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|------|--|
| 9.0  | <p><b>Housing Needs.</b> 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>  |
| 9.1  | <p><b>Strategy for Addressing Housing Needs.</b> 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. <b>Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</b></p>  |
| 10.0 | <p><b>Additional Information.</b> Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”</p>  |
| 11.0 | <p><b>Required Submission for HUD Field Office Review.</b> 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. <b>Note:</b> Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p> |

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

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

## Instructions form HUD-50075

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

### 1.0 PHA Information

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

### 2.0 Inventory

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

### 3.0 Submission Type

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

### 4.0 PHA Consortia

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

### 5.0 Five-Year Plan

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

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

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

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

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

#### PHA Plan Elements. (24 CFR 903.7)

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

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

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

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

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

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

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

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

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

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

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

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

**8.2 Capital Fund Program Five-Year Action Plan**

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

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

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

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

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

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

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

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

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

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

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

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

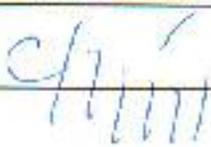
*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the  5-Year and/or  Annual PHA Plan for the PHA fiscal year beginning 7/2020, hereinafter referred to as "the Plan", of which this document is a part and in the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with 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 Factory 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 of 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 30 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 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 PHC/HMS Module in an accurate, complete and timely manner (as specified in PH Notice 2006-24).
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development 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 lists would not violate any court order or settlement agreement or be inconsistent with 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 law certifications, as specified in 24 CFR part 903.7(e)(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 for the Physically Handicapped.
11. The PHA will comply with the requirements of section 8 of the Housing and Urban Development Act of 1968, Equal 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 toward 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 OSHA Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 82.20 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 (Joint 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 awarded 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.

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|--|--------------------|
| MUNICIPALITY OF RINCON   | R2067              |
| PHA Name   | PHA Number/HA Code |
| <input checked="" type="checkbox"/> 5-Year PHA Plan for Fiscal Years 2010 - 2014 |                    |
| <input checked="" type="checkbox"/> Annual PHA Plan for Fiscal Years 2010 - 2011 |                    |

I hereby certify that all the information stated herein, and that all the information provided in this document is true and accurate. Witness: My hand and the seal of the Municipality of Rincon, Puerto Rico, this 13th day of April, 2010.

|   |                |
|---|----------------|
| Name of Authorized Official   | Title          |
| DON. CARLOS D. LOPEZ BONILLA  | MAYOR          |
| Signature   | Date           |
|  | April 13, 2010 |



*Man. Carlos D. López Benilla*  
*Alcalde*

*Estado Libre Asociado de Puerto Rico*

Gobierno Municipal  
Apartado 97  
Rincón, P.R. 00677

Oficina de Recursos Externos

Tel. (787) 823-2180  
Ext. 2043 / 2090  
Fax (787) 823-1100

**VISTA PÚBLICA**  
**PLAN ANUAL DE CINCO AÑOS (2010-2014)**  
**PLAN ANUAL (2010-2011)**  
**LUNES, 5 DE ABRIL DE 2010 (10:00 a.m.)**  
**SALÓN DE CONFERENCIAS**  
**OFICINA DE RECURSOS EXTERNOS**  
**CASA ALCALDIA, RINCÓN, PR**

**AGENDA**

- ❖ SALUDO/BIENVENIDA
- ❖ REGISTRO DE ASISTENTES
- ❖ PRESENTACIÓN DIRECTOR
- ❖ PROPÓSITO DE LA VISTA PÚBLICA
- ❖ SECCIÓN DE PREGUNTAS/RESPUESTAS
- ❖ CLAUSURA

REGISTRO DE ASISTENCIA  
 VISTA PÚBLICA (PLAN ANUAL 2010-2011)  
 DÍA: 5 DE ABRIL DE 2010 HORA: 10:00 AM  
 LUGAR: SALÓN LEGISLATURA MUNICIPAL  
 CASA ALCALDÍA DE RENCON

| NOMBRE            | LUGAR RESIDENCIA/<br>REPRESENTA A: | TELÉFONO       | FIRMA             |
|-------------------|------------------------------------|----------------|-------------------|
| Estrellomano S    | CALLE UVA 6                        | 187-329-4055   | Estrellomano S    |
| Vanessa Rosado    | Calle 413                          | 217-8045       | Vanessa Rosado    |
| Juan Lopez Ruiz   | Calle Union                        | 982-249-0495   | Juan Lopez Ruiz   |
| Money Lee         | Cerro Los Pobres                   | (787) 431-7579 | Money Lee         |
| Luz M. Tienda     | Bo. Barano                         | (987) 517-3301 | Luz M. Tienda     |
| Anaquel Siverstol | Bo. Barano                         | (281) 423-2180 | Anaquel Siverstol |
| Angel Diaz Mackey | Bo. Coluche                        | 980-2131       | Angel Diaz Mackey |
| William Muñiz     | Los Estaneros                      | 823-2180       | William Muñiz     |
| Eclyna Carolina   | Rec. Estaneros                     | 823-2180       | Eclyna Carolina   |
| EVA F. Guisado    | Los 616                            | (787) 962-4465 | EVA F. Guisado    |
|                   |                                    |                |                   |
|                   |                                    |                |                   |
|                   |                                    |                |                   |



Hon. César D. López Bonilla  
Alcalde

*Estado Libre Asociado de Puerto Rico*

Gobierno Municipal  
Apartado 97  
Rincón, P.R. 00677

Oficina de Recursos Externos

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**MINUTA  
VISTAS PÚBLICAS  
PLAN DE CINCO AÑOS Y  
PLAN ANUAL DE ACCIÓN  
OPORTUNIDADES DE VIVIENDA BAJO VALE  
SECCIÓN 8, AÑO FISCAL 2010-2011**

**PROPÓSITO:** Presentar a la ciudadanía la operación, los programas y los servicios que se ofrecen a las familias participantes y las metas establecidas para la operación del programa.

**FECHA:** La Vista Pública se realizó el 5 de abril de 2010 a las 10:15 a.m. en el Salón de Conferencias de la Oficina de Recursos Externos en la Casa Alcaldía de Rincón, PR.

**HALLAZGOS:**

El Sr. Samuel Sánchez Tirado, Director de la Oficina de Recursos Externos, comienza dando la bienvenida a los asistentes y los invita a participar de la vista.

El Sr. William Muñiz, Coordinador del Programa Sección 8, procedió a explicar los presentes que el municipio está preparando el Plan Anual de Acción del Programa de Oportunidades de Vivienda Bajo Vale, Sección para el año fiscal 2010-2011. Este plan provee información sobre la operación, los programas, servicios y el proceso de atender las necesidades de vivienda de las familias participantes. Además, se explicó los objetivos y metas que han sido establecidas para mejorar la calidad de servicios a nuestra población.

En resumen, a los asistentes se le enfatizó que el Plan Anual del Municipio y otros documentos correspondientes al mismo están disponibles para ser examinados por cualquier persona o público en general, en nuestra oficina de 8:00 a.m. a 4:00 p.m. (días laborables).

Se invitó a los presentes a dar sugerencias, o aclarar alguna duda. No recibiendo comentarios, se agradece la asistencia a los presentes.

La Vista Pública se da por terminada a las 10:55 a.m.

  
Samuel Sánchez Tirado  
Director

  
William Muñiz  
Coordinador Sección 8



**Desaparecido**

Eugenio Pérez de la Cruz, vecino de la Urb. Herrero Delle, en Bayamón, está desaparecido desde fines de diciembre pasado. Fue visto por última vez cerca del Hospital Hermanos Meléndez. Cualquier persona que sepa de su paradero puede comunicarse con la señora Pérez a través de los teléfonos de celular telefónicos: 787.378.0734 o 787.468.0641.



**CONVOCATORIA  
ASAMBLA DE ELECCIONES  
DEL DISTRITO CENTRAL**

Conforme a los artículos 6.5, 7.6, 8.1, 8.4 (3), 8.6 (1), 8.11, 9.13, 12.16, 18.6 del Reglamento General del Colegio de Médicos Cirujanos de Puerto Rico, según enmendado, se convoca a todos los miembros del Distrito Central, a la Asamblea de Elecciones del Distrito a celebrarse en:

**Fecha** : domingo, 20 de febrero de 2010  
**Lugar** : Restaurante & Bar La Collina 380, Moreavia, PR TEL: (787) 807-0380  
**Hora** : 8:00 p.m.

