

PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011
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1.0	PHA Information PHA Name: <u>Puerto Rico Housing Finance Authority</u> PHA Code: <u>RQ911</u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>07/2010</u>					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: <u>2,180</u>					
3.0	Submission Type <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only					
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)					
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program	
	PHA 1:				PH	HCV
	PHA 2:					
	PHA 3:					
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.					
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: *PRHFA mission for the next five years is to assist families within the income limits established by the Section 8 Program in PR, to find a decent, safe, adequate and affordable housing and suitable living environment free from discrimination.					
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. *PRHFA Goals and Objectives for the next 5 years are: <ul style="list-style-type: none"> • Apply for additional Vouchers if necessary and if they become available • Continue searching for property owners interested in renting under Section 8 Program • Increase services for elderly and handicap families <hr/> *PRHFA had made the following progress meeting the goals and objectives for the previous 5-Year Plan: <ul style="list-style-type: none"> • Increase the vouchers units utilization • Improve voucher management in SEMAP Score from Standard to High Performance • Increase the availability of affordable housing for participants 					
6.0	PHA Plan Update (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: <ul style="list-style-type: none"> *Minimum Rent was increased from 0 to \$50 *FSS Program was implemented in 2009 *Waiting List for HCV was closed since 6-30-2009 (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions. <ul style="list-style-type: none"> *Main Office 					

7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i></p> <p>* Homeownership Programs Statement:</p> <p>PRHFA will not plans to administer a Section 8 Homeownership Program during the next five years.</p>
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable. N/A</p>
8.1	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing. N/A</p>
8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for five year period). Large capital items must be included in the Five-Year Action Plan. N/A</p>
8.3	<p>Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements. N/A</p>
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>*The most relevant needs for low, lower and extremely low income families, sole members families without disabilities and elderly, is the lack of affordability and availability of smaller units of one bedroom in metropolitan area. In order to address this and other type of housing need, in accordance with the Consolidated Plan of PR, funds were allotted for housing rehabilitation projects.</p>

9.1	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p> <p>*PRHFA will continue gathering information about units available for rent in Section 8 Program, in order to expand affordable housing supply information for families in the jurisdiction and on the waiting list. Since June 2009 the waiting list is closed, because until now available funds are not sufficient to support more vouchers.</p>
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>*PRHFA took some steps in order to assist families to locate a decent safe and adequate housing and to increase the availability of affordable housing for participants:</p> <ul style="list-style-type: none"> • To address housing needs, PHA developed a form model request units information, that has to be filled by landlords interested in renting their properties under Section 8. The intention of this form is to maintain a supply units most demanded or needed by participants in PR. • The PHA also had a very productive meeting with "Asociación de Arrendadores de Bienes Inmuebles de PR Inc." in order to obtain the attention of private landlords in this matter. The result of the meeting was that most of landlords made their properties available for the program. <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"</p> <p>*PHA Significant Amendment and Substantial Deviation/Modification definition:</p> <p>Significant Amendment and Substantial Deviation/Modification is defined by PRHFA as a discretionary change in the plans or policies of the Agency, that fundamentally changes the mission, goals or objectives for the Section 8 Programs administered by the PHA, and which require formal approval of the Puerto Rico Housing Finance Authority Board of Commissioners.</p>

11.0

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

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights)

***Signed original form will be submit to Local HUD Field Office with the hard copy of this 5-Year and Annual Plan**

- (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. 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.

***RAB Composition:**

President of the Board – Magdalena Rucabado
Vice-President – Luis O. Berrios
Section 8 Coordinator - Nydia Vega
Religious Sector - Marie Villanueva
Private Sector - Pablo Catala
Community Lidars - Fabiola Serra & Lissette Fas
Lawyer- Lourdes Soto
Residents-Chris Pirela & Judith H. Sierra

Family Service Coordinator – Rosa Ayuso

The meeting with the Board to discuss the PHA 5-Year & Annual Plan was programmed for 3-1-2010 at 2:00 pm.
The general public hearing for consultation was announced for 3-15-2010 at 3:00 pm
For both meetings the RAB resident members were absent.

Consultation Process for comments from the RAB and explanation of PHA response:
Before and after Public Hearing, no comments were received from the RAB.

- (g) Challenged Elements

***At list one FSS Escrow Account**

- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (PHAs receiving CFP grants only)
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)

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

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

Instructions form HUD-50075

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

1.0 PHA Information

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

2.0 Inventory

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

3.0 Submission Type

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

4.0 PHA Consortia

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

5.0 Five-Year Plan

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

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

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

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

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office

or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.
2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.

6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected.
7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**
8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.
9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
13. **Violence Against Women Act (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

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

- (a) **Hope VI or Mixed Finance Modernization or Development.** **1)** A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: **(1)** A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and **(2)** A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm **Note:** This statement must be submitted to the extent **that approved and/or pending** demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: **1)** A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or that the public housing agency plans to voluntarily convert; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>
- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

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

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

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

Annual Statement/Performance and Evaluation Report must be submitted annually.

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

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

8.2 Capital Fund Program Five-Year Action Plan

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

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

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

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

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

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

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

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

ATACHMMMENTS:

1. **PRHFA description of Domestic Violence, Dating Violence, Sexual Assault and Staking**
 2. **Administrative Plan**
 3. **Action Plan for the Family Self Sufficiency (FSS) Program**
 4. **From HUD 50077 PHA Certification of Compliance with PHA Plans and Related Regulations**
 5. **Cita a reunión Junta de Residentes Plan de 5 Años y Anual de la Autoridad (letter model)**
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PRHFA description of Domestic Violence, Dating Violence, Sexual Assault and Staking of:

- (1) 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;
 - **PRHFA informed, in writing, all housing programs tenants, landlords and applicants of VAWA provisions, and currently all new applicants are informed in writing of VAWA.**
- (2) Activities, services, or programs provided or offered that helps child or adult victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing;
 - **PRHFA will not terminate assistance, tenancy or occupancy rights if a tenant or an immediate member of the tenant family is the victim or threatened victim of abuse. PRHFA is allowed to request that victims or a family of the victim, attest to their victim status by completing, signing and submitting the Certification of Domestic Violence, Dating Violence, Sexual Assault and Staking form HUD-50066.**
- (3) Activities, services, or programs provided or offered to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. PHAs are also encouraged to describe in its VAWA statement the PHA procedures in place that assures that tenants are notified of their rights under VAWA.
 - **PRHFA VAWA Policies and Procedures:
(Forms, notifications and certifications utilized in VAWA procedures, will be sent to HUD Field Office with the hard copy of the PHA-5 Year and Annual Plan).**

Prohibition against Denial of Assistance Victims of Domestic Violence, Dating Violence, and Stalking (VAWA) [Pub.L.109-162]

The Violence Against Women Reauthorization Act of 2005 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. Specifically, Section 606(1) of VAWA adds the following provision to Section 8 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the housing choice voucher program:

That an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate reason for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

Definitions as used in VAWA:

- The term domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- a. The length of the relationship.
- b. The type of the relationship.
- c. The frequency of interaction between the persons involved in the relationship

The term stalking means:

- a. To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
- b. To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
- c. In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

The term immediate family member means, with respect to a person:

- a. A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or
- b. Any other person living in the household of that person and related to that person by blood and marriage.

Notification and Victim Documentation

Policy

VAWA are incorporated into applicants, tenants and landlords orientation process.

1. The Voucher Kit includes the notice: "Información Importante para la Familia y el Arrendador sobre la Ley de Violencia Doméstica, Violencia por Acompañante o Acecho", with the rights of applicants and tenants vouchers holders, including the possible portability of vouchers between jurisdictions to escape an imminent threat of further domestic violence or stalking. Also the notice includes VAWA landlord's obligations.
2. The PHA also provide to all vouchers holders information from the "Oficina de la Procuradora de las Mujeres (OPM) of Puerto Rico" with important information about how to obtain services in case of violence against women (education, support, orientation, service coordination, shelters, and more)

The PHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history that would warrant denial under the PHA's policies. Therefore, if the PHA makes a determination to deny admission to an applicant family, the PHA will include in its notice of denial a statement of the protection against denial provided by VAWA and will offer the applicant the opportunity to provide documentation affirming that the cause of the unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking. The documentation must include two elements:

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

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

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

The applicant must submit the required documentation with her or his request for an informal review or must request an extension in writing at that time. If the applicant so requests, the PHA will grant an extension of 10 business days, and will postpone scheduling the applicant's informal review until after it has received the documentation or the extension period has elapsed. If after reviewing the documentation provided by the applicant the PHA determines the family is eligible for assistance, no informal review will be scheduled and the PHA will proceed with admission of the applicant family.

Perpetrator Removal or Documentation of Rehabilitation

Policy

In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, or stalking, the PHA will proceed as above but will require, in addition, either (a) that the perpetrator be removed from the applicant household and not reside in the assisted housing unit or (b) that the family provide documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment.

If the family elects the second option, the documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation. This additional documentation must be submitted within the same time frame as the documentation required above from the victim.

Confidentiality Requirements

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



PUERTO RICO HOUSING FINANCE AUTHORITY

PO Box 71361, San Juan, PR 00936-8461

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ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM PHA DISCRETIONARY POLICIES AND PROCEDURES

The Section 8 Housing Choice Voucher Program, authorized by the U. S. Housing Act of 1937, as amended (the Act), assists eligible families in the payment of rent for decent, safe and sanitary housing, as determined under the program provisions and requirements.

