

<b>PHA 5-Year and Annual Plan</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires 4/30/2011</b>
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1.0	<b>PHA Information</b> PHA Name: <u>Housing Authority of Myrtle Beach</u> PHA Code: <u>SC034</u> PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>07/2010</u>					
2.0	<b>Inventory</b> (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: <u>621</u>					
3.0	<b>Submission Type</b> <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only					
4.0	<b>PHA Consortia</b> <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	<b>5-Year Plan.</b> Complete items 5.1 and 5.2 only at 5-Year Plan update.					
5.1	<b>Mission.</b> 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: <b>The mission of the Myrtle Beach Housing Authority is to assist low-income families with safe, decent, and affordable housing opportunities as they strive to achieve self-sufficiency and improve the quality of their lives. We are committed to operating in an efficient, ethical and professional manner. We will create and maintain partnerships with our clients and appropriate community agencies in order to accomplish our mission.</b>					
5.2	<b>Goals and Objectives.</b> 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.  <p style="text-align: center;"><b>PHA Progress in Meeting the Mission and Goals Described in the 5-Year Plan 2005-2009 including changes made during the 5-Year Plan Period</b></p> <p><b>Goal One: Expand the supply of assisted housing</b></p> <p><b>Objectives:</b></p> <ol style="list-style-type: none"> <li>1. Apply for additional rental vouchers: if funding available</li> <li>2. Work with local private and government agencies to increase the privately owned and managed housing opportunities for the homeless.</li> </ol> <p><b>Progress:</b></p> <ol style="list-style-type: none"> <li>1. MBHA received 14 Tenant Protection Vouchers from the Atlantic Beach Housing Authority in 2008, 2 DHAP-HCV Vouchers in 2009 and 35 VASH voucher in 2009. MBHA also applied for 50 FUP Vouchers in 2009, which were not awarded.</li> <li>2. MBHA partnered with Home Alliance Inc and Waccamaw Center for Mental Health to provide for 24 units at Balsam Place. Balsam Place is an SRO with supportive services, which opened in 2007. MBHA provides rental assistance through grant funding.</li> </ol> <p>MBHA has partnered with Horry County to administer within MBHA's jurisdiction The Homeless Prevention And Rapid Rehousing Program grant that was awarded to Horry County in 2009.</p> <p>MBHA closed on a 48 unit USDA-Rural Development property in 2009. At closing USDA- Rural Development awarded the property RD Rental Assistance. When rehab is complete, 10 units will be set aside to house the homeless.</p> <p>As lead agency in the Horry County Neighborhood Stabilization Program Partnership, MBHA has assisted in stabilizing neighborhoods by demolishing blighted structures, purchasing and rehabilitating foreclosed property and the redevelopment of a much needed Head Start program facility. Included is the redevelopment of an 11-unit multifamily residence on Mr Joe White Ave and 3 additional units on Warren St.</p>					

**Goal Two: Improve the quality of assisted housing**

**Objectives:** 1. Increase customer satisfaction

**Progress:** 1. MBHA has conducted yearly landlord training and outreach to encourage new landlords to participate in MBHA's programs and to offer our clients a wider choice of available units.  
2. Maintain High SEMAP Score

**Goal Three: Increase assisted housing choices**

**Objectives:** 1. Conduct outreach efforts to potential voucher landlords  
2. Continue voucher homeownership program  
3. Work with and encourage local developers in providing additional privately owned and managed affordable housing.

**Progress:** 1. MBHA has conducted yearly landlord training and outreach to encourage new landlords to participate in MBHA's programs and to offer our clients a wider choice of available units.  
2. MBHA is now a HUD Certified Homeownership Counseling agency.  
3. MBHA partnered with the Douglas Company to build Monticello Park III, a tax credit property. MBHA encouraged the construction of Pipers Point also a tax credit property. MBHA partnered with Home Alliance Inc and Waccamaw Center for Mental Health to provide for 24 units at Balsam Place

**Goal Four: Provide an improved living environment**

**Objectives:** 1. Encourage local developers to provide additional privately owned and managed affordable housing outside of the highest poverty areas.

**Progress:** 1. MBHA closed on a 48 unit USDA-Rural Development property in 2009. At closing USDA-Rural Development awarded the property RD Rental Assistance.  
2. As lead agency in the Horry County Neighborhood Stabilization Program Partnership, MBHA has assisted in stabilizing neighborhoods by demolishing blighted structures, purchasing and rehabilitating foreclosed property and the redevelopment of a much needed Head Start program center. Included is the redevelopment of the 11-unit low-income multifamily complex on Mr Joe White Avenue and 3 additional units on Warren St.  
3. Partnered with the City of Myrtle Beach on an owner-occupied residential rehabilitation program funded through HOME and CDBG funds.

**Goal Five: Promote self-sufficiency and asset development of assisted households**

**Objectives:** 1. Increase the number and percentage of employed persons in assisted families  
2. Provide or attract supportive services to improve program participant's employability:  
3. Provide or attract supportive services to increase independence for the elderly or families with disabilities.  
4. Other: (list below) Provide or attract supportive service to increase independence for the homeless.

**Progress:** 1. MBHA has increased the resources provided by the FSS PCC committee by actively recruiting members in employment services community.  
2. Fast Track Training, funded by Coastal Workforce Center Workforce Initiative, is offered at Balsam Place. Participation is available to all program participants.  
3. In meeting the goals MBHA set 5 additional jobs have been created.  
4. MBHA offers on site Financial Literacy and Homeownership Counseling.  
5. MBHA has partnered with Horry-Georgetown Technical College for career development.  
6. MBHA has partnered with Horry County Adult Education Center for GED preparation and graduation.  
7. Referral network has been established for mental health issues including substance abuse treatment and counseling.

**Goal Six: Ensure equal opportunity and affirmatively further fair housing**

**Objectives:**

1. Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability
2. Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability
3. Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:

**Progress:**

1. MBHA has moved the site that applications are accepted at to the Canal Street Recreation Center. The Recreation center provides accessibility in a more user-friendly environment and allows for the additional space needed to provide any assistance required to the persons submitting applications.
2. MBHA partnered with the Douglas Company to build Monticello Park III, a tax credit property. MBHA encouraged the construction of Pipers Point also a tax credit property. MBHA partnered with Home Alliance Inc and Waccamaw Center for Mental Health to provide for 24 units at Balsam Place.
3. As part of the partnership to build Monticello Park III, Douglas Company built 16 one-bedroom units that were greatly needed in the Myrtle Beach area.
4. On site staff training has been provided by both HUD and Waccamaw Council of Governments
5. The goals of Fair Housing and Equal Opportunity are made available to all MBHA program participants and applicants. A contact person has been assigned to address any issues referred to MBHA.

**Goals for 2010-2014**

**Goal One: Expand the supply of assisted housing**

**Objectives:**

1. Apply for additional rental vouchers: if funding available
2. Acquire or build units or developments
3. Work with local private and government agencies to increase the privately owned and managed housing opportunities

**Goal Two: Improve the quality of assisted housing**

**Objectives:**

1. Maintain high SEMAP score
2. Continue yearly landlord training and outreach to encourage new landlords to participate in MBHA's programs and to offer our clients a wider choice of available units
3. Provide property management to MBHA owned units.

**Goal Three: Increase assisted housing choices**

**Objectives:**

1. Conduct outreach efforts to potential voucher landlords
2. Increase number of HCV voucher homeownership participants
3. Work with and encourage local developers in providing additional privately owned and managed affordable housing.

**Goal Four: Provide an improved living environment**

**Objectives:**

1. Encourage local developers to provide additional privately owned and managed affordable housing outside of the highest poverty areas.
2. Acquire or build units or developments
3. Manage properties acquired or developed by MBHA

**Goal Five: Promote self-sufficiency and asset development of assisted households**

**Objectives:**

1. Encourage greater participation in the FSS program by HCV program participants.
2. Create further partnerships in the community for services for our clients.