**AGENDA**

- I. Registro de Asistencia
- II. Primera Sesión a la Asamblea de Elecciones
- III. Segunda Sesión a la Asamblea de Elecciones
- IV. Llamada al Orden y Reverencia
- V. Presentación de Mesa Presidencial a Invitados
- VI. Lectura de la Constitución
- VII. Designación de Quórum
- VIII. Aprobación de las Reglas de Debate
- IX. Aprobación de Actas
- X. Informes Oficiales
  - Informe del Presidente-Dr. Carlos Heredia Burgos
  - Informe de la Tesorera-Dra. Eugenia Lozada Veloz
- XI. Presentación de candidatos a puestos elegibles
- XII. Elecciones de la Junta Directiva
  - PRESIDENTE (A) DEL DISTRITO
  - VICEPRESIDENTE (A)
  - SECRETARIO (A)
  - SUB-SECRETARIO (A)
  - TESORERO (A)
  - SUB-TESORERO (A)
  - 3 SENADORES (AS) EN PROPIEDAD
  - 3 SENADORES (AS) ALTERNOS
  - REPRESENTANTE - INSTITUTO EDUCACION MEDICA CONTINUA
  - REPRESENTANTE - FUNDACION MEDICA
- XIII. Asuntos pendientes
- XIV. Asuntos Nuevos
- XV. Clausura

En la elección del Presidente del Distrito, se entenderá lo dispuesto en el Artículo 12.16 del Reglamento General del Colegio de Médicos Cirujanos de Puerto Rico, que establece lo siguiente, en la parte pertinente:

"Todo candidato que aspire a ocupar un puesto electivo en la Junta de Directores del Colegio deberá radicar mediante escrito, su candidatura y plan de trabajo en la Secretaría del Colegio por lo menos con sesenta (60) días de antelación a la fecha de la Asamblea donde habrá de efectuarse la elección. Sólo los candidatos que cumplan con todo requisito y que tengan al día la cuota del Colegio podrán ser considerados candidatos bonafide para la elección. Para que los candidatos tengan oportunidad de ponderar los méritos de los candidatos y sus programas de trabajo propuestos, se le otorgará a la matrícula los días hábiles pertinentes, así como, su plan de trabajo por lo menos con treinta (30) días de antelación a la fecha de las elecciones. Se asegurará igual oportunidad de participación a los candidatos en los foros que el Colegio entienda, estos deberán participar para exponer sus ideas".

  
Dr. Carlos Heredia Burgos  
Presidente del Distrito Central  
Colegio de Médicos Cirujanos de Puerto Rico



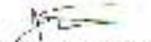
**PROGRAMA ASISTENCIAL  
Módulo Inicial de Ayuda  
Social y Rehabilitación  
MISO DE VENTA PÚBLICA**

El Municipio de Bayamón participando con la asistencia de "Quality Housing & Work Responsibility Act" se celebra de 1998, y el Acta de Vivienda de las Naciones Unidas en 1997. (LUS Housing Act 1997), según el artículo invita a los participantes del Programa de Sección 8 y al público en general a emitir sugerencias o comentarios concernientes a la actualización del Streamlined 5-Year for Fiscal Years 2010-2015 And Streamlined Annual Plan for Fiscal Year 2010, basados en el Seguro Habit de la Casa ANADIDA, durante los días siguientes.

**La Vista se llevará a cabo el:**

|              |                     |
|--------------|---------------------|
| <b>Fecha</b> | 19 de marzo de 2010 |
| <b>Hora</b>  | 10:30 AM            |
| <b>Lugar</b> | Salón Asambleas     |

Para cumplir con el Acta para personas con discapacidades ("The American Disabilities Act"), personas que necesiten asistencia especial que cualquier legítimo bajo la mencionada Acta, en el registro que se comunicó con la Dirección de Programas Federales, Srta. María M. Cruz se envía al (787) 858-6900. Se invita a la ciudadanía a participar en las Vistas Públicas Convocadas.

  
Carlos L. Rosales Ocas  
SACM

**COMUNIDAD ORGANIZADA DE BAYAMÓN  
Gobierno Municipal  
Ayuntamiento de Bayamón  
Oficina de Recursos Humanos**

**AVISO PÚBLICO**

El Municipio de Bayamón, mediante el Plan Anual y el Plan de Desarrollo 2010-2014 de Programa de Desarrollo de Empleo del Distrito Central, el cual incluye el "MISO" para la sección de Servicios Sociales, con el propósito de mejorar y fortalecer los programas y servicios que se ofrecen a la comunidad de Bayamón, se invita a la ciudadanía a participar en la actualización del MISO para la sección de Servicios Sociales.

El Municipio invita a los Jueces de Familia y participantes del Programa de Ayuda Social de la Junta de Familia de Bayamón, así como a los representantes de la comunidad a participar en la Junta de Asesoramiento y Consejo para la Oficina de Servicios Sociales de Bayamón.

La participación en el MISO se realiza en el salón de actos del Ayuntamiento de Bayamón, el cual se encuentra en la Oficina del Programa de Servicios Sociales.

**Dirección:** Oficina de Recursos Humanos  
Carretera Bayamón, P.R. 00707  
**Teléfono:** (787) 853-2110  
**Correo:** pmsoc@bayamon.pr

Se garantiza que el MISO se realizará en un ambiente seguro y transparente, y que el proceso de selección de candidatos se realizará de manera equitativa y transparente.

El propósito de este anuncio público es recibir comentarios de la ciudadanía sobre el plan.

El lugar seleccionado para realizar esta actividad pública es el Módulo de Ayuda Social del Distrito Central. De manera adicional, se invita a la ciudadanía a participar en la actualización del MISO para la sección de Servicios Sociales.

El Plan de Desarrollo de Bayamón se encuentra disponible en el sitio web del Ayuntamiento de Bayamón.

  
Carlos D. López Rodríguez  
MISO

### **XIII. Policy Domestic Violence Statement –Housing Choice Voucher Program**

The violence against Women 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 U.S.C. 1437c-1) to require PHA's five-year and annual PHA Plans to contain a Domestic Violence Policy Statement regarding any goals, activities, objectives, policies, or programs of the PHA that are intended to support or assist victims of domestic violence, dating violence, sexual assault, or stalking as well as members of the victims immediate families from losing their HUD assisted housing as a consequence of the abuse of which they were the victim. While awaiting new guidelines from the Department of Housing and Urban Development for implementing VAWA the Municipality of Rincon (RQ067) has adopted the following goals and objectives, for Domestic Violence Policy.

- ❖ The VAWA applies to the Housing Choice Voucher Program
- ❖ The applicant/tenant/victim will be treated with respect and dignity
- ❖ The Municipality of Rincon will notify Housing Choice Voucher owners and managers of VAWA.
- ❖ The Municipality of Rincon will notify voucher holders of their rights under VAWA including the possible portability of vouchers between jurisdictions to escape an imminent threat of further domestic violence or stalking.
- ❖ VAWA will be incorporated into the landlord and tenant orientate on process.
- ❖ Necessary conforming amendments to Housing Choice Voucher Program rules, regulations and paperwork will be further addressed after receipt of guidelines from the Department of Housing and Urban Development (HUD).

Municipality of Rincón  
Department of Housing



Housing Choice Voucher Program  
Administrative Plan  
2009 Revision

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This Administrative Plan covers HA policies on these subjects as indicated, in compliance with Circular Letter PH 95-5 dated July 7, 1995.

1. Policy on how to select applicants from waiting list
  - A) Preferences
  - B) Procedures for opening and closing the waiting list
2. Policy on issuing and denying vouchers or certificates
  - A) Term
  - B) Extensions
3. Policy on special rules for use of available funds (Special Purpose)
4. Occupancy Policies
  - A) Definition of what groups qualify as a family
  - B) Definition of when a family is considered “continuously assisted”
5. Policy on encouraging participation of owners (out reach)
6. Policy on assisting families upon being discriminated
7. Policy/Statement of HA providing information to prospective owners about the family
8. Disapproval of owners
9. Subsidy standards
10. Policy on family absence from dwelling
11. Policy on family break-up
12. Policy on Informal Review
13. Policy on Informal Hearings
14. Policy on establishing payment standards (vouchers)
15. Special Policies concerning special housing type
16. Policy on payment to the HA when the family owes the HA

# **Administrative Plan**

## **I. Introduction**

The Housing Authority of the Municipal Department of Housing of Rincon has revised this Administrative Plan in order to provide organizational and operational guidance for administering and selecting families for participation in the Section 8 Existing Housing Certificate and Voucher Programs. This plan includes exclusively the policies concerning the functions for which it has the discretion to establish local policies and procedures concerning the treatment of applicants and participants.

