agency.

The Housing Agency may abate its housing assistance payment to the owner for non-compliance with material terms of the HAP contract. The Housing Agency may also withhold housing assistance payments to owner for amounts due the Housing Agency under one or more contracts with the Housing Agency. The owner may not collect from the tenant family any amounts withheld by the Housing Agency. The Housing Agency will terminate HAP the date any owner initiated eviction is concluded.

1. Calculation of Tenant Rent and Subsidy.

The tenant's rent and subsidy will be calculated in accordance with the prevailing HUD formula, including the minimum rent as most recently adopted by the Housing Board. The minimum rent adopted by Municipality of Gurabo Housing Agency is \$50.00 dollars.

2. Establishing and Documenting Reasonableness of Owner's Rent

The rent to owner under the housing choice voucher program must be *reasonable* when compared to comparable unassisted units

The Housing Representative must execute a rent-reasonableness certification at initial occupancy; whenever the owner submits a request for an increase in contract rent; and when there is a decrease in FMRs of five-percent (5%) or more in the 60-day period preceding the effective date of the rent increase.

The Section 8 staff will utilize the rent reasonableness methodology included at Exhibit #1 of this Plan.

3. Timing of Payments

Tenant rent is due and payable to the owner as of the date stated in the lease.

For new contracts, the Housing Agency shall make assistance payments to the owner as of the effective date of the Housing Agency-approved lease; in some instances this may result in a retroactive payment of HAP. The Housing Agency will make every effort to execute the HAP contract with the owner as of the start of the lease term. The Housing Agency has up to 60 days from the date of the approved lease to execute the HAP contract. An owner is entitled to full payment of the HAP as of the approved lease date. However, if the Housing Agency and owner do not execute the HAP contract within 60 days of the lease effective date, the lease between owner and tenant shall be voided and no housing assistance payments will be made. [24 CFR §982.305(c)]

In some instances, the first payment for a new lease-up may not be made until the second month after the approved lease and HAP contract signed by the owner has been returned to the Housing Agency.

After the initial payment for a contract has been received the owner shall continue to receive monthly payments between the first and tenth working day of each month that the family occupies the unit as a Section 8-assisted family. The Municipality of Gurabo Housing Agency shall make every reasonable effort to ensure owner payments are mailed on or before the first day of each month. Lost checks may be reissued after notifying the bank to stop payment.

4. Additional Payments

If the family vacates the unit after the first day of the month without written notice to the owner, with a copy to the Municipality of Gurabo Housing Agency, as required under the lease and housing choice voucher, the owner is entitled to keep the full housing assistance payment for the month. The Housing Agency will not make further payments to an owner for any month after the month the family vacates.

If the family is approved to lease another unit during the same month, the Housing Agency will make a pro-rated payment to the new owner. In short, a family may be approved for two assistance payments for two different units in the same month, and such payments are not considered duplicate assistance.[24 CFR §982.31 l(d)]

5. Special Claims

Payments other than the regular housing assistance payments and approved late fees are prohibited in the housing choice voucher program. Any owner claims for unpaid tenant rent, vacancy loss or unit damage must be pursued with the tenant family.

R. CHANGING THE VOUCHER PAYMENT STANDARD [24 CFR §982.503]

At least annually, the Housing Agency shall evaluate whether an adjustment to the payment standard is necessary to assure continued affordability of housing by participating families. The evaluation shall take into account "local factors" as well as the financial impact on the program. In no event shall the payment standard be less than 90% of the most recently neither FMR, nor greater than 110% of the most recently published FMR without express written approval of HUD.

The following are examples of local factors to be considered in establishing the payment standard schedule:

- Participant rent burden
- Actual contract rents for specific bedroom sizes
- Actual rent increases for participating families
- Current fair market rent
- Success rate in securing eligible housing
- Rent reasonableness data
- Vacancy rate data
- Market rent data for comparable unassisted units
- Financial impact on the Housing Voucher Program
- Sufficient funding level provided by HUD to support continued assistance to families

The Municipality of Gurabo Housing Agency shall analyze whether voucher holders have experienced difficulties in finding housing outside areas of poverty or minority concentration and, where such difficulties were found, the Public Housing Agency will consider whether it is appropriate to seek approval of exception payment standard amounts in any part of its jurisdiction and has sought HUD approval when necessary.