**Goal Six: Ensure equal opportunity and affirmatively further fair housing**

**Objectives:**

1. Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability
2. Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability
3. Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:

6.0	<p><b>PHA Plan Update</b></p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:</p> <p><b>MBHA is working with non-profit and for profit agencies to purchase foreclosed condo sites and using finance mechanisms such as Build America Bonds and Tax Credits to recreate them as affordable housing.</b></p> <p>(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.</p> <p><b>The MBHA PHA Plan is available for viewing in the MBHA office, 605 10<sup>th</sup> Ave. N, Myrtle Beach, SC 29577 and on line at our website <a href="http://www.mbhaonline.org">www.mbhaonline.org</a></b></p>																																																														
7.0	<p><b>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.</b> <i>Include statements related to these programs as applicable. Section 8 Only Does not apply</i></p>																																																														
8.0	<p><b>Capital Improvements.</b> Please complete Parts 8.1 through 8.3, as applicable. <b>Section 8 Only Does not apply</b></p>																																																														
8.1	<p><b>Capital Fund Program Annual Statement/Performance and Evaluation Report.</b> 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. <b>Section 8 Only Does not apply</b></p>																																																														
8.2	<p><b>Capital Fund Program Five-Year Action Plan.</b> As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan. <b>Section 8 Only Does not apply</b></p>																																																														
8.3	<p><b>Capital Fund Financing Program (CFFP).</b>  <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. <b>Section 8 Only Does not apply</b></p>																																																														
9.0	<p><b>Housing Needs.</b> Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p><b>In a comparison of the NLICH Out of reach report from 2005 and 2009 the estimated percentage of income needed to afford a 2-bedroom FMR percentage increased 8% Statewide and 11% in Horry County. In December 2009 the unemployment rate for Horry County was 14.8%.</b></p> <p><b>Our current waiting list has 524 applications. The HCV waiting list is closed. In 2008 the waiting list was opened for four (4) days and received nine hundred and seventy-four (974) applications in those four days. This does not take into count the growing number of phone calls and emails we receive daily asking when the waiting list will reopen.</b></p> <p><b>October 2009 MBHA began assisting households through the Horry County Homeless Prevention And Rapid Rehousing Program. In the first three months 188 households were assisted.</b></p> <table border="1" data-bbox="165 1386 1453 1885"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="3">Household Income (2005)</th> <th colspan="4">Renter Wage (2004)</th> </tr> <tr> <th>Estimated Renter Household Income</th> <th>Monthly Rent Affordable at Renter Median</th> <th>Estimated Monthly Rent as Percent of FMR</th> <th>Estimated Percent of Renters Unable to Afford Two-Bedroom FMR</th> <th>Estimated Mean Hourly Renter Wage</th> <th>Estimated Monthly Rent Affordable at Mean Renter Wage</th> <th></th> </tr> </thead> <tbody> <tr> <td>South Carolina</td> <td>\$28,158</td> <td>\$704</td> <td>84%</td> <td>42%</td> <td>\$9.47</td> <td>\$492</td> <td></td> </tr> <tr> <td>Horry County</td> <td>\$31,428</td> <td>\$786</td> <td>87%</td> <td>43%</td> <td>\$8.74</td> <td>\$454</td> <td></td> </tr> <tr> <th rowspan="2">Location</th> <th colspan="3">Household Income (2009)</th> <th colspan="4">Renter Wage (2009)</th> </tr> <tr> <th>Estimated Renter Household Income</th> <th>Monthly Rent Affordable at Renter Median</th> <th>Estimated Monthly Rent as Percent of FMR</th> <th>Estimated Percent of Renters Unable to Afford Two-Bedroom FMR</th> <th>Estimated Mean Hourly Renter Wage</th> <th>Estimated Monthly Rent Affordable at Mean Renter Wage</th> <th></th> </tr> <tr> <td>South Carolina</td> <td>\$29,697</td> <td>\$742</td> <td>91%</td> <td>45%</td> <td>\$11.07</td> <td>\$576</td> <td></td> </tr> <tr> <td>Horry County</td> <td>\$32,514</td> <td>\$813</td> <td>97%</td> <td>49%</td> <td>\$10.09</td> <td>\$525</td> <td></td> </tr> </tbody> </table>	Location	Household Income (2005)			Renter Wage (2004)				Estimated Renter Household Income	Monthly Rent Affordable at Renter Median	Estimated Monthly Rent as Percent of FMR	Estimated Percent of Renters Unable to Afford Two-Bedroom FMR	Estimated Mean Hourly Renter Wage	Estimated Monthly Rent Affordable at Mean Renter Wage		South Carolina	\$28,158	\$704	84%	42%	\$9.47	\$492		Horry County	\$31,428	\$786	87%	43%	\$8.74	\$454		Location	Household Income (2009)			Renter Wage (2009)				Estimated Renter Household Income	Monthly Rent Affordable at Renter Median	Estimated Monthly Rent as Percent of FMR	Estimated Percent of Renters Unable to Afford Two-Bedroom FMR	Estimated Mean Hourly Renter Wage	Estimated Monthly Rent Affordable at Mean Renter Wage		South Carolina	\$29,697	\$742	91%	45%	\$11.07	\$576		Horry County	\$32,514	\$813	97%	49%	\$10.09	\$525	
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## HOUSING ELEMENT

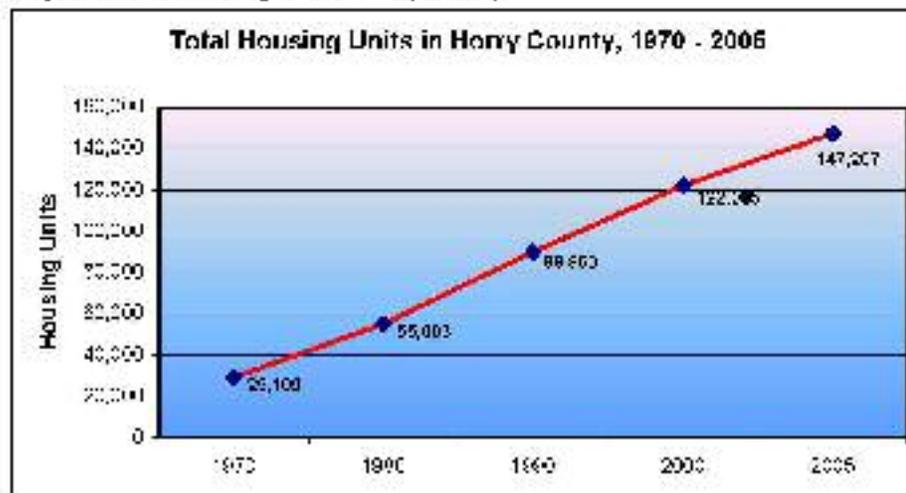
Housing plays an essential role in the community, shaping an area's physical form and overall character. This element is divided into 3 sections: housing inventory and trends, housing affordability and housing programs. In the first section, an inventory of current conditions and trends are discussed. This section presents historical data and current figures concerning types of housing, age of housing, occupancy and tenure. In the next section, housing affordability in Horry County is analyzed using income data, fair market rents, home sale values and mortgage costs. The housing program section gives a broad overview of initiatives being addressed in the County. These range from making programs that make housing more affordable to programs that provide housing for special needs populations. Finally, the element is closed with a discussion of goals, strategies and objectives that promote safe, affordable and equitable housing in Horry County.

### Housing Inventory and Trends

#### Number of Housing Units

Horry County has been experiencing a steady growth in the number of housing units and this growth is shown in Graph 18 below. During the 1970s, the overall inventory of housing units increased by 59 percent. The growth rate waned in the 1980s and the housing stock only increased by 63 percent. Between 1990 and 2000, the number of housing units grew by 55.7 percent to 122,065 units. Building permit data also reflects a rapid development. The County issued 29,440 new units in the unincorporated areas between 2000 and 2005. That figure increases to 33,321 when the incorporated areas are included. Yet, the slump in the housing market within the year 2007, has led to a decrease in residential building permits in the County (37% drop in building permits between 2006 and 2007). Nonetheless, a quick recovery within the following one (1) to two (2) years is expected.

