

Resolution 10-1214

**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 April 2011, 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.

Consolidated Area Housing Authority of Sutter County

CA048

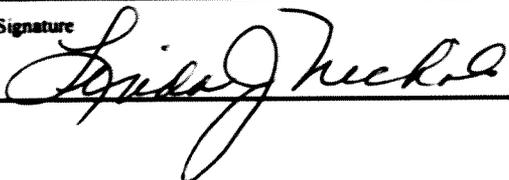
PHA Name

PHA Number/HA Code

\_\_\_\_\_ 5-Year PHA Plan for Fiscal Years 20\_\_\_\_ - 20\_\_\_\_

XX \_\_\_\_\_ Annual PHA Plan for Fiscal Years 20<sup>11</sup> - 20<sup>12</sup>

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  Linda J. Nichols	Title  Executive Director
Signature 	Date  December 6, 2010

# PHA 5-Year and Annual Plan

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing

OMB No. 2577-0226  
Expires 4/30/2011

1.0	<b>PHA Information</b> PHA Name: <u>Consolidated Area Housing Authority of Sutter County</u> PHA Code: <u>048</u> PHA Type: <input checked="" type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>04/01/2011</u>				
2.0	<b>Inventory</b> (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u>203</u> Number of HCV units: <u>829</u>				
3.0	<b>Submission Type</b> <input type="checkbox"/> 5-Year and Annual Plan <input checked="" 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:				
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.				
6.0	<b>PHA Plan Update</b> (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: (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.				
7.0	<b>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.</b> Include statements related to these programs as applicable.				
8.0	<b>Capital Improvements.</b> Please complete Parts 8.1 through 8.3, as applicable.				
8.1	<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.				
8.2	<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.				
8.3	<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.				
9.0	<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.				

9.1	<p><b>Strategy for Addressing Housing Needs.</b> Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. <b>Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</b></p>
10.0	<p><b>Additional Information.</b> Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"</p>
11.0	<p><b>Required Submission for HUD Field Office Review.</b> In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. <b>Note:</b> Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>

**5.1 Mission**

The Consolidated Area Housing Authority of Sutter County's mission is to continue to:

- provide decent, safe and sanitary housing
- increase affordable housing
- increase economic opportunities for low income families
- Ensure equal opportunity housing, free from discrimination

**5.2 Goals and Objectives**

1. Increase the supply, quality and choices available for assisted housing
  - Apply for additional vouchers
  - Apply for additional subsidized/rental assistance opportunities
  - Acquire, rehab or build units or developments
  - Leverage private and/or public funds to create additional housing opportunities
  - Renovate or modernize public housing units
  - Demolish or dispose of obsolete public housing buildings
  - Provide replacement public housing
  - Provide replacement vouchers
  - Provide voucher mobility counseling
  - Convert public housing to vouchers
  
2. Promote self sufficiency and asset development of families and individuals
  - Partner with local community providers to provide support services to develop and improve pre-employment and employment skills, i.e., resume writing, setting goals, budget building, dressing for success etc...
  - Connect with local providers to increase services for the elderly or families with disabilities.
  
3. Ensure equal opportunity in Housing for all Americans
  - Ensure equal opportunity and affirmatively further fair housing
  - Market all housing opportunities to ensure access to assisted housing is available regardless of race, color, religion, national origin, sex, familial status, and disability

The PHA has continued to move forward on the goals identified in the 5 year plan.

- The PHA continues to move forward on the demo disposition of Maple Park.
- The PHA has been awarded replacement vouchers for families and will be assisting them to transition out of the development.
- The PHA has secured additional funding from HOME for the development.
- The PHA continues to work with local cities and counties to increase affordable housing for low income families.
- The PHA will be project basing approximately 160 vouchers in Sutter County.
- The PHA continues to partner with local agencies to provide additional resources to participants to assist in reaching self sufficiency.
- The PHA has successfully expended all ARRA funds within the designated timelines.

**6.0 PHA Plan Update**

Revised plan elements

(a) Capital Fund Update

The PHA was awarded funds as part of the American Recovery Reinvestment Act of 2009; both ARRA 1 and ARRA 2 (competitive and formula) were used to continue to rehabilitate the interior, exterior and landscaping for Joann Way-River City Manor, Richland Housing, and Date Street-Senior Village. New funding will be used to continue to rehabilitate existing public housing unit’s interior, exterior and landscaping.

The PHA will also be submitting a Capital Fund Loan request to fund the acquisition/purchase, rehab/remodel, or development of an office space that addresses the accessibility needs of participants, residents, staff and members of the community. The current occupied office space was built in 1946 and fails to meet the needs of the agency, provide a decent, safe place for staff to work and comply with ADA laws.

The PHA has requested the following exception units to be occupied as per HUD PIH Notice 2006-36:

<b>AMP Number</b>	<b>Location</b>	<b>Project Name</b>	<b>Unit #</b>	<b>Exception Sub Category</b>
CA048000032	Yuba City	Joann Way-River City Manor	655 Joann Way # 24, Yuba City, CA 95991	#7  Unit Occupied by non-assisted person providing tenant or neighborhood oriented services

CA048000032	Yuba City	Richland Housing	446 Atwood, Yuba City, CA 95991	#4 Non-Dwelling Unit used for Economic Self Sufficiency Services.
CA048000032	Live Oak	Date Street-Senior Village	2750 Date Street #1, Live Oak, CA 95953	#7 Unit Occupied by non-assisted person providing tenant or neighborhood oriented services

- (b) Copies of the 5Year and Annual PHA Plan are available for review at the PHA’s management office located at :
- 448 Garden Highway  
Yuba City CA 95991

**PHA Plan Elements**

**1. Eligibility, Selection and Admission Policies, including Deconcentration and Wait List Procedures**

Eligibility

The PHA verifies for admissions when the families are within 60 days of being offered a unit. The non-income screening factors the PHA uses to establish eligibility for admission to public housing are criminal or drug related activity, rental history, housekeeping, suitability, bad debt owed to any PHA utility company, and credit history.

The PHA uses a site based wait list to organize its public housing wait list. Interested person may apply for admission to public housing at the PHA’s main office.

Selection and Admissions Policies

*PUBLIC HOUSING:* it is the PHA’s policy that each applicant shall be assigned an appropriate place on the site based wait list and or community wide list for the developments in which the applicant wishes to reside. Applicants will be listed in sequence based upon the waiting list guidelines.

The PHA will not house over income families in public housing. Families will be given the appropriate amount of time to transition into the community.

*HOUSING CHOICE VOUCHER:* The PHA will advertise the opening and closing of the waitlist. The PHA uses a single waiting list for admission. Except for HUD approved special admissions applicants will be

selected from the PHA waiting list in accordance with the policies, preferences and income targeting requirements defined in the Administrative Plan.

A preference does not guarantee admission to the program. Preferences are used to establish the order of placement on the waiting list. An applicant must verify that they qualify for the preferences claimed during the full application/eligibility process.

**De concentration Wait List Procedures**

The PHA’s admission policy is designed to provide for the deconcentration of poverty and income mixing by bringing in higher income residents into lower income developments and lower income residents into higher income areas. Gross annual income is used for income limits at admission and for income mixing purposes. Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

**(2) Financial Resources**

**Financial Resources: Planned Sources and Uses (2011-2014)**

Sources	Planned \$	Planned Uses
2014 Public Housing Operating Fund	550,000	Operations/Maintenance
2013 Public Housing Operating Fund	550,000	Operations/Maintenance
2012 Public Housing Operating Fund	550,000	Operations/Maintenance
2011 Public Housing Operating Fund	550,000	Operations/Maintenance
2010 Public Housing Operating Fund	563,381	Operations/Maintenance
Other Federal Grants	0	Operations/Maintenance
Prior year federal grants (unobligated funds only)	0	Operations/Maintenance
2014 Capital Fund Program funds	295,500	Operations/Maintenance
2013 Capital Fund Program funds	296,219	Operations/Maintenance
2012 Capital Fund Program funds	296,939	Operations/Maintenance
2011 Capital Fund Program funds	297,662	Operations/Maintenance
2010 Capital Fund Program funds	298,386	Operations/Maintenance
2009 Capital Fund Program funds	299,112	Operations/Maintenance
2008 Capital Fund Program funds	300,792	Operations/Maintenance
2014 Public Housing Dwelling Rents	582,400	Operations/Maintenance
2013 Public Housing Dwelling Rents	582,400	Operations/Maintenance
2012 Public Housing Dwelling Rents	582,400	Operations/Maintenance
2011 Public Housing Dwelling Rents	613,052	Operations/Maintenance
2010 Public Housing Dwelling Rents	634,774	Operations/Maintenance
2009 Public Housing Dwelling Rents	694,688	Operations/Maintenance

2014 Other Income	14,253	Operations/Maintenance
2013 Other Income	14,253	Operations/Maintenance
2012 Other Income	14,253	Operations/Maintenance
2011 Other Income	15,003	Operations/Maintenance
2010 Other Income	20,532	Operations/Maintenance
Miscellaneous Income	0	Operations/Maintenance
Non Federal Sources	0	Operations/Maintenance
Total Resources	\$	

**(3) Rent Determination**

Our PHA has established for each dwelling unit in public housing a flat rental amount for the dwelling unit, that

- Is based on the market rental value of the unit as determined by the PHA
- Is designed so that the rent structures do not create a disincentive for continued residency in public housing for families who are attempting to become economically self sufficient through employment or who attained a level of self sufficiency through their own efforts.

There shall be a review of the families paying flat rent not less than once every three (3) years. Family composition will be reviewed annually for all families including those paying flat rent. For a family paying flat rent there shall be no utility deduction.