## **II. Goals and Objectives**

The Municipality of Rincon has established the Housing Authority for Existing Housing Certificate and Voucher Programs in order to assist financially distressed families in meeting their housing needs (decent, safe and sanitary housing). There are two major philosophy components in the Section 8 Program: First, to provide families the opportunity of choice and mobility in selecting where they want to live, and second, to maintain the essential elements of a private relationship between the tenant and the landlord on matters other than rent. As a result of this philosophy the Section 8 Existing Housing Certificate and Voucher Programs are tenant based, and not to a particular housing unit. Also, the purpose of FSS as a part of Section 8 is the development of strategies to coordinate the use of housing assistance under the Section 8 Rental Certificates and Rental Voucher Programs with public and private resources, to enable families eligible to receive assistance under these programs to achieve economic independence and self-sufficiency (Section 984.101). The purposes of the Municipal programs are to assist the families during financial distress and to gradually reduce the amount paid by the program.

### **III. Administrative Structure**

The Section 8 Office will have the major responsibility and authority in the implementation of the Section 8 Existing Certificate and Voucher Housing Programs.

The duties and responsibilities of the Section 8 Office may be summarized as follows:

- Overall responsibility for insuring compliance with federal regulations, coordinating the implementation of Tenant Policy, Affirmative Marketing Plan and for directing the day to day activities designed to met program goals and objectives.

- Housing Inspector- is responsible for insuring that housing units (Existing) meet the Section 8 Housing Quality Standards.

- Section 8 Accountant- maintains accounting books, records and reports in accordance with Municipal and HUD requirements; assures adequate funds for payment of the rental contracts.

- FSS Program- will be operated in compliance with the approved Action Plan as described in Section 984.201 and will provide comprehensive supporting services as defined in Section 984.103.

The Section 8 Office has the following job descriptions for each technical and administrative staff to perform the work required by the Section 8 Housing Certificate and Voucher Programs.

## **A. Office of the Housing Department Director**

### **1. Section 8 Program Director**

#### *Administrative Responsibility*

Report directly to the Housing Department Director. Supervise the Section 8 Office and the FSS Program. Coordinate with the Accountant on financial matters. Coordinate the FSS Program and the Program Coordinating Committee.(PCC)

#### *Functional Responsibility*

Has overall responsibility for compliance with the Administrative Plan, Coordination of the Section 8 Program, Tenant Policy Section 8 Office requirements, the FSS Program Operations, and pertinent Municipal policies. Section 8 Program Director is responsible for meeting program goals and objectives.

#### **Specific Duties:**

- ❖ Direct technical and administrative work of the Section 8 Existing Housing Programs.
- ❖ Set program goals and prepare staff work plans.
- ❖ Responsible for staff supervision.
- ❖ Prepare monthly performance reports.
- ❖ Prepare narrative and statistical reports in accordance with HUD regulations.
- ❖ Responsible for assuring compliance with HUD regulations in program implementation.
- ❖ Responsible for measuring the success of the FSS Program.
- ❖ Organize assigns and supervise work preformed by program personnel.
- ❖ Negotiate contracts with unit owners and tenants.
- ❖ Establishment and coordination of the PCC and FSS Program Action Plan.
- ❖ Evaluate grievances presented by unit owners and tenants.
- ❖ Weekly reports to the Supervisor (HAS Department Director) concerning progress and problems.

- ❖ Perform Quality Inspections Report of 5% of the total rented units.
- ❖ Analyze and report on current rent reasonableness.
- ❖ Coordinate with the consultants on the required documentation in order to prepare additional funds proposals.
- ❖ Comply with any other duty assigned by the Federal Programs Director (Supervisor).

## 2. Section 8 Program Technicians

The Program Technicians executes special investigations due to grievances or information received regarding program abuse. The technicians are responsible for ensuring that each family selected to participate in the Section 8 Program enters into a contract which is to be signed by the head of the family.

### *Administrative Responsibility*

Reports to the Section 8 Program Director.

### *Functional (Program) Responsibility*

The Section 8 Program Technician is responsible for initiation and maintenance of contact with clients and applicants, verification of eligibility and follow-ups. Also is responsible for maintaining current, updated files on available housing units and providing information to clients. Responsible for establishing the terms and conditions of the lease contract and the consequences for non-compliance

[Section 984.302(5)]

### **Specific Duties:**

- ❖ Interview owners' applicants and complete applications for Section 8 assistance, including telephone contacts.
- ❖ Verify eligibility of families in order to ensure compliance with program eligibility criteria.
- ❖ Prepare case reports and maintain an adequate file of all documents.
- ❖ Prepare weekly activity reports.
- ❖ Conduct annual family reexaminations.
- ❖ Verify family income.
- ❖ Participate in negotiation of contracts with owners.

- ❖ Maintain files including required documents and current listings of available housing units.
- ❖ Periodical contact with realtors, owners, lessees, etc. In order to update rental housing market information in coordination with Housing Inspectors.
- ❖ Provide individual information to clients concerning available housing and any other related matters.
- ❖ Prepare FSS Program families individual contracts. The contract shall incorporate the individual training and service plans, the family's rights and responsibilities, the service to be provided and the activities to be completed by the head of the family, who chooses to participate in the program.
- ❖ Prepare monthly payrolls for housing owner participants of the Section 8 Program.
- ❖ Visit participants and/or neighborhoods to perform any required special investigation or inspection.

### 3. Section 8 Program Accountants

#### 1) Fiscal Unit Coordinator

##### *Administrative Responsibility*

Reports to the Section 8 Program Director.

##### *Functional (Program) Responsibility*

Has overall responsibility for ensuring that all accounting books, records and reports are maintained in accordance with HUD requirements and generally accepted accounting standards.

##### **Specific Duties:**

- ❖ Inform Section 8 Program Director on the status of the program's finances.
- ❖ Prepare requisitions for program funds.
- ❖ Prepare annual Section 8 applications (especially Form HUD 52672 and HUD 52673)

- ❖ Maintain a record of rental payments to the owners (HAP register)
- ❖ Coordinate with the Section 8 program Coordinator about changes in address, income, family composition and any other information pertaining to tenants and owners.
- ❖ Prepare financial reports at the end of the fiscal year.
- ❖ Perform other duties as required by the Section 8 Program Director.
- ❖ Perform the accounting for the Section 8 Program.
- ❖ Maintain accounting files in accordance with Section 8 Program needs.
- ❖ Verify payrolls of Section 8 Program employees.
- ❖ Keep records of Portability payments and receivables.
- ❖ Prepare monthly trial balances for the Section 8 Program.

#### 4. Section 8 Program Housing Inspectors

##### *Administrative Responsibility*

Report to the Section 8 Program Director.

##### *Functional Responsibility*

Is responsible for ensuring that housing units (Existing) meet Section 8 Housing Quality Standards.

##### **Specific Duties:**

- ❖ Perform initial, annual or special inspections to proposed or under contract existing housing units.
- ❖ Will approve units in compliance with Housing Quality Standards.
- ❖ Notify owners and participants of deficiencies encountered and will give a time frame to perform the repairs.
- ❖ Analyze and report on current rent reasonableness for each contract housing unit.
- ❖ Execute the Inspection Form (HUD-52580), Lead-based Paint Certification, Rent Reasonableness and Request for Lease Approval Forms.
- ❖ Fully document each file with the necessary documents.

- ❖ Advise clients on all matters including complaint procedure. Hand-deliver documents to participants.
- ❖ Arrange appointments with participant owners and tenants to discuss matters related to the Section 8 Program. Make and receive telephone calls related to the Section 8 Program.
- ❖ Responsible for the maintenance of documentation related to the Housing Quality Standards inspections and of keeping them properly filed.
- ❖ Perform other duties as required by the Housing Department Director and/or the Section 8 Program Director,

#### **IV. Administration of Program Procedures**

The Housing Authority has developed detailed procedures for the administration of Section 8 Existing Housing Certificate and Voucher Programs. These procedures provide the framework for directing, managing, supervising and monitoring program activities. They include local procedures and policies for the treatment of applicants and participants as follow:

##### **1. Outreach to Families and Owners**

The overall objective of this activity is to assure that program availability is adequately publicized in order to reach eligible families and owners of rental housing units. Affirmative marketing efforts are a key component, since certain groups are difficult to reach by conventional means, in order to ensure that all eligible candidates have an opportunity to participate in the program.

Each time the Section 8 Office enters into an Annual Contributions Contract for new units, it makes known to the public – via publication in the Section 8 Bulletin Board and/or other suitable means – the availability and nature of housing assistance for very low income families. This notice contains the following information:

- When families may apply for the program.
- A brief description of the Section 8 and FSS Programs, including the possibility of families receiving assistance for the units which they are currently occupying.

- It states that occupants and applicants of public and/or other housing may apply for the Section 8 Housing Programs if they wish to participate.
- Special outreach for handicapped families.

The HA will publish a notice inviting owners to make dwelling units available for leasing by participating families. This notice is published via memorandum posted in the Municipal Governments Reception Bulletin Board, and the Section 8 Reception Area and/or other suitable means, as necessary, in order to reach a maximum number of owners and real estate brokers located in all geographical sectors within the jurisdiction of the Housing Administration.