Graph 18: Total Housing Units in Horry County

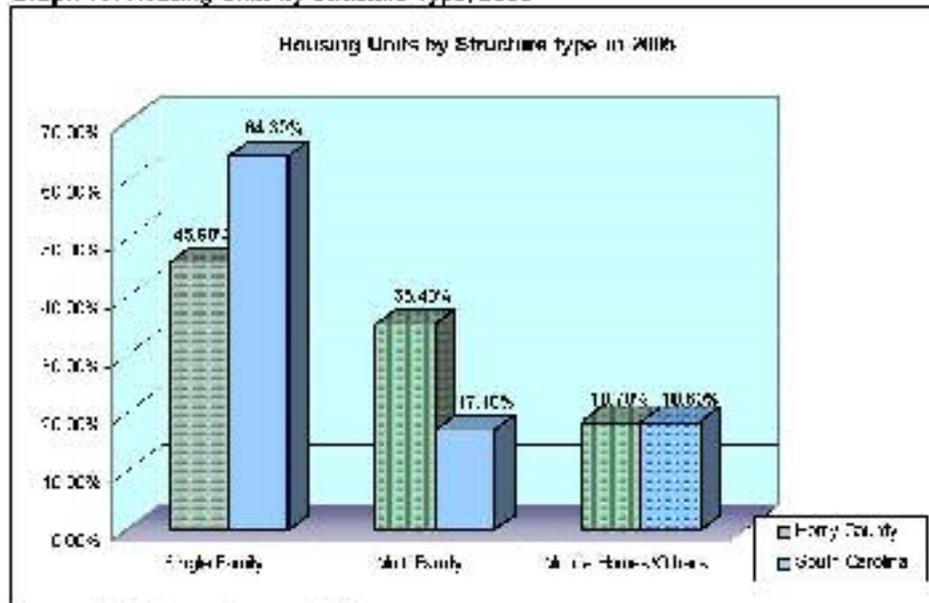


Source: US Census Bureau

## Housing Mix

Graph 19 depicts the total mix of housing structures by the classifications of single-family, multi-family and mobile homes/other. Compared to the State, Harry County has a larger percentage of multi-family units than single-family units. This trend can be attributed to the County's large seasonal population and its effects on the local housing market.

Graph 19: Housing Units by Structure Type, 2005



Source: U.S. Census Bureau, 2005

Table B6 and Graph 19 explore the housing mix data further at both the census divisions level and from the unincorporated perspective. Single-family residences constituted the largest component of the County's total housing stock with 45.0 percent of all units in 2005. Ninety-five (95) percent of these single-family residences were detached structures. The western census divisions of Ayres, Floyds and Loris had the highest shares of single-family units. The eastern coastal Divisions of Little River and Loris contained comparatively lower percentages of single-family homes. To track housing activity in the County from 2000 to 2005, Graph 20 displays the number of residential units by housing type authorized in the unincorporated area of the County. Approved single-family units have tripled from 1,458 units in 2000 to 3,968 units in 2005, but have decreased significantly to 2,627 single-family units in 2006 as a result of the overall decline in the housing market. Within those numbers, the bulk of new construction was represented by the Carolina Forest development in the Conway East census division. The Carolina Forest area experienced tremendous growth in the late 1990s and in the 2000s. It is anticipated that this multi-subdivision development will be home to 32,000 to 36,000 people. According to the recorded final plats, 20 percent of the units recorded thus far are approved for single-family residences.

Multi-family housing units comprised approximately one-third of Horry County's overall housing stock in 2000. The greatest concentration of multi-family housing is found in the tourist-oriented census divisions of Myrtle Beach and Little River. In contrast, the rural western divisions of Aynor, Floyds and Loris had the least amount of multi-family housing. Multi-family unit construction throughout the County declined between 2002 and 2003. After a short rebound 2004 through 2005, the multi-family development in the local housing market plunged to only 44 authorized units in 2006. Current housing market conditions have altered leasing multi-family developments at a standstill, yet overall, this type of housing consistently comprises 20 percent of the approved housing units in unincorporated Horry County.

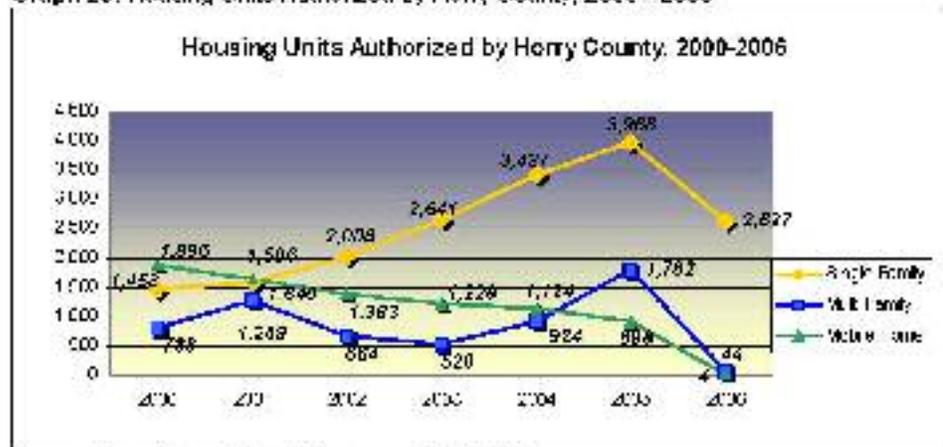
Mobile homes have made up nearly 26 percent of the approved housing units over the last six years. The number of mobile home permits issued in the unincorporated areas of Horry County has been declining since 2000 when the number of mobile home permits issued was greater than the number of single-family permits. Areas with the greatest percentage of mobile homes were the rural areas of Aynor, Floyds, Longs and Loris census divisions. Higher percentages of mobile home permits also correspond with median household income. These four census divisions had median household incomes approximately 17 percent below Horry County's average (US Census, 2000).

Table 65: Horry County Housing Census 2000

	Aynor	Conway	Conway East	Floyds	Little River	Longs	Loris	Myrtle Beach	Horry County
Single Family	51.15%	51.25%	49.8%	62%	42.1%	46.5%	68.25%	41.15%	47.4%
Multi-Family	1.2%	5.6%	15.9%	0.4%	46.4%	0.2%	3.55%	30.55%	32.1%
Mobile Home & Other	44.1%	54.3%	35.7%	37.3%	11.5%	49.3%	30.2%	18.5%	20.5%

Source: US Census, 2000

Graph 20: Housing Units Authorized by Horry County, 2000 - 2006

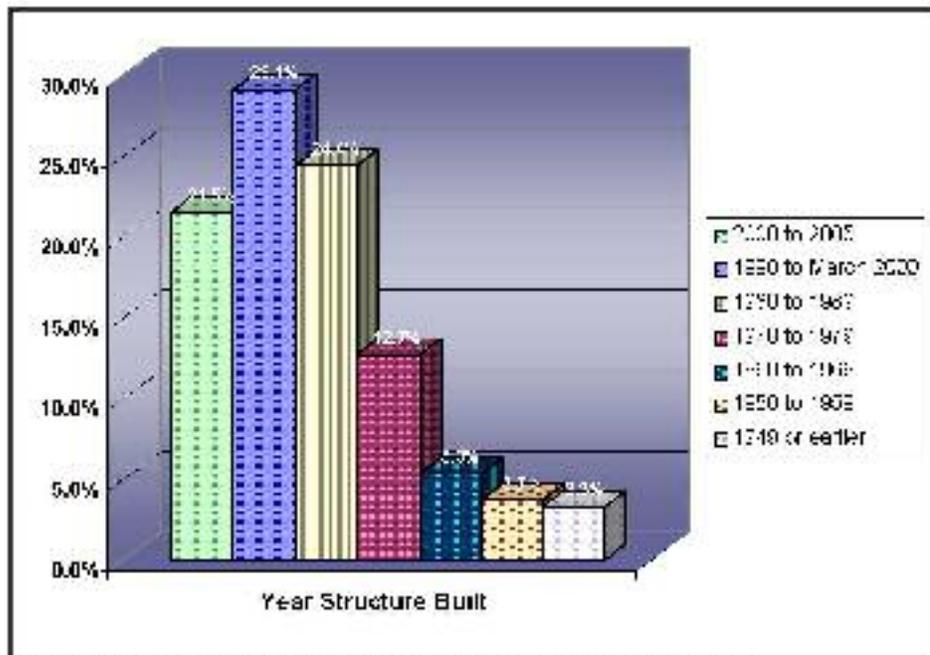


Source: Horry County Code Enforcement, 2000 - 2006

### Age of Housing

The majority of housing in Horry County is relatively new. Close to 75 percent of the total number of housing units has been built in the last 25 years and 50 percent of the overall housing inventory was only built from 1990 to 2005. Only a bit over three (3) percent of the housing stock was built prior to 1949. Based on building permit data twenty one percent of the housing stock was built in the last five years. Much of this growth has been focused in the coastal census divisions of Conway East, Little River and Myrtle Beach.