**Income based Rents**

The monthly total tenant payment amount for a family shall be an amount based on the total family income, as verified by the PHA that does not exceed the greatest of the following amounts:

- Thirty percent (30%) of the family's monthly adjusted income
- Ten percent (10%) of the family's gross monthly income
- The PHA's minimum TTP of fifty dollars (\$50)

**Switching rent determination methods because of hardship circumstances**

In the case of a family that has elected to pay the PHA's flat rent the PHA shall within thirty (30) days provide for the family to pay rent in the amount determined under the income based rent, during the period for which the choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship:

- Situation in which the income of the family has decreased because of changed circumstances, loss or reduction of employment, death in the family, and reduction in or loss of income or other assistance

- An increase in expenses due to a change in circumstances in the family's expenses such as increased medical costs, childcare, transportation, education or similar items
- Such other situations as may be determined by the PHA

All hardship situations will be verified once a family switches to income based rent due to financial hardship the family must wait until its next annual recertification to select the type of rent.

Annual reexamination: at time of recertification of the annual reexamination, the family will be sent a form from the PHA, on which the family will indicate whether they choose flat rent or income based rent.

#### Housing Choice Voucher

The PHA will determine and document on a case by case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market.

The data for other unassisted units may be gathered from newspapers, realtors, professional associations, inquiries of owners, market surveys and other available sources.

The PHA maintains an automated database which includes data on unassisted units for use by staff in making rent reasonableness determinations. The data is updated on an ongoing basis and purged when it is more than twenty four (24) months old.

#### **(4) Public Housing**

Public Housing Maintenance and Management policies and procedures include:

- Schedule of fees and charges
- Maintenance procedures manual
- Admissions and continued occupancy policy

#### **(5) Grievance Procedures**

Grievances shall be handled in accordance with the PHA's approved grievance procedures

#### **PUBLIC HOUSING COMPLAINTS, GRIEVANCES AND APPEALS**

It is the policy of the PHA to ensure that all families have the benefit of all protections due to them under the law. Therefore, the PHA has established a grievance procedure which affords all residents the opportunity to be heard when a resident disputes, within a reasonable time, any PHA action or failure to act involving the resident's lease with the PHA or PHA regulations which adversely affect the individual resident's rights, duties, welfare or status.

Grievances shall be handled in accordance with the Authority's approved grievance procedures. The written grievance procedure is incorporated into this document by reference and is the guideline to be used for grievances and appeals.

Grievance procedures are not applicable to the following issues:

- Disputes with non-residents
- Disputes between residents not involving the PHA
- Disputes between a live-in aide and the PHA
- Disputes not involving the PHA
- Certain disputes in due process states
- Class grievances

## **A. COMPLAINTS**

It is the PHA's intention to process all complaints/issues in a timely manner. To accomplish this, the PHA has developed a process utilizing a *Tenant Management Communication Form (TMC)* through which all complaints are initiated. Residents will fill out this form stating the issue and the form will be assigned to the appropriate department. The person filing the complaint is considered the complainant for purposes of this document. The tenant will receive a copy of the form for their records and a copy will be kept at the management office at all times as documentation of the tenant's concern(s).

**Complaints from families.** If a family disagrees with an action or inaction of the PHA, complaints will be referred to the housing manager/property agent. Complaints regarding repairs of the units will be reported by phone to the Management Office.

**Complaints from staff.** When a person reports a family is violating or has violated a Lease provision or is not complying with program rules, the complaints will be referred to The Site Manager.

**Complaints from the general public.** Complaints or referrals from persons in the community in regards to the PHA or a family will be referred to the appropriate staff for processing.

## **B. INFORMAL REVIEW PROCEDURES FOR APPLICANTS**

### **PREFERENCE DENIALS**

When the PHA denies a preference to an applicant, the family will be notified in writing of the specific reason(s) for the denial and offered the opportunity for a meeting with PHA staff to discuss the reasons for the denial and to dispute the PHA's decision.

The person who conducts the meeting will be an employee of the PHA who is at or above the level of housing specialist, but not the employee who made the decision.

### **ASSISTANCE DENIALS**

Informal reviews are provided for applicants who are denied assistance. The exception is that when an applicant is denied assistance for citizenship or eligible immigrant status, the applicant is entitled to a formal hearing.

When the PHA determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

- The reason(s) they are ineligible
- The procedure for requesting a review if the applicant does not agree with the decision
  
- The time limit for requesting a review

When denying admission for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the applicant with a copy of the criminal record upon which the decision to deny was based.

The PHA must provide applicants with the opportunity for an informal review of decisions denying:

- Qualification for preference
- Listing on the PHA's waiting list
- Participation in the program

Informal reviews are not required for established policies and procedures and PHA determinations such as:

- Discretionary administrative determinations by the PHA

- General policy issues or class grievances
- A determination of the family unit size under the PHA subsidy standards
- Determination that unit is not in compliance with UPCS
- Determine that unit is not in accordance with HQS due to family size or Composition

## **PROCEDURE FOR REVIEW**

A request for an informal review must be received in writing by the close of the business day, no later than ten (10) days from the date of the PHA's notification of denial. The informal review will be held within thirty (30) days from the date the request is received.

The informal review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The applicant will be given the option of presenting oral or written objections to the decision. Both the PHA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

The review may be conducted by mail and/or telephone if acceptable to both parties.

A notice of the review findings will be provided in writing to the applicant within fifteen (15) days after the review. It shall include the decision of the reviewer, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation and a copy of the final decision will be retained in the family's file.

## **C. INFORMAL REVIEW PROCEDURES FOR RESIDENTS**

When a resident has a complaint or issue (not related to a Termination of Assistance Notice) and has gone through the procedure of filing a *Tenant Management Communication Form* and wants further clarification or review of a particular issue, the resident may request an informal review of that issue. This review will not be offered to a resident that has received a Termination of Assistance Notice, ie: 3 Day, 14 Day or 30 Day notices. If a resident has

received a Termination of Assistance Notice and they have discussed the reasons for such termination with their manager and have not reached a resolution to the issues they must go directly to a Formal Review (see section below).

#### **REQUEST FOR INFORMAL REVIEW**

In order to request an informal review, the resident needs to present their request either orally or in writing to the area PHA office. An informal review date and time will be determined within 10 working days from receipt of the informal review request and the resident will be notified in writing of the date, time and location of the review.

Both the manager of the property where the complainant resides and a designated supervisory staff will conduct the informal review.

#### **SUMMARY OF DISCUSSION**

A summary of such discussion shall be prepared within seven (7) days from the date of the informal review and one copy shall be given to the tenant and one retained in the PHA's tenant file. The summary shall specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore.

#### **D. FORMAL HEARING PROCEDURES FOR RESIDENTS**

The PHA must provide participants with the opportunity for a formal hearing for decisions related to any of the following PHA determinations:

- Determination of the family's annual or adjusted income and the computation of the housing assistance payment
- Appropriate utility allowance used from schedule
- Family unit size determination under PHA subsidy standards
- Determination to terminate a family's FSS contract, withholds supportive services, or proposes forfeiture of the family's escrow account.
- Termination of assistance under a 30 Day

When a tenant is served a 30 Day Notice of Termination of Tenancy, the resident will be entitled to request a Formal Hearing. An informal review will not be held but the resident is strongly encouraged to contact their manager to try and resolve the issues listed in the Notice of Termination of Assistance prior to requesting a Formal Hearing. The PHA will provide the opportunity for a formal hearing before termination of assistance except when the expedited formal hearing procedures are invoked due to the nature and seriousness of the reasons that led up to the lease termination. Formal hearings are not required for established policies and procedures and PHA determinations such as:

1. Discretionary administrative determinations by the PHA
2. General policy issues or class grievances
3. Establishment of the PHA schedule of utility allowances for families in the program
4. A PHA determination not to approve a unit or lease
5. A PHA determination that an assisted unit is not in compliance with UPCS (PHA must provide hearing for family breach of UPCS because that is a family obligation determination)
6. PHA determination that the unit is not in accordance with UPCS because of the family size

#### **REQUEST FOR A FORMAL HEARING**

In order to request an formal hearing, the complainant must personally present a grievance orally or in writing to the resident's housing office within ten (10) days of service of a Notice of Action or seven (7) days from receipt of a Notice of Summary of Discussion of the informal review, if one was held. The written request shall specify:

1. The reasons for the grievance

## 2. The action or relief sought

### **SELECTING THE HEARING OFFICER [966-55]**

The grievance hearing shall be conducted by an impartial person or persons appointed by the PHA, other than a person who made or approved the PHA action under review or a subordinate of such person.

The PHA will use the "Professional Services Procurement Process" to determine the most qualified hearing officer, and will consult with the resident organizations before PHA appointment of a hearing officer or panel.

### **Conduct of Formal Hearing**

The Formal Hearing Officer is an unbiased individual who is not an employee but contracted by the PHA. The Formal Hearing Officer will accept relevant information from the PHA and from the resident/resident's representative sufficient to arrive at a decision to either grant the relief sought by the tenant or allow the termination of the lease or other proposed adverse action to proceed. A written result of the hearing will be issued within fourteen (14) calendar days. All Formal Hearings are electronically recorded.