In the event that funding levels are insufficient to continue supporting assistance to families, the Gurabo Housing Agency will analyze costs to the program, burden to participating families, burden to participating landlords and the overall social economic impacts to its communities. In its analysis the Gurabo Housing Agency determines that funding levels are too low it will attempt to lower its payment standards to a tolerable 90% of FMR levels of funding. The Gurabo Housing Agency will make every available effort to continue assistance at an adequate level of assistance to include lowering its payment standards below 90% of FMR as an intent to avoid terminations of HAP contracts in accordance with HUD requirements as stated in 24 CFR 982.454.

1. Changes in Application of the Payment Standard

The family's payment standard may be changed at regular re-examination and at the time the family moves, consistent with the Municipality of Gurabo Housing Agency's most recently adopted payment standard schedule.

2. Adjustment to Initial "Rent to Owner"

The rent to owner (contract rent) shall not be changed during the "initial term of lease". Owner may request an increase no sooner than 60 days before the anniversary date of the contract to ensure timely review and response from the MAHA and family. The owner may also request approval of an adjustment in the initial rent after the anniversary date upon 60 days written notice. However, any approved increase in rent will not be effective until the first rent period

following a 30 day notice of approval to the owner and family.

Owner must provide both the family and the Housing Agency with copy of the owner's proposed rent. The Housing Agency shall make a determination of the "reasonableness" of the owner's proposed rent adjustment using the criteria described in Section Q.2 of this plan. If the agency determines the owner's proposed rent adjustment to be "unreasonable" in light of its review of "like units" (i.e., *unit comparables*) the family will be so advised and given the opportunity to:

- a. Move with continued voucher assistance;
- b. Continue in occupancy with the owner under a non-assisted lease agreement (and absent voucher subsidy).

S. SECURITY DEPOSITS [24 CFR §982.313]

The owner may collect a security deposit from the tenant family that does not exceed one month's contract rent. If the owner collects less than one month's rent as security deposit on the owner's other (unassisted) rental units the security deposits on the Section 8 assisted units must be established at the same amount.

Owner may use the security deposit to cover unpaid tenant rent owing at time of move out, damages and/or other costs allowed under State Landlord-Tenant Act. The Municipality of Gurabo Housing Agency will provide a prior Section 8 owner with the current address of a family who continues to receive Section 8 assistance when the owner provides evidence that (1) the unpaid rent/damages exceed the security deposit collected and (2) the owner has received a court judgment for additional amounts owed.

T. CONTINUED ELIGIBILITY AND INCOME ADJUSTMENT

A family's eligibility for Section 8 Voucher Assistance (HAP) continues if the family meets the requirements governing eligibility, until (1) the Total Tenant Payment equals the Gross Rent for the dwelling unit occupied under the Housing choice voucher Program or (2) until 30% of the family's monthly adjusted income equals or exceeds the applicable payment standard under the Voucher Program; or (3) 10% of family's monthly income equals or exceeds the actual rent plus any allowance for tenant-paid utilities. Payments under both programs can be reinstated if the family's income drops. However, if no payments are made for a period of 180 days (6 months), the HAP contract automatically terminates. [24 CFR §982.455]

Termination of rental assistance at such point shall not affect the family's other rights under its lease Agreement nor shall such termination preclude resumption of payment as a result of subsequent changes in income or rents or other relevant circumstances during the six-month term. The family must pay the full contract rent when HAP is reduced to zero, and the assisted lease between the owner and tenant automatically terminates.

PT-§1.00 Interim Reporting Policy and Procedures

Housing Choice Voucher families are required to report the following changes in family circumstances between regularly scheduled re-certifications:

1. The tenant must report all changes in the household composition.

- a. If a household member vacates the unit and is considered by the family to be permanently absent; or
 - b. A new person is proposed to move into the unit.
2. The tenant may report any of the following changes that would result in a decrease in the tenant's rent:
- a. Loss of income;
 - b. Increase in allowable expenses (i.e., *child care, handicapped assistance, medical*)

XXVII: Policy Concerning Repayment by a Family Participant to the PHA of Amounts Owed:

The Municipality will determine the following:

Step 1: Once it is established that the tenant owes money to the City a payment plan should be furnished.