Through the administration of this program, the Puerto Rico Housing Finance Authority (the Authority) a duly qualified and approved Public Housing Agency (PHA) offers expanded opportunities for rental assistance to eligible very low income families by utilizing existing housing, determined by the PHA to meet HUD's minimum Housing Quality Standards (HQS). If the unit, the lease and the rental rate are acceptable, the PHA enters into a contract with the owner to make rent subsidy payments on behalf of the family.

The U. S. Department of Housing and Urban Development (HUD) provides the Corporation, as PHA, with annual contributions to cover housing assistance payments and other expenses pursuant to the Act upon the execution of an Annual Contributions Contract (ACC) between the agencies.

SECTION II – CONTENTS OF THE PLAN

I. INTRODUCTION

As provided under 24 CFR Part 982.54, this revised Administrative Plan describes only the policies concerning the functions for which the Public Housing Agency (PHA) has discretion to establish local policies and procedures for treatment of applicants or participants upon the merger of the Section 8 Certificate and Voucher Programs, into a single new Section 8 Voucher Program (authorized under Section 8 of the U. S. Housing Act, 42 U.S.C. 1437f(0)), entitled the **Housing Choice Voucher Program**. The Plan will be subject to revisions as it may be required by HUD or the PHA. Copy of the approved Plan will be transmitted to the HUD Field office pursuant to 24 CFR 982.54(b).

II. PHA DISCRETIONARY POLICIES AND PROCEDURES

A. General Policies

Families must consent to the release of income verifications information. The income data and any information supplied by applicant families must be true, complete and accurate.

1. **Denial of Admissions** – Denial of admissions for omissions of information by the family.

Omission - The PHA may prohibit admission if any member of the household omits relevant information necessary to determine eligibility to the program such as income, immigration status or family composition.

Intentional Omission – The PHA must prohibit admission if any member of the household intentionally omits relevant information necessary to determine eligibility to the program such as income, immigration status or family composition.

The omission is considered intentional when the PHA has irrefutable evidence that corroborates the intention of the omission by the family, such as family certifications or declarations and third party verifications.

Families must consent to the release of income verifications information. The income data and any information supplied by participant families must be true, complete and accurate.

2. **Terminating Assistance** - Termination of assistance for omissions of information by the family.

Omission - The PHA may terminate assistance if any member of the household omits relevant information necessary to determine or re-determine eligibility to the program or to ensure that the family pays rent commensurate with their ability to pay. For example omit information such as income, immigration status or family composition.

Intentional Omission – The PHA must terminate assistance if any member of the household intentionally omits relevant information necessary to determine or re-determine eligibility to the program or to ensure that the family pay rent commensurate with their ability to pay. For example omit information such as income, immigration status or family composition.

The omission is considered intentional when the PHA has irrefutable evidence that corroborates the intention of the omission by the family, such as family certifications or declarations and third party verifications.

The PHA must not re-admit in the program those families in such cases when the PHA has terminated the assistance, because, intentional omission.

B. Policies Concerning Criminal Activity

1. **Denial of Admissions** - Denial of admission for criminals, members of the family who has committed fraud or any other corrupt or criminal act in connection with any Federal Housing program, alcohol abusers and drug criminals:

Mandatory Prohibition of Sex Offenders - Puerto Rico Housing Finance Authority 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)). Puerto Rico Housing Finance Authority (RQ911) will screen the family by performing a criminal history background check necessary to determine whether any household member is subject to a lifetime sex offender registration requirement in the State where the dwelling unit is located and in other States where the household members area known to have resided. The screening is to be carried-out through the Puerto Rico Police Department, which issues a *Certificate of Conduct*.

Puerto Rico Housing Finance Authority will deny admission if any 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.

Sex Offenders -The PHA must prohibit admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. (The PHA must perform criminal history background checks necessary to determine whether any household member is subject to a lifetime sex offender registration requirement in the State where the housing is located and in other States where the household members are known to have resided);

The PHA must require criminal records from the prior State where the family lived, in order to verify if any household member is subject to a sex offender registration program.

Eviction for fraud or drug related activity - The PHA must prohibit admission to the program of an applicant for three years from the date of eviction if a household member has been evicted from federally assisted housing for fraud or drug-related criminal activity.

However, the PHA may admit the household if the PHA determines:

- a. That the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA; or

- b. That the circumstances leading to eviction no longer exist (for example, the criminal household member has died or is imprisoned).

Alcohol Abuse - The PHA must prohibit admission to the program if the PHA determines that it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. However, the PHA may admit the household if the PHA determines:

- a. That the household member is participating in or has successfully completed a supervised alcohol rehabilitation program and submit evidence of otherwise having been rehabilitated successfully.

Illegal Use of Drugs -The PHA must prohibit admission if the PHA determines that any household member is currently engaging in illegal use of a drug; and the PHA determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. (For purposes of this section, a household member is "currently engaged in" criminal activity if the person has engaged in the behavior recently enough to justify a reasonable belief that the behavior is current);

Conviction for manufacture of methamphetamine - The PHA must prohibit admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

Other Criminal Activity - The PHA must prohibit admission of a household to the program if the PHA determines that any household member is currently engaged in, or has engaged in during two years before the admission:

- a. Drug-related criminal activity;
- b. Violent criminal activity ("serious bodily injury or property damage");
- c. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or
- d. Other criminal activity, which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

The PHA may admit the household:

If the PHA has sufficient evidence that the members of the household are not currently engaged in, and have not engaged in, such criminal activity during two years, before the admission decision.

2. The PHA would have "sufficient evidence" if the household member submitted a certification that she or he is not currently engaged in and has not engaged in such criminal activity during two years and provides supporting information from such sources as a probation officer, a landlord, neighbors, social service agency workers and criminal records, which the PHA verified.

Preponderance of Evidence -The PHA may deny admission for criminal activity by a household member as authorized in this section if the PHA determines, based on a preponderance of the evidence, that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted for such activity.

Use of criminal record - If the PHA proposes to deny admission for criminal activity as shown by a criminal record, the PHA must provide the subject of the record and the applicant with a copy of the criminal record. The PHA must give the family an opportunity to dispute the accuracy and relevance of that record, in the informal review process in accordance with Sec. 982.554. (See part 5, subpart J for provision concerning access to criminal records.)

2. Terminating assistance for drug criminals

Illegal Use of a Drug -The PHA must terminate assistance if the PHA determines that any household member is currently engaging in illegal use of a drug; and the PHA determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. (For purposes of this section, a household member is "currently engaged in" criminal activity if the person has engaged in the behavior recently enough to justify a reasonable belief that the behavior is current);

Conviction for drug related manufacture of methamphetamine - The PHA must immediately terminate assistance for a family under the program if the PHA determines that any member of the household has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

Alcohol Abuse -The PHA must terminate assistance to the program if the PHA determines that it has reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

Drug-related criminal activity - The PHA must terminate assistance under the program for a family if the PHA determines that any family member has violated the family's obligation under Sec. 982.551 not to engage in any drug-related criminal activity.

Other criminal activity - The PHA must terminate assistance of a household to the program if the PHA determines that any household member has violated the family's obligation under Sec. 982.551 not to engage in any violent criminal activity:

- a. Violent criminal activity ("serious bodily injury or property damage");
- b. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or
- c. Other criminal activity, which may threaten the health, or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

Preponderance of Evidence - The PHA may terminate assistance for criminal activity by a household member if the PHA determines, based on a preponderance of the evidence that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted for such activity.

Use of criminal record - If the PHA proposes to terminate assistance for criminal activity as shown by a criminal record, the PHA must notify the household of the proposed action to be based on the information and must provide the subject of the record and the tenant with a copy of the criminal record. The PHA must give the family an opportunity to dispute the accuracy and relevance of that record in accordance with Sec. 982.555. (The PHA may not pass along to the tenant the costs of a criminal records check).

Continued Assistance -The PHA may impose, as a condition of continued assistance for other family members, that the other family members who participated in or were culpable for the action or failure, will not reside in the unit and permit the other members of a participant family to continue receiving assistance.

C. Prohibition against Denial of Assistance Victims of Domestic Violence, Dating Violence, and Stalking (VAWA) [Pub.L.109-162]

The Violence Against Women Reauthorization Act of 2005 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. Specifically, Section 606(1) of VAWA adds the following provision to Section 8 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the housing choice voucher program:

That an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate reason for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

Definitions as used in VAWA:

- The term domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- d. The length of the relationship.*
- e. The type of the relationship.*
- f. The frequency of interaction between the persons involved in the relationship*

The term stalking means:

- d. To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or*
- e. To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and*
- f. In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.*

The term immediate family member means, with respect to a person:

- c. A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or*
- d. Any other person living in the household of that person and related to that person by blood and marriage.*

Notification and Victim Documentation

Policy

VAWA are incorporated into applicants, tenants and landlords orientation process.

3. *The Voucher Kit includes the notice: Información Importante para la Familia y el Arrendador sobre la Ley de Violencia Doméstica, Violencia por Acompañante o Acecho, with the rights of applicants and tenants vouchers holders, including the possible portability of vouchers between*

4. *jurisdictions to escape an imminent threat of further domestic violence or stalking. Also the notice includes VAWA landlord's obligations.*
5. *The PHA also provide to all vouchers holders information from the "Oficina de la Procuradora de las Mujeres (OPM) of Puerto Rico" with important information about how to obtain services in case of violence against women (education, support, orientation, service coordination, shelters, and more).*

The PHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history that would warrant denial under the PHA's policies. Therefore, if the PHA makes a determination to deny admission to an applicant family, the PHA will include in its notice of denial a statement of the protection against denial provided by VAWA and will offer the applicant the opportunity to provide documentation affirming that the cause of the unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking. The documentation must include two elements:

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

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

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

The applicant must submit the required documentation with her or his request for an informal review or must request an extension in writing at that time. If the applicant so requests, the PHA will grant an extension of 10 business days, and will postpone scheduling the applicant's informal review until after it has received the documentation or the extension period has elapsed. If after reviewing the documentation provided by the applicant the PHA determines the family is eligible for assistance, no informal review will be scheduled and the PHA will proceed with admission of the applicant family.