### **NOTIFICATION OF HEARING**

When the PHA receives a request for a formal hearing, a hearing shall be held within thirty (30) days from the receipt of the request for formal hearing. The notification of hearing will contain:

- 1 The date and time of the hearing
- 2 The location where the hearing will be held  
The family's right to bring evidence, witnesses, legal or other representation at the family's expense.
- 3 The right to view any documents or evidence in the possession of the PHA upon which the PHA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing. Requests for such documents or evidence must be received no later than five (5) days before the hearing date

A notice to the family that the PHA will request a copy of any documents or evidence the family will use at the hearing. Requests for such documents or evidence must be received no later than five (5) days before the hearing date

### **The PHA's Formal Hearing Procedures**

After a hearing date is agreed to, the family may request to reschedule only upon showing "good

cause," which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, the family must contact the PHA within forty-eight (48) hours, excluding weekends and holidays. The PHA will reschedule the hearing only if the family can show good cause for the failure to appear.

Families have the right to:

1. Present written or oral objections to the PHA's determination
2. Examine the documents in the file which are the basis for the PHA's action, and all documents submitted to the hearing officer
3. Copy any relevant documents at their expense
4. Present any information or witnesses pertinent to the issue of the hearing
5. Request that PHA staff be available or present at the hearing to answer questions pertinent to the case
6. Be represented by legal counsel, advocate, or other designated representative at their own expense as long as the PHA is notified.

If the family requests copies of documents relevant to the hearing, the PHA will make the copies for the family and assess a fee according to the Charge & Fee Schedule. In no case will the family be allowed to remove the file from the PHA's office.

In addition to other rights contained in this chapter, the PHA and the resident has a right to:

- Present evidence and any information pertinent to the issue of the hearing
- Be notified if the family intends to be represented by legal counsel, advocate, or another party no later than 5 days in advance of the hearing
- Examine and copy any documents to be used by the family prior to the hearing
- Have its attorney present
- Have staff persons and other witnesses familiar with the case present

The formal hearing shall be conducted by the hearing officer appointed by the PHA who is neither the person who made or approved the decision, nor a subordinate of that

person. The PHA appoints hearing officers who are professional mediators or arbitrators contracted and paid for by the PHA. The hearing shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations. The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment without good cause or deadline ordered by the hearing officer, the action of the PHA shall take effect and another hearing will not be granted. The hearing officer will determine whether the action, inaction or decision of the PHA is legal in accordance with HUD regulations and this ACOP based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing. A notice of the hearing findings shall be provided in writing to the PHA and the family within fourteen (14) days and shall include:

1. A clear summary of the decision and reasons for the decision
2. If the decision involves money owed, the amount owed and documentation of the calculation of monies owed
3. Notice that the Code of Civil Procedure, Sect 1094.6 governs the time within which judicial review must be sought
4. The date the decision goes into effect
5. If the PHA is upheld by the hearing decision a notice of termination of subsidy will be sent effective thirty (30) days from the date of the notice

## **EFFECT OF DECISION**

Except as provided below, the decision of the hearing officer shall be binding on the PHA. The PHA shall take all actions, or refrain from any actions, necessary to carry out the decision unless the Sacramento Housing and Redevelopment Agency Commission determines, within a reasonable time and promptly notifies the resident of its determination. The PHA is not bound by hearing decisions:

- Which concern matters in which the PHA is not required to provide an opportunity for a hearing
- Which conflict with or contradict to HUD regulations or requirements
- Which conflict with or contradict federal, state or local laws
- Which exceed the authority of the person conducting the hearing

The PHA shall send a letter to the participant if it determines the PHA is not bound by the hearing officer's determination within ten (10) days. The letter shall include the PHA's reasons for the decision. All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file (except for hearings involving reasonable accommodations, which are kept in a separate file). If the hearing officer's decision upholds the PHA's decision to evict the resident, the PHA will proceed with filing an unlawful detainer.

## **E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NONCITIZENS"**

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the PHA hearing is pending but assistance to an applicant may be delayed pending the PHA hearing.

## **INS DETERMINATION OF INELIGIBILITY**

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the PHA notifies the applicant or resident within ten days of their right to appeal to the INS within thirty (30) days or to request a formal

hearing with the PHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the PHA a copy of the appeal and proof of mailing or the PHA may proceed to deny or terminate. The time period to request an appeal may be extended by the PHA for good cause. The request for a hearing must be made to the PHA within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS within fourteen (14) days of receipt of that notice. After receipt of a request for a formal hearing, the hearing is conducted as described in the "Formal Hearing" section of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the PHA will:

- Deny the applicant family
- Defer termination if the family is a participant and qualifies for deferral
- Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the PHA will offer to prorate assistance or give the family the option to remove the ineligible members. All other complaints related to eligible citizen/immigrant status:

- If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide
- Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination
- Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of the resident's Total Tenant Payment (TTP)

- Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

#### **F. EXPEDITED GRIEVANCE PROCEDURE**

The PHA shall exercise its right to exclude the most serious lease violations from the grievance procedures. This includes:

- Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises of other residents or employees of the PHA; or
- Any violent or drug-related criminal activity on or off such premises; or
- Any criminal activity that resulted in felony conviction of a household member

#### **RESIDENT'S RIGHT TO TRIAL DE NOVO AND JUDICIAL REVIEW**

Nothing contained in the PHA's grievance procedure shall constitute a waiver of the resident's right to a trial de novo or judicial review in any court action.

## **HOUSING CHOICE VOUCHER INFORMAL REVIEWS AND HEARINGS**

### **16-III.A. OVERVIEW**

When the PHA makes a decision that has a negative impact on a family, the family is often entitled to appeal the decision. For applicants, the appeal takes the form of an informal review; for participants, or for applicants denied admission because of citizenship issues, the appeal takes the form of an informal hearing.

PHAs are required to include in their administrative plans, informal review procedures for applicants, and informal hearing procedures for participants [24 CFR 982.54(d)(12) and (13)].

### **16-III.B. INFORMAL REVIEWS**

Informal reviews are provided for program applicants. An applicant is someone who has applied for admission to the program, but is not yet a participant in the program. Informal reviews are intended to provide a “minimum hearing requirement” [24 CFR 982.554], and need not be as elaborate as the informal hearing requirements. (Federal Register Volume 60, No. 127, p 36490).

#### **Decisions Subject to Informal Review**

The PHA must give an applicant the opportunity for an informal review of a decision denying assistance [24 CFR 982.554(a)]. Denial of assistance may include any or all of the following [24 CFR 982.552(a)(2)]:

- Denying listing on the PHA waiting list
- Denying or withdrawing a voucher
- Refusing to enter into a HAP contract or approve a lease
- Refusing to process or provide assistance under portability procedures

Informal reviews are **not** required for the following reasons [24 CFR 982.554(c)]:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- A determination of the family unit size under the PHA subsidy standards
- A PHA determination not to grant approval of the tenancy
- A PHA determination that the unit is not in compliance with the HQS
- A PHA determination that the unit is not in accordance with the HQS due to family size or composition

#### **PHA Policy**

The PHA will only offer an informal review to applicants for whom assistance is being denied. Denial of assistance includes: denying listing on the PHA waiting list; denying or withdrawing a voucher; refusing to enter into a HAP contract or approve a lease; refusing to process or provide assistance under portability procedures.

### **Notice to the Applicant [24 CFR 982.554(a)]**

The PHA must give an applicant prompt notice of a decision denying assistance. The notice must contain a brief statement of the reasons for the PHA decision, and must also state that the applicant may request an informal review of the decision. The notice must describe how to obtain the informal review.

### **Scheduling an Informal Review**

#### PHA Policy

A request for an informal review must be made in writing and delivered to the PHA either in person or by first class mail, by the close of the business day, no later than 10 business days from the date of the PHA's denial of assistance.

The PHA must schedule and send written notice of the informal review within 10 business days of the family's request.

### **Informal Review Procedures [24 CFR 982.554(b)]**

The informal review must be conducted by a person other than the one who made or approved the decision under review, or a subordinate of this person.

The applicant must be provided an opportunity to present written or oral objections to the decision of the PHA.

The person conducting the review will make a recommendation to the PHA, but the PHA is responsible for making the final decision as to whether assistance should be granted or denied.

### **Informal Review Decision [24 CFR 982.554(b)]**

The PHA must notify the applicant of the PHA's final decision, including a brief statement of the reasons for the final decision.

#### PHA Policy

In rendering a decision, the PHA will evaluate the following matters:

Whether or not the grounds for denial were stated factually in the Notice.

The validity of grounds for denial of assistance. If the grounds for denial are not specified in the regulations, then the decision to deny assistance will be overturned.

The validity of the evidence. The PHA will evaluate whether the facts presented prove the grounds for denial of assistance. If the facts prove that there are grounds for denial, and the denial is required by HUD, the PHA will uphold the decision to deny assistance.

If the facts prove the grounds for denial, and the denial is discretionary, the PHA will consider the recommendation of the person conducting the informal review in making the final decision whether to deny assistance.

The PHA will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed within 10 business days of the informal review, to the applicant and his or her representative, if any, along with proof of mailing.

### **16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS [24 CFR 982.555]**

PHAs must offer an informal hearing for certain PHA determinations relating to the individual circumstances of a participant family. A participant is defined as a family that has been admitted to the PHA's HCV program and is currently assisted in the program. The purpose of the informal hearing is to consider whether the PHA's decisions related to the family's circumstances are in accordance with the law, HUD regulations and PHA policies.