Step 2: As soon as the payment plan is established it will be sent to the Finance Department who has the faculty to enforce payments plans. Following legal procedures the Finance Department is entitled to impose late penalties due to tenant's noncompliance with agreed plan.

Step 3: After different attempts to get the tenant to comply with the terms agreed he or she will have their participation canceled since there's always a clause in the contract to address the mentioned noncompliance. Once there is a contract termination the family will have to wait 5 years in order to reapply for the program.

XXVIII. Equal Opportunity:

The Municipality agrees to comply with all equal Opportunity Requirement, both State and Federal as:

1. The Fair Housing Act 42 USC 3610-3619 9 (24 CFR 100, et seq.)
2. Title VI of the Civil Rights Act of 1964, 42 USC 2000d (24CFR 1)
3. The age Discrimination Act of 1975, 42 USC 6101-6107 (24 CFR 146)
4. The executive Order 11063, Equal Opportunity in Housing (1962) as amended, Executive Order 12259, 46 FR 1253 (1980) as amended, Executive Order 12892, 59 FR 2939 (1994) Implementing regulations at 24 CFR 107;
5. Section 504 of the Rehabilitation Act of 1973, USC 794 (implementing regulations at 24 CFR 8; and
6. Title II of the American Disabilities Act, 42 USC 1210, et seq.

- a). For the application of equal opportunity requirements to an Indian Housing Authority se 24 CFR 950.115.
- b). The Municipality must submit a signed certification to HUD as PHAS intention to comply with the Fair Housing Act, Title VI of the Civil Rights f 1964, the Age Discrimination Act f 1975, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973 and title II of the American with Disabilities Act.

XXIX. Monitoring Program Performance:

The Municipality will collect and analyze all data that will establish that:

- a). The regulations establishing that a least 75% of the families that initially received assistance in every fiscal year had income in higher than 30% of median income for the PHA area was fulfilled.
- b). Determine Reasonable of Rents prior to signing a HAP contract.
- c). The HAP's and utility payments are completed and made on schedule.
- d). The Housing Quality Standards are met ad conducted in a timely manner as required by QHWRA.
- e). That the income eligibility requirements under the QHWRA is fulfilled.
- f). The outreach efforts to both, landlords and families are adequate.
- g). Those outreach efforts to both; landlords ad families are adequate.
- h). That the payment standard as established by the PHA is in compliance with QHWRA and is revised annually based on the needs of the participant family.
- i) That reporting to MTCS is fully complied with and on time.
- j) That the PHA annual plan is being adhered to as required under QWHRA.
- k) Adequacy of allowance for utilities and revision of the same at least annually using established procedures.
- l). Performance under the program is in compliance with existing regulations.

Date for these will be available from the Permanent Records and Register to be established and from the accounting records and inspection form executed by both the inspector and each family, as well as from the Director's involvement in the rental market within the Municipality.

In order to better our efforts on any areas where we can find problems we must have the necessary backing as to assign the man task to the Section 8 Director complementing it with City resources.

XXX. Summary:

To conclude the PHA agrees that the participation in the Housing in the Housing Choice Voucher Program requires compliance with all HUD rules and regulations. In those cases where the PHA

has not made a direct reference we agree to use existing HUD's regulations to implement our program. In addition to compliance with the consolidated ACC and PHA's HUD approved applications for program funding the following actions will be taken in order to assure fulfillment of our responsibilities.

- a) Newspaper and radio will be used to inform both families and owners of the availability of housing assistance payments for extremely low and very low-income families. Written material will be prepared in order to familiarize and it will also be included in a family housing orientation package.
- b) To fulfill the Municipality's responsibility of receiving and reviewing the applications for vouchers and to verify the income and other relevant factors the City is including the following actions:
 - We have retained a consultant to train, coordinate and supervise the development and implementation of this same program on an ongoing basis. The organizational structure being implemented together with the assistance received from our consultant we will be able to develop a viable and effective program that will comply with existing regulations.
 - Members of our staff will assist to seminars and conferences to keep up with every regulations and amendment introduced by HUD. With the information received we will established a system of in house seminars for our staff.
- c) To meet our responsibilities regarding issuance of vouchers we will be establishing a performance records of vouchers. This will allow the PHA to assure that the number of vouchers and of funds allocated will correspond assuring that 75% of families receiving assistance every fiscal year will have income no higher than the required 30% of mediana income.
- d) To provide documented basis to notify ineligible families a file will be established containing the application, verifications and the reasons to based the ineligibility, as well as a copy of the notification to the applicant and any informal hearing or appeal's material such as the signed interview from taken during the process.
- e) In order to meet our responsibility to provide each voucher holder with basic information on:
 1. Applicable HQS;
 2. Inspection Procedures;
 3. Search, selection and basic program rules.