The HA has an affirmative action marketing program to ensure that opportunities for program participation are adequately publicized in order to reach and/or accomplish the following:

- Families identified by the HA as the least likely to apply e.g., handicapped families, very low-income families, large families, and homeless families.
- Families identified in the Housing Assistance Plan.
- Owners of rental properties located outside areas of low-income or minority concentrations.
- Families identified in the Rental Rehabilitation Program.
- Provide area-wide housing opportunities to families.

All outreach is done in accordance with the Section 8 Office's approved Equal Opportunity Housing Plan, Administrative Plan, and HUD guidelines for fair housing using the equal housing opportunity logotype, statement and slogan,

The following steps are undertaken annually to assure a successful outreach program for attracting families (if necessary):

- ❖ Identify resources available for performing outreach functions, including staff, community service and housing counseling agencies, churches, employers, unions, etc.

- ❖ Review methods for taking applications in order to ensure that adequate provisions are made for hardship cases, and review desirability of pooling application resources with other HA services, in order to provide information on a wider range of housing opportunities.
- ❖ Plan to implement outreach, aimed at the families least likely to apply, in advance of the date on which formal application-taking procedures are given.
- ❖ Alternative means of delivering the outreach message are analyzed, including those listed below:
  - a) Newspaper announcements in widely circulated newspapers and/or other suitable means.
  - b) The “World of Mouth” approach by currently assisted and/or applicant families, encouraging them to inform their friends, relatives and neighbors about the program.
  - c) Supportive outreach assistance provided by other organizations.

## **2. Completion of Applications, Determination of Eligibility and Selection of Families (24 CFR, 982)**

a) Families who have completed applications( after all required documents have been received, evaluated and accepted by the HA), and are in the application pool are considered according to the date and time of the application.

Family: (24 CFR, 812.2) a single or a group of persons living together, subject to the provisions and eligibility criteria established under the program [Family Composition 982.201( c)]

The term includes, but is not limited to:

- ❖ A family with a child or children.
- ❖ A group of persons\ s consisting of two or more elderly or disabled persons living with one or more live-in aides.
- ❖ An elderly family (or single person) which includes a remaining member of a tenant family.
- ❖ A disabled person.
- ❖ A displaced person.
- ❖ A single pregnant woman with no other family members.

- ❖ Unmarried couples and other non-related persons living as family.
- ❖ A child who is temporarily away from the home because of placement in foster care is considered a member of this family.

Applicants who certify housing needs in one of the following categories are listed in order of priority within each category. Selection will be governed by Date and Time of application. Application forms must be signed. The process must comply with [24 CFR, 982.208 (1) (9)] Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601-19/Fair Housing Act); Executive Order 11063 on Equal Opportunity in Housing; Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); the Age Discrimination Act of 1975, and the Americans with Disabilities Act (42 U.S.C. 12101-12213). The preferences must be consistent with HA Affirmative Fair Housing Objectives.

b) Federal Selection Preferences (Section 882.219)

Priority I- Natural disasters declare by the Government of Puerto Rico such as hurricane, flood and earthquake. In which the families had lose their primary home or residence.

The Housing Authority of Rincon applies the Federal Preferences in a manner consistent with the provisions of Section 882.219, the nondiscrimination requirements as established in Section 882.111, and Section 984.104 (c ) of the FSS Program.

c) Criteria for the 10 percent Exemption Priority

In this HA we have applicants on the waiting list with various housing needs. They all qualify for at least one out the three Federal Preferences.

Non-preference applicants are rare and almost nil. Therefore, the 10 percent exception in this HA will be applied to applicants without any Federal Preferences.

d) Restrictions on Assistance to Non-citizens

Verification of eligible immigration status will be conducted by the HA simultaneously with verification of other aspects of eligibility requirements for assistance under 24 CFR 214 (200.180 thru 200.192, Subpart G) and Section 912.

The HA will verify eligible immigration status in accordance with the INS procedures described in 24 CFR Section 912.8.

### **3. Suspension of Application-taking**

If there is insufficient funding to admit all eligible applicants to participate in the Section 8 Program, this HA will suspend at any time, the acceptance or processing of new applications, or the addition of new listings to the waiting list.

When the number of applicants on the waiting list is such that new applicants would have to wait for more than one year for a certificate and/or a voucher, the HA will suspend the taking of applications. This will avoid both unnecessary application processing costs and false hopes to applicant families that assistance would be available to them in the near future. Suspension of application-taking will be publicly announced in the same manner as the public notices for program availability, and once resumed, public notices will be made.

### **4. Initial Screening of Applications**

a) The procedures and documents required for determining family eligibility are as follows:

- ❖ Applicants present evidence of all income received by the family including Social Security benefits, Social Services, pensions, child support, scholarships, assets, etc.
- ❖ Applicants and participants are required to disclose and verify their Social Security numbers (children over 6 years of age), and their employers business identification number (if necessary)

To assure the integrity of the program, this HA will provide assistance only to those families which have applied for and have been processed through the waiting list.

After the waiting list is closed and the HA is not accepting additional applications, applicant families with emergencies and unexpected housing needs will be referred to other housing service agencies such as adjacent

Housing Authorities, Public Housing, New Construction Projects, Moderate Rehabilitation Projects, Public and Private Housing Shelters, Social Services and Elderly Homes, or any other housing providers, for expeditious assistance.

This HA will also maintain a Register in order to include applicants, with or without Federal Preferences, who request housing assistance under the Section 8 Existing Housing Program after the waiting list is closed.

Once the waiting list is reopened, applicants in the Register will be considered in accordance with the HA admission policies based on the date and time housing assistance was requested and included in the Register, also, preference status will be taken into consideration, following the HA admission policy.

- ❖ Certification of employment signed by the employer.
- ❖ Affidavits for seasonal workers or for the self-employed.
- ❖ Eviction notice, where applicable.
- ❖ Evidence or receipt of most recently paid rent.
- ❖ Marriage certificate or divorce decree, where applicable.
- ❖ Birth Certificates of all the members of the family.
- ❖ Good Conduct Certificate from the Police Department.
- ❖ Certification of ongoing studies for all children over 18 years of age.
- ❖ Affidavit for common-law couples
- ❖ Income tax return forms.
- ❖ Certification of unemployment for persons who are older than 18 years of age and are not studying.
- ❖ Certification of a handicap or a medical disability.
- ❖ Property title of the location currently occupied by the applicant in order to verify that the property is not owned by the applicant.
- ❖ Family group photograph.
- ❖ These items will be required at the discretion of the agency whenever applicable (provided that it will not impose financial hardship)
- ❖ Authorization for release of information for all members of households over 18 years of age.

The applicant is required to sign a form authorizing program personnel to corroborate the information presented with the respective public agencies and/or other institutions –e.g. , the Social Services Department, the Housing

Authority, the Social Security Administration, etc. –and to obtain verification of income. The FSS Program may screen families for participation in the FSS program. The factors to be used by the HA are family interest and motivation to participate in the FSS Program. The HA requires attendance at FSS orientation sessions and/or a pre-selection interview [Section 984.203 (c) (1) (2)].

Program personnel may also conduct interviews at their current place of residence and have their living conditions documented.

Once the family's eligibility has been determined, the family is notified by mail of the determination taken and of the steps to follow.

Ineligible families will be offered an informal hearing on the determination of ineligibility no later than thirty (30) days after the date their application was submitted.

#### b) Computation of Gross Family Contribution

Computation of gross family contribution will be determined as per HUD's regulations. The computation for gross family contribution will be made once all income has been duly accounted for and properly verified, and all credits and unusual expenses have been determined eligible under the other applicable factors.

Computation of gross family contribution (GFC) is the greater of the following computations:

- a) 10% of the monthly income before any deductions.
- b) 30% of the monthly income after allowances for minors, medical (if applicable) and other eligible expenses.

## **5. Briefing of Families and Issuance of certificates**

When the family receives a certificate, the following items will be fully explained:

- ❖ Family and owner responsibilities under the lease and HAP contracts.
- ❖ How to find a suitable unit.
- ❖ Housing Quality Standards.
- ❖ Procedures for both the family and owner regarding dwelling unit inspections.
- ❖ Fair Housing Equal Opportunity and Grievance Procedures.

The certificate or voucher issued to the family will be determined by the size of the family. The length of extension for a certificate or voucher, beyond the initial 30 day term, must be established by the HA based on just cause accepted by the HA. Three (3) thirty (30) day extensions will be granted by the HA if warranted. After the request for lease approval is submitted, the HA will extend the certificate or voucher for a period not to exceed thirty (30) days based on a good cause. In case a certificate or voucher expires, the family may reapply and be added to the waiting list in order of priority.