Perpetrator Removal or Documentation of Rehabilitation

Policy

In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, or stalking, the PHA will proceed as above but will require, in addition, either (a) that the perpetrator be removed from the applicant household and not reside in the assisted housing unit or (b) that the family provide

documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. If the family elects the second option, the documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation. This additional documentation must be submitted within the same time frame as the documentation required above from the victim.

Confidentiality Requirements

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

1. Waiting List, Eligibility Determination, Selection and Admission Applicants

Open a Waiting List – The PHA must give a public notice by publication in a local newspaper of general circulation and other suitable means, in compliance with HUD fair housing requirements and HUD regulations, when opens the waiting list. The Waiting List will be open if program funding is available.

Closing The Waiting List – The PHA must give a public notice by publication in a local newspaper of general circulation and other suitable means, in compliance with HUD fair housing requirements and HUD regulations, when the PHA determines closing the waiting list, because program funding are not available or, because the existing waiting list contains an adequate pool for use of available program funding.

Waiting List - Participants will be selected from the PHA waiting list, in accordance with the admission policies included in this Administrative Plan. The waiting list for the program is organized by the application date and time. It maintains information that permits the selection of participants from the top in accordance with the PHA admission policies and the requirements under 24 CFR 982.204, “Administration of Waiting List”.

Eligibility Determination, Selection and Admission Applicants - The PHA will only admit eligible families to the Housing Choice Voucher Program. The applicant must be a “family”, income eligible and a citizen or a non-citizen who has eligible immigration status, as determined under the provisions of 24 CFR 982.201,

“Eligibility” and, if the household head or co-head are less than 21 years, must have a legal emancipation writing in order to be eligible.

Preferences - The PHA will not adopt any admission preferences.

Removing applicant names from the waiting list – The PHA will remove names of applicants from the waiting list when:

- a. The applicant family request to be withdrawn from the waiting list,
- b. The applicant family did not respond to the PHA request or updates for information,
- c. The applicant family did not respond to the PHA or to the owner request to sign the contracts, or reject the opportunity,
- d. The applicant family cease to be eligible to the program,
- e. The applicant family cease to be eligible to the program because, the family intentionally omits information.

2. Policy for Issuing or Denying Vouchers

- a. **New Admissions:** The Voucher is issued when the applicant reaches the top of the waiting list and the eligibility requirements are verified. Reliable third party verifications are used to corroborate income, such as Social Security Administration, Work Department – Unemployment Compensation Certification, *Administración de Sustento para Menores (ASUME)*, Temporary Assistance for Needy Families (TANF), and employers’ verifications.
- b. **Portability:** The applicants who were nonresidents at the time of application must have to live in the PHA’s jurisdiction during the first year, unless the applicant is a victim of domestic violence.
- c. **Participants:** The following policy is established or applies for issuance of a new voucher to a participant family in the Program:
 1. The family have one week after signing the lease to move in to the assisted unit, and must have resided in the unit for at least one year, unless the family has a victim of domestic violence;
 2. The family has not violated the lease contract nor the provisions established in the Statement of Family Responsibilities;
 3. The family have to paid in full any debt with the PHA before applies for a new voucher,
 4. The family is required to move because the unit has failed to meet the Housing Quality Standards (HQS);
 5. The family has not engaged in or threatened abusive or violent behavior toward PHA personnel;
 6. For a good cause as defined in the Statement of Family Responsibilities, HUD regulations and PHA policies; and

7. The PHA must not issue to a participant a voucher for a portable move if the family has moved out of the unit in violation of the lease, HUD regulations or PHA policies.
 - d. **Term and Extensions of the Vouchers:** The initial term of the voucher will be for 60 days. The PHA will provide two (2) extensions of 30 days each, if necessary.
 - e. **Suspension of the Voucher Term:** If a request for lease approval is submitted in the last extension term, the suspension of the voucher will be from the time the family submits the request for the PHA approval to lease a unit until the time the PHA approves or denies the request.
3. **HUD Funding for Specified Families or a Specific Category of Families:** The PHA will comply with HUD directives when receiving HUD funds for a special purpose (e.g., desegregation), including funding for specified families or a specific category of family, per 24 CFR 982.54(3). No PHA special rules other than HUD's are set for these cases.
4. **Occupancy Policies and Definitions**
 - a. Definition of What Group of Persons May Qualify as a "family".
 1. The inclusion of a minor child (other than the own son or daughter) as a member of the family composition will be considered if the family has the legal custody of the child or it is being processed.
 2. In the case of adults, the PHA will accept next of kin persons to the head of the household or spouse, if no overcrowding results. If no such relationship exists, the PHA will analyze and consider the situations on a case by case basis.
 - b. **Definition of When a Family is considered to be "continuously assisted":** A family applying for a Section 8 Voucher is considered to be continuously assisted when the family is already receiving assistance through other program under the 1937 Housing Act, as amended. Also, if at the date of application the assistance has been interrupted for 30 days or less, due to reasons beyond the control of the applicant, the family will be considered continuously assisted.

The PHA will provide applicants that have shown difficulties to locate housing in areas outside of poverty a questionnaire to be able to identify and document the experiences encountered to locate housing.

PUERTO RICO HOUSING FINANCE AUTHORITY WILL TAKE THE FOLLOWING ACTIONS TO ENCOURAGE PARTICIPATION BY OWNERS OF UNITS LOCATED OUTSIDE AREAS OF POVERTY OR MINORITY CONCENTRATION, AND WHICH CLEARLY DELINEATE AREAS IN ITS JURISDICTION THAT THE PHA CONSIDERS AREAS OF POVERTY OR MINORITY CONCENTRATION:

- c. The Section 8 Vouchers are issued in a group activity where Owners of projects located outside areas of poverty are invited. The owners will attend to the activity and show the units available.
 - d. The PHA also includes in the information package for rental voucher holders a list of units of owners that are willing to lease and that have been determined to be located outside areas of poverty.
 - e. When the family expresses an area where they desire to live, the PHA will provide a Map of the area indicating the characteristics of the area which may include information about job opportunities such as commercial centers, schools, transportation and other services in the area.
 - f. Due to the scarcity of affordable housing in Puerto Rico, the PHA analyzed the availability of units assisted under the low-income housing tax credit program located outside areas of poverty with vacant units and includes this information and Maps in the information package for rental voucher holders.
 - g. The PHA has a form that is filled by Owners with the information of units available for rent. These forms are filed by bedroom type and provided to applicants to assist them find a unit outside of poverty concentration areas.
-
- b. The PHA must not approve a unit if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless the PHA determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities.

New Owners:

- a. The owner is responsible for screening and selection of the family to occupy the owner's unit.
 - b. New owners desiring to participate in the program must correct any deficiencies found in the initial inspection during the time period established by the PHA. Upon the owner's certification that the corrections were satisfactorily accomplished, the PHA will perform a second inspection, for approval or non-acceptance of the unit for program participation, as it may apply. The owner will be notified in writing of the results of the inspection and the PHA determination.
-
8. **Subsidy/Occupancy Standards:** The dwelling unit will have at least one (1) bedroom for each two (2) persons. Two persons of opposite sex other than the head of family or

spouse will not be required to share the same bedroom. Children of the same sex, where there is a 6-year age difference or more, will not be required to share the same bedroom. Exceptions to this policy will be granted if justified by health or handicap reasons. To obtain an exception under the latter conditions, the PHA will require a medical recommendation certificate. In addition, a smaller unit will be approved if the family requests it, provided no overcrowding exists.

9. **Family Absence from the Dwelling Unit:** The PHA will allow absence for thirty (30) days or less from the unit. If the family will be absent from the unit for over 30 days, they will be required to notify the PHA in writing and provide information for PHA evaluation, such as the purpose(s) of the family absence, address and telephone where they can be contacted, and the name, address and telephone number of the person who will be in charge of the unit during their absence. In no event will the PHA approve family absences from the unit for more than 180 consecutive calendar days in any year.

The U. S. Housing and Urban Development (HUD) requires determining fair market rents before a Rent Subsidy Contract is signed; approving rent rises to owners; whenever a 5% or more diminishing occurs in Fair Market Rents according to HUD and whenever the latter consider it necessary.

Determining Reasonableness rents - In order to comply with HUD requirements, a data bank for private market rents is necessary to compare it with any fair rent we determine. For instructions we use HUD's Manual 7420.10G, Housing Choice, Voucher Program Guidebook.

Subsidized Housing Officer: Gives the Owner's Application to the Inspection and Appraisals Area Secretary.

Secretary: Makes sure the information includes the voucher's number, address, amount of rent proposed by owner, number of bedrooms, the unit's age and type, utilities and equipment included in the application.

Enters date in which application is received in the Applications Control Checklist.

Supervisor: Assigns the case to one of the Housing Inspectors and includes his name in the Applications Control Checklist.

Housing Inspector: While inspecting the unit, gathers the required information for the "Rent Reasonableness Data for Program Unit" used by the Authority.

Selects from the Authority's data bank for non-subsidized units located on the same area as the unit being inspected and compares them against the following nine points:

- 1- Location
- 2- Quality
- 3- Size
- 4- Type of unit
- 5- Construction date
- 6- Amenities (Air conditioning, Family Room, patio, etc.)
- 7- Housing services
- 8- Maintenance
- 9- Utilities (electricity, water, electrical equipment, heaters)

The outstanding factors when comparing rents are:

- Unit's location
- Number of bedrooms
- Type of unit (garden apartment, penthouse, duplex, single unit)

Accesses the Excel table for rent comparisons and check it against the unit's rent under review.