Graph 21. Age of Housing 1940-2005



Source: US Census, 2000 and County and Municipal Building Permit Data, 2006

### Occupancy

Horry County's vacancy rate in 2000 was 33 percent, exceeding South Carolina's rate of 12.5 percent. The County's vacancy rate continues to be the highest in the State. High vacancy rates typically suggest an excess of housing units relative to demand. However, given the resort-oriented segments of the County's housing market, the rate more likely captures the high proportion of units in seasonal use. Vacancy is calculated for April 1 of the Census year, prior to the peak of the tourist season. Second homes and units built specifically for seasonal rental purposes tend to yield higher vacancy rates. Similarly, other tourist based, coastal housing markets feature high vacancy rates, such as 28 percent in Georgetown County and 15 percent in Beaufort County.

A review of vacancy by County census divisions further illustrates the influence of seasonal housing (Table 88). Coastal census divisions such as Little River and Myrtle

Beach display a large number of vacant units, while the vacancy rate in the western divisions of Longs, Loris, Conway, Floyds, and Aynor are equal to or below the state's rate. An increase is noted in the Conway East. That census division has experienced a 0.5 percent increase in vacancy rate. This increase also reflects the attractiveness of this area to second homebuyers by its proximity to the ocean.

**Table 66: Vacant Housing Units by Horry County Census Divisions, 2000**

	<i>Aynor</i>	<i>Conway</i>	<i>Conway East</i>	<i>Floyds</i>	<i>Little River</i>	<i>Longs</i>	<i>Loris</i>	<i>Myrtle Beach</i>
<b>Total Units</b>	3,000	13,937	15,071	7,496	13,261	2,817	6,671	61,505
<b>Total Vacant Units</b>	473	1,267	2,303	181	1,148	983	841	18,394
<b>% Units Vacant</b>	15.8%	9.1%	15.3%	2.4%	8.7%	35.0%	12.6%	29.9%

Source: US Census, 2000

The U.S. Census Bureau separates vacant seasonal housing from all vacant households. The Census defines seasonal vacant housing as vacant units used or intended for use only in certain seasons—weekend or other occasional use throughout the year. Table 67 (below) describes the different classifications of vacancy. Over half of Horry County's vacancies are for seasonal, recreational or occasional use. Although the numbers themselves have increased by 23 percent since 1990, the rate of vacancy has remained the same at 22 percent of the total housing units.

**Table 67: Vacancy Status in Horry County, 2000**

	<i>Number of Units</i>
For rent	9,674
For sale only	2,057
Rented or sold, not occupied	1,321
For seasonal, recreational, or occasional use	25,838
For migrant workers	95
Other vacant	1,300
<b>TOTAL</b>	<b>40,285</b>

Source: US Census, 2000

### **Tenure**

Among those housing units classified as occupied, the US Census Bureau identifies two types of tenure status—owner and renter. As of 2000, 75 percent of occupied units were owner-occupied, while the remaining 27 percent were rental. The homeownership rate in Horry County increased by 4.5 percent from 1990 to 2000. Taking into account the robust construction trends and the decreasing vacancy the trend indicates that the area's housing market continues to absorb recently constructed homes. It also suggests that more people are becoming permanent residents for reasons such as retirement, climate, jobs, comparative national affordability, etc. This is further substantiated in following Table 68, which shows that owner occupied units are also increasing.

**Table 68: Housing Units by Tenure, 1980 - 2000**

	1980	1990	2000
Owner Occupied Units	23,925	38,198	59,899
% Owner Occupied	55.8%	62.5%	73.0%
Renter Occupied Units	10,873	17,566	22,101
% Renter Occupied	31.2%	31.5%	27.0%
<b>TOTAL</b>	<b>34,798</b>	<b>66,764</b>	<b>81,800</b>

Source: US Census, 1980-2000

Furthermore, **Table 69** illustrates where people lived in 1995. Seventy one percent of Horry County's residents lived in Horry County in 1995. Of those that did not live in the County in 1995, 78 percent came from out of state and the majority came from other areas of the south. The census divisions with the greatest in migration were the coastal census divisions of Myrtle Beach and Little River as well as the growing area of Conway East.

**Table 69: Residence in 1995 of Horry County and Census Divisions, 2000**

	Horry County	Aynor	Conway	Conway East	Floyds	Little River	Longs	Loris	Myrtle Beach
Total Residents in 2000	185,861	8,317	51,323	29,313	3,010	20,567	5,214	12,319	70,121
Same House in 1995	91,402	5,768	17,322	12,181	2,102	11,442	3,410	8,821	30,010
Different House in 1995	94,459	2,549	14,001	17,132	908	13,825	1,804	4,498	39,695
In Other States in 1995	91,019	2,464	13,480	16,420	814	13,250	1,007	4,102	39,312
Same county	41,451	1,738	5,297	6,373	450	4,504	1,032	2,325	15,453
Different county	49,568	668	8,203	10,047	464	8,746	675	1,777	22,819
Same state	10,330	397	1,214	1,054	27	305	57	407	4,830
Different state	39,238	271	7,019	7,993	137	7,781	548	1,370	17,989
Northeast	13,630	100	1,188	3,308	17	2,446	223	385	6,173
Midwest	4,882	40	603	1,103	20	181	13	55	2,130
South	15,017	201	1,556	3,367	145	3,363	325	729	3,717
West	1,321	7	153	413	0	270	13	22	907
Foreign Born in 1995	5,000	70	504	593	34	375	107	135	1,278

Source: US Census, 2000

### **Affordable Housing**

The Department of Housing and Urban Development (HUD) defines affordable housing as when the occupant or family spends no more than 30 percent of their gross household income towards their total gross housing costs whether renting or owning. Housing costs include rent or mortgage costs, water, sewer, gas and electric services. According to HUD formulas, very low-income families are defined as those earning 50

percent or less of the area's median income (AMI). Low-income families earn between 50 percent and 80 percent of AMI. Families earning from 81 percent to 120 percent of the AMI are classified as moderate income. Adjustments are made for family size. Total housing costs equal to 30 percent or more of income may indicate affordability problems.

### Income

According to the National Low Income Housing Coalition (NLIHC), the area median income (AMI) for Horry County was \$30,650, nearly \$2,000 lower than South Carolina's AMI. Those families whose income is 30 percent of the area median income are considered very low income. In addition to comparing the AMI between South Carolina and Horry County, Table 70 examines the maximum affordable monthly housing costs by the percentage of family area median income. For example, 50 percent of family AMI (federal definition of low-income family) can spend up to an average of \$633 per month on housing if they live in Horry County. This amount is lower than the state average. Similarly, a moderate-income family (80 percent of AMI) meets the federal definition of affordability when they utilize no more than \$1,013 of their family income towards housing costs (NLIHC Out of Reach Report, 2006).

**Table 70: Average Family Income in Horry County and South Carolina, 2005**

Location	Area Median Income (AMI)			Maximum Affordable Monthly Housing Cost by % of Family AMI			
	Annual	Monthly	30% of AMI	30%	50%	80%	100%
South Carolina	\$32,650	\$2,720	\$15,325	\$395	\$656	\$1,057	\$1,377
Horry County	\$28,650	\$2,387	\$15,325	\$362	\$633	\$1,013	\$1,266

Source: NLIHC Out of Reach Report, 2006.

### Home Value

Average home values for specified owner-occupied houses in Horry County have risen considerably in the last decade and a half (see Table 71), increasing almost by double (90%) between 1990 and 2006. Map 11 on the next page depicts estimated average values for owner-occupied homes for 2005 by zip code. The map shows whether housing in a particular zip code is above or below the median home value in Horry County for 2005. As the County average was \$143,500 based on U.S. Census data, the average home values for the individual zip code areas in the County represent estimates that were specially recalculated by the Horry County Planning and Zoning Department to better illustrate discrepancies in home values based on location (e.g. how close they are to the beach). With overall average home values increasing by 18.88% between 2000 and 2006 throughout Horry County, the most appreciating zip code areas are located along the shoreline (31.07%) and in the transitional areas just west of the Intracoastal Waterway (e.g. Carolina Forest, Longs, and Loris) with an increase in values of 32.72%.