The family may obtain the pertinent request form for lease approval. The family will be given ample opportunity to discuss and raise questions with relation to the above-mentioned orientation. Personal assistance will be provided to families in an attempt to help them find adequate housing.

The HA will encourage participation of owners of suitable units located outside areas of low income or minority concentrations. Owners will be oriented in relation to this matter.

#### **6. A Certificate Holders Packet will be given to the family containing the following:**

- ❖ Request for lease approval.
- ❖ Required lease provisions.
- ❖ Lead-based paint notices and certificate.
- ❖ Fair housing information.
- ❖ Schedule of utility allowances.
- ❖ Informal hearing procedures.
- ❖ Information on the total tenant payment (tenant rent)
- ❖ Portability eligibility (24 CFR 982.354 & 982.355)

#### **7. Housing Quality Standards and Inspections**

The Section 8 utilizes the inspection Form HUD-52580 to perform and record the inspections of each unit.

The housing unit must comply with the Housing Quality Standards and Acceptability criteria. The inspection is conducted with participation of the owner, the tenant and the Section 8 Office Housing Inspector. Each person initials each

page of the inspection form and signs the last page. This procedure is used for initial inspections and re-inspections.

To assure Housing Quality Standards, 5% of all inspections will be supervised by the Section 8 Program. Reports of inspections, (5% of inspections and re-inspections) will be kept in the program's files.

### **8. Utility Allowances**

The HA will conduct a study on utility allowances when it is considered necessary. The schedule will be adjusted whenever rates have increased or decreased by 10% or more.

### **9. Lease Approval and Housing Assistance Payments, Contract Execution and Rent Reasonableness.**

a) Prior to executing a lease contract, the Section 8 Office undertakes a study to determine the rent that is being paid for housing units in the area with the same characteristics. Each participant's file has a copy of the study conducted certifying the reasonableness of the contract rent. Reasonableness of rent will be determined by consulting the Department of Consumer Affairs and/or by means of comparison with the rent of similar standard units in the neighboring areas.

The Section 8 Office informs families on the process of locating a suitable housing unit as well as on lease provisions. When possible, the owner is oriented about program procedures and regulations at the Section 8 Office. In cases where rent is over the fair market rent and the difference is considered reasonable, the HA may approve the exemption rents up to 10% over the FMR, but this may not exceed 20% of the units under ACC for the HA Certificate Program. Records and documents related to lease approval will be filed at the program's office for the life of the contract and for at least 3 years after cancellation of the same.

The HA will use a model lease contract approved by HUD. The HA will conduct a study on rent reasonableness when it is considered necessary to establish that the contract rent is not in excess of rents currently being charged by owners for comparable unassisted units.

b) In accordance with Final Rule 982 (7/3/95), the HA eliminated the imposed limit on the amount of owner security deposit. The HA prohibits security deposits in excess of private market practice.

- c) The HA will assist the families that claim that illegal discrimination has prevented the family from leasing a suitable unit: Ex., single women with many children.
- d) The HA states that it will be its policy to provide non-confidential information about a family to prospective owners.

### **10. Annual and Interim Recertification**

A systematic review of family income, composition, and exceptional medical (if applicable) or other unusual expenses shall be controlled by means of annual re-examinations (recertification) of all cases.

Interim reviews are triggered by requests made by the families or by any indication that the status of the family had changed.

Ninety days prior to the expiration of the contract, the tenants are certified by mail of the need for re-examination of the family's income, composition, unusual expenses, etc. This letter indicates the date, time and place, and which documents are necessary for the re-examination.

Section 8 Office procedures call for the re-examination of a family's income and circumstances, usually done annually or whenever triggered by evidence of change, or by periodically conducted investigations. Follow up actions are taken and special examinations are conducted when circumstances and information prevent a family's annual income from being projected with any reasonable degree of accuracy.

The family and/or owner will be notified of the outcome of the recertification with 30 days notice prior to the expiration of the contract. The HA will notify participants and/or owners of any change(s) made due to the recertification process within the required 30 days notice.

### **11. Informal Review & Hearing for Denial, Reduction, or Termination of Assistance**

The HA, upon determining that an applicant or participant is ineligible, will notify the applicant or participant, in writing, on the reason(s) for the eligibility and of their right to request an informal review for applicants, or informal hearing for participants.

Procedure:

When an informal review or hearing is requested by an applicant, certificate or voucher holder, or tenant, said informal review or hearing will be conducted by an employee of the HA or another public official who is not directly involved in the day-to-day administration of the program.

In addition:

- ❖ The family may retain counsel or either representation, if desired, at its own expense.
- ❖ Either the family or its counsel/representative must be given the opportunity to examine the evidence and question any adverse witness (es). The family, or its counsel/representative, must also be given the opportunity to present testimony and evidence in its favor. The decision of the official presiding over the hearing must be in writing, must be based solely on the evidence provided at the hearing, and must state the legal and evidentiary grounds for the decision.

## **12. Repayment of Debt to the HA and Denial of Assistance**

a) The HA will offer an applicant and/or participant the opportunity to enter into an agreement for repaying the money owed to the HA or amounts paid to an owner by the HA. The agreement will be on the terms prescribed by the HA. The HA may at anytime deny or terminate assistance for breaching an agreement. If the participant breaches an agreement, the HA may terminate housing assistance payments which are being made on behalf of the participant under an outstanding contract.

b)The HA will no longer consider the participation of a family in the Section 8 Existing Housing Certificate and Voucher Programs, after the family has been denied assistance and they have been terminated by the program due to violations of the program's policies and procedures.

c) The HA will allow the family to be absent from the dwelling unit for no more than 90 days under the following first three verified circumstances:

- ❖ Illness or hospitalization –medical history verification requested.

- ❖ Illness of a relative who needs care from a family member, in another location –medical history verification requested.
  - ❖ Any other HA approved and verified circumstances, e.g., military service (reserves, etc.).
  - ❖ Vacations for no more than 30 days.
- e) The HA will continue giving assistance, after the break-up of a marriage, to the family member to whom the custody of the children was granted by the court. In a case where there are no children involved, the HA will determine who will continue to receive the assistance.

### **13. Terminations and Evictions**

Under the program, eligible families will automatically continue to receive assistance unless the contract is terminated by the HA for reasons similar to those set forth in the HAP contract, such as:

- ❖ The family vacates the unit in violation of the lease.
- ❖ The owner terminates tenancy in accordance with regulation.
- ❖ The family moves from its unit without the owner's approval and/or without notifying the program.
- ❖ Our HA, in accordance with the Final Rule 982, dated July 3.1995, eliminated the right of the owner to claim reimbursement from the HA for damages, unpaid rents and any other amount owed by the tenant under the lease. The owner must seek, from the tenant, payment of any damages.
- ❖ If the Housing Voucher family vacates its unit in violation of its lease, the owner retains the payment for the month in which the vacancy occurred.
- ❖ The owner has evicted the family in accordance with State/Local Law (the owner must notify the Section 8 Office prior to instituting eviction procedures).

The HA may also terminate the contract if:

- ❖ The family no longer requires assistance

- ❖ The unit fails HQS
- ❖ The unit is overcrowded and does not meet the HQS space requirements
- ❖ The family does not comply with the obligations stated in the contract
- ❖ The HA discovers program abuse and fraud
- ❖ The owner is not in compliance with the terms of the housing contract
- ❖ The tenant does not comply with the recertification process on time

The family/owner will be notified, in writing, 30 days prior to the termination of the contract.

### **Evictions**

Although the HA does not authorize or deny eviction actions, owners are required to:

- ❖ Comply with the requirements of State/Local Law
- ❖ Provide a copy of the notice to the HA when the notice is given to the family

The HA must determine whether the family is eligible to receive continued assistance under the Section 8 Program.

## **14. Administration of the Voucher Program**

### *Overall Approach and Objectives*

The Section 8 Existing Housing Voucher program offers expanded opportunities for rental assistance to very low income families by utilizing existing housing units. One of the Housing Voucher Program's principal features is its flexibility: families will have a broader range of housing and neighborhoods to choose from. They may select units with rents higher than the applicable Payment Standard but will receive no additional assistance payment; conversely, if rents are lower than the standard, the assistance payment is not reduced. This feature makes the program different from the Section 8 Existing Certificate Program, especially in the following areas:

#### **Increased Choice of Housing**

- ❖ No Fair Market Rent cap on amount of rent that can be paid for a unit leased under the Housing Voucher Program.

- ❖ Families have unlimited choice of any housing that meets the Housing Quality Standards, and are not limited to choosing units in the bottom half of the standard housing inventory.