If no rent comparison is possible, then a search is made using sources such as:

- Classified Ads
- Visits to surrounding areas
- Other public housing agencies that keep rent comparison data

All information should be incorporated into a database to be kept up-to-date.

Once the housing unit inspection is realized, the Rent Reasonableness checklist should be completed along with the inspection findings.

After all pertinent information is gathered, an analysis will be realized to determine the reasonableness rent. The following criteria should be considered:

1. Identification of the community where the unit is located.
2. Organize for each community a list identifying units by their type and by their correspondent number of bedrooms.
3. The analytic fair rent process must be done around real factors and not exclusively using an arbitrary standard measure. The idea is to avoid over paying for low quality units and underpaying for high quality ones.
4. If the unit already exists in the data, the Inspector should revise if the information for it is still correct or if some changes occurred.

5. Steps taken for the decision should appear in a narrative along with the Rent Reasonableness Check List.
6. Enough information should be provided about the decision-making process for any auditor to understand how the fair rent information was used to determine rent for the project's units. The information should also include any necessary adjustments made that significantly affect the unit's rent under consideration.
7. Fair rent determination will be signed and date of analysis will be included.
8. The report should then be presented to the Supervisor.

SUPERVISOR: REVIEWS THE RENT REASONABLENESS CHECK LIST PREPARED BY THE HOUSING INSPECTOR TO MAKE SURE THAT IT COMPLIES WITH HUD STANDARDS AND THAT THE FAIR RENT DETERMINATION IS WELL DOCUMENTED.

Secretary: Sends copy of the Rent Reasonableness Check List to the Subsidized Housing Division along with the fair rent analysis.

Updates the Applications in Process List with the final analysis date and indicate when it was delivered to the Subsidized Housing Division.

Files the original analysis document.

Supervisor: Will select annually a random sample from participating files to verify that a fair market rent has been determined for each rented unit following the above-mentioned procedure.

Makes sure that rent is reasonably evaluated when a rent increase is submitted and whenever there is at least a 5% decrease in fair market rents (FMRs) before the subsidized contract's anniversary.

Will perform an annual comparative analysis between the current HUD's Fair Market Rent Report and the previous year's report. It will identify all areas where a 5% rent reduction have occurred.

Having identified the areas, will assign Housing Inspectors to revise the rent in all present contracts.

16. **PHA Choice and Special Policies Concerning Special Housing Types in the Program (e.g., use of shared housing):** The PHA will not permit the use of shared housing in its Section 8 Programs.
17. **Policies Concerning Payment by a Family to the PHA of Amounts the Family Owes the PHA: If a family runs into debt with the PHA upon the debt determination, the PHA will establish a payment plan so that the family may settle any such account.**

The monthly payment will be determined according to the financial means of the family. The payment plan originally established may be revised, considering the financial condition of the family, if it may change. A family that is up to date in the payment plan will be permitted to move with continued assistance if the reason for the debt is not because the family intentionally has omitted information.

18. Security Deposit Amounts Owed by Tenants: The owner may collect a security deposit, but in no event will it be in excess of one month contract rent. This policy has been adopted, since this is the amount charged in the private market.

20. Verification Procedures:

General [24 CFR Part 5, Subparts B, D, E and F; 982.158; 24CFR Part 5.617]

All factors affecting eligibility for the Section 8 Program and calculation of total tenant payment, tenant rent and housing assistance will be verified by PRHFA. PHA staff will obtain written verification from independent sources whenever possible and will document tenant files whenever third party verifications are not possible as to why third party verification was impossible to obtain.

Applicants and program participants must provide true and complete information upon request by PRHFA. Verification requirements are designed to maintain program integrity. This section explains the procedures and standards for verification of income, assets, allowable deductions, family status, and changes in family composition. PRHFA will obtain proper authorization from the family before requesting information from independent sources.

Methods of Verification And Time Allowed [24 CFR 982.516]

All required information will be verified using three methods of verification in the following order:

- **Third-Party Written** – This method requires a written document to be sent to the source of the verification and a written response to be received via facsimile or mail service. Hand carried third party verifications are not acceptable. Verifications received electronically directly from the source are also considered third party written verifications.
- **Third-Party Oral** – This method requires an authorization form signed by the applicant or participant to be sent to the source of the verification and a PRHFA staff member verifies by telephone the required information and records such information on the required verification forms.
- **Review of Documents** – This method is used for documents that are hand-carried by

the applicant or participant and copied at the PRHFA office or reviewed by staff with the information recorded and certified by staff on the requisite forms.

Self-certification or self-declaration forms from the applicants or participants are not acceptable methods of verification.

PRHFA will allow two (2) weeks for return of third-party verifications and two (2) weeks to obtain other types of verifications before going to the next method identified above. The file must be documented as to why third party written verification was not used.

Verifications may not be more than 60 days old at the time of issuance of a voucher to a program applicant or a program participant. Therefore, a re-certification must be completed prior to issuance of a voucher for any program move in which the last re-certification was completed more than a 120 days prior to issuance of the voucher.

UP-FRONT INCOME VERIFICATION TECHNIQUES

Even when applicant/participant interviews are thoroughly conducted, families may not disclose all sources of income. PRHFA will make every effort to develop and implement use of up-front income verification methods to assist in accurately determining household income. Resources available for up-front income verification include the following:

- **EIV System** - EIV System make integrated income data available from one source, via the Internet, for PHAs to use to improve income verification during required income reexaminations. Provides new hire, wage, unemployment compensation, and Social Security benefit information through a data matching process by HUD form 50058. Allows to view monthly employer new hire information, quarterly wage, employer information, quarterly unemployment benefit payments, monthly Social Security (SS) and Supplemental Security Income (SSI) benefits, and Medicare deductions and/or buy-ins for tenants within the PHA's jurisdiction. Provides income discrepancy reports to identify families who may have substantially underreported household income and helps deter housing fraud.

EIV increases the efficiency and accuracy of income and rent determinations, reduces incidents of underreported and unreported household income, removes the barriers to verifying tenant-reported income, addresses material weaknesses in a PHA's reexamination process and program operations and assures that more eligible families are able to participate in the program

- **SWICA (State Wage Information Collection Agencies)** – The Puerto Rico Department of Labor is a source of information on employers and reported wages. SWICA's cans disclose wage information and whether an individual is receiving, has

received, or has made application for unemployment compensation, and the amount of any such compensation. PRHFA will make very effort to negotiate an Memorandum of Understanding with the Department of Labor to share this information electronically.

- **The Work Number** – The Work Number is an automated services that provides controlled access to a national database of employment and income records. State and Federal agencies can have automated access to this information provided the employer’s records are part of the Work Number. PRHFA will utilize the service as available in Puerto Rico.
- **Internal Revenue Service (IRS) Letter 1722** – Known as a tax account listing, this document shows the applicant/participants filing status, exemptions claimed, adjusted gross income, taxable income and taxed paid. Individuals can obtain their own listing by calling the IRS. PRHFA will inform families with applicable taxable income identified through other sources, that they must provide this document on an annual basis.

PROJECTING ANNUAL INCOME WHEN UPFRONT INCOME VERIFICATION (UIV) DATA IS AVAILABLE

The Puerto Rico Housing Finance Agency Housing Agency will utilize the following HUD criteria to consistently and uniformly resolve income discrepancies between the up-front income verification data and information provided by the applicant/participant. HUD defines a *substantial difference* as one that is \$200 or more per month.

- **UIV Income Data is Not Substantially Different than Tenant-Provided Income Information**

PRHFA will utilize only the UIV verification documents and will not secure 3rd party verifications when there is no substantial difference between UIV and tenant-reported income. The following guidelines will be utilized to calculate annual income:

- If UIV income data is less than **current** tenant-provided documentation, PRHFA will use tenant-provided documents to calculate anticipated annual income.
- If UIV income data is more than **current** tenant-provided documentation, PRHFA will use UIV income data to calculate anticipated annual income **unless** the family provides the PHA with documentation of a change in circumstances (i.e. change in employment, reduction in hours, etc.). Upon receipt of acceptable tenant-provided documentation of a change in circumstances, the PHA will use tenant-provided documents to calculate anticipated annual income.

UIV Income Data is Substantially Different than Tenant-Provided Income Information

In cases where UIV income data is substantially different than tenant-reported income, PRHFA shall utilize the following guidelines:

- The PHA shall request written third party verification from the discrepant income source, in accordance with the criteria described in this section of this plan (24 CFR 5.236(3)(i)).
- **The PHA should review historical income data for patterns of employment, paid benefits, and/or receipt of other income, when the PHA can not readily anticipate income, such as in cases of seasonal employment, unstable working hours, and suspected fraud.**
- **The PHA must analyze all data (UIV data, third party verification and other documents/information provided by the family) and attempt to resolve the income discrepancy.**
- **The PHA will use the most current verified income data (and historical income data if appropriate) to calculate anticipated annual income.**
- If PRHFA is unable to anticipate annual income using current information due to historical fluctuations in income, PRHFA will average amounts received/earned to anticipate annual income.
- If the tenant disputes UIV Social Security (SS)/ Supplemental Security Income (SSI) benefit data, the tenant shall provide a current, original Social Security Administration (SSA) notice or benefit letter within 10 business days of the PHA interview date.

Resources for Historical Income Data

The following documents serve as resources for historical income data if such data is needed in determining annual income based on a substantial difference between UIV and reported income.