The local housing staff will give application orientation, to every approved eligible family, Evidence supporting that these procedures were followed will be filed in every family record.

- f) To meet the City responsibility in the determination of the Tenant Rent the Section 8 area will heavily rely on its trained housing staff. The information-received from the applicant after verification and analysis within the appropriate computation from will support computations.

Documents that based the amount of the tenants rent and other supporting documents will be included within each family's file. A copy of these documents will be sent to HUD through its MTCS system. This file will also assured that the computation was made according to the establish procedures.

- g) In order to meet the City responsibility in establishing the Housing Assistance Payment and rent plausibility, trained personnel will review the lease approval request, the lease approval request, so that the proposed rent does not exceed the established PHA payment Standard Proper credit for the utilities will also be reviewed and then the amount for Housing Assistance Payments will be determined. Every file will be fully documented and the appropriate housing staff member will certify the rent.
- h) To meet the Municipality's responsibilities in making a fast and accurate Housing Assistance Payments the City will create a system to assure that the funds will always be available. This will be achieved trough a coordinated effort among the Finance Department, the Housing Department and the PHA staff. The PHA staff will prepare a monthly payroll of the payments to be made based on the existing contracts filed in their permanent records where active Housing Assistance Payments Contracts are kept. The record where vacancies and intention To vacate are filed will always be processed. The Program Director will have a clear address where the checks will be mailed or an authorization if the check will be picked up personally. In the latter the City will request a receipt in order to hand in the check. Payments should be made no later than the fifth day of every month. If there is an unforeseen delay the owner will be notified and will receive a written explanation.
- i.) To meet responsibility in performing annual re-examination in timely manner families will receive a letter containing instructions on this matter. The Re-Certification from will be filled, verified and analyzed, and the new tenant rent will be established at that time. The family and the owner will be notified and once any appeal or objection has been clarified the City will proceed to introduce the corresponding amendments to the contract. Supporting documents will always be kept on file. This will facilitate the process whenever a Participating family asks for cases the Director should ask for any document that establishes the base for the both the landlord and tenant and the PHA's Accounting Division will be notified for payments and budget review.
- j.) In order to meet HUD's regulation establishing that reports and families information is electronically transmitted the PHA will assure that its Internet connection works efficiently.
- k.) Regarding inspections a Program inspector is designated according the Program Financial Resource. A record of inspection will be kept in order to assure that all properties under contract have been inspected and those in need of additional examination were re-inspected corrections made.

The program inspector may perform additional inspections at the request of the tenant in these cases the inspector can establish a schedule to conduct additional monitories. This type of inspection does not constitute a substitution of the annual reexaminations. Forms for mentioned inspection and additional training in HQS criteria will be given to the inspector.

- l.) To meet responsibilities in eviction cases basis and procedures are included in the leases. The requirements to be met are established in FR 982.310. The city's Legal Counsel will be available for consultation to the Program Director whenever is considered necessary in order to comply with the procedures established.
- m.) The responsibility to comply with Equal Opportunity Requirements will be met by extending the existing EOR in other City Programs to the Section 8 Program

XXXI. Definitions of Terms and Concepts:

In addition to the terms and concepts used in both the Existing Certificate and Voucher Programs, the following terms, definitions and concepts also apply:

Adjusted Income: Annual income less certain allowances as outlined in 24 CFR 5 Subpart F, as amended.

Admission: The effective date of the first HAP contract for a family in a tenant-based program. This is the point when the family becomes a participant in the program.

Housing Agency: Municipality of Gurabo Housing Agency

Annual Contributions Contract (ACC): A written agreement between HUD and the Housing Agency to provide annual contributions to cover housing assistance payments and other related expenses. This is now a consolidated agreement for the Section 8 Rental Voucher Programs.