The PHA is not permitted to terminate a family's assistance until the time allowed for the family to request an informal hearing has elapsed, and any requested hearing has been completed. Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a lease
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures

#### **Decisions Subject to Informal Hearing**

Circumstances for which the PHA must give a participant family an opportunity for an informal hearing are as follows:

- A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment
- A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the PHA utility allowance schedule
- A determination of the family unit size under the PHA's subsidy standards
- A determination that a certificate program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the PHA's subsidy standards, or the PHA determination to deny the family's request for exception from the standards
- A determination to terminate assistance for a participant family because of the family's actions or failure to act
- A determination to terminate assistance because the participant has been absent from the assisted unit for longer than the maximum period permitted under PHA policy and HUD rules
- A determination to terminate a family's Family Self Sufficiency contract, withhold supportive services, or propose forfeiture of the family's escrow account [24 CFR 984.303(i)]

Circumstances for which an informal hearing is not required are as follows:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- Establishment of the PHA schedule of utility allowances for families in the program
- A PHA determination not to approve an extension or suspension of a voucher term
- A PHA determination not to approve a unit or tenancy
- A PHA determination that a unit selected by the applicant is not in compliance with the HQS
- A PHA determination that the unit is not in accordance with HQS because of family size
- A determination by the PHA to exercise or not to exercise any right or remedy against an owner under a HAP contract

PHA Policy

The PHA will only offer participants the opportunity for an informal hearing when required to by the regulations.

**Informal Hearing Procedures**

***Notice to the Family [24 CFR 982.555(c)]***

When the PHA makes a decision that is subject to informal hearing procedures, the PHA must inform the family of its right to an informal hearing at the same time that it informs the family of the decision.

For decisions related to the family's annual or adjusted income, the determination of the appropriate utility allowance, and the determination of the family unit size, the PHA must notify the family that they may ask for an explanation of the basis of the determination, and that if they do not agree with the decision, they may request an informal hearing on the decision.

For decisions related to the termination of the family's assistance, or the denial of a family's request for an exception to the PHA's subsidy standards, the notice must contain a brief statement of the reasons for the decision, a statement that if the family does not agree with the decision, the family may request an informal hearing on the decision, and a statement of the deadline for the family to request an informal hearing.

PHA Policy

In cases where the PHA makes a decision for which an informal hearing must be offered, the notice to the family will include all of the following:

The proposed action or decision of the PHA.

A brief statement of the reasons for the decision including the regulatory reference.

The date the proposed action will take place.

A statement of the family's right to an explanation of the basis for the PHA's decision.

A statement that if the family does not agree with the decision the family may request an informal hearing of the decision.

A deadline for the family to request the informal hearing.

To whom the hearing request should be addressed.

A copy of the PHA's hearing procedures.

### ***Scheduling an Informal Hearing [24 CFR 982.555(d)]***

When an informal hearing is required, the PHA must proceed with the hearing in a reasonably expeditious manner upon the request of the family.

#### PHA Policy

A request for an informal hearing must be made in writing and delivered to the PHA either in person or by first class mail, by the close of the business day, no later than 10 business days from the date of the PHA's decision or notice to terminate assistance.

The PHA must schedule and send written notice of the informal hearing to the family within 10 business days of the family's request.

The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made orally or in writing prior to the hearing date. At its discretion, the PHA may request documentation of the "good cause" prior to rescheduling the hearing.

If the family does not appear at the scheduled time, and was unable to reschedule the hearing in advance due to the nature of the conflict, the family must contact the PHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The PHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with disabilities.

### ***Pre-Hearing Right to Discovery [24 CFR 982.555(e)]***

Participants and the PHA are permitted pre-hearing discovery rights. The family must be given the opportunity to examine before the hearing any PHA documents that are directly relevant to the hearing. The family must be allowed to copy any such documents at their own expense. If the PHA does not make the document available for examination on request of the family, the PHA may not rely on the document at the hearing.

The PHA hearing procedures may provide that the PHA must be given the opportunity to examine at the PHA offices before the hearing, any family documents that are directly relevant to the hearing. The PHA must be allowed to copy any such document at the PHA's expense. If the family does not make the

document available for examination on request of the PHA, the family may not rely on the document at the hearing.

For the purpose of informal hearings, *documents* include records and regulations.

#### PHA Policy

The family will be allowed to copy any documents related to the hearing at a cost of \$.25 per page. The family must request discovery of PHA documents no later than 12:00 p.m. on the business day prior to the scheduled hearing date

The PHA must be given an opportunity to examine at the PHA offices before the hearing any family documents that are directly relevant to the hearing. Whenever a participant requests an informal hearing, the PHA will automatically mail a letter to the participant requesting a copy of all documents that the participant intends to present or utilize at the hearing. The participant must make the documents available no later than 12:00 pm on the business day prior to the scheduled hearing date.

#### ***Participant's Right to Bring Counsel [24 CFR 982.555(e)(3)]***

At its own expense, the family may be represented by a lawyer or other representative at the informal hearing.

#### ***Informal Hearing Officer [24 CFR 982.555(e)(4)]***

Informal hearings will be conducted by a person or persons approved by the PHA, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision.

#### PHA Policy

The PHA has designated the following to serve as hearing officers:

PHA staff from other non occupancy related departments, i.e. maintenance, landscape, finance, planning and community development.

#### ***Attendance at the Informal Hearing***

#### PHA Policy

Hearings may be attended by a hearing officer and the following applicable persons:

A PHA representative and any witnesses for the PHA

The participant and any witnesses for the participant

The participant's counsel or other representative

Any other person approved by the PHA as a reasonable accommodation for a person with a disability

## ***Conduct at Hearings***

The person who conducts the hearing may regulate the conduct of the hearing in accordance with the PHA's hearing procedures [24 CFR 982.555(4)(ii)].

### PHA Policy

The hearing officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the hearing officer and guidelines for conduct. Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the hearing officer.

### ***Evidence [24 CFR 982.555(e)(5)]***

The PHA and the family must be given the opportunity to present evidence and question any witnesses. In general, all evidence is admissible at an informal hearing. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

### PHA Policy

Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence.

**Oral evidence:** the testimony of witnesses

**Documentary evidence:** a writing which is relevant to the case, for example, a letter written to the PHA. Writings include all forms of recorded communication or representation, including letters, words, pictures, sounds, videotapes or symbols or combinations thereof.

**Demonstrative evidence:** Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.

**Real evidence:** A tangible item relating directly to the case.

*Hearsay Evidence* is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter. Even though evidence, including hearsay, is generally admissible, hearsay evidence alone cannot be used as the sole basis for the hearing officer's decision.

If either the PHA or the family fail to comply with the discovery requirements described above, the hearing officer will refuse to admit such evidence.

Other than the failure of a party to comply with discovery, the hearing officer has the authority to overrule any objections to evidence.

### ***Hearing Officer's Decision [24 CFR 982.555(e)(6)]***

The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing. A copy of the hearing must be furnished promptly to the family.

#### PHA Policy

In rendering a decision, the hearing officer will consider the following matters:

**PHA Notice to the Family:** The hearing officer will determine if the reasons for the PHA's decision are factually stated in the Notice.

**Discovery:** The hearing officer will determine if the PHA and the family were given the opportunity to examine any relevant documents in accordance with PHA policy.

**PHA Evidence to Support the PHA Decision:** The evidence consists of the facts presented. Evidence is not conclusion and it is not argument. The hearing officer will evaluate the facts to determine if they support the PHA's conclusion.

**Validity of Grounds for Termination of Assistance (when applicable):** The hearing officer will determine if the termination of assistance is for one of the grounds specified in the HUD regulations and PHA policies. If the grounds for termination are not specified in the regulations or in compliance with PHA policies, then the decision of the PHA will be overturned.

The hearing officer will issue a written decision to the family and the PHA no later than 10 business days after the hearing. The report will contain the following information:

#### **Hearing information:**

Name of the participant;

Date, time and place of the hearing;

Name of the hearing officer;

Name of the PHA representative; and

Name of family representative (if any).

**Background:** A brief, impartial statement of the reason for the hearing.

**Summary of the Evidence:** The hearing officer will summarize the testimony of each witness and identify any documents that a witness produced in support of his/her testimony and that are admitted into evidence.

**Findings of Fact:** The hearing officer will include all findings of fact, based on a preponderance of the evidence. *Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

**Conclusions:** The hearing officer will render a conclusion derived from the facts that were found to be true by a preponderance of the evidence. The conclusion will result in a determination of whether these facts uphold the PHA's decision.

**Order:** The hearing report will include a statement of whether the PHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct the PHA to change the decision in accordance with the hearing officer's determination. In the case of termination of assistance, the hearing officer will instruct the PHA to restore the participant's program status.

### ***Procedures for Rehearing or Further Hearing***

#### PHA Policy

The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of the PHA will take effect and another hearing will not be granted.

In addition, within 10 business days after the date the hearing officer's report is mailed to the PHA and the participant, the PHA or the participant may request a rehearing or a further hearing. Such request must be made in writing and postmarked or hand-delivered to the hearing officer and to the other party within the 10 business day period. The request must demonstrate cause, supported by specific references to the hearing officer's report, why the request should be granted.

A rehearing or a further hearing may be requested for the purpose of rectifying any obvious mistake of law made during the hearing or any obvious injustice not known at the time of the hearing.

It shall be within the sole discretion of the PHA to grant or deny the request for further hearing or rehearing. A further hearing may be limited to written submissions by the parties, in the manner specified by the hearing officer.

### ***PHA Notice of Final Decision [24 CFR 982.555(f)]***

The PHA is not bound by the decision of the hearing officer for matters in which the PHA is not required to provide an opportunity for a hearing, decisions that exceed the authority of the hearing officer, decisions that conflict with or contradict HUD regulations, requirements, or are otherwise contrary to Federal, State or local laws.

If the PHA determines it is not bound by the hearing officer's decision in accordance with HUD regulations, the PHA must promptly notify the family of the determination and the reason for the determination.