- Social Security Earnings Statement (summary of gross earnings for each year that the participant has worked in his/her lifetime) may be obtained from the Social Security Administration. Request for this document may be done via mail or online at www.ssa.gov.
- Two years of earnings may be obtained from the UIV System or local State Wage Information Collection Agency (SWICA). This information is not available to PHAs in States that the local SWICA has entered into an agreement with HUD to obtain wage and unemployment compensation data.

- Last eight (8) amounts of Social Security benefits paid to a participant (or household member) may be obtained from the TASS or UIV system.

RELEASE OF INFORMATION [24 CFR 5.230]

All adult family members will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886. Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance based on violation of the family obligation to supply any information and to sign consent forms.

ITEMS TO BE VERIFIED [24 CFR 982.516]

The following information must be verified to determine initial program eligibility, to calculate total tenant payment, tenant rent and housing assistance and at each annual re-certification of income.

- All income not specifically excluded by the regulations.
- Full-time student status including High School students who are 18 or over.
- Current assets including assets disposed of for less than fair market value in preceding two years.
- Childcare expense where it allows an adult family member to be employed or to further his/her education.
- Total medical expenses of all family members in households whose head or spouse is elderly or disabled.
- Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family, which allow an adult family member to be employed.
- Disability for determination of allowances or deductions.
- U.S. citizenship/eligible immigrant status
- Social Security Numbers for all family members over 6 years of age or older who have been issued a social security number.
- Familial/Marital status when needed for head or co-head definition.
- Verification of Reduction in Benefits for Noncompliance

PRHFA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

Verification will be conducted using the following procedures:

- **Employment Income** - Verification forms request the employer to specify the Dates of

- employment; Amount and frequency of pay; date of the last pay increase; likelihood of change of employment status and effective date of any known salary increase during the next 12 months; year to date earnings; estimated income from overtime, tips, bonus pay expected during next 12 mon
- Acceptable methods of verification include, in this order: UIV SWICA statements; employment verification form completed by the employer; check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings; W-2 forms plus income tax return forms; income tax returns signed by the family must be used for verifying self-employment income, or income from tips and other gratuities.
- Applicants and program participants may be requested to sign an authorization for release of information from the Internal Revenue Service for further verification of income.
- In cases where there are questions about the validity of information provided by the family, PRHFA will require the most recent federal income tax statements.
- **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income** - Acceptable methods of verification include, in this order: UIV TASS statements; benefit verification form completed by agency providing the benefits; award or benefit notification letters prepared and signed by the providing agency; computer report electronically obtained or in hard copy.
- **Unemployment Compensation** - Acceptable methods of verification include, in this order: UIV SWICA statements; verification form completed by the unemployment compensation agency; computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts; payment stubs.
- **Welfare Payments or General Assistance** - Acceptable methods of verification include, in this order: UIV on-line statements from State Welfare systems; verification form completed by payment provider; written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next 12 months; computer-generated Notice of Action; computer-generated list of recipients from Welfare Department.
- **Alimony or Child Support Payments** - Acceptable methods of verification include, in this order: UIV on-line statements from Child Support agencies; copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules; a notarized letter from the person paying the support; copy of latest check and/or payment stubs from Court Trustee. PHA must record the date, amount, and number of the check.
- If payments are irregular, the family must provide: a copy of the separation or settlement agreement, or a divorce decree stating the amount and type of support and payment schedules; a statement from the agency responsible for enforcing payments

- to show that the family has filed for enforcement; a notarized affidavit from the family indicating the amount(s) received; a written statement from an attorney certifying that a collection or enforcement action has been filed.
- **Net Income from a Business** - In order to verify the net income from a business, PRHFA will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months. Acceptable methods of verification include: IRS Form 1040, including: Schedule C (Small Business); Schedule E (Rental Property Income); Schedule F (Farm Income); if accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules; audited or un audited financial statement(s) of the business; credit report or loan application; Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
- **Recurring Contributions** - The family must furnish a notarized statement which contains the following information: the person who provides the gifts; the value of the gifts; the regularity (dates) of the gifts and the purpose of the gifts.
- **Zero Income Status** - Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, TANF, SSI, are not being received by the household. PRHFA will also request information from the Department of Labor. A credit report will also be used if information is received that indicates the family has an unreported income source. Households processed with zero income must complete a detailed survival statement quarterly.
- **Full-time Student Status** - Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income. Financial aid, scholarships and grants received by full time students are not counted towards family income. Verification of full time student status includes: written verification from the registrar's office or other school official; school records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.
- **Savings Account Interest Income and Dividends** - Acceptable methods of verification include, in this order: account statements, passbooks, certificates of deposit, or PHA verification forms completed by the financial institution and broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification; IRS Form 1099 from the financial institution, provided that the PHA must adjust the information to project earnings expected for the next 12 months.

- **Interest Income from Mortgages or Similar Arrangements** - Acceptable methods of verification include, in this order: a letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.); amortization schedule showing interest for the 12 months following the effective date of the certification or re-certification.
- **Net Rental Income from Property Owned by Family** - Acceptable methods of verification include, in this order: IRS Form 1040 with Schedule E (Rental Income); copies of latest rent receipts, leases, or other documentation of rent amounts; documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense; lessee's written statement verifying rent payments to the family and family's self-certification as to net income realized.
- **Family Assets** - PRHFA will require information necessary to determine the current cash value of the family's assets, (the net amount the family would receive if the asset were converted to cash). Acceptable verification may include any of the following: verification forms, letters, or documents from a financial institution or broker; passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker; quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate; real estate tax statements if the approximate current market value can be deduced from assessment; financial statements for business assets; copies of closing documents showing the selling price and the distribution of the sales proceeds; appraisals of personal property held as an investment.
- **qAssets Disposed of for Less than Fair Market Value (FMV)** - For all certifications and re-certifications, PRHFA will obtain the family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or re-certification. If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.
- **Child Care Expenses** - Written notarized verification from the person who receives the payments is required. Verifications must specify the child care provider's name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods. PRHFA will also request verification as to whether the certifying individual is a licensed childcare provider and advise the provider that such income may be reported to other sources including the IRS.

- **Medical Expenses** - All expense claims will be verified by one or more of the methods: written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those will be reimbursed by insurance or a government agency; written confirmation by the insurance company or employer of health insurance premiums to be paid by the family; written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months.
- **Assistance to Persons with Disabilities** [24 CFR 5.611(c)] - Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed. Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.
- **Attendant Care:** Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided. Certification of family and attendant and/or copies of canceled checks family used to make payments.
- **Auxiliary Apparatus:** Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus. In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment is needed.

VERIFYING NON-FINANCIAL FACTORS [24 CFR 5.617(B)(2)]

In order to prevent program abuse, PRHFA will require applicants to furnish verification of legal identity for all family members. The following documents will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required: certificate of birth, naturalization papers; church issued baptismal certificate; U.S. military discharge (DD 214); or U.S. passport.

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following: certificate of birth; adoption papers; or custody agreements.

Familial Relationships

Certification will normally be considered sufficient verification of family relationships. In cases where reasonable doubt exists, the family may be asked to provide verification. Verification of divorce status will be a certified copy of the divorce decree, signed by a

court Officer. Verification of a separation may be a copy of court-ordered maintenance or other legal records. Verification of marriage status is a marriage certificate.

Verification of Permanent Absence of Family Member

If the family reports an adult member who was formerly a member of the household permanently absent, the following information must be presented as verification prior to removing any household member from the assisted household: legal evidence of divorce action; evidence of legal separation; order of protection/restraining order obtained by one family member against another; lease or rental agreement showing the individual listed as the member of another household; a document from a Court or correctional facility stating how long they will be incarcerated.

Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehab specialist, or licensed social worker, using the HUD language as the verification format.

Verification of Social Security Numbers [24 CFR 5.216]

Social security numbers must be provided as a condition of eligibility for all family members. Verification of Social Security Numbers will be done through a Social Security Card issued by the Social Security Administration.

Social Security Numbers of new family members including a child or children. If the participant's household adds a new member, the participant must submit the new member's Social Security Number at the time of the request for assistance or at the time of processing the interim reexamination/recertification of family composition.

Applicants who cannot provide Social Security Numbers for all family members retain their place on the waiting list for the program, however, all members of the household must provide appropriate documentation of his or her Social Security Number before the household is admitted into the program.

Applicants receiving assistance under the Section 8 Moderate Rehabilitation Single Room Occupancy Program for Homeless Individuals have an exception. Such applicants have 90 days after admission into the program to provide appropriate documentation, with discretion given to the processing entity to extend this period for an additional 90 days.

4. **Third Party Verification:** The PHA must obtain and document in the family file third party verification of the following factors, or must document in the file why third party verification was not available:
 - a. Reported family annual income,
 - b. The value of assets,
 - c. Expenses related to deductions from annual income,
 - d. Other factors that affect the determination of adjusted income or income-based rent.

The PHA will use the following Third Party Verification method:

5. **HUD's Enterprise Income Verification (EIV)**

6. **Written Third Party Verification:** The verification documents must be supplied directly to the independent source by the PHA and be returned directly to the PHA from the independent source. **In the event that the independent source does not respond to the PHA's mailed, faxed, or e-mailed request for information in reasonable time frame (10 business days) the PHA will use the alternate methods described below:**
7. **Oral Third Party Verification:** PHA staff should document in the tenant file, the date and time of the telephone call, the name of the person contacted and telephone number, along with the confirmed verified information.
 4. **Document Review:** The PHA reviews original documents provided by the tenant in support of their declaration of income during reexamination. This verification method can only be used as the sole source of income verification when third party verification can not be obtained. When the PHA resorts to reviewing tenant-provided documents, the PHA must document in the tenant file why third party verification was not available.