#### Greater Equity

- ❖ In-place families who do not want to move are not precluded from participation in the program because the rent for their unit exceeds the limits of Fair Market Rent.
- ❖ All similar families (i.e., same number of household members and same income) receive identical subsidies.
- ❖ Each family has the choice of how much of its income it wishes to devote housing.

## V. Additional Terms and Concepts

1. In addition to the terms and concepts used in the Certificate Program, for the purpose of the Voucher Program the following terms, definitions and concepts apply:

- ❖ *Eligible Family*- An eligible family, as defined in 24 CFR Part 887, Section 887.151 (a ), that qualifies as a very low income family at the time it initially receives assistance under the HA Housing Voucher Program.
- ❖ *Lower Income*-A family whose income does not exceed 80 percent of the Median Income for the area, as determined by HUD.
- ❖ *Applicable Standard*- the Schedule of Housing Costs used to calculate the Housing Voucher subsidy.
- ❖ *Initial Payment Standard*- This schedule applies to all families at the outset of the Housing Voucher Program The family size is based on the HA's occupancy standards. The Initial Payment Standard Schedule is based on the Fair Market Rent Schedule of the HUD approved community-wide exemption rents in effect at the time of execution, by HUD, of the HA original ACC for the first increment of funding under the Housing Voucher Program.
- ❖ *New Family/Mover Schedule*- the HA may establish a new family/mover schedule at any time. The amounts on the new family/mover schedule can be any amount between the Initial

Payment Standard (or adjustment Standard, if applicable) and the FMR in effect at the time the new family/mover schedule is adopted.

- ❖ *Adjustment Standard Schedule*- the HA may, at its discretion, establish an adjustment standard schedule twice during any five-year period in order to assure continued affordability. The amounts of the adjustment standard schedule are adopted. No adjustment standard schedule may be established if less than 60 months have elapsed since the next to the last adjustment standard schedule was adopted.
- ❖ *Housing Voucher*- AS document issued by the HA declaring a family to be eligible for participation in the Housing Voucher Program and stating the terms and conditions for the family's participation.
- ❖ *Housing Voucher ACC*- A written agreement between HUD and a HA to provide annual contributions to the HA for Housing Assistance Payments, and administrative fees to the HA. Separate from Part I of the Section 8 Existing Housing Certificate ACC.
- ❖ *Housing Voucher Contract*- A written contract between the HA and an Owner – on a form prescribed by HUD for the Housing Voucher Program –in which the HA agrees to make Housing Assistance Payments to the Owner on behalf of an eligible family.
- ❖ *Gross Rent*- The actual rent for the unit stated in the lease and payable to the owner, plus any utility allowance(s) appropriate for that unit.
- ❖ *Utility Allowance*- The allotted amount, by unit size and type, for tenant-furnished utilities and services, based on the typical cost of each utility and service in that locality.
- ❖ *Total Tenant Payment*- The portion of the monthly gross rent payable by an eligible family, including the utility allowance paid by said family.
- ❖ *Minimum Total Tenant Payment*-The minimum amount of gross rent that an assisted family must pay toward rent, which is equivalent to 10% of the families gross income.
- ❖ *Portability*- is the ability for a Housing Voucher holder to move from the jurisdiction of its current HA to the jurisdiction of another HA.

A HA which administers a Housing Voucher Program must accept or refer a Housing Voucher or Certificate holder from another HA jurisdiction (24 CFR 982.354 & 982.355).

Unlike the Certificate Program, there will be no HA limits on increases which the owner can impose. Families will make their own decisions about the reasonableness of the rent.

Owners must provide at least 60 days written notice of any proposed rent increase to the family and the Municipality.

## **2. Interim Re-examination (Recertification)**

The HA will apply the same policies and procedures for processing interim re-examinations as are used in the Certificate Program.

If the family stays in the same unit:

- ❖ The HA will recalculate the Housing Assistance Payment using the Applicable Payment Standard.
- ❖ No changes will be made in the Applicable Payment Standard until the next annual re-examination or until the family moves to another unit.

If the family moves at the time of the interim recertification, the New Family/Mover Schedule will be used. If the moving family has a change in family composition, the bedroom size appropriate to the family's new circumstances will be used.

## **3. Enforcing Housing Quality Standards (HQS)**

The HA will complete HQS inspections and complaint inspections as needed.

The HA may abate or terminate housing assistance to owners if the unit fails HQS.

The HA understands that HUD may reduce administrative fees if it fails to enforce HQS.

## **4. Easing of Pressure on Fair Market Rents**

- ❖ Decreases the demand for units at, or below, Fair Market Rents.
- ❖ If a pre-program unit meets housing quality standards but exceeds the Fair Market Rent cap, families may participate in- place without Moving to a lower costing unit.
- ❖ Landlords will have to set rents at the level the market is willing to pay, rather than HUD determining the Fair Market Rent.

## **5. Organization and Staffing**

The Voucher program extends the HA's fiscal responsibility to manage subsidized fund and administrative costs. Therefore, the staff directly involved in the administration of Federal Programs in this HA will be designated according to the number of vouchers assigned to the Program and administrative expenses as follows.

The Office of the Program Director for the Section 8 Housing Assistance Program will have the overall responsibility for ensuring compliance with federal regulations and the implementation of policies and procedures pertaining to the Voucher Program.

This staff will perform the following functions:

- ❖ Prepare all the necessary documents, budgets, forms, and files required by the program.
- ❖ Prepare and/or adapt the necessary forms, information, instructions, and material required for the organization and implementation of the Program.
- ❖ Initiate the training of staff to work on the project, at the HA.

## **6. During the leasing schedule and intake period, coordinate, supervise, organize, and actively participate in the following:**

- ❖ Outreach to Eligible Families and Contact with Owners
- ❖ Determination of Family Eligibility and Tenant Selection
- ❖ Verification of Income and Determination of Total Tenant Payment
- ❖ Briefing of Family and Issuance of Vouchers
- ❖ Housing Quality Standards Inspection
- ❖ Lease Approval and Contract Execution
- ❖ Payments to owners
- ❖ Provision of Housing Information and Services to Recipient Families
- ❖ Annual Recertification, Interim Recertification
- ❖ Reinspection of Units Under Contract
- ❖ Family Mobility and Portability of Vouchers
- ❖ Terminations and Evictions
- ❖ Monitoring Applicable Payment Standards and Budgets
- ❖

- ❖ Security Deposits and Claims for Damages, Unpaid Rents and Vacancy Loss
- ❖ Informal Hearings for Denial, Reduction or Termination of Assistance

## **7. Additional Policies for the Voucher Program Outreach for Eligible Families**

If a family refuses the form of assistance offered by the Voucher program, the alternative will be for, whenever appropriate, the family to remain on the waiting list for an Existing Certificate, or to refer the family to public housing or other resources that are available.

The maximum Housing Voucher subsidy the HA may pay is the Applicable Payment Standard minus 30% of the family's monthly adjusted income. A family can never pay less than 10% of monthly gross income.

The subsidy to be paid will be based on the size of the unit the family is eligible to occupy, based on the following standards:

| Family Members | Bedrooms |
|----------------|----------|
| 1-2            | 1        |
| 2-4            | 2        |
| 3-4            | 3        |
| 4-8            | 4        |

The family may select a unit that is larger than the bedroom size authorized by the HA, but the family must pay for the increase in cost.

Before establishing or changing the Adjustment Standard Schedule, the HA will notify the public by means of posting public notices regarding consultation on the impact of affordability adjustments on the number of families that can be assisted.

## **8. Verification of Income and Determination of Annual Income and Total Tenant Payment**

Once the family has filed an application and has provided the evidence required to complement it, office personnel will verify with sources and references, all basic information given by the applicant, by means of a personal interview, telephone contact or by mail. When all information is verified and the family is

determined eligible, the calculation of the Total Tenant Payment will be estimated based on the definitions of income as per CFR 813. Direct orientation will be given to the family on the Vouchers Packet they will receive.

#### 9. Briefing of Family and Issuance of Vouchers

When the family receives a Voucher, the following items will be fully explained, and a Holder's Packet, the same as in the Certificate Program, will be given to them containing the following:

- ❖ Family and Owner responsibilities under the Lease and Contract
- ❖ How to find a suitable unit
- ❖ Housing Quality Standards
- ❖ Procedures for family and owner dwelling unit inspections
- ❖ Portability eligibility (24CFR 982.354 &982.35

The family will obtain the pertinent forms for lease approval upon issuance of the voucher. The family will be given ample opportunity to discuss and raise questions related to the abovementioned orientation. Personal Assistance will be provided to families in an attempt to help them find adequate housing.

#### **10. Annual and Interim Recertification**

As it does under the Certificate Program, the HA must annually re-examine income and family composition for families receiving assistance in the Housing Voucher Program.

Re-examinations will be, at least, on an annual basis, and will generally be scheduled to coincide with other annual activities (e.g., Annual Unit Inspection).

