

PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011
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1.0	PHA Information PHA Name: Housing Authority of the City of Stuart PHA Type: <input checked="" type="checkbox"/> Small <input type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): 04/2011 PHA Code: FL045				
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: 70 Number of HCV units: 77				
3.0	Submission Type <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only				
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)				
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program
	PHA 1:				PH HCV
	PHA 2:				
	PHA 3:				
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.				
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: Note: See Attachment f045a01 Page 3.				
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. Note: See Attachment f045a01 Page 3.				
6.0	PHA Plan Update (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. Note: See Attachment f045a01 Pages 4 - 82.				
7.0	Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i> Note: See Attachment f045a01 Pages 82 - 83.				
8.0	Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.				
8.1	Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> , form HUD-50075.1, for each current and open CFP grant and CFFP financing. Note: See Attachment f045a01 Page 83.				
8.2	Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i> , form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan. Note: See Attachment f045a01 Page 83.				
8.3	Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements. Note: See Attachment f045a01 Page 84.				

9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>Note: See Attachment #045a01 Page 84.</p>
9.1	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p> <p>Note: See Attachment #045a01 Page 85.</p>
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”</p> <p>Note: See Attachment #045a01 Pages 87-89.</p>
11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</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>

HOUSING AUTHORITY OF THE CITY OF STUART

FY2011 ANNUAL UPDATE TO THE FY2010 – FY2014 FIVE-YEAR AGENCY PLAN

SECTION 5.0 THROUGH 10.0

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5.0 Five-Year Plan

5.1 Mission Statement

The Housing Authority of the City of Stuart utilizes available federal, state and local resources to serve the residents of the City of Stuart by working to upgrade and maintain the existing housing stock, encourage the construction of new housing affordable to low and moderate income households, promote economic development and provide low and moderate income family's and senior households with decent, safe and affordable rental housing opportunities.

The Housing Authority of the City of Stuart further promotes personal, economic and social upward mobility to provide families the opportunity to make the transition from subsidized to non-subsidized housing.

5.2 Goals and Objectives

- Maximize the number of affordable units available to the PHA within its current resources by employing affective maintenance, and management policies to minimize the number of public housing units off line.
- Reduce turnover time for vacated public housing units.
- Reduce time to renovate public housing units.
- Maintain or increase lease rates for Section 8 Housing Choice Voucher Program by establishing payment standards that will enable families to rent throughout the jurisdiction.
- Maintain or increase our Section 8 Lease up rates by effectively screening Section 8 applicants to increase owners acceptance of the program.
- To maintain or increase Section 8 lease up rates by marketing the program to owners particularly those outside of areas of minority and poverty concentration.
- Increase the number of affordable housing units by applying for additional Section 8 Vouchers should they become available.
- Pursue housing resources other than Public Housing or Section 8 tenant based assistance.
- Exceed HUD's Federal targeting requirements for families at or below 30% of the AMI in Public Housing and in Tenant Based Section 8 Assistance.

- Adopt rent policies to support and encourage work.
- Carry out the modifications needed in Public Housing based on Section 504 Needs Assessments for Public Housing.
- Affirmatively market to local non-profit agencies that assist families with disabilities.

6.0 PHA Plan Update

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.**

The Housing Authority has revised the following elements:

Financial Resources

The Financial Resources section has been revised to include projected amounts for FY2011.

Fiscal Year Audit

The Audit for the Fiscal Year ending 3/31/2009 has been included. The Audit for the Fiscal Year ending 3/31/2010 is in the process of being completed.

Capital Improvements

The Housing Authority has included a copy of the FY2011 Capital Fund Annual Statement and a Performance and Evaluation Report for the FY2009 American recovery and Revitalization Act Grant.

- (b) Identify where the 5-Year and Annual Plan may be obtained by the public.**

The FY2011 Annual Update will be available for review during the 45-day Public Hearing Notice period at the Housing Authority's main office which is located at 611 Church Street in Stuart, Florida.

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

Public Housing

BASIC ELIGIBILITY CRITERIA

INCOME ELIGIBILITY AND TARGETING

Income Limits

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the public housing program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

Types of Low-Income Families [24 CFR 5.603(b)]

Low-income family. A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

Very low-income family. A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

Extremely low-income family. A family whose annual income does not exceed 30 percent of the median income for the area, adjusted for family size.

Using Income Limits for Eligibility [24 CFR 960.201]

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be a *low-income* family.

Using Income Limits for Targeting [24 CFR 960.202(b)]

At least 40 percent of the families admitted to the PHA's public housing program during the fiscal year from the SHA waiting list must be *extremely low-income* families.

CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, Subpart E]

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or non-citizens that have eligible immigration status. At least one family member must be a citizen,

national, or non-citizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply.

Declaration [24 CFR 5.508]

Each family member is required to declare whether the individual is a citizen, a national, or an eligible non-citizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible non-citizens. For citizens, nationals and eligible non-citizens the declaration must be signed personally by the head, spouse, cohead, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Non-citizens below). No declaration is required for live-in aides, foster children, or foster adults.