Acceptable Participant- Provided Documents

Housing program participants have an obligation to the PHA to provide any letter or other notice, including any letter or notice from HUD that provides information concerning the amount of family income, per section 3(f) of the U.S. Housing Act of 1937, as amended. In support of the tenant's declaration of income, the PHA may review original (authentic) documents provided by the participant. All documents should be dated within the last 60 days of the review. The PHA should make a photocopy of the original document(s) and maintain the copy in the participant case file. The PHA should also document in the tenant file, the receipt, copy, and review the original (authentic) document. Below is a summary of some acceptable participant-provided documents.

- ❑ Consecutive and original pay stubs
- ❑ Social Security Administration award letter
- ❑ Bank statements
- ❑ Pension benefit statements
- ❑ Temporary Assistance to Needy Families (TANF) award letter
- ❑ Other official and authentic documents from a Federal, State, Local agency.

5. **Tenant Certification:** The tenant complete an official PHA Certification of reported income and/or expenses. This verification method should be used as a last resort when all other verification methods are not possible. When the PHA relies on tenant certification, the PHA must document in the tenant file why third party verification was not available.

22. **Verification Social Security Numbers:** 24 CFR 5.216 requires applicants and participants to disclose the complete and accurate social security number (SSN) assigned to the applicant /participant and to each member of the applicant's and participant's household, to provide documentation to verify each SSN.

- a. In the event an applicant or participant or household member, who is at least six years of age, has not been assigned an SSN, the household member (or guardian if the member is under the age of 18) must execute a certification that states that the household member was not issued a social security number.

The PHA may accept other documents containing the SSN in lieu of a social security card only when for a good cause the social security card cannot be obtained by the applicant/participant. Other documents that PHA may accept are:

- ❑ Driver's license with SSN.
- ❑ Identification card issued by a federal, state, or local agency.
- ❑ Identification card issued by a medical insurance company or provider (including Medicare and Medicaid).
- ❑ Identification card issued by an employer or trade union.
- ❑ Benefit award letter from government agencies.
- ❑ Retirement benefit letter.

- a. Re-certifications will be scheduled to be effective on the following dates:
- b. Written notice to all program participants will be provided upon re-certification in the order indicated below:

4. Confirmation of HAP Termination Notice

- c. Late Response to Re-certification Notice - Course of Actions
-
- 6. The Hap Contract terminates automatically 180 calendar days after the last housing assistance payment to the owner.
 - a. Any household member moves to or out of the unit.
 - b. The intention to include a new member in the family composition (the inclusion of an adult new member in the family composition is considered by the PHA like a new admission).
 - c. Increases in family income between re-certifications will be considered in the next regular scheduled re-certification, except when the income relates to a new member included in the family composition (in this cases all family income will be considered at the interim re-certification).
-
- 5. Extenuating Circumstances – Policy and Procedures:
 - a. If the tenant provides all the required re-certification information or documents after the expiration of the HAP Termination Notice, but before the 1st of the month before re-certification effective date, the PHA will inquire as to the reason(s) for the late re-certification. This is to determine if extenuating circumstances exist for the lateness, which may have prevented the tenant from responding by the cut-off date. If extenuating circumstances exist, the PHA must require from the family irrefutable evidence that corroborate the extenuating circumstances. Extenuating circumstances are considered only under limited circumstances; for example, the tenant’s hospitalization, tenant out-of-town for family emergency, such as the death or severe illness of a child or parents, or for military personnel on overseas duty.
 - b. The PHA must notify the tenant in writing as to whether or not the lateness is deemed extenuating circumstance and of his/her right to appeal the PHA’s decision should the request for extenuating circumstance be denied.
 - c. If the PHA determines that extenuating circumstances exist, the tenant assistance payment will not be terminate.
 - d. If the PHA denies the extenuating circumstance(s) the tenant assistance payment will be terminated at re-certification date. The tenant may appeal the decision using the Informal Hearing procedure. The tenant may have representation at the meeting, may present information for consideration and may respond to the information presented by others.
 - e. If the PHA re-determination is favorable to the family, once the tenant submits the required information, re-certification process is completed, the new rent is calculated, notification of rent increase is provided, if applicable, and the new rent takes effect, all adjustments in housing assistance payments and the

tenant's rent are made retroactive to the scheduled re-certification effective date.

- f. If the PHA denies the extenuating circumstance(s) the tenant assistance payment will be terminated at re-certification date. The tenant may appeal the decision using the Informal Hearing procedure. The tenant may have representation at the meeting, may present information for consideration and may respond to the information presented by others.

26. **PHA quality control sample** – The PHA will perform an annual quality control sample of files for the universe of admissions and annual re-certifications in the last year (24 CFR 985.2 (b) to determine if the work documented in the files conforms to program requirements. The review will be performed by a PHA supervisor or by the person designated, other than the person who performed the original work.

27. **Number of moves** - The PHA will not restrict the number of moves by a participant family if the family is in compliance with the Lease, HUD regulations and PHA policies and procedures.

28. **Family behavior or suitability** – The PHA will not screen applicants for family behavior or suitability for tenancy. The owner is responsible for screening of families to occupy their unit.

29. **Housing Quality Standards (HQS):**

- a. The PHA follows the HQS established by HUD.
- b. The PHA has determined that wooden constructed houses will not be accepted under the Housing Choice Voucher Program.

30. **Move-in inspections and Appraisals Revisions**

The PHA must inspect the physical condition of those subsidized units under the Moderate Rehab, Certificates and Vouchers Programs. Move-in inspections are made annually according to 24 CFR part 982, Section 8 Tenant Based Assistance, Housing Choice Voucher Program. Sometimes, the Administrator/Owner selects tenants and the Authority inspects the units. Presently, an independent contractor does most inspections. The Authority performs the follow-up to the owners.

a. **Move-in inspections**

1. Administrator/Owner: Writes requiring an inspection.
2. Supervisor: Assigns the units to the inspector.

3. Housing Inspector: Coordinates the inspection with the Administrator/Owner within 5 working days after receiving the request.
4. In those instances involving vouchers and certificates, gives an orientation about the minimum requirements for the unit to be accepted.
5. Makes the inspection and files form HUD-52580-A, Inspection Checklist. When the inspected unit has no water or electricity, asks the owner the corresponding certification.
6. At the end of the inspection, shares the findings, if any, with the Administrator/Owner.
7. Hands in the inspection to the Supervisor.
8. Supervisor: Reviews the inspection and gives it back to the inspector.
9. Inspector: Enters inspection results in the Inspection and Re-certification System (LIVING).
10. Notifies the Subsidized Housing Official in charge of the project the inspection result using the written form and via e-mail. If no repairs are needed, will recommend the unit to be occupied.
11. Files the form.
12. If repairs are needed, will send a written notification to the Administrator/Owner allowing a reasonable time to make those repairs.
13. Once the repairs are finished according to the Administrator/Owner, the unit is once again inspected.
14. If repairs are still needed, notifies the supervisor for the corresponding action.

b. Annual and Special Inspections

1. Supervisor: Prepared the inspection letters to be sent to the tenant and owner.
2. Assigns the job to the inspector.
3. Housing Inspector: Realizes the housing inspection and writes findings using the HUD-52580-A, Inspection Checklist. During the inspection visit, informs orally the findings to the owner or his representative.

4. Hands in inspection and needed repairs to the Supervisor.
 5. Supervisor: Checks the inspection.
 6. If no deficiencies were found, sends a written notification on the inspection's follow-up.
 7. If deficiencies are found, asks in writing the Owner of representative to correct them. For those deficiencies that might harm the residents' health or security, a 30-day term is allowed. Whenever serious deficiencies are found representing an immediate risk, 24 hours are allowed. Information about the consequences of not correcting the deficiencies will be provided.
 8. Returns the form to the Inspector.
 9. Inspector: Enters inspection results in the Inspection and Re-certification System. Files the form. Follows up the inspection until all deficiencies are corrected and updates results, if necessary, in the Inspection and Re-certification System.
 10. If the allowed term to correct deficiencies comes to an end, will recommend the Supervisor to cancel the unit's subsidy.
 11. Supervisor: Recommends the cancellation of the unit's subsidy until Owner/Administrator notifies with evidence that all repairs were made.
 12. Follows up through the project's Owner or Administrator all pending repairs.
 13. Once all deficiencies are corrected, the Subsidized Housing Department is notified and the subsidy is reinstalled.
31. **Quality Control Inspections (HQS)** - The PHA is responsible for the quality of the inspections realized to comply with Section 8 programs. It must establish controls that allow the approval exclusively of those units satisfying high quality standards (HQS). These controls also correct any involuntary mistakes made by the inspectors. The Housing Inspection Manual and 24 CFR, part 982, Section 8 Tenant Based Assistance, Housing Choice Voucher Program, Section 982.405, establish the guidelines to perform this work.

Supervisor or Quality Control Inspector: Will take a 5% sample of the units assigned to the inspector and will coordinate the quality control inspections of those units. A greater percent could be established according to the projects' physical characteristics.

Will complete inspection form HUD-52580-A, Inspection Checklist observing the methods used by the inspector. If any error is found, it will be discussed with the inspector at the end of the inspection.

At the end of the quality control inspections, will ask inspection forms from the inspector.

Supervisor: Compares each of the inspections made by the inspector or the quality control inspector with his own inspections and writes a summary indicating any discrepancies found.

Sends a copy to the inspector who will make all necessary adjustments. If necessary, he meets with the inspector to clarify any existing doubts.

Gets any necessary training for the inspector.

Secretary: Files all quality control inspections along with the written report.