#### **PHA Policy**

The PHA will mail a "Notice of Final Decision" including the hearing officer's report, to the participant and their representative. This Notice will be sent by first-class mail, postage pre-paid with an affidavit of mailing enclosed. The participant will be mailed the original "Notice of Final Decision" and a copy of the proof of mailing. A copy of the "Notice of Final Decision" along with the original proof mailing will be maintained in the PHA's file.

### **16-III.D. HEARING AND APPEAL PROVISIONS FOR NON-CITIZENS [24 CFR 5.514]**

Denial or termination of assistance based on immigration status is subject to special hearing and notice rules. Applicants who are denied assistance due to immigration status are entitled to an informal hearing, not an informal review.

Assistance to a family may not be delayed, denied, or terminated on the basis of immigration status at any time prior to a decision under the United States Citizenship and Immigration Services (USCIS) appeal process. Assistance to a family may not be terminated or denied while the PHA hearing is pending, but assistance to an applicant may be delayed pending the completion of the informal hearing.

A decision against a family member, issued in accordance with the USCIS appeal process or the PHA informal hearing process, does not preclude the family from exercising the right, that may otherwise be available, to seek redress directly through judicial procedures.

#### **Notice of Denial or Termination of Assistance [24 CFR 5.514(d)]**

As discussed in Chapters 3 and 11, the notice of denial or termination of assistance for noncitizens must advise the family:

- That financial assistance will be denied or terminated, and provide a brief explanation of the reasons for the proposed denial or termination of assistance.
- The family may be eligible for proration of assistance.
- In the case of a participant, the criteria and procedures for obtaining relief and the provisions for preservation of families [24 CFR 5.514 and 5.518].

- That the family has a right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or explanation in support of the appeal.
- That the family has a right to request an informal hearing with the PHA either upon completion of the USCIS appeal or in lieu of the USCIS appeal.
- For applicants, assistance may not be delayed until the conclusion of the USCIS appeal process, but assistance may be delayed during the period of the informal hearing process.

**USCIS Appeal Process [24 CFR 5.514(e)]**

When the PHA receives notification that the USCIS secondary verification failed to confirm eligible immigration status, the PHA must notify the family of the results of the USCIS verification. The family will have 30 days from the date of the notification to request an appeal of the USCIS results. The request for appeal must be made by the family in writing directly to the USCIS. The family must provide the PHA with a copy of the written request for appeal and the proof of mailing.

PHA Policy

The PHA will notify the family in writing of the results of the USCIS secondary verification within 10 business days of receiving the results.

The family must provide the PHA with a copy of the written request for appeal and proof of mailing within 10 business days of sending the request to the USCIS.

The family must forward to the designated USCIS office any additional documentation or written explanation in support of the appeal. This material must include a copy of the USCIS document verification request (used to process the secondary request) or such other form specified by the USCIS, and a letter indicating that the family is requesting an appeal of the USCIS immigration status verification results.

The USCIS will notify the family, with a copy to the PHA, of its decision. When the USCIS notifies the PHA of the decision, the PHA must notify the family of its right to request an informal hearing.

PHA Policy

The PHA will send written notice to the family of its right to request an informal hearing within 10 business days of receiving notice of the USCIS decision regarding the family's immigration status.

**Informal Hearing Procedures for Applicants [24 CFR 5.514(f)]**

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, the family may request that the PHA provide a hearing. The request for a hearing must be made either within 30 days of receipt of the PHA notice of denial or termination, or within 30 days of receipt of the USCIS appeal decision.

For the informal hearing procedures that apply to participant families whose assistance is being terminated based on immigration status, see Section 16-III.C.

The informal hearing procedures for applicant families are described below.

### ***Informal Hearing Officer***

The PHA must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision. See Section 16-III.C. for a listing of positions that serve as informal hearing officers.

### ***Evidence***

The family must be provided the opportunity to examine and copy at the family's expense, at a reasonable time in advance of the hearing, any documents in the possession of the PHA pertaining to the family's eligibility status, or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

#### **PHA Policy**

The family will be allowed to copy any documents related to the hearing at a cost of \$.25 per page copy. The family must request discovery of PHA documents no later than 12:00 p.m. on the business day prior to the hearing.

The family must be provided the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The family must also be provided the opportunity to refute evidence relied upon by the PHA, and to confront and cross-examine all witnesses on whose testimony or information the PHA relies.

### ***Representation and Interpretive Services***

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or the PHA, as may be agreed upon by the two parties.

### ***Recording of the Hearing***

The family is entitled to have the hearing recorded by audiotape. The PHA may, but is not required to provide a transcript of the hearing.

## PHA Policy

The PHA will not provide a transcript of an audio taped hearing.

### ***Hearing Decision***

The PHA must provide the family with a written final decision, based solely on the facts presented at the hearing, within 14 calendar days of the date of the informal hearing. The decision must state the basis for the decision.

### **Retention of Documents [24 CFR 5.514(h)]**

The PHA must retain for a minimum of 5 years the following documents that may have been submitted to the PHA by the family, or provided to the PHA as part of the USCIS appeal or the PHA informal hearing process:

- The application for assistance
- The form completed by the family for income reexamination
- Photocopies of any original documents, including original USCIS documents
- The signed verification consent form
- The USCIS verification results
- The request for an USCIS appeal
- The final USCIS determination
- The request for an informal hearing
- The final informal hearing decision

**(6) Designated Housing for Elderly and Disabled Families**

Development Name, Number	Designation Type	Application Status	Date Designation Approved, submitted or planned for submission	Number of units affected
CA048 Richland	Seniors	Previously approved		14
Date Street	Seniors	Previously Approved		50
River City Manor/Joann Way	Seniors	Previously Approved		24

**(7) Community Services and Self Sufficiency Raj**

1. The PHA coordinates, promotes and provides programs to enhance the economic and social self sufficiency of residents

The PHA has a HCV Family Self Sufficiency Program. The PHA continues to access funding for a ROSS Coordinator. The PHA coordinates with local agencies to provide resources to families. Agencies include but are not limited to:

Public Child Welfare Agency

Employment Development Department

First Steps

Casa De Esperanza

Hands of Hope

Salvation Army

Yuba Sutter Mental Health

Women Infants and Children's Program (WIC)

Gleaners

Local Transit

Local Child Care Planning Council

These agencies are invited to become a part of the PCC for the family self sufficiency program. Information is exchanged formally through letters, attending meetings and informally.

#### (8) Safety and Crime Prevention

The PHA's plan for safety and crime prevention ensures the safety of the public housing residents. The crime prevention activities conducted or to be conducted by the PHA are contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities, Crime Prevention Through Environmental Design, activities targeted to at-risk youth, adults, or seniors, Security Patrol, criminal background checks will be performed on existing residents on a random basis and a targeted area with reported problems. Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan, police provide crime data to housing authority staff for analysis and action, police have established a physical presence on housing authority property (e.g., community policing office, officers attending resident meetings, neighborhood crime prevention activities), police may testify in and otherwise support eviction cases, police regularly meet with the PHA management and residents.

#### (9) Pets

The PHA has established a pet policy for ownership of pets in elderly, disabled and family housing and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. The policy also establishes reasonable rules governing the keeping of common household pets. The pet policy is designed to protect both pet owners and non-pet owners, and to ensure the animals receive responsible care. The policy applies to all pets kept in PHA housing. The rules adopted are reasonably related to the legitimate interest of the PHA to provide a decent, safe and sanitary living environment for all residents, to protect and preserve the physical condition of the premises, and to protect the financial interest of the PHA.

#### (10) Civil Rights Certification, 24 CFR Part 903.7 9 (o)

Civil rights certifications are included in the PHA Plan Certification of Compliance with the PHA Plans and Related Regulations.

The PHA certifies that it examines its programs and proposed programs to identify any impediments to fair housing choice within its programs, addresses these impediments in a reasonable fashion in view of the resources available works with the local jurisdiction to implement any of the jurisdictions' initiatives to affirmatively further fair housing, and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.

#### (11) Fiscal Audit, 24 CFR Part 903.7 9 (p)

The most recent fiscal year audit was mailed to HUD Regional San Francisco Office and posted to the Federal Audit Clearinghouse.

(12) Asset Management, 24 CFR Part 903.7 (q)

Although the PHA is not required to participate in Asset Management, it will continue to plan for the long term operating, capital investment, rehabilitation, modernization, disposition and other needs for such inventory as well as project based vouchers and comprehensive stock assessment.

(13) Violence Against Women Act (VAWA)

The PHA works in partnership with CASA DE ESPERANZA to provide services to child and adult victims of domestic violence, dating violence, sexual assault or stalking. Casa is a primary provider of crisis intervention services for survivors of domestic violence and sexual assault in Sutter County.

The PHA has developed VAWA practices to reduce domestic violence, dating violence, and stalking and to prevent homelessness by:

- Protecting the safety of victims
- Creating long term housing solutions for victims
- Building collaboration among victim services providers
- Assisting PHA to respond appropriately to the violence while maintain a safe environment for PHA employees, tenants, applicants, housing choice voucher participants, program participants and members of the public.

**(7) HOPE VI mixed finance modernization or development, demolition and/or disposition, conversion of public housing, homeownership programs, and project based vouchers.**

(a) Hope VI Mixed Finance Modernization or Development

(b) Demolition and/or Disposition. With respect to public housing projects owned by the PHA and subject to ACCs under the Act:

Development Name: Live oak Senior Village (aka Maple Park)

Development (Project) Number: CA0480000022

Activity Type: Demolition/Disposition/Re-development

Application Status: Approved

Date Application Approved: 3-12-2010

Number of Units affected: 30 units

Coverage of Action: Total Development

Timeline for activity: Pending tax credit funding, possible construction start January 2012.