The same procedures used for determining total tenant payment, tenant rent and housing assistance payment at the initial certification will be used for the re-examination. However, the HA will first determine the Applicable Payment Standard to be used for a family.

The Applicable Payment Standard for a family continuing to receive assistance will be the same as the Payment Standard used to compute the family's current housing assistance payment, unless:

- ❖ The HA instituted and Adjustment Standard Schedule which is higher than the Payment Standard currently being used, or...
- ❖ The family's size/composition has changed and the family is eligible for a larger or smaller unit (requiring a new standard because of the change in unit size) or...
- ❖ The family chooses to move to a new unit.

Families in both programs will be notified of the results of the re-examination.

Families determined ineligible will be informed in writing, and given an opportunity for an informal hearing.

Procedures to be followed for families eligible for continued assistance are generally the same as in the Certificate Program.

- ❖ The family and owner are notified of changes in HAP and Tenant Rent.
- ❖ An annual unit inspection is conducted
- ❖ A new lease and Housing Voucher Contract are prepared and executed (if applicable)
- ❖ Families who intend to move will be briefed and issued a new Housing Voucher briefing packet.

## **11.Family Mobility and Portability of Vouchers**

A participating Housing Voucher family is allowed to move, from one Housing Voucher jurisdiction to another, with continued assistance. This special program feature is defined as "Portability". This HA will implement this concept in the following manner:

### *General Procedures:*

Whenever this HA, for portability purposes, is the Initial HA:

A family must live in the Initial HA's jurisdiction and hold a Housing Voucher, and be a current participant for at least one year to be eligible for portability.

The initial HA may deny a family's request to move under the portability procedures only if the number of portable Housing Vouchers exceed 15% of its total units under lease in the Housing program. The family will be required to notify the HA, in writing, of their desire to move with at least 60 days prior notice.

Once a family notifies the Initial HA that they want to move under the portability procedures, the Initial HA will contact the receiving HA. The Initial HA will notify, to the Receiving HA, that:

- ❖ The family is eligible for assistance (i.e., meets the income eligibility requirements of the Initial HA), and...
- ❖ A housing Voucher has been issued to the family.

The receiving HA must initially recertify the family's income in order to calculate the Housing Assistance Payment based on the Applicable Payment Standard in effect at the Receiving HA.

The receiving HA will bill the Initial HA for the Housing Assistance Payments and HA fee, unless it has given the family one of its own certificates of Housing Vouchers. Families may move more than once under the portability procedures. However, the Initial HA may limit moves to one in any 12 month period, and in compliance with the rental contract. The Housing Voucher reverts to the Initial HA when the eligible family leaves the program (if the Initial HA's Housing Voucher was used).

#### *PHA Fees*

This Municipality, as the Initial HA:

- ❖ Retains funding when the family leaves its jurisdiction.
- ❖ May be eligible to receive up to \$215.00 as a preliminary fee if the portable Housing Voucher qualifies for it (i.e., the Housing Voucher is part of a new funding increment)

A Receiving HA which chooses to administer the Housing Voucher is entitled to a % 215.00 Preliminary Fee and the \$45.00 Hard-to-House Fee from the Initial HA for each portable Housing Voucher it accepts.

For each Housing Voucher family under lease, the Receiving HA bills the Initial HA for the full amount of the Housing Assistance Payment and 80% of the on-going administrative fee (calculated by using the Initial HA's applicable FMR).

A Receiving HA which issues its own Certificate or Housing Voucher to a family using the portability opportunity may claim the Preliminary Fee from its Certificate ACC reserve or Housing Voucher Fee reserve at the same time of the Year-end Settlement.

## **12. Termination and Eviction**

Assistance under the Housing Voucher Program will be automatically continued for eligible families unless the Housing Voucher Contract is terminated.

### *Termination*

The Housing Voucher Contract may be terminated by the HA for reasons similar to those set forth in the AP Contract, such as:

- ❖ The family vacates the unit in violation of the lease
- ❖ The owner terminates tenancy in accordance with HUD regulations
- ❖ The family moves from its unit with the owner's approval
- ❖ The owner has evicted the family in accordance with State/Local Law.

The HA may also terminate the Housing Voucher Contract if:

- ❖ The family no longer requires assistance, i.e, if 30% of the adjusted income exceeds the Applicable Payment Standard (the Housing Voucher Contract remains in effect for one year after the family's assistance is terminated)
- ❖ The unit fails HQS
- ❖ The unit is overcrowded and does not meet the HQS space requirements
- ❖ The family does not comply with the obligations stated in the Housing Voucher
- ❖ The HA discovers program abuse
- ❖ The owner is not in compliance with the terms of the Housing Voucher Contract

As in the Certificate Program, the family/owner will be notified in writing prior to termination. The requirements for the HA to conduct an informal hearing also apply to Housing Voucher families.

### *Evictions*

Eviction procedures will be the same as in the Certificate Program. Although the HA does not authorize or deny eviction actions, owners are required to:

- ❖ Comply with the requirements of State/Local Law

- ❖ Provide a copy of the notice to the HA when the notice is given to the family.

The HA must determine whether the family is eligible to receive continued assistance under the Housing Voucher Program.

### **13. Monitoring Applicable Payment Standards and Budgets**

At least annually, the HA will review Applicable Payment Standards and determine if any changes are appropriate.

On a continuing basis, the HA will monitor expenditures to ensure that annual contract authority is not exceeded.

The HA will submit end-of-year financial reconciliations.

### **14. Security Deposits: Amounts Owed by Tenants**

In accordance with Final Rule 982 (7/3/95), the HA eliminated the imposed limit on the amount of owner security deposit. The HA prohibits security deposits in excess of private market practice.

### **15. Elimination of Payments to Owners for Damages, Vacancy Loss and Unpaid Rents**

Our HA, in accordance with the Final Rule 982, dated July 3, 1995, eliminated the right of the owner to claim reimbursement from the HA for damages, unpaid rents and any other amount owed by the tenant under the base. The owner must seek, from the tenant, payment of any damages. If the Housing Voucher family vacates its unit in violation of its lease, the owner retains the payment for the month in which the vacancy occurred.

## **VI. Monitoring Program Performance**

The HA has established an internal program and performance control system for monitoring compliance with program requirements. The objectives of the system include the following:

- ❖ To ensure compliance with HUD program and regulatory requirements

- ❖ To track the performance of the Section 8 and FSS Programs against established goals and objectives.
- ❖ To identify HA operational areas where improvement or corrective action is required
- ❖ To ensure effective utilization of staff and other resources in order to meet program demands.
- ❖ To provide the basis for corrective action-planning where formal changes in organization, operation or significant program-related areas are indicated.

The monitoring and control system calls for the establishment of detailed files and record keeping, and the periodic review of files and records, with regular reports prepared and submitted to the Program Director.

Program personnel prepare and submit weekly reports to the Program Director. The Director reviews the information presented and summarizes the data. This summary is utilized to compare planned and actual program performance regarding the HA's goals. Files have been established to provide the basis for monitoring and ensuring compliance with a variety of program requirements as well as fulfillment of Section 8 and FSS Program goals. Monitoring of the program records and files will cover the following program requirements and performance:

*Program and Performance Requirements*

- ❖ The 100% very low income requirement
- ❖ The HUD-approved unit size distributions
- ❖ The 10% exemption authority. If authority is needed for more than 20% of the units, the HA's request must be approved by HUD prior to the execution of any additional AP contracts for units with higher contract rents.
- ❖ The utilization of the program by eligible elderly, handicapped, and disabled families
- ❖ The annual and special re-examinations requirements
- ❖ Accuracy of AP payments to owners
- ❖ Leasing progress in a new increment of units
- ❖ Occupancy rate of units in the managements phase
- ❖ Supervisory review of 5% HQS and 10% of Section 8250.058
- ❖ Size of waiting list

- ❖ Implementation of HQS
- ❖ Implementation of Federal Preferences
- ❖ Determination of rent reasonableness
- ❖ Annual revision of utility allowance
- ❖ Implementation of a non-discrimination policy

*Section 8 Office Occupancy Records (including FSS Program)*

- ❖ Tenant Files
- ❖ Family Service Records

*Section 8 Office Internal Statistical Reports*

- ❖ Percentage of minority participant families
- ❖ Percentage of single-parent, female head-of-household, participant families
- ❖ Percentage of assisted families on Social Services
- ❖ Percentage of assisted families with earned income
- ❖ Percentage of assisted families with unique needs for whom contract rents of up to 120% of the FMR's were authorized by the HUD field office
- ❖ Percentage of families who leased in place
- ❖ Percentage of assisted families who leased units of smaller or larger sizes than those listed on their certificates
- ❖ Number of assisted families who have been evicted with Section 8 Office authorization
- ❖ Number of families who have left the program
- ❖ Number of units occupied by handicapped families
- ❖ Number of vacancy loss claims
- ❖ Number of AP Contract terminations due to non-compliance with Housing Quality Standards
- ❖ Number of owners who have dropped out of the program.