ADMINISTRATIVE PLAN 2007

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PUERTO RICO HOUSING FINANCE AUTHORITY

**ACTION PLAN FOR THE FAMILY
SELF SUFFICIENCY (FSS) PROGRAM**

INTRODUCTION

The Puerto Rico Housing Finance Authority (PRHFA) is implementing a Family Self-Sufficiency Program (FSS) as an opportunity for families receiving Section 8 Housing Choice Vouchers assistance to recover and return to productive lives. Through this program, along with its supportive services, the participating families will enhance their employment opportunities while increasing their life skills in order to become self-reliant. This program is intended to promote the development of local strategies for coordinating the use housing choice vouchers with public and private sources.

PRHFA has the legal capacity to develop and operate the FSS Program as it has done with the Section 8 Rental Assistance Payments Programs (Vouchers and Certificates). Therefore, the Authority will make all efforts needed to comply with all requirements in the implementation of this program.

According to the US Census of Housing 2000, Puerto Rico has a population of 3,808,610 with a housing inventory of 1,418,476. The demand for low income housing is for 68,178 units with an unsatisfied demand of 58,556 units as of 2001, according to Estudios Técnicos, Inc. (*Demand for Housing in Puerto Rico 2002-2006*, Table VII.1 and (3) Table VII.2).

Thus, the development of model programs such as FSS for low and very low-income families will allow many of them to achieve economic independence and self-sufficiency. It represents an important step in allowing them to compete more favorably to eventually acquire their own home within a tight low-income housing market.

Family Demographics

For purposes of the data presented by the United States Census Bureau 2000, Puerto Rico is classified as 98% being Hispanic or Latino of any race. Of total households of 1,261,325, the Census found 27.1% of renter-occupied housing units; female householders with no husband present represent 21.3% while this same category with own children less than 18 years amount to 10.4%.

A review of interested and/or qualified applicants contained within both our waiting list and actual Section 8 participants indicate that the family composition is perhaps equal to the make-up of the general population with a remarkable number of female heads-of households and with incomes that would classify them as being below the poverty level. A lack of superior school educational level is combined with little or no known past working experience among the members of this group.

Estimate of participating families

The program will be limited initially to 10 volunteer families and the selection will be based from actual Section 8 participants on a “first come – first served” basis.

Additional applicant families will be accepted when there are no families in the waiting list willing to participate in the FSS Program.

FSS family selection procedures

The Program will be open to families participating in the Housing Choice Voucher Program who are unemployed or underemployed. Families will be selected from current Section 8 participants after carefully explaining the details of the self-sufficiency program. If any family refuses to participate, it will not lose its opportunity or its position in the waiting list.

A system for establishing a FSS waiting list of interested current participant families and applicant families will be developed if none of the current participant families are interested in participation.

The FSS program will be developed and operated by the Authority in conformity with the Section 8 program regulations and applicable civil rights authorities, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Executive Order 11063, and Section 3 of the Housing and Urban Development Act of 1968, as amended.

The group orientation and initial training will be designed to establish and reinforce new social rules, norms, values, and to strengthen and increase self image.

During the initial orientation, the following information will be provided to the prospective participants:

- 1- The purpose and objectives of the Self-Sufficiency Program.
- 2- The initial eligibility requirements for participation.
- 3- Selection process
- 4- Explanation of the program’s contract.
- 5- Introduction to the grievance procedure.

Group orientation will continue throughout the program.

The evaluation of the project’s success will be measured in terms of the self sufficiency goals achieved. All participants will be evaluated using the following criteria:

- Educational level attained
- Employment status
- Annual income
- Job skills developed
- Job placement

The Authority will conduct the program's evaluation on a continuous basis for adjustments or improvements, as needed.

Incentives to encourage participation

Puerto Rico Housing Finance Authority will offer several incentives to encourage the participation of eligible families.

- 1- **Escrow account** The establishment of an escrow account in accordance with the requirements set forth in Sec. 984.305 (Code of Federal Regulations).
- 2- **Home Ownership Review** provides participants with the opportunity to have their financial situation reviewed by a mortgage underwriter. Through an easy to fill application, with the assistance of the FSS Coordinator, an evaluation and recommendations are made to help prepare for mortgage pre-qualification. An underwriter reviews the family's credit report, debt to income ratios, employment history, and down payment funding.
- 3- **Home Ownership Counseling** provides participants who have been approved for PRHFA's Housing Choice Voucher Home Ownership Program individual and or group pre and post purchase counseling on issues including money management tools, avoiding predatory lending, home safety, conservation/energy saving, tax planning and financial planning, preventing mortgage foreclosures, and home maintenance.
- 4- **Counseling assistance** Our existing Section 8 program staff will be properly trained and made available to provide counseling assistance.
- 5- **Training, Job Development and Placement** Due to the economically distressed area in which our FSS Program will take place, these services are essential for its success. Assistance will be provided through the Commonwealth of Puerto Rico Department of Labor Human Resources and Occupational Development Council.
- 6- **Supplementary Education** Around 65% of our FSS participants will require some type of remedial or supplemental education. Evening classes will be coordinated with the Department of Education for those participants that have not completed high school.

Outreach efforts

Puerto Rico Housing will select FSS participant families only from the current tenants/Section 8 program participants and/or from Section 8 Waiting List (if there are no current participant families interested in participation) which is a large group. Therefore, the outreach efforts are not required.

FSS activities and supportive services

The program's initial activities will be coordinated with Authority's Executive Director. Upon approval of this FSS Action Plan by HUD, Puerto Rico Housing will appoint a Program Coordinator to supervise and structure all related programmatic activities, under the overall guidance of the Executive Director or the person in which he delegates this duty.

The Coordinator will continue to carry out the necessary functions in the formal structure of the Program Coordinating Committee (PCC).

The PCC will be integrated by professional representatives from public and private enterprises, section 8 tenants, community leaders, church groups and local business, among other resources. Representatives from these groups will have an input in the FSS Program's design and action steps and will be responsible for functions such as:

- 1- Developing a working relationship with the Program Coordinator and other related program staff in the achievement of the program's objectives.
- 2- Coordinating the needed actions for the selection of committee representatives.
- 3- Making specific commitments of time, staff, and resources to the program.
- 4- Providing input into the program research and evaluation process.

The organization of the Committee is already underway, and meetings will be held with some of its members to discuss some matters such as:

- 1- The creation and purpose of the FSS Program.
- 2- The Authority's proposal to develop and implement the Program after HUD's approval.
- 3- The services that should be provided and resources that can be used in order to assure the program's success.
- 4- The functions of the Committee and its assistance to the Authority in securing commitments of public and private resources for the Program's operation.
- 5- The drafting of a form to gather the necessary data to develop profiles of the Section 8 participants and applicants under the FSS Program.

The initial PCC meeting is scheduled for the first week immediately after HUD's approval of this proposal. After that, it will meet at least once quarterly during the first year while implementing FSS in order to oversee the Program's progress and accomplishments.

Functions of the PCC will be expanded to include the assessment of needs of the target population and develop a plan for rendering those services according to the Program's objectives. A network of counseling services will be provided to increase the participants' capability for self-sufficiency.

Methods for identification of family support needs

The group orientation and initial training will establish and reinforce new social and norms values while strengthening and increasing the participants' self-image. They will be motivated in the development of skills and in the making of effective use of community programs for growth and development.

Both the family and FSS Coordinator will identify family support needs during regularly scheduled contacts. All participants will be seen in person at least once every six months for a

formal assessment of their progress toward self-sufficiency. The FSS Coordinator will complete an updated written summary assessing their progress, current and potential obstacles, and resources needed at this time.

Participant will be contacted quarterly to review their plan and set goals for the next quarter. Many of these contacts take place over the telephone; however a schedule face-to-face case management visits is developed for each participant based on need.

The FSS Program will acquaint families with other local agencies and with existing and emerging job opportunities. Counseling and training to achieve economic independence will also be provided.

The FSS Coordinator identifies and assists the participant in removing current and potential obstacles to self-sufficiency. The FSS Coordinator acts as an intermediary in the development of a plan to remove/overcome obstacles and advocate on behalf of participants with other agencies when needed. Families entering in the FSS Program work with the FSS Coordinator to develop goals that will, over a five (5) year period, lead to self-sufficiency. These goals may include education, specialized training, job readiness and job placement activities, and career advancement objectives. Goals for each participating family member are set out in Individual Training and Services plans that are attached to the FSS contract of participation.

In summary, the program designed includes sound strategies with the main objective of mobilizing private and government agencies to provide services and support to our participants to enable them to achieve economic independence.

When the family meets its goals and completes its FSS contract, the family becomes eligible to receive funds deposited in an escrow account on its behalf throughout the family's participation in the FSS Program. The amount credited to the family's escrow account is based on increase in the family's earned income during the term of the FSS contract.

Program termination; withholding of services; and available grievance procedures

Puerto Rico Housing Finance Authority will make every effort to enable a family to remain in FSS. However, in consultation with the FSS Coordinator and the head of the FSS family, the Authority may withhold or terminate supportive services for the following reasons:

- 1- The failure of a participant family or one of its members to honor the terms of the contract.
- 2- Mutual consent of the parties.
- 3- A participating family's achieving self-sufficiency.
- 4- Expiration of the contract's term or any extension thereof.
- 5- A participating family's withdrawal from the FSS Program
- 6- By any other act inconsistent with the purpose of the FSS Program, or
- 7- By operation of law.

The head of the household is required to seek and keep suitable employment throughout the term of the contract, including any contract's extension.

Employment should reflect the person's training and available job opportunities. Only the head of the household must seek employment.

Puerto Rico Housing Finance Authority will not terminate or withhold housing assistance on the basis of a family's failure to comply with the requirements of the contract.