Annual Income: The anticipated total income of a family for a 12-month period as outlined in 24 CFR 5, as amended.

Assets: Net cash value as outlined in 24 CFR 5 Subpart F, as amended

Child Care Expenses: Amounts anticipated to be paid by the family for the care of children under 13 years of age as outlined in 24 CFR 5, as amended

Citizen: A family member who is a U.S. Citizen by birth, a naturalized citizen or a national of the United States of America.

City: Gurabo, PR

Contract of Participation (FSS Contract): A contract, as described in 24 CFR 984.103, that sets forth the terms and conditions governing the FSS family's participation in the FSS program.

Continuously Assisted Family. Families who have received any form of federal housing Assistance under the U.S. Housing Act of 1937, as amended, within the 120 day period preceding the date of the eligibility interview shall be considered "income eligible", if otherwise eligible under the remaining program rules.

Dependent: A member of the eligible family household other than family head or spouse, who is under 18 years of age or **is age 18 and older AND** is a disabled person or handicapped person or is a full-time student.

Disabled Person: A person with a disability as defined in 24 CFR 5, as amended.

Displaced Person: A person as defined in 24 CFR 5, as amended, or a person displaced pursuant to a HUD directive, or a person whose dwelling has been extensively damaged by fire or natural disaster.

Domicile: The legal residence of the household head or spouse as determined in accordance with State and local laws.

Drug-related criminal activity: Drug-trafficking; or Illegal use, or possession for personal use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

Drug trafficking: The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell or distribute a controlled substance.

Elderly Family: A family as defined in 24 CFR 5, as amended.

Elderly Person: A person who is at least 62 years of age.

Family: A family consisting of two or more persons sharing residency who are either related by blood, marriage, or operation of law or have evidenced a stable family relationship and as defined in 24 CFR 5, as amended.

Fair Market Rent: The maximum rent, including utilities, as annually established by HUD for dwelling units of varying sizes (number of bedrooms) for the purpose of establishing local payment standards.

Family Income (Annual Income): Income as defined in 24 CFR 5, as amended.

Family Self Sufficiency Program or FSS Program: The program established by the Municipality of Gurabo Housing Agency to promote self-sufficiency among participating families, including the provision of supportive services to these families.

FSS Family or Participating Family: A family that receives assistance under the Section 8 Housing Choice Voucher program, and that elects to participate in the FSS program, and whose designated head of the family has signed the contract of participation.

FSS Related Service Program: Any program, publicly or privately sponsored, that offers the kinds of supportive services determined to be appropriate in assisting FSS families achieve economic independence and self-sufficiency.

FSS Slots: The total number of vouchers that comprise the *minimum program size* of the Municipality of Gurabo Housing Agency's FSS program.

Family unit size: The appropriate number of bedrooms for a family pursuant to the Housing Agency's duly adopted *subsidy standards* determines family unit size.

Funding Increment: Each commitment of budget Housing Agency by HUD to a Housing Agency under the consolidated annual contributions contract for the Housing Agency program.

Full-time Student: A person who is in full-time attendance (equal to a full-time day student) under the standards and practices of the educational institution he or she is attending.

Gross Rent: The Contract Rent plus any utility allowance for tenant paid utilities and Other services.

Handicapped Person: A person having a physical or mental impairment as defined in 24 CFR 5.

Head of Household: The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

Homeless Family: A person or family as defined in 24 CFR 5 Subpart F, as amended.

Housing Assistance Payment (HAP): The monthly rental assistance payment remitted by the Housing Agency on behalf of a Section 8 participant.

Housing Choice Voucher: New and only form of Section 8 tenant based rental assistance as of October 1, 1999.

INS: The U.S. Immigration and Naturalization Service.

HUD Requirements: HUD requirements are issued by HUD headquarters; such as regulations, Federal Register notices, handbook requirements or other binding program directives for the Section 8 housing voucher program.

Housing Assistance Payments Contract ("Contract"): A written contract between the Housing Agency and an owner to make Housing Assistance Payments to the owner on behalf of an eligible family participating in the Housing Choice Voucher Program.