## **VII. Project Based Certificate Program**

The HA unit selection policy will be as follows:

The HA will take the applications and determine the eligibility of all tenants residing in approved units who wish to apply for the program. After eligibility of all tenants has been determined, the owner must be informed of any adjustment in

the number of units to be assisted. In order to make the most efficient use of housing assistance funds, an agreement may not be entered into covering any unit occupied by a family that is not eligible to receive housing assistance payments. Therefore, the number of units approved by the HA for a particular proposal must be adjusted to exclude any units(s) determined by the HA for a particular proposal must be adjusted to exclude any unit(s)\_ determined by the HA to be occupied by a family not eligible to receive housing assistance payments. Eligible families will be briefed at this stage as to their rights and responsibilities under the program.

## **VIII. Local Policy for Mobility and Portability for the Section 8 Existing Housing Certificate and Voucher Programs**

The HA has developed the following policy concerning limitation on adjacent HA's Certificate and Vouchers moves:

- ❖ This HA will not accept, or refer, mobility or portability of Certificates or Vouchers from, or to any adjacent HA's.

The determination taken to establish this policy is based on the fact that the adjacent HA's are within commuting distance from our HA.

The Certificates and Vouchers can be administered and serviced by these HA's Municipalities without having to assign them to, or receive them from our HA.

## **IX. Local Policy Concerning Verification of Documents and/or Information**

The following policy for the treatment of applicants and participants regarding verification of citizenship and/or place of birth will be executed through a third party (independent) verification. If a third party verification cannot be used, the HA will document in the file why another method was used.

This policy also applies to all other Program verification requirements.

**X. Local Policy Concerning Prohibition of Preference if Applicant was evicted for Drug-related Criminal Activity (24 CFR, 982.208) and Administrative Hearing Process/ Termination Notice.**

This HA may not give preference to a applicant (federal preference, ranking preference, or local preference) if any member of the family is a person who was evicted during the past three years because of drug-related criminal activity from housing assisted under a 1937 Housing Act program. It's up to us, as a HA the final decision to give admission preference in any of the following cases:

- ❖ If the HA determines that the evicted person has successfully completed a rehabilitation program approved by the HA.
- ❖ If the HA determines that the evicted person clearly did not participate in or know about the drug-related criminal activity
- ❖ If the HA determines that the evicted person no longer participates in any drug-related criminal activity.

Participants of the Section 8 Existing Housing Certificate and Voucher Programs who are involved in drug-related criminal activity will be oriented to the Administrative Housing Process as soon as they receive Termination Notice.

The HA could require evidence from any family member involved in drug-related criminal activity about the rehabilitation plan in any institution certified by the state agencies in order to approve it.

Note:

The HUD-approved Action Plan for the Family Self Sufficiency program (FSS) constitutes part of this Administrative Plan.

## **XI. Policy (UIV) Upfront Income Verification**

The Housing Authority of Rincon plan proposes minor changes to the Housing Choice Voucher Program Administrative Plan establishing a policy to secure and includes staff utilization of Upfront Income Verification (UIV) information TASS (Tenant Assessment Subsystem) to verify the household income of program participants.

This is a key strategy in reducing income and rent errors attributable to unreported income and to increase accuracy and efficiency in determining family eligibility and computing rent calculations. The Enterprise Income Verification (EIV) System is for the use of the third party verification plus additional requirements in reexamination and interim reexamination of family income and composition annually.

## **XII. Policy Mandatory Prohibition of Sex Offenders**

The Municipality of Rincon has established standards that prohibit admission to the program if any member of the household is subject to a lifetime registration under a State sex offender registration program (24 CFR 982.553 (2) ). The Municipality of Rincon (RQ067) 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 in the State where the dwelling unit is located and in other State where the household members are known to have resided. The screening is to be carried-out through the Puerto Rico Department, which issues a *Certificate of Conduct*.

The Municipality of Rincon will deny admission if any member of the household is subject to a lifetime registration requirement under a 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.

### **XIII. Policy Domestic Violence Statement –Housing Choice Voucher Program**

The violence against Women 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 U.S.C. 1437c-1) to require PHA's five-year and annual PHA Plans to contain a Domestic Violence Policy Statement regarding any goals, activities, objectives, policies, or programs of the PHA that are intended to support or assist victims of domestic violence, dating violence, sexual assault, or stalking as well as members of the victims immediate families from losing their HUD assisted housing as a consequence of the abuse of which they were the victim. While awaiting new guidelines from the Department of Housing and Urban Development for implementing VAWA the Municipality of Rincon (RQ067) has adopted the following goals and objectives, for Domestic Violence Policy.

- ❖ The VAWA applies to the Housing Choice Voucher Program
- ❖ The applicant/tenant/victim will be treated with respect and dignity
- ❖ The Municipality of Rincon will notify Housing Choice Voucher owners and managers of VAWA.
- ❖ The Municipality of Rincon will notify voucher holders of their rights under VAWA including the possible portability of vouchers between jurisdictions to escape an imminent threat of further domestic violence or stalking.
- ❖ VAWA will be incorporated into the landlord and tenant orientate on process.
- ❖ Necessary conforming amendments to Housing Choice Voucher Program rules, regulations and paperwork will be further addressed after receipt of guidelines from the Department of Housing and Urban Development (HUD).

## **XIV. Expanding Housing Opportunities**

### **A. Written Policy**

Administrative Plan includes an owner outreach Program to encourage owners to participate in the program. We will include a map of the information packet that shows the best areas to rent

### **B. Puerto Rico Map**

It shows the location of our Municipality and the Municipalities of Aguada, Aguadilla, Moca and Isabela where the participants could find a house. This map will be included in the information packet and discuss in the briefing.

### **C. Municipality of Rincon**

We will include this map in the information packet in which the Participants can find a place outside a poverty area. As you can see only areas are considered low poverty areas in our municipality but our efforts resulted in a lot of owners registered and willing to rent their houses to the Section 8 program. (see owners willing to rent list).

## **XV. Policy of Reasonable Rent Written Method**

The HA ensure that rents charged by owners to housing choice voucher program participants are reasonable. HA will compare the rent for the voucher unit to rents for similar unassisted in the marketplace the rent to rents for similar units on the program.

Prior to executing a lease contract, the Section 8 Office undertakes a study to determine the rent that is being paid for housing units in the area with the same characteristics. Each participant's file has a copy of the study conducted certifying the reasonableness of the contract. Reasonableness of rent will be determined by consulting the Department of Consumer Affairs and/or by means of comparison with the rent of similar unassisted standard units in the neighboring areas. The HA will use **Exhibit 9-1, Survey Form for Unassisted Rental Units and Exhibit 9-4, Rent Reasonableness Checklist Format**. Before the HA may approve any rent

increase to the owner, the HA will determine and document whether the proposed rent is reasonable compared to similar units in the marketplace and not higher than those paid by unassisted tenants on the premises. In conducting rent reasonableness, the HA will determine whether the rent to the owner is a reasonable rent in comparison to the rent for the other comparable unassisted units. In determining comparability, the HA will consider: **Location, quality, size, unit type, and age of the contract unit and amenities, housing services, maintenance, and utilities the owner must provide under the lease.** In addition to rent reasonableness requirements, state or local rent control limits rents may regulate rents. The Section 8 Offices inform families on the process of locating a suitable housing unit as well as on lease provisions. When possible, the owner is oriented about program procedures and regulations at the Section 8 Offices. In cases where the rent is over the fair market rent and the difference is considered reasonable, the HA may approve exemption rents up to 10% over the FMR, but this may not exceed 20% of the units under ACC for the HA Voucher Program records and documents related to lease approval will be filed at the program's office for the life of the contract and for at least 3 years after cancellation of the same. The HA will use a model lease contract approved by HUD. The HA will conduct a study on rent reasonableness when it is considered necessary to establish that the contract rent in excess of rents currently being charged by owners for comparable unassisted units.

In accordance with Final Rule 982 (7/95), the HA eliminated the imposed limit on the amount of owner security deposit. The HA prohibits security deposits in excess of private market practice.

The HA will assist the families that claim that illegal discrimination has prevented the family from leasing a suitable unit: Ex., single women with many children.

The HA states that it will be its policy non-confidential information about a family to prospective owners.

MUNICIPALITY OF RINCÓN  
PHA JURISDICTION MAP



SECTION 8  
HOUSING VOUCHER PROGRAM  
ADMINISTRATIVE PLAN  
2008-REVISION