The most recent recorded median home sales price in Horry County was \$250,176 in 2006 (Coastal Carolina Association of Realtors, 2007). Yet, that number only represents an average price for listed homes that were sold in 2006, but does not relate to the

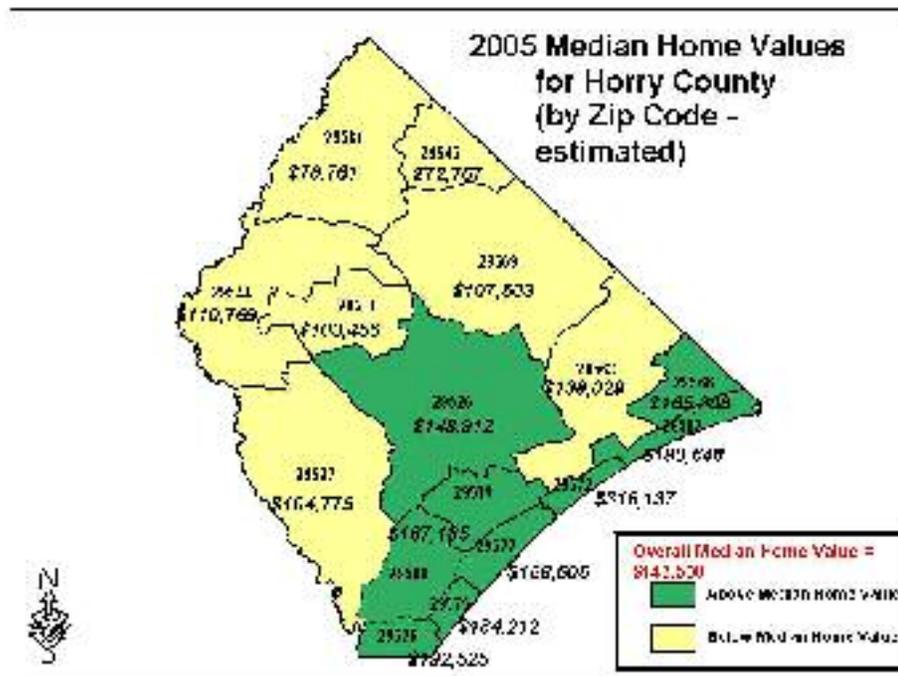
average value of specified owner-occupied homes in an area depending on its very location, which is vital for assessing real estate values.

**Table 71: Horry County Specified Owner-occupied Median Home Value, 1990 - 2005**

Year	Value	Percent Increase
1990	\$75,500	N/A
2000	\$119,700	58.54 %
2005	\$143,500	19.88 %

Sources: US Census, 1990, 2000, and 2005

**Map 11: Estimated Median Home Values in Horry County, 2005**



Source: US Census Bureau, 2000-2006

### Renter Affordability

The National Low Income Housing Coalition publishes a yearly report titled *Out of Reach* which provides local level data concerning affordable housing choices. One of the most poignant aspects of their research is assessing renter affordability. In Horry County there are 81,000 households. Of these households, 27 percent or 22,101 households are renters (NLIHC and Reach Report, 2006)

In order to assess affordability, fair market rents (FMR) are evaluated. For comparison, the state averages are also shown. The table below gives the average rents based on

the number of bedrooms. Rents in Horry County for a two-bedroom unit are 13.0 percent higher than the state's average.

**Table 72: Fair Market Rents (FMR) by number of bedrooms, 2005**

Location	Zero	One	Two	Three	Four
South Carolina	\$477	\$500	\$531	\$757	\$820
Horry County	\$466	\$582	\$664	\$817	\$881

Source: HUD, 2005

**Table 72** (above) further studies rents by calculating the necessary income in order for someone to afford each bedroom's fair market rent. For instance, in Horry County one would need an annual income of \$27,380 in order to afford a two-bedroom unit. The next set of columns give the percentage of annual median income in order to afford each bedroom unit. From **Table 70** the annual median income for Horry County is \$50,600. Those households that earn 54 percent of annual median income can afford a two-bedroom unit in Horry County. **Table 73** (below) demonstrates that rental housing in Horry County is unaffordable for very low-income households (households that earn 50 percent of the annual median income) (NLHC Out of Reach Report, 2005).

**Table 73: Necessary Income to afford FMR by bedrooms, 2005**

Location	Annual Income					Percent of Family Annual Median Income				
	Zero-Bedroom FMR	One-Bedroom FMR	Two-Bedroom FMR	Three-Bedroom FMR	Four-Bedroom FMR	Zero-Bedroom FMR	One-Bedroom FMR	Two-Bedroom FMR	Three-Bedroom FMR	Four-Bedroom FMR
South Carolina	\$16,667	\$22,787	\$28,655	\$40,028	\$55,106	33%	46%	57%	79%	110%
Horry County	\$21,620	\$28,442	\$37,360	\$52,650	\$73,600	43%	56%	74%	104%	145%

Source: HUD, 2005

Next, affordability is examined based on renter income and wage. The estimated renter median household income for Horry County is \$31,428 and the monthly rent affordable at renter median income is \$766. To pay the fair-market rent for a two-bedroom unit it would require 87 percent of the renter median household. It is estimated that 43 percent of renters are unable to afford a two-bedroom unit at fair market rent. The table also considers hourly wages. The estimated renter hourly wage is \$8.74 and the monthly rent that is affordable at the mean renter wage is \$454. An interesting comparison shown in this table is that the renter household income for Horry County is higher than that of the State's, but the renter hourly wage is lower. Subsequently, Horry County renters on hourly wages can afford less rent than the South Carolina average (NLHC Out of Reach Report, 2005).

**9.1** **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.**

**MBHA last opened the waiting list 5/8/2008. There are currently 524 households on the list. MBHA must monitor use of funds as well as the availability of vouchers. Since MBHA has mainstream vouchers for the disabled, MBHA currently gives a preference to households with a disabled family member. MBHA will sort the list both by date, time and by priority. Call ins will consist of 50% of the applicants being drawn by preference and the remaining 50% by date and time of application.**

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

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

**MBHA has made significant progress in meeting the missions and goals described in the 2005-2009 5-year plan. In purchasing Halyard Bend, a 48-unit Rural Development property, MBHA not only preserved the units as affordable housing; the project received 100% RD rental assistance. Housing choices increased with the addition of new tax credit units as well as reaching out to new landlords in MBHA's jurisdiction.**

**MBHA has become a HUD Certified Homeownership Counseling Agency. This has allowed MBHA to reach out into the community with Financial Literacy and Homeownership counseling.**

**As lead agency in the Horry County Neighborhood Stabilization Program Partnership, MBHA has assisted in stabilizing neighborhoods by demolishing blighted structures, purchasing and rehabilitating foreclosed property and the redevelopment of a much needed Head Start program facility, the demolition and redevelopment of an 11-unit low-income multifamily development on Mr Joe White Ave and another 3 units on Warren Street.**

**October 2009 MBHA began assisting households through the Horry County Homeless Prevention And Rapid Rehousing Program. In the first three months 188 households were assisted.**

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

**Participation in a program not yet developed or offered would not be considered a Substantial Deviation, Significant Amendment or Modification to the plan if the participation would assist MBHA in meeting it's mission and goals.**

**Substantial deviation or significant amendment or deification does not include changes in policies due to required changes in HUD regulations or requirements, or changes in policies and procedures necessary to maintain financial viability of the programs due to changes in HUD funding that is implemented after the annual plan is submitted and during the subject years or changes in policies and procedures necessary to apply for new or renewal sources of funding.**

**MBHA defines Substantial Deviation or Significant Amendment or Modification as follows:**

- Any method that would significantly change the manner in which our programs would be administered that is not a required change by HUD and would impact our mission and goals.
- Changes to rent or admissions policies or organization of the waiting list;

**Resident Advisory Board**

**All HVC clients were notified by mail in November 2009 of the annual plan process. Notice was posted at the MBHA office. Newsletters were sent out requesting clients to join the Resident Advisory Board and listing the date and time of the meeting. The meeting was held December 8, 2009 at 2:00 pm. There were no attendees at the Resident Advisory Board meeting except for the MBHA representative.**

**No Items were Challenged.**



**THE MYRTLE BEACH HOUSING  
AUTHORITY**

**WILL BE CLOSED FOR THE FOLLOWING  
HOLIDAYS AND TRAINING DAYS:**

**THANKSGIVING: THURSDAY & FRIDAY,  
NOVEMBER 26 & 27**

**REQUIRED TRAINING: WEDNESDAY,  
DECEMBER 16, 1:00 - 5:00 P.M.**

**CHRISTMAS: WEDNESDAY - FRIDAY,  
DECEMBER 23, 24 & 25**

**NEW YEAR'S: THURSDAY, DECEMBER 31  
AND FRIDAY, JANUARY 1**

**\*\*\***

**Section 504 of the Rehabilitation Act**  
provides for nondiscrimination in all  
programs, services and activities

receiving federal financial assistance.  
MIHA is currently reviewing its program  
in an effort to insure that it is fully  
available to persons with disabilities.