### (C) Conversion of Public Housing

The PHA will conduct analysis of its current inventory and determine how Tenant Rental Assistance will impact the feasibility and sustainability of developments. If analysis indicates the PHA should move forward with a conversion, the PHA would apply for the following developments:

Date Street Senior Village -Date Street, Live Oak

Richland Housing-Yuba City

Joann Way/River City Manor-Yuba City

### (d) Homeownership: None at this time

The PHA will apply for funding for homeownership programs when such funding is available.

### (e) Project based vouchers:

The PHA anticipates project basing approximately twenty (20%) percent of its current tenant based voucher stock. This would be within the jurisdiction of Sutter County.

Pursuant to initial guidance published by HUD regarding the Section 8 Project-Based Voucher (PBV) Program in the January 16, 2001 Federal Register, Volume 66, Number 10, and subsequently determined to be advisory in the Final Rule of October 13, 2005, this addendum serves to declare that the consolidated Area Housing Authority of Sutter County (CAHASC) intends to operate and continue to operate a PBV Program as authorized by HUD and in conformity with all nondiscriminatory requirements specified in the PHA Plan regulations and further declares that the CAHASC shall affirmatively further fair housing as required by these regulations.

Project-basing of units will secure a base of affordable housing that is to be maintained as affordable for an extended period of time. Historically, less than ten percent (10%) of the available vacant units are made available to families receiving Section 8 subsidies and low-income families are in jeopardy of being shut out of available housing due to rising rents and diminishing availability. Project-basing units will give low-income families an opportunity to secure housing in such a restrictive market and not force them to leave the area for less appealing markets. The goals of the CAHASC PBV Program are consistent with similar goals set forth by the Consolidated Plans for the City of Yuba City, City of Live Oak and County of Sutter. Keeping the units as tenant-based will not provide any guarantee that the families will be able to find housing in the jurisdiction nor choose to keep their subsidy in the jurisdiction.

While no units are currently being assisted by PBV funding, it is anticipated that all future units to be considered for the PBV Program will be located within the limits of the City of Yuba City, City of Live Oak and County of Sutter. Every effort will be made to assist units in Qualified Census Tracts, defined to be Census Tracts 501 to 5011, (or any additional tracts) as listed by the 2000 Census.

The CAHASC intends to fully utilize its maximum allowable allocation of units for the PBV Program as defined by twenty percent (20%) of its budget authority for the CAHASC's Housing Choice Voucher Program.

Effective January 1 2011, the CAHASC Voucher budget authority was \$3,680,184.00. Therefore it is anticipated that the CAHASC intends to project-base approximately \$736,037 in budget authority. This amount is anticipated to assist approximately 1,817 units per year or 151 units per month, including those units currently under AHAP or HAP.

## (8) Capital Improvements

### 8.1 Capital Fund Program Annual Statement

See attachment 1 form 50075.1

### 8.2 Capital Fund Five year Action Plan

See attachment 2 form 50075.2

### 8.3 Capital Fund Financing Program (CFFP)

The PHA does not propose to use any portion of its Capital Fund Program/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.

## 9.0 Housing Needs

The PHA continues to work with local city and county staff to develop additional housing for low income families in the jurisdiction. The PHA maintains active wait lists for all developments.

### 9.1 Strategy for addressing housing needs

The PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year include the following:

Strategy 1. Increase awareness of PHA resources among families of race and ethnicities with disproportionate needs.

- Affirmatively market to races and ethnicities shown to have disproportionate housing needs

Strategy 2. Increase the number of affordable housing units by:

- Leverage affordable housing resources in the community through creation of mixed finance housing
- Pursue housing resources other than public housing or section 8-housing choice voucher tenant based assistance.

## 10.0 Additional information

### (a) Progress in meeting mission and goals

#### Progress in meeting mission

The Consolidated Area Housing Authority of Sutter County continues to increase the availability of safe, decent, affordable and suitable housing free from discrimination. The PHA has partnered with local City and County administrations to create innovation housing opportunities for low income families within the jurisdiction.

#### Progress in Meeting Goals

Goal: Increase the availability of decent safe and affordable housing

The PHA has applied for and received replacement vouchers for Maple tenants; additionally the PHA has purchased a 21 unit 515 development in Live Oak, funded through USDA Rural Development funds. The PHA has partnered with local government to create innovative housing programs to assist approximately 31 low income families.

Goal: Improve the quality of assisted housing

The PHA has used CFP funds, ARRA 1 and ARRA 2 funds to improve public housing units. The PHA will continue to explore all additional revenue sources to address continued needs.

Goal: Promote self sufficiency

The PHA continues to apply for all ROSS funding applications. The PHA has a Family Self Sufficiency-HCV Program. The FSS Coordinator will continue to provide residents with a variety of programs and support services to promote self sufficiency.

Goal: Ensure Equal Opportunity in Housing for all Americans

The PHA continues to undertake affirmative measures to ensure that access to assisted housing is provided regardless of race, color, religion, national origin, sex, familial status and disability.

(c) Significant Amendment and Substantial Deviation/Modification

The PHA will consider the following Addendum to be significant amendment or substantial deviation of the Annual Plans for the Consolidated Area Housing Authority of Sutter County.

**ADDENDUM**

**Section 8 Project-Based Voucher Program**

The PHA anticipates project basing approximately twenty (20%) percent of its current tenant based voucher stock. This would be within the jurisdiction of Sutter County.

Pursuant to initial guidance published by HUD regarding the Section 8 Project-Based Voucher (PBV) Program in the January 16, 2001 Federal Register, Volume 66, Number 10, and subsequently determined to be advisory in the Final Rule of October 13, 2005, this addendum serves to declare that the consolidated Area Housing Authority of Sutter County (CAHASC) intends to operate and continue to operate a PBV Program as authorized by HUD and in conformity with all nondiscriminatory requirements specified in the PHA Plan regulations and further declares that the CAHASC shall affirmatively further fair housing as required by these regulations.

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(c) Not applicable



**Civil Rights Certification**

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

Resolution 10-1215

**Civil Rights Certification****Annual Certification and Board Resolution**

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

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

Consolidated Area Housing Authority of Sutter County

CA048

PHA Name

PHA Number/HA Code

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

Name of Authorized Official Linda J. Nichols	Title Executive Director
Signature 	Date 12/06/2010

# Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name

Consolidated Area Housing Authority of Sutter County

Program/Activity Receiving Federal Grant Funding

SF-211 -- CA048 1, 2, 4, and 5

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

- (1) The dangers of drug abuse in the workplace;
- (2) The Applicant's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. **Sites for Work Performance.** The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

City of Yuba City - CA048-2 (Richland Housing) and CA048-5 (Joann Way)

City of Live Oak - CA048-1 (Maple Park) and CA048-4 (Date Street)

Check here  if there are workplaces on file that are not identified on the attached sheets.

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)

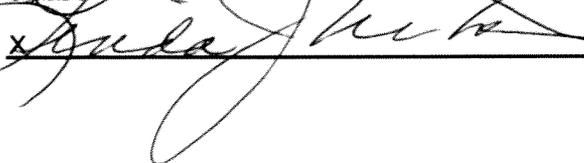
Name of Authorized Official

Linda J. Nichols

Title

Executive Director

Signature



Date

January 26, 2010

# Certification of Payments to Influence Federal Transactions

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

Applicant Name

Consolidated Area Housing Authority of Sutter County

Program/Activity Receiving Federal Grant Funding

SF-211 -- CA048-1, 2, 4 and 5

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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)

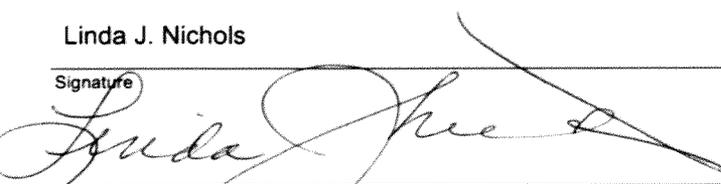
Name of Authorized Official

Linda J. Nichols

Title

Executive Director

Signature



Date (mm/dd/yyyy)

01/26/2010

# DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known:	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>  Not applicable  Congressional District, if known: District 02	
<b>6. Federal Department/Agency:</b>  Not applicable	<b>7. Federal Program Name/Description:</b>  Operating Subsidy  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>  Not applicable	<b>9. Award Amount, if known:</b>  \$	
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>  Not applicable	<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>  Not applicable	
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: <u>Linda J. Nichols</u> Title: <u>Executive Director</u> Telephone No.: <u>530-671-0220 x119</u> Date: <u>01/26/2010</u>	
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)



**Consolidated Area Housing Authority of Sutter County**  
An Independent Agency Serving Sutter County, City of Yuba City and City of Live Oak  
448 Garden Highway, Yuba City, CA 95991  
Phone (530) 671-0220, Fax (530) 673-0775  
Executive Director: Linda J. Nichols

June 14, 2011

Rhonda Wilson  
U.S. Department of Housing and Urban Development  
600 Harrison Street, Floor 3  
San Francisco, Ca 94107

RE: CA-048 PHA Plan Certification 2011

The PHA certifies that there were no Challenged Elements received for the 2011 PHA Plan.

If you need any additional information or have any questions please contact me at 530-671-0220 ext 119.