Housing Choice Voucher: A document (HUD Form 52646) issued by the Housing Agency declaring a family to be eligible for participation in the Section 8 Housing Choice Voucher Program and stating the terms and conditions for the family's participation.

Housing Quality Standards (HQS): The inspection performance requirements and acceptability criteria for housing set forth in 24 CFR 982.401, as amended.

HUD: The United States Department of Housing and Urban Development.

Involuntary Displacement: Displacement of a person or family as outlined in 24 CFR 5 Subpart F.

JTPA Program: Program covered under the *Jobs Training Partnership Act*.

Live-in Aide: A person as defined in 24 CFR 5 Subpart F, as amended.

Lower-Income Family: A family whose income does not exceed 80 percent of the median income for the City as determined by HUD with adjustments for size of family.

Medical Expenses: Those medical expenses which are anticipated to be incurred during the 12-month period for which the Annual Income is computed, and which are not covered by medical insurance (premiums for such medical insurance may be included as medical expenses) or any other source.

Merger Date: The date HUD officially merged the rules governing the Certificate and Voucher Programs into one form of rental assistance (i.e., October 1, 1999).

Mixed family: A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Moderate Rehabilitation: Generally defined to mean required dwelling unit repairs required to meet or exceed HQS at a total cost of \$1,000.00- 5,000.00 per unit.

Monthly Income: One-twelfth of the Annual Income (also called Monthly Gross Income).

Monthly Income After Allowances: One-twelfth of the Adjusted Income.

Near-Elderly: A person who is at least 50 years of age but below the age of 62.

Non-Citizen: A person who is neither a citizen nor a national of the United States.

Owner: Any person or entity, including a cooperative, having the legal right to lease or sub-lease a unit to participant.

Payment Standard: A schedule of amounts adopted by the city for each bedroom size that is used to determine the housing assistance (subsidy) a family will receive in the Voucher Program.

Portability: Moving with Section 8 housing choice voucher rental assistance (subsidy) to a dwelling unit outside of the jurisdiction of the issuing or initial Public Housing Agency.

Pre-Merger Certificate: Section 8 Certificate issued to a qualified family before October 1, 1999.

Pre-Merger Voucher: Section 8 Voucher issued to a qualified family before October 1, 1999.

Premises: The building or complex in which the dwelling unit is located, including common areas and grounds.

Public Assistance: Welfare or other payments to families or individuals based on need, which are made under programs funded, separately or jointly, by the Federal and/or State governments.

Public Housing Agency: PHA

Remaining Member. A remaining member of a tenant family is a family member of an assisted tenant family who remains in the unit when other members of the family have left the unit. To remain in occupancy with continued rental assistance the remaining tenant family member must be of legal age to enter into a lease pursuant to state law, and must not be a current or recent participant in criminal activity as defined under the 1998 PHRA.

Rental Agreement: A written agreement between an owner and an eligible family to rent a unit.

Rent to Owner: The rent payable to the owner as approved by the PHA pursuant to the owner's request and the rent reasonableness criteria.

Reasonable Rent: A rent to owner that is not more than either the rent charged for comparable units in the private unassisted market; or rent charged by the owner for a comparable assisted or unassisted unit in the building or premises.

Residency Preference: A Housing Agency preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

Residency Preference Area: The specified area where families must reside to qualify for a residency preference.

Section 214: Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a). Section 214 restricts HUD from making financial assistance available for non-citizens unless they meet one of the categories of eligible immigration status specified in Section 214.

Single Person: A person living alone or intending to live alone.

Special Admission: Admission of an applicant that is not on the PHA's waiting list, or admission without considering the applicant's waiting list position, such as a person who is displaced by HUD action with the promise of Section 8 rental assistance.

Spouse: Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship.

Subsidy Standards: Standards established by a Housing Agency to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions. (See definition of Family Unit Size)

Supportive Services: Those appropriate services that the Housing Agency will make available to an FSS family under a contract of participation. These services may include childcare, transportation, education, employment, counseling, and other services

determined to be appropriate in assisting FSS families achieve economic independence and self-sufficiency.

Suspension: Stopping the clock on the term of a family's voucher, for such period as determined by the Housing Agency, from the time when the family submits a request for Housing Agency approval to lease a unit, until the time when the Housing Agency approves or denies the request.