**If you are interested in assisting us with  
our evaluation, please come by our  
office or contact Amy Bogart at  
843/918-1525 to complete an  
assessment**

**Family Self-Sufficiency**

Self-Sufficiency is defined as:  
*Having the necessary  
resources to maintain an adequate  
lifestyle without the help of others*

However, in order to attain self-  
sufficiency, it is very often  
necessary to have help getting there.

**WHAT IS  
FAMILY  
SELF-  
SUFFICIENCY?**

A program offered by the Myrtle  
Beach Housing  
Authority that is designed to help  
low income families

obtain a better standard of  
living while promoting  
self-sufficiency.

For more information, please  
contact: **Arlene Hink, Director** at  
843/918-1528



675 10th Ave North  
PO Box 2458  
Myrtle Beach, SC 29576

Phone: 843.918.1528  
Fax: 843.918.1528  
TDD: 843.918.1528

Website: [mhbaonline.org](http://mhbaonline.org)





**PUBLIC NOTICE**

The Myrtle Beach Housing Authority has developed its Agency Plan in compliance with The Quality Housing and Work Responsibility Act of 1998. The Agency plan is available for public review at the Myrtle Beach Housing Authority's Office located at 605 10<sup>th</sup> Ave. North, Myrtle Beach, SC during regular office hours 8:30 AM to 4:30 PM. It is also available anytime on our website [www.mbhaonline.org](http://www.mbhaonline.org)  
Written comments may be sent to MBHA, PO Box 2468, Myrtle Beach, SC 29578-2468.  
In addition, a Public Hearing will be held on April 8, 2009 at 5:00 PM. at the Myrtle Beach Housing Authority.



**There were no attendees at the Public Hearing except for the MBHA representative. No Items were Challenged.**

**Myrtle Beach Housing Authority PHA Plan  
Chapter 16 – Program Administration**

**PART IX: NOTIFICATION REGARDING APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2005 (VAWA)**

The Violence against Women Reauthorization Act of 2005 (VAWA) requires PHAs to inform assisted tenants of their rights under this law, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as tenants, PHAs may elect to provide the same information to applicants. VAWA also requires PHAs to inform owners and managers of their obligations under this law [24 CFR 5.2007(3)].

This part describes the steps that MBHA will take to ensure that all actual and potential beneficiaries of its housing choice voucher program are notified about their rights and that owners and managers are notified of their obligations under VAWA.

MBHA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it.

A summary of the rights and protections provided by VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, or stalking (see sample notices in Exhibits 16-1 and 16-2)

The definitions of *domestic violence*, *dating violence*, and *stalking* provided in VAWA (included in Exhibits 16-1 and 16-2)

An explanation of the documentation that MBHA may require from an individual who claims the protections provided by VAWA (included in Exhibits 16-1 and 16-2)

A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking

A statement of MBHA's obligation to keep confidential any information that it receives from a victim unless (a) MBHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibits 16-1 and 16-2)

The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)

Contact information for local victim advocacy groups or service providers

**16-IX.A. NOTIFICATION TO PARTICIPANTS [24 CFR 5.2007(3)(i)]**

VAWA requires MBHA to notify public housing program participants of their rights under this law, including their right to confidentiality and the limits thereof.

MBHA Policy

MBHA will provide all participants with notification of their protections and rights under VAWA at the time of admission and at unit transfer.

The notice will explain the protections afforded under the law, inform the participant of MBHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

MBHA will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA (see Section 12-II.E).

**16-IX.B. NOTIFICATION TO APPLICANTS**

MBHA Policy

MBHA will provide all applicants with notification of their protections and rights under VAWA at the time they are admitted to the HCV program.

The notice will explain the protections afforded under the law, inform each applicant of MBHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

MBHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-III.G).

**16-IX.C. NOTIFICATION TO OWNERS AND MANAGERS [24 CFR 5.2007(3)(ii)]**

VAWA requires MBHA to notify owners and managers of their rights and responsibilities under this law.

MBHA Policy

Inform property owners and managers of their screening and termination responsibilities related to VAWA.

The PHA may utilize any or all of the following means to notify owners of their VAWA responsibilities:

As appropriate in day to day interactions with owners and managers.

Inserts in HAP payments, 1099s, owner workshops, classes, orientations, and/or newsletters.

Signs in the PHA lobby and/or mass mailings which include model VAWA certification forms

**EXHIBIT 16-1: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER APPLICANTS AND TENANTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

*This sample notice was adapted from a notice prepared by the National Housing Law Project.*

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your rights under VAWA.

**Protections for Victims**

If you are eligible for a Section 8 voucher, the housing authority cannot deny you rental assistance solely because you are a victim of domestic violence, dating violence, or stalking.

If you are the victim of domestic violence, dating violence, or stalking, you cannot be terminated from the Section 8 program or evicted based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a member of your household or a guest can't be the reason for evicting you or terminating your rental assistance if you were the victim of the abuse.

**Reasons You Can Be Evicted**

You can be evicted and your rental assistance can be terminated if the housing authority or your landlord can show there is an *actual* and *imminent* (immediate) threat to other tenants or employees at the property if you remain in your housing. Also, you can be evicted and your rental assistance can be terminated for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking committed against you. The housing authority and your landlord cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

**Removing the Abuser from the Household**

Your landlord may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the assisted unit. Also, the housing authority can terminate the abuser's Section 8 rental assistance while allowing you to continue to receive assistance. If the landlord or housing authority chooses to remove the abuser, it may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, your landlord must follow federal, state, and local eviction procedures.

**Moving to Protect Your Safety**

The housing authority may permit you to move and still keep your rental assistance, even if your current lease has not yet expired. The housing authority may require that you be current on your rent or other obligations in the housing choice voucher program. The housing authority may ask you to provide proof that you are moving because of incidences of abuse.

**Proving that You Are a Victim of Domestic Violence, Dating Violence, or Stalking**

The housing authority and your landlord can ask you to prove or “certify” that you are a victim of domestic violence, dating violence, or stalking. The housing authority you’re your landlord must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority and your landlord are free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority or your landlord. The form will ask for your name, the name of your abuser, the abuser’s relationship to you, the date, time, and location of the incident of violence, and a description of the violence.
- Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing “under penalty of perjury.”
- Provide a police or court record, such as a protective order.

If you fail to provide one of these documents within the required time, the landlord may evict you, and the housing authority may terminate your rental assistance.

**Confidentiality**

The housing authority and your landlord must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority or your landlord to release the information.
- Your landlord needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority or your landlord to release the information.

If release of the information would put your safety at risk, you should inform the housing authority and your landlord.

**VAWA and Other Laws**

VAWA does not limit the housing authority’s or your landlord’s duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

**Additional Information**

If you have any questions regarding VAWA, please contact MBHA at (843) 918-1525.  
For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

Local Victim Advocacy call CASA 24 hour crisis line (843) 448-6206.

**Definitions**

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- 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

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines *stalking* as (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) 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 (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.

**EXHIBIT 16-2: NOTICE TO HOUSING CHOICE VOUCHER OWNERS AND MANAGERS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or “VAWA.” This notice explains your obligations under VAWA.