Sincerely,

  
Linda J. Nichols  
Executive Director

**Capital Fund Program  
(CFP) Amendment**

To The Consolidated Annual Contributions  
Contract (form HUD-53012)

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

Whereas, (Public Housing Authority) County of Sutter Housing Authority (CA048 ) (herein called the "PHA")  
and the United States of America, Secretary of Housing and Urban Development (herein called "HUD") entered into Consolidated Annual Contributions  
Contract(s) ACC(s) Numbers(s) SF-211 dated 6/29/1962

Whereas, HUD has agreed to provide CFP assistance, upon execution of this Amendment, to the PHA in the amount to be specified below for the  
purpose of assisting the PHA in carrying out capital and management activities at existing public housing developments in order to ensure that such  
developments continue to be available to serve low-income families. HUD reserves the right to provide additional CFP assistance in this FY to the  
PHA. HUD will provide a revised ACC Amendment authorizing such additional amounts.

\$ 258,596.00 for Fiscal Year 2011 to be referred to under Capital Fund Grant Number CA30P04850111

PHA Tax Identification Number (TIN) On File \_\_\_\_\_ DUNS Number: On File \_\_\_\_\_

Whereas, HUD and the PHA are entering into the CFP Amendment Number \_\_\_\_\_

Now Therefore, the ACC(s) is (are) amended as follows:

1. The ACC(s) is (are) amended to provide CFP assistance in the amount  
specified above for capital and management activities of PHA developments.  
This amendment is a part of the ACC(s).

2. The capital and management activities shall be carried out in accordance  
with all HUD regulations and other requirements applicable to the Capital Fund  
Program.

3. (Check one)

a. For Non-qualified PHAs:

(i) In accordance with the HUD regulations, the Annual  
PHA Plan has been adopted by the PHA and approved by HUD, and may  
be amended from time to time. The capital and management activities  
shall be carried out as described in the CFP Annual Statement/Performance  
and Evaluation Report (HUD-50075.1).

OR  
 (ii) If the Annual PHA Plan has not been adopted by the PHA and  
approved by HUD, the PHA may use its CFP assistance under this contract for  
work items contained in its CFP-Five-Year Action Plan (HUD-50075.2), before  
the Annual PHA Plan is approved.

b. For Qualified PHAs:

(i) The CFP Annual Statement/Performance and Evaluation Report  
(HUD-50075.1) has been adopted by the PHA and verified by HUD. The  
capital and management activities shall be carried out as described therein.  
OR

(ii) If the CFP Annual Statement/Performance and Evaluation Report  
has not been adopted by the PHA and/or verified by HUD, the PHA may use  
its CFP assistance under this contract for work items contained in its approved  
CFP 5-Year Action Plan (HUD-50075.2), before the CFP Annual  
Statement/Performance and Evaluation Report is adopted by the PHA and  
verified by HUD.

For cases where HUD has approved a Capital Fund Financing  
Amendment to the ACC (CFF Amendment attached), HUD will deduct the  
payment for amortization scheduled payments from the grant immediately on  
the effective date of this CFP Amendment. The payment of CFP funds due  
per the amortization scheduled will be made directly to a designated trustee  
(Trustee Agreement attached) within 3 days of the due date.

The parties have executed this Agreement, and it will be effective on 8/3/2011. This is the date on which CFP assistance  
becomes available to the PHA for obligation.

Regardless of the selection above, the 24 month time period in which the PHA  
must obligate this CFP assistance pursuant to section 9(j)(1) of the United  
States Housing Act of 1937, as amended, (the "Act") and 48 month time period  
in which the PHA must expend this CFP assistance pursuant to section 9(j)(5)  
of the Act starts with the effective date of this CFP amendment (the date on  
which CFP assistance becomes available to the PHA for obligation). Any  
additional CFP assistance this FY will start with the same effective date.

4. Subject to the provisions of the ACC(s) and paragraph 3, and to assist in the  
capital and management activities, HUD agrees to disburse to the PHA or the  
designated trustee from time to time as needed up to the amount of the  
funding assistance specified herein.

5. The PHA shall continue to operate each development as low-income  
housing in compliance with the ACC(s), as amended, the Act and all HUD  
regulations for a period of twenty years after the last disbursement of CFP  
assistance for modernization activities for any public housing or portion thereof  
and for a period of forty years after the last distribution of CFP assistance for  
development activities for any public housing and for a period of ten years  
following the last payment of assistance from the Operating Fund to the PHA.  
However, the provisions of Section 7 of the ACC shall remain in effect for so  
long as HUD determines there is any outstanding indebtedness of the PHA to  
HUD which arose in connection with any development(s) under the ACC(s)  
and which is not eligible for forgiveness, and provided further that, no  
disposition of any development covered by this amendment shall occur unless  
approved by HUD.

6. The PHA will accept all CFP assistance provided for this FY. If the PHA  
does not comply with any of its obligations under this Amendment and does  
not have its Annual PHA Plan approved within the period specified by HUD,  
HUD shall impose such penalties or take such remedial action as provided by  
law. HUD may direct the PHA to terminate all work described in the Capital  
Fund Annual Statement of the Annual PHA Plan. In such case, the PHA shall  
only incur additional costs with HUD approval.

7. Implementation or use of funding assistance provided under this  
Amendment is subject to the attached corrective action order(s).

(mark one) :  Yes  No

8. The PHA acknowledges its responsibility for adherence to this Amendment.

U.S. Department of Housing and Urban Development  
By \_\_\_\_\_ Date: \_\_\_\_\_

Title \_\_\_\_\_

PHA Executive Director  
By \_\_\_\_\_

Title \_\_\_\_\_

**Executive Director**

Date: 7/18/11

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

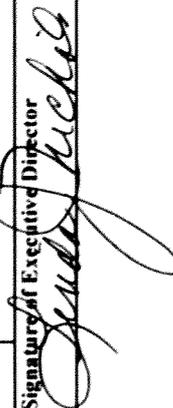
U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

Part I: Summary		Grant Type and Number		FFY of Grant:	
PHA Name:		Capital Fund Program Grant No. CA30P048501-11		2011	
Consolidated Area HA of Sutter County		Replacement Housing Factor Grant No.		FFY of Grant Approval:	
Date of CFFP:					
Type of Grant		Reserve for Disasters/Emergencies		Revised Annual Statement (revision no: )	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Final Performance and Evaluation Report		Total Actual Cost <sup>1</sup>	
Line	Summary by Development Account	Original	Revised <sup>2</sup>	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	\$258,596			
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 21)				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465 1 Dwelling Equipment—Nonexpendable				
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495 1 Relocation Costs				
17	1499 Development Activities <sup>4</sup>				
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant: (sum of lines 2 – 19)				
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security – Soft Costs				
24	Amount of line 20 Related to Security – Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations  
<sup>4</sup> RHF funds shall be included here

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<b>Part I: Summary</b>		FFY of Grant: 2011	
PHA Name: Consolidated Area HA of Sutter County	Grant Type and Number Capital Fund Program Grant No. CA30P048501-11 Date of CFFP _____	Replacement Housing Factor Grant No.	
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending: Line Summary by Development Account		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
<input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Summary by Development Account		Total Estimated Cost	Total Actual Cost <sup>1</sup>
Signature of Executive Director 		Original	Revised <sup>1</sup>
Date		Obligated	
Date		Expended	
Date		Signature of Public Housing Director	
Date		Date	

7/18/11









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Part I: Summary		Grant Type and Number Capital Fund Program Grant No: CA30004850110 Replacement Housing Factor Grant No: Date of CFFP: _____		FFY of Grant: 2010		
PHA Name: Consolidated Area HA of Sutter County		Reserve for Disasters/Emergencies <input type="checkbox"/> Reserve for Disasters/Emergencies		FFY of Grant Approval:		
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		Revised Annual Statement (revision no: ) <input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report				
Line	Summary by Development Account	Total Estimated Cost	Revised <sup>1</sup>	Obligated	Total Actual Cost <sup>1</sup>	Expended
		Original				
1	Total non-CFF Funds					
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	298,386				
3	1408 Management Improvements					
4	1410 Administration (may not exceed 10% of line 21)					
5	1411 Audit					
6	1415 Liquidated Damages					
7	1430 Fees and Costs					
8	1440 Site Acquisition					
9	1450 Site Improvement					
10	1460 Dwelling Structures					
11	1465.1 Dwelling Equipment—Nonexpendable					
12	1470 Non-dwelling Structures					
13	1475 Non-dwelling Equipment					
14	1485 Demolition					
15	1492 Moving to Work Demonstration					
16	1495.1 Relocation Costs					
17	1499 Development Activities <sup>4</sup>					
18a	1501 Collateralization or Debt Service paid by the PHA					
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment					
19	1502 Contingency (may not exceed 8% of line 20)					
20	Amount of Annual Grant. (sum of lines 2 – 19)					
21	Amount of line 20 Related to LBP Activities					
22	Amount of line 20 Related to Section 504 Activities					
23	Amount of line 20 Related to Security – Soft Costs					
24	Amount of line 20 Related to Security – Hard Costs					
25	Amount of line 20 Related to Energy Conservation Measures					

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFF Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

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<b>Part I: Summary</b>		<b>FFY of Grant:</b> 2010	
<b>PHA Name:</b> Consolidated Area HA of Sutter County	<b>Grant Type and Number</b> Capital Fund Program Grant No. CA30004850110 Date of CFFP: _____	<b>Replacement Housing Factor Grant No:</b>	
<input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
<b>Line</b>	<b>Summary by Development Account</b>	<b>Total Estimated Cost</b>	<b>Total Actual Cost<sup>1</sup></b>
		<b>Original</b>	<b>Revised</b>
		<b>Obligated</b>	<b>Expended</b>
<b>Signature of Executive Director</b> <i>[Handwritten Signature]</i>		<b>Signature of Public Housing Director</b>	
	<b>Date:</b> 7/11/11	<b>Date</b>	