Substandard Housing: Housing that is physically deficient as defined in 24 CFR 982.219, as amended.

Tenancy Addendum: The lease language required by HUD to be included in the lease between the tenant and the owner.

Tenant: The person or persons who executes the lease or lessee of the dwelling unit.

Tenant Rent: The amount payable monthly by the family as rent to the owner.

Total Tenant Payment (TTP): The monthly cost of rent and utilities payable by the assisted family consistent with the HUD-required formula.

U.S. Department of Housing and Urban Development: HUD

Utility Allowance: An amount equal to the estimate established by the Housing Agency of the monthly costs of utilities (except telephone) and other housing services for an assisted unit, which are not included in the tenant rent, but is the responsibility of the family occupying the unit.

U.S. National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession, including Puerto Rico, the U.S. Virgin Islands, Guam, Canal Zone, etc.

Utility Reimbursement Payment: The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit. This amount can be paid directly to the tenant or the Utility Supplier pursuant to the PHA's adopted policy.

Very Low-Income Family: A family whose income does not exceed 50 percent of the median income for the City as determined by HUD, with adjustments for size of family.

Violent Criminal Activity: Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

Waiting List Admission: An admission from the Housing Agency's waiting list.

Attachment 2

MUNICIPALITY OF GURABO SEX OFFENDER POLICY

The Municipality of Gurabo has established standards that prohibit admission to the program if any member of the household is subject to a lifetime registration under State Sex Offender registration Program [24 CFR 982.553 (2)]. The Municipality will screen the family by performing a criminal history background check necessary to determine whether any household member is subject to a lifetime sex offender registration requirement in the State where the dwelling unit is located and in other states where household members are known to have resided. The screen includes Puerto Rico Police Department, which issues a Certificate of Conduct and the *Dru Sjodin National Sex Offender Website (NSOPW)*.

Gurabo PHA will deny admission if any member of the household is subject to a lifetime registration under State Sex Offender Registration Program. Sex offenders not subject to lifetime registration, will be denied assistance for the entire period they are subject to registration as sex offenders.

Attachment 4:

MUNICIPALITY OF GURABO DOMESTIC VIOLENCE STATEMENT POLICY

The Violence Against Woman Act (VAWA), Public Law 109-162 was signed into law on January 5, 2006. Section 603 of the law amends Section 5A of the US Housing Act (42 USC 1437c-1) to require PHAs Five Years and Annual Plans to contain a Domestic Violence Policy Statement regarding any goals, activities, objectives policies, or program of the PHA that are intended to support or assist victims of domestic violence, dating violence, sexual assault or stalking. Section 606 and Section 607 amend Section 8 and Public Housing sections of the US Housing Act (42 USC1437f and 1437d) to protect certain victims of criminal domestic violence, dating violence, sexual assault or stalking -as well members of the victim's immediate families- from losing their HUD- assisted housing as a consequence of the abuse of which they were the victim. The municipality of Gurabo has adopted the following goals and objectives for Domestic Violence Policy:

1. The VAWA applies to Housing Choice Voucher program, FSS and Homeownership program.
2. The applicant/tenant/victim will be treated with respect and dignity.
3. The Municipality of Gurabo will notify Housing Choice Voucher owners and managers of VAWA.
4. The Municipality of Gurabo will notify vouchers holders of their rights under imminent threat of further domestic violence or stalking.
5. VAWA will be incorporated into landlord and tenant orientation process.
6. Necessary conforming amendments to Housing Choice Voucher Program rules, regulations and paperwork will be further addresses as needed to be in law compliance.

Mrs. Glenda Villafañe
Section 8 Program Director
Municipality of Gurabo
Gurabo, Puerto Rico

We, members of Resident Advisory Board (RAB) of Gurabo Public Agency, endorse the Five Years Plan 2010-2014 and the Annual Plan 2010-2011 to be submitted by the Municipality of Gurabo to US Department of Housing (Section 8 Division). We endorse without comments.

Signed by:

1. Carol Sanchez
2. Bianca Estrada
3. Yomel Canabalo
4. Zuleika Baez
5. Herminia Perez

Signed in Gurabo, Puerto Rico, on April 5, 2010.