**Protections for Victims**

You cannot refuse to rent to an applicant solely because he or she is a victim of domestic violence, dating violence, or stalking.

You cannot evict a tenant who is the victim of domestic violence, dating violence, or stalking based on acts or threats of violence committed against the victim. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a household member or guest cannot be cause for evicting the victim of the abuse.

**Permissible Evictions**

You can evict a victim of domestic violence, dating violence, or stalking if you can demonstrate that there is an *actual* or *imminent* (immediate) threat to other tenants or employees at the property if the victim is not evicted. Also, you may evict a victim for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking. You cannot hold a victim of domestic violence, dating violence, or stalking to a more demanding standard than tenants who are not victims.

**Removing the Abuser from the Household**

You may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the unit. If you choose to remove the abuser, you may not take away the remaining tenants’ rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, you must follow federal, state, and local eviction procedures.

**Proving that You Are a Victim of Domestic Violence, Dating Violence, or Stalking**

The housing authority and your landlord can ask you to prove or “certify” that you are a victim of domestic violence, dating violence, or stalking. The housing authority you’re your landlord must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority and your landlord are free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority or your landlord. The form will ask for your name, the name of your abuser, the abuser’s relationship to you, the date, time, and location of the incident of violence, and a description of the violence.
- Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing “under penalty of perjury.”
- Provide a police or court record, such as a protective order.

If you fail to provide one of these documents within the required time, the landlord may evict you, and the housing authority may terminate your rental assistance.

**Confidentiality**

The housing authority and your landlord must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority or your landlord to release the information.
- Your landlord needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority or your landlord to release the information.

If release of the information would put your safety at risk, you should inform the housing authority and your landlord.

**VAWA and Other Laws**

VAWA does not limit the housing authority’s or your landlord’s duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

**Additional Information**

If you have any questions regarding VAWA, please contact MBHA at (843) 918-1525. For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

Local Victim Advocacy call CASA 24 hour crisis line (843) 448-6206.

**Definitions**

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VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- 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

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines *stalking* as (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) 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 (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.

<b>11.0</b>	<p><b>Required Submission for HUD Field Office Review.</b> In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. <b>Note:</b> Faxed copies of these documents will not be accepted by the Field Office.</p> <ul style="list-style-type: none"><li>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</li><li>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</li><li>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</li><li>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</li><li>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</li><li>(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.</li><li>(g) Challenged Elements</li><li>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</li><li>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</li></ul>
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**PHA Certifications of Compliance with the PHA Plans and Related Regulations:  
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the    5-Year and/or    Annual PHA Plan for the PHA fiscal year beginning 7/1/2010 hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

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

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

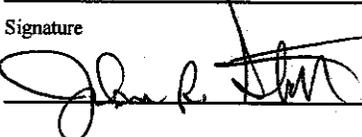
Housing Authority of Myrtle Beach  
PHA Name

SC034  
PHA Number/HA Code

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

Annual PHA Plan for Fiscal Years 20 10 - 20 11

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

Name of Authorized Official	Title
John Stack	Chairman of the Board
Signature	Date
	3/8/2010

## **Resident Advisory Board**

**All HVC clients were notified by mail in November 2009 of the annual plan process. Notice was posted at the MBHA office. Newsletters were sent out requesting clients to join the Resident Advisory Board and listing the date and time of the meeting. The meeting was held December 8, 2009 at 2:00 pm. There were no attendees at the Resident Advisory Board meeting except for the MBHA representative.**

**No Items were challenged.**



THE MYRTLE BEACH HOUSING AUTHORITY  
 WILL BE CLOSED FOR THE FOLLOWING  
 TUESDAYS AND TRAINING DAYS  
 THANKSGIVING: THURSDAY & FRIDAY,  
 NOVEMBER 26 & 27  
 REQUIRED TRAINING: WEDNESDAY,  
 DECEMBER 16, 1:00 - 5:00 P.M.  
 CHRISTMAS: WEDNESDAY - FRIDAY,  
 DECEMBER 24, 25 & 26  
 NEW YEAR'S: TUESDAY, DECEMBER 31  
 AND FRIDAY, JANUARY 1

\*\*\*

Section 504 of the Rehabilitation Act provides for nondiscrimination in all programs, services and activities receiving federal financial assistance. MBHA is currently reviewing its program in an effort to insure that it is fully available to persons with disabilities. If you are interested in assisting us with our evaluation, please come by our office or contact Amy Bogan at 843/918-1525 to complete an assessment

**Family Self-Sufficiency**

Self-Sufficiency is defined as:  
*Having the necessary resources to maintain an adequate lifestyle without the help of others*

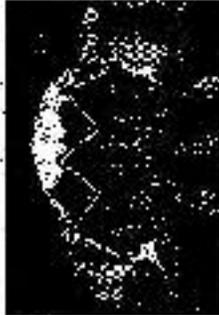
However, in order to attain self-sufficiency, it is very often necessary to have help getting there.

**WHAT IS FAMILY SELF-SUFFICIENCY?**

A program offered by the Myrtle Beach Housing Authority that is designed to help low income families living while promoting self-sufficiency.

For more information, please contact: Myrtle Beach Housing Authority  
 843/918-1528

**Housing Authority of Myrtle Beach**



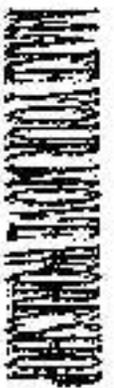
635 5th Ave North  
 PO Box 2420  
 Myrtle Beach SC 29576  
 Phone: 843/918-1528  
 Fax: 843/818-1638  
 TDD: 843/918-1528  
 Website: mhbaonline.org



**JOIN OUR RESIDENT  
ADVISORY BOARD!**

In the year 2000, the U.S. Dept  
of Housing and Urban  
Development ~~will~~ has  
each Public Housing Agency  
(PHA) submit a 1 annual plan.  
The annual plan lays out the  
long and short-term goals set  
forth by the PHA and acts as a  
guide in implementing the  
Housing Choice Voucher  
Program. The Advice Beach  
Housing Authority committees  
the plan from year to year and  
appreciates suggestions and  
dialogue with current Section 8  
recipients. The Resident  
Advisory Board (RAB) was  
formed for this purpose.

Please take advantage of this  
opportunity to provide **MILIA**  
with information about your  
needs. Join our Resident  
Advisory Board and attend our  
next meeting on Tuesday,  
December 8, 2009 at 2:00 pm.  
If you would like to join our  
Resident Advisory Board,  
please contact Amy Rogan at  
918-1514 and RSVP to reserve  
your seat for the next meeting.



**DATE:**

Tuesday, Wednesday, Thursday  
Jan. 19<sup>th</sup>, 20<sup>th</sup> & 21<sup>st</sup>

**TIME:**

5:30 PM - 7:30 PM

**LOCATION:**

Housing Authority of Mobile Beach  
605 10<sup>th</sup> Avenue N.  
Mobile Beach, SC 29577

Learn the basics to buying your first home

**RSVP is required.** Please contact  
Theresa Ross at 918-1560 by  
January 7<sup>th</sup>, 2010

**SHORT**

Average Rise	A - and P
Tonto Everett	I-1 and C and R T
Ken Baustler	M N and V Z and credibility and 1950
Adelaide Proctor	Preschool-par 1899
Adley Danks	Special language, HOW/735A, 555
Theresa Rice	Unemployment



Join the Housing Authority of Mobile  
Beach starting in  
January 2010 for a week of

**MONEY SMART**

At 605 10<sup>th</sup> Avenue North, Mobile  
Beach, SC 29577  
Every Thursday from  
10:30 AM - 11:30 AM  
Beginning January 7<sup>th</sup> -  
February 25<sup>th</sup>, 2010

Classes are limited to the first 20 to sign up  
Call Theresa Ross at 918-1560  
or receive your seat  
TDD# 1-800-735-2915

Children will **NOT** be provided  
please make arrangements  
for your children  
These classes will be offered over a quarter  
and be continuous and ongoing.  
Please call for dates and time of other  
classes if you like call on location.