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<b>Part I: Summary</b>		<b>Grant Type and Number</b> Capital Fund Program Grant No: CA30004850109 Replacement Housing Factor Grant No: _____ Date of CFFP: _____		<b>FFY of Grant:</b> 2009 <b>FFY of Grant Approval:</b>
<b>PHIA Name:</b> Consolidated Area HA of Sutter County				
<b>Type of Grant</b> <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending: _____		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report		
<input type="checkbox"/> Reserve for Disasters/Emergencies				
<b>Line</b>	<b>Summary by Development Account</b>	<b>Total Estimated Cost</b>	<b>Revised<sup>1</sup></b>	<b>Obligated</b>
		<b>Original</b>		<b>Total Actual Cost<sup>1</sup></b>
1	Total non-CFP Funds			Expended
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	299,122		
3	1408 Management Improvements			
4	1410 Administration (may not exceed 10% of line 21)			
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs			
8	1440 Site Acquisition			
9	1450 Site Improvement			
10	1460 Dwelling Structures			
11	1465.1 Dwelling Equipment—Nonexpendable			
12	1470 Non-dwelling Structures			
13	1475 Non-dwelling Equipment			
14	1485 Demolition			
15	1492 Moving to Work Demonstration			
16	1495.1 Relocation Costs			
17	1499 Development Activities <sup>4</sup>			
18a	1501 Collateralization or Debt Service paid by the PHIA			
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment			
19	1502 Contingency (may not exceed 8% of line 20)			
20	Amount of Annual Grant. (sum of lines 2 - 19)			
21	Amount of line 20 Related to LBP Activities			
22	Amount of line 20 Related to Section 504 Activities			
23	Amount of line 20 Related to Security -- Soft Costs			
24	Amount of line 20 Related to Security -- Hard Costs			
25	Amount of line 20 Related to Energy Conservation Measures			

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here

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U.S. Department of Housing and Urban Development  
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<b>Part I: Summary</b>	
<b>PHA Name:</b> Consolidated Area HA of Sutter County	<b>Grant Type and Number</b> Capital Fund Program Grant No: Date of CFFP: 2009
<b>Replacement Housing Factor Grant No:</b>	
<b>FFY of Grant:</b> 2009	
<b>FFY of Grant Approval:</b>	
<input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:	
<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
<b>Line</b>	<b>Summary by Development Account</b>
	Total Estimated Cost: _____ Revised: _____ Total Actual Cost: _____ Expended: _____
<b>Signature of Executive Director</b> <i>Judith Kulis</i>	<b>Signature of Public Housing Director</b>
<b>Date</b> 7/11/11	<b>Date</b>









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Part I: Summary		PHA Name: Consolidated Area HA of Sutter County		Grant Type and Number Capital Fund Program Grant No: CA30S04850109 Replacement Housing Factor Grant No: Date of CFFP: _____		FFY of Grant: 2009 FFY of Grant Approval:	
Type of Grant		Type of Grant		Type of Grant		Type of Grant	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost	Revised <sup>1</sup>	Obligated	Total Actual Cost <sup>1</sup>	Expended	
1	Total non-CFP Funds						
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>						
3	1408 Management Improvements						
4	1410 Administration (may not exceed 10% of line 21)						
5	1411 Audit						
6	1415 Liquidated Damages						
7	1430 Fees and Costs						
8	1440 Site Acquisition						
9	1450 Site Improvement						
10	1460 Dwelling Structures		380,743				
11	1465.1 Dwelling Equipment—Nonexpendable						
12	1470 Non-dwelling Structures						
13	1475 Non-dwelling Equipment						
14	1485 Demolition						
15	1492 Moving to Work Demonstration						
16	1495.1 Relocation Costs						
17	1499 Development Activities <sup>4</sup>						
18a	1501 Collateralization or Debt Service paid by the PHA						
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment						
19	1502 Contingency (may not exceed 8% of line 20)						
20	Amount of Annual Grant: (sum of lines 2 – 19)						
21	Amount of line 20 Related to LBP Activities						
22	Amount of line 20 Related to Section 504 Activities						
23	Amount of line 20 Related to Security – Soft Costs						
24	Amount of line 20 Related to Security – Hard Costs						
25	Amount of line 20 Related to Energy Conservation Measures						

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

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<b>Part I: Summary</b>		<b>FFY of Grant:</b> 2009	
<b>PHA Name:</b> Consolidated Area HA of Sutter County	<b>Grant Type and Number</b> Capital Fund Program Grant No: CA30S04850109 Date of CFFP: _____	<b>Replacement Housing Factor Grant No:</b>	
<b>Type of Grant</b> <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Summary by Development Account	<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report		
<b>Line</b>	<b>Total Estimated Cost</b>	<b>Revised<sup>2</sup></b>	<b>Total Actual Cost<sup>1</sup></b>
	<b>Original</b>	<b>Obligated</b>	<b>Expended</b>
<b>Signature of Executive Director</b> <i>Judith Nichols</i>		<b>Signature of Public Housing Director</b>	
<b>Date</b> 7/11/11		<b>Date</b>	









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Part I: Summary		Grant Type and Number		FFY of Grant:	
PHA Name: Consolidated Area HIA of Sutter County		Capital Fund Program Grant No: CA04800003209R Replacement Housing Factor Grant No: Date of CFFP: _____		2009 FFY of Grant Approval:	
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Reserve for Disasters/Emergencies		<input type="checkbox"/> Revised Annual Statement (revision no: )	
Summary by Development Account		Total Estimated Cost		Total Actual Cost <sup>1</sup>	
Line		Original	Revised <sup>2</sup>	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>				
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 21)				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465 I Dwelling Equipment—Nonexpendable		297,000		
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495 I Relocation Costs				
17	1499 Development Activities <sup>4</sup>				
18a	1501 Collateralization or Debt Service paid by the PHIA				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant: (sum of lines 2 – 19)				
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security – Soft Costs				
24	Amount of line 20 Related to Security – Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

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<b>Part I: Summary</b>		<b>FFY of Grant:</b> 2009	
<b>PHA Name:</b> Consolidated Area HA of Sutter County	<b>Grant Type and Number</b> Capital Fund Program Grant No: CA04800003209R Date of CFFP: _____	<b>FFY of Grant Approval:</b>	
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
<b>Type of Grant</b>	<input type="checkbox"/> Reserve for Disasters/Emergencies	<b>Total Estimated Cost</b>	<b>Total Actual Cost<sup>1</sup></b>
<b>Line</b>	<b>Summary by Development Account</b>	<b>Revised<sup>2</sup></b>	<b>Expended</b>
Signature of Executive Director 		Signature of Public Housing Director _____	
Date 7/11/11		Date _____	









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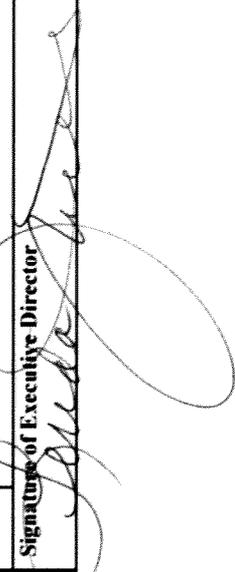
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Part I: Summary		Grant Type and Number Capital Fund Program Grant No: Date of CFFP: 2012	Replacement Housing Factor Grant No:	FFY of Grant: 2012 FFY of Grant Approval:
PHA Name: <b>Consolidated Area HA of Sutter County</b>				
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Original Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report				
Line	Summary by Development Account	Total Estimated Cost	Revised <sup>1</sup>	Total Actual Cost <sup>1</sup> Expended
1	Total non-CFP Funds			
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	296,939		
3	1408 Management Improvements			
4	1410 Administration (may not exceed 10% of line 21)			
5	1411 Audit			
6	1415 Liquidated Damages			
7	1430 Fees and Costs			
8	1440 Site Acquisition			
9	1450 Site Improvement			
10	1460 Dwelling Structures			
11	1465 1 Dwelling Equipment—Nonexpendable			
12	1470 Non-dwelling Structures			
13	1475 Non-dwelling Equipment			
14	1485 Demolition			
15	1492 Moving to Work Demonstration			
16	1495 1 Relocation Costs			
17	1499 Development Activities <sup>4</sup>			
18a	1501 Collateralization or Debt Service paid by the PHA			
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment			
19	1502 Contingency (may not exceed 8% of line 20)			
20	Amount of Annual Grant. (sum of lines 2 – 19)			
21	Amount of line 20 Related to LBP Activities			
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23	Amount of line 20 Related to Security – Soft Costs			
24	Amount of line 20 Related to Security – Hard Costs			
25	Amount of line 20 Related to Energy Conservation Measures			

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
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 Expires 4/30/2011

<b>Part I: Summary</b>		<b>FFY of Grant:</b> 2012	
<b>PHA Name:</b> Consolidated Area HA of Sutter County	<b>Grant Type and Number</b> Capital Fund Program Grant No: Date of CFFP: 2012	<b>Replacement Housing Factor Grant No:</b>	<b>FFY of Grant Approval:</b>
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Final Performance and Evaluation Report		Total Estimated Cost Revised ? Total Actual Cost <sup>1</sup>	
<b>Line</b>	<b>Summary by Development Account</b>	<b>Original</b>	<b>Expended</b>
Signature of Executive Director 		Signature of Public Housing Director Date	