If an applicant is denied acceptance into FSS, if a participant is terminated from FSS based on his/her failure to meet FSS contract obligations, or if the participant is denied a contract extension, he/she can appeal by writing to the Subsidy Housing Manager within ten (10) days after receiving the notification to request an appeal hearing. An appeal hearing will be scheduled within ten (10) business days after the receipt of the written request.

An employee of Puerto Rico Housing Authority or other public official will conduct the hearing. The person conducting the hearing will not be directly involved in the day to day operation of PRHFA's FSS Program. The FSS Coordinator will be available for questions during the appeal hearing. At the hearing, the participant will have the opportunity to question the basis of the FSS Coordinator's determination. The participant will be notified in writing of the decision of the appeal within ten (10) business days of the appeal hearing.

Assurances of non-interference with rights of non-participating families

A family's election not to participate in the FSS Program will not affect the family's admission to the Section 8 program.

Timetable for program implementation

Operation of the FSS program will begin within 6 months of the earlier of notification to the Authority of HUD's approval of this action plan.

Certification of coordination

To avoid duplication of services and/or activities, PRHFA coordinates FSS services and case management plans with other self-sufficiency related programs within the Department of Housing, the Workforce Investment Act and other local, non-profit self-sufficiency related programs.

Attachment A

Policies and Procedures for Selecting FSS Participants

1. The Program will be opened to families participating in the Housing Choice Voucher Program who are unemployed or underemployed.
2. Participation in the FSS Program is voluntary for families and is open to current housing choice voucher program participants.
3. We will not give preference for families to enter in the FSS Program.
4. All families will be informed about the FSS Program and will be selected according to the date the family expressed interest in participating in the Program.
5. If after selected, the family does not demonstrate interest and motivation to participate in the Program, they will be notified of the Authority's intention to disqualify to participate in the Program and will give them ten days to object the decision and provide evidence that our decision is incorrect.

We will consider lack of interest if the family the family does not attend the to the FSS orientation sessions, interviews or not accepting the assigned tasks such as contacting training or educational program referrals.

6. Puerto Rico Housing will not screen participants based on a family's educational level, tests results, previous job history or job performance, credit history, marital status, number of children, skills, or any other factors which may discriminate against persons with disabilities or other minority or non-minority groups.

Attachment B

Policies for Terminating Participation in the FSS Program

The following policies will apply for terminating or withholding housing choice voucher program assistance, supportive services or FSS participation for failure to comply with the contract of participation:

1. The FSS contract of participation is automatically terminated when the family's housing choice voucher assistance is terminated.
2. The FSS contract will also be terminated by:
 - a. Mutual consent;
 - b. Failure of the family to honor the terms of the contract;
 - c. The family's withdrawing from the FSS program; or
 - d. Operation of law
3. Puerto Rico Housing Finance Authority will not terminate the housing assistance for a failure to comply with the FSS program requirements.
4. When a family fails to comply with the FSS program requirements, the Authority will work with participants to modify the Individual Training and Service Plan (ITSP) as needed to keep participants working toward self-sufficiency.
5. When the FSS contract is terminated for failure to honor the terms of the contract, the family will be given the option to request an informal hearing before terminating the contract.

Attachment C

Other Policies on the FSS Program

- I. **Actions to be taken if an FSS family underreport income or assets**
 - A. **If the family underreport their income or assets and, after considering it, converts the them as ineligible under the Housing Voucher Program, the Authority will terminate the assistance and as a result, the FSS Contract.**
 1. **Omission** – The Authority may terminate assistance and the FSS Contract if any member of the household omits relevant information necessary to determine or re-determine eligibility to the program or to ensure that the family pays rent commensurate with their ability to pay. For example omit information such as income, immigration status or family composition.
 2. **Intentional Omission** – The Authority will terminate assistance if any member of the household intentionally omits relevant information necessary to determine or re-determine eligibility to the program or to ensure that the family pay rent commensurate with their ability to pay. For example omit information such as income, immigration status or family composition.

The omission is considered intentional when the Authority has irrefutable evidence that corroborates the intention of the omission by the family, such as family certifications or declarations and third party verifications.

The AUTHORITY must not re-admit in the program those families in such cases when the AUTHORITY has terminated the assistance, because, intentional omission.

Families must consent to the release of income verifications information. The income data and any information supplied by participant families must be true, complete and accurate.

Attachment C

Other Policies on the FSS Program

II. The hearing procedures for FSS families

B. Informal Hearing Procedures for FSS Participants: The informal hearing for FSS participants will be reviewed by the supervisor of the officer who made the decision on the case or by another qualified person other than the person who made the decision on the case. The Authority will notify the family that they may ask for an explanation of the basis of the Authority determination and that if the family does not agree with the determination, they may request an informal hearing on the decision. The Authority will give the family the opportunity to examine at the Authority offices any family documents that are relevant to the hearing. The family will be allowed to copy any such documents at the family's expense. The deadline for the family to request an informal hearing will be 10 days after the Authority gives the family notice of its decision and further informs them that they may request an informal hearing if they do not agree with the determination.

Attachment C

Other Policies on the FSS Program

III. Policies for denying FSS participation to families owing money to the AUTHORITY or to families previously terminated from the FSS program

A. **Policies Concerning Payment by a Family to the AUTHORITY of Amounts the Family Owes the AUTHORITY:** If a family runs into debt with the AUTHORITY upon the debt determination, the AUTHORITY will establish a payment plan so that the family may settle any such account. The monthly payment will be determined according to the financial means of the family. The payment plan originally established may be revised, considering the financial condition of the family, if it may change. A family that is up to date in the payment plan will be permitted to move with continued assistance if the reason for the debt is not because the family intentionally has omitted information.

B. **Policies Concerning to families previously terminated from the FSS program:** Puerto Rico Housing Finance Authority will not considered for its FSS Program families previously terminated from the FSS program unless they can prove that it was caused by extenuating circumstances. The Authority will require from the family irrefutable evidence that corroborate the extenuating circumstances.

Extenuating circumstances are considered only under limited circumstances; for example, the tenant's hospitalization, tenant out-of-town for family emergency, such as the death or severe illness of a child or parents, or for military personnel on overseas duty.

**PHA Certifications of Compliance
with PHA Plans and Related
Regulations**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Expires 03/30/2011

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

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

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
- X2. The Plan contains 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 Fund) Annual Statement(s), and a submission of its last approved Annual Plan, the Capital Fund Program Annual Statement/Annual Statement Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, empaneled with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Board(s) (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 those recommendations.
- X5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published notices that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
- X6. 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 these programs, address those impediments in a reasonable fashion insofar as 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 Plans that include a policy for site-based waiting lists:
 - The PHA regularly admits required data to HUD's 50958 PIGAMS Module in an accurate, complete and timely manner (as specified in PCL Notice 2006-24).
 - The system of site-based waiting lists provides for full disclosure to each applicant of the selection of the development in which to reside, including basic information about available sites; and in advance of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site.
 - Adoption of site-based waiting list would not violate any court order or settlement agreement, or be inconsistent with a pending complaint brought by HUD.
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with all relatively outstanding fair housing.
 - The PHA provides for a review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
- X9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 - X1. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
 1. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low- or Very-Low-Income Persons, and with its implementing regulation at 24 CFR Part 15.

12. The PHA will comply with acquisition and selection requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and any existing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(c).
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-Brown or HUD's determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Salary Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and will have an effective audit to determine compliance with program requirements.
- X 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 OIGB Circular No. A-57 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 95 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribe Governments).
19. The PHA will undertake only activities covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
- X 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 of 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.
- X 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.
- X 22. The PHA certifies that it is in compliance with all applicable Federal, state, and regulatory requirements.

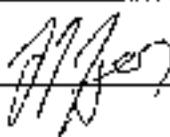
Florida Home Housing Finance Authority
PHA Name

80911
PHA Number/EA Code

5 Year PHA Plan for Fiscal Years 2010 - 2014

Annual PHA Plan for Fiscal Years 2010 - 2011

I hereby certify that all the information stated herein, as well as any information provided in the accompanying exhibits, is true and correct. Warning: HUD will accept no responsibility for any errors, omissions, or results of partial, false, and/or omitted information. (HS-02-01-120) (HUD-12-12-01) (HS-C-2729-2002)

Name of Author (Last, First, Middle Initial)	Title
George Joyner	Executive Director
Signature: 	Date: 06/16/2010

16 de febrero de 2010

Judith H. Sierra
Cond. Parque La Vista
1294 Juan Baiz Apto. 2128
San Juan, PR 00924-4645

Estimada señora Sierra:

**Re: Cita a reunión Junta de Residentes
Plan de 5 Años y Anual de la Autoridad**

Estamos citando a los miembros de la Junta de Residentes antes de celebrar la Vista Pública, con el propósito de recibir sus comentarios y sugerencias al Plan de 5 años y Anual que someterá la Autoridad a HUD. La reunión para discutir este asunto se llevará a cabo el 1 de marzo a las 2:00 pm en el Salón de Conferencias de Vivienda Subsidiada. Agradeceremos que de no poder asistir nos lo comuniquen a la brevedad.

Además, le recordamos que la Vista para el público en general sobre el asunto de referencia se celebrará el lunes 15 de marzo de 2010 a las 3:00 pm, como fue publicado en el periódico Primera Hora el 15 de enero de 2010. En la misma usted podrá expresar su punto de vista sobre las enmiendas propuestas. Como también puede someter sus comentarios por escrito antes del 15 de marzo de 2010 a la Autoridad para el Financiamiento de la Vivienda de Puerto Rico, P.O. Box 71361 San Juan, PR 00935-8461.

Esperamos su asistencia.

Atentamente,

Rosa Ayuso
Coordinadora de Servicios
al Residente