# HOUSING AUTHORITY OF MYRTLE BEACH

## ADMINISTRATIVE PLAN

### SECTION 16 PROGRAM ADMINISTRATION

#### **PART IX: NOTIFICATION REGARDING APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2005 (VAWA)**

The Violence against Women Reauthorization Act of 2005 (VAWA) requires PHAs to inform assisted tenants of their rights under this law, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as tenants, PHAs may elect to provide the same information to applicants. VAWA also requires PHAs to inform owners and managers of their obligations under this law [24 CFR 5.2007(3)].

This part describes the steps that MBHA will take to ensure that all actual and potential beneficiaries of its housing choice voucher program are notified about their rights and that owners and managers are notified of their obligations under VAWA.

#### MBHA Policy

MBHA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it.

A summary of the rights and protections provided by VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, or stalking (see sample notices in Exhibits 16-1 and 16-2)

The definitions of *domestic violence*, *dating violence*, and *stalking* provided in VAWA (included in Exhibits 16-1 and 16-2)

An explanation of the documentation that MBHA may require from an individual who claims the protections provided by VAWA (included in Exhibits 16-1 and 16-2)

A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking

A statement of MBHA's obligation to keep confidential any information that it receives from a victim unless (a) MBHA has the victim's written permission to release the information, (b) it needs to use the information in

an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibits 16-1 and 16-2)

The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)

Contact information for local victim advocacy groups or service providers

**16-IX.A. NOTIFICATION TO PARTICIPANTS [24 CFR 5.2007(3)(i)]**

VAWA requires MBHA to notify public housing program participants of their rights under this law, including their right to confidentiality and the limits thereof.

MBHA Policy

MBHA will provide all participants with notification of their protections and rights under VAWA at the time of admission and at unit transfer.

The notice will explain the protections afforded under the law, inform the participant of MBHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

MBHA will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA (see Section 12-II.E).

**16-IX.B. NOTIFICATION TO APPLICANTS**

MBHA Policy

MBHA will provide all applicants with notification of their protections and rights under VAWA at the time they are admitted to the HCV program.

The notice will explain the protections afforded under the law, inform each applicant of MBHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

MBHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-III.G).

**16-IX.C. NOTIFICATION TO OWNERS AND MANAGERS [24 CFR 5.2007(3)(ii)]**

VAWA requires MBHA to notify owners and managers of their rights and responsibilities under this law.

MBHA Policy

Inform property owners and managers of their screening and termination responsibilities related to VAWA. The PHA may utilize any or all of the following means to notify owners of their VAWA responsibilities:

As appropriate in day to day interactions with owners and managers.

Inserts in HAP payments, 1099s, owner workshops, classes, orientations, and/or newsletters.

Signs in the PHA lobby and/or mass mailings which include model VAWA certification forms

**EXHIBIT 16-1: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER  
APPLICANTS AND TENANTS REGARDING THE VIOLENCE AGAINST  
WOMEN ACT (VAWA)**

*This sample notice was adapted from a notice prepared by the National Housing Law Project.*

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or “VAWA.” This notice explains your rights under VAWA.

**Protections for Victims**

If you are eligible for a Section 8 voucher, the housing authority cannot deny you rental assistance solely because you are a victim of domestic violence, dating violence, or stalking.

If you are the victim of domestic violence, dating violence, or stalking, you cannot be terminated from the Section 8 program or evicted based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a member of your household or a guest can’t be the reason for evicting you or terminating your rental assistance if you were the victim of the abuse.

**Reasons You Can Be Evicted**

You can be evicted and your rental assistance can be terminated if the housing authority or your landlord can show there is an *actual* and *imminent* (immediate) threat to other tenants or employees at the property if you remain in your housing. Also, you can be evicted and your rental assistance can be terminated for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking committed against you. The housing authority and your landlord cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

**Removing the Abuser from the Household**

Your landlord may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the assisted unit. Also, the housing authority can terminate the abuser’s Section 8 rental assistance while allowing you to continue to receive assistance. If the landlord or housing authority chooses to remove the abuser, it may not take away the remaining tenants’ rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, your landlord must follow federal, state, and local eviction procedures.

**Moving to Protect Your Safety**

The housing authority may permit you to move and still keep your rental assistance, even if your current lease has not yet expired. The housing authority may require that you be current on your rent or other obligations in the housing choice voucher program. The housing authority may ask you to provide proof that you are moving because of incidences of abuse.

## **Proving that You Are a Victim of Domestic Violence, Dating Violence, or Stalking**

The housing authority and your landlord can ask you to prove or “certify” that you are a victim of domestic violence, dating violence, or stalking. The housing authority you’re your landlord must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority and your landlord are free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority or your landlord. The form will ask for your name, the name of your abuser, the abuser’s relationship to you, the date, time, and location of the incident of violence, and a description of the violence.
- Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing “under penalty of perjury.”
- Provide a police or court record, such as a protective order.

If you fail to provide one of these documents within the required time, the landlord may evict you, and the housing authority may terminate your rental assistance.

### **Confidentiality**

The housing authority and your landlord must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority or your landlord to release the information.
- Your landlord needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority or your landlord to release the information.

If release of the information would put your safety at risk, you should inform the housing authority and your landlord.

### **VAWA and Other Laws**

VAWA does not limit the housing authority’s or your landlord’s duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

### **Additional Information**

If you have any questions regarding VAWA, please contact MBHA at (843) 918-1525. For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

Local Victim Advocacy call CASA 24 hour crisis line (843) 448-6206.

### **Definitions**

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- 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

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines *stalking* as (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) 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 (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.

**EXHIBIT 16-2: NOTICE TO HOUSING CHOICE VOUCHER OWNERS AND MANAGERS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)**

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or “VAWA.” This notice explains your obligations under VAWA.

**Protections for Victims**

You cannot refuse to rent to an applicant solely because he or she is a victim of domestic violence, dating violence, or stalking.

You cannot evict a tenant who is the victim of domestic violence, dating violence, or stalking based on acts or threats of violence committed against the victim. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a household member or guest cannot be cause for evicting the victim of the abuse.

**Permissible Evictions**

You can evict a victim of domestic violence, dating violence, or stalking if you can demonstrate that there is an *actual* or *imminent* (immediate) threat to other tenants or employees at the property if the victim is not evicted. Also, you may evict a victim for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking. You cannot hold a victim of domestic violence, dating violence, or stalking to a more demanding standard than tenants who are not victims.

**Removing the Abuser from the Household**

You may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the unit. If you choose to remove the abuser, you may not take away the remaining tenants’ rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, you must follow federal, state, and local eviction procedures.

### **Certification of Domestic Violence, Dating Violence, or Stalking**

If a tenant asserts VAWA's protections, you can ask the tenant to certify that he or she is a victim of domestic violence, dating violence, or stalking. You are not required to demand official documentation and may rely upon the victim's statement alone. If you choose to request certification, you must do so in writing and give the tenant at least 14 business days to provide documentation. You are free to extend this deadline. A tenant can certify that he or she is a victim by providing any one of the following three documents:

- By completing a HUD-approved certification form. The most recent form is HUD-50066. This form is available at the housing authority, or online at [www.hudclips.org](http://www.hudclips.org).
- By providing a statement from a victim service provider, attorney, or medical professional who has helped the victim address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both the victim and the professional must sign the statement under penalty of perjury.
- By providing a police or court record, such as a protective order.

If the tenant fails to provide one of these documents within 14 business days, you may evict the tenant if authorized by otherwise applicable law and lease provisions.

### **Confidentiality**

You must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, or stalking. You cannot enter the information into a shared database or reveal it to outside entities unless:

- The tenant provides written permission releasing the information.
- The information is required for use in an eviction proceeding, such as to evict the abuser.
- Release of the information is otherwise required by law.

The victim should inform you if the release of the information would put his or her safety at risk.

### **VAWA and Other Laws**

VAWA does not limit your obligation to honor court orders regarding access to or control of the property. This includes orders issued to protect the victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

### **Additional Information**

- If you have any questions regarding VAWA, please contact MBHA at (843) 918-1525.
- HUD Notice PIH 2006-42 contains detailed information regarding VAWA's certification requirements. The notice is available at <http://www.hud.gov/offices/adm/hudclips/>
- An overview of VAWA's housing provisions is available at <http://edocket.access.gpo.gov/2007/pdf/E7-4795.pdf>

### **Definitions**

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- 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

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines *stalking* as (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) 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 (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.