U.S. Citizens and Nationals

Citizens and nationals are required to submit only a signed declaration that claims their status. However, the SHA may request additional documentation of their status, such as a passport.

Family members who declare citizenship or national status will not be required to provide additional documentation unless the SHA receives information indicating that an individual's declaration may not be accurate.

Eligible Noncitizens

In addition to providing a signed declaration, those declaring eligible non-citizen status must sign a verification consent form and cooperate with the SHA efforts to verify their immigration status as described in Chapter 7. The documentation required for establishing eligible non-citizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

Ineligible Noncitizens

Those non-citizens who do not wish to contend their immigration status are required to have their names listed on a non-contending family members listing, signed by the head, spouse, or co-head (regardless of citizenship status), indicating their ineligible immigration status. The SHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to non-citizen students is prohibited [24 CFR 5.522]. This prohibition extends to the non-citizen spouse of a non-citizen student as well as to minor children who accompany or follow to join the non-citizen student. Such prohibition does not extend to the citizen spouse of a non-citizen student or to the children of the citizen spouse and non-citizen student. Such a family is eligible for prorated assistance as a mixed family.

Mixed Families

A family is eligible for admission as long as at least one member is a citizen, national, or eligible non-citizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 14 for a discussion of informal hearing procedures.

Ineligible Families [24 CFR 5.514(d), (e), and (f)]

The Housing Authority of the City of Stuart will not provide assistance to a family before the verification of at least one family member as a citizen, national, or eligible non-citizen.

When it is determined that an applicant family does not include any citizens, nationals, or eligible non-citizens, following the verification process, the family will be sent a written notice within 10 business days of the determination.

The notice will explain the reasons for the denial of assistance and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with the SHA.

The informal hearing with the SHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Informal hearing procedures are contained in Chapter 14.

Timeframe for Determination of Citizenship Status [24 CFR 5.508(g)]

The Housing Authority of the City of Stuart will verify the status of applicants at the time other eligibility factors are determined.

SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218]

For every family member age 6 or older the family must provide a valid Social Security Number (SSN)/Card or a certification stating that no SSN has been issued. If a family member who is required to execute a certification is less than 18 years old, the certification must be executed by the individual's parent or guardian [24 CFR 5.216(j)]. Assistance cannot be provided to a family until all SSN documentation requirements are met.

If a new member who is at least six years of age is added to the family, the new member's SSN documentation must be submitted at the family's next interim or regular reexamination, whichever comes first. If any member of the family who is at least six years of age obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted at the family's next regularly scheduled reexamination.

The SHA will deny admission to an applicant family if they do not meet the SSN disclosure, documentation and verification, and certification requirements contained in 24 CFR 5.216.

FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230]

HUD requires each adult family member, and the head of household, spouse, or co-head, regardless of age, to sign form **HUD-9886, Authorization for the Release of Information**.

Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Chapter 7 provides detailed information concerning the consent forms and verification requirements.

The SHA will deny admission to the program if any member of the applicant family fails to sign and submit consent forms. [24 CFR 960.259(a) and (b)].

TENANT SELECTION

OVERVIEW

The Housing Authority of the City of Stuart has established tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. The

order in which families will be selected from the waiting list is based on date and time the application was issued to the applicant.

The Housing Authority of the City of Stuart maintains a clear record of all information required to verify that the family is selected from the waiting list according to the SHA's selection policies [24 CFR 960.206(e)(2)].

SELECTION METHOD

Local Preferences [24 CFR 960.206]

The Housing Authority of the City of Stuart uses the following local preference:

In order to bring higher income families into public housing, the Housing Authority of the City of Stuart has established a preference for "working" families, where the head, spouse, co-head, or sole member is employed at least 20 hours per week. As required by HUD, families where the head and spouse, or sole member is a person age 62 or older, or is a person with disabilities, will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].

Income Targeting Requirement [24 CFR 960.202(b)]

HUD requires that extremely low-income (ELI) families make up at least 40% of the families admitted to public housing during the SHA's fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, the PHA may skip non-ELI (extremely low income) families on the waiting list in order to select an ELI family.

The Housing Authority of the City of Stuart also operates a Housing Choice Voucher (HCV) program. Admissions of extremely low-income families to the SHA's HCV program during the housing authorities fiscal year that exceed the 75% minimum target requirement for the voucher program, shall be credited against the SHA's basic targeting requirement in the public housing program for the same fiscal year. The Housing Authority of the City of Stuart will monitor progress in meeting the ELI requirement throughout the fiscal year. ELI families will be selected ahead of other eligible families on an as-needed basis to ensure that the income targeting requirement is met.

Mixed Population Developments [24 CFR 960.407]

The Housing Authority of the City of Stuart gives elderly and disabled families equal preference in selecting these families for admission to mixed population developments. In selecting elderly and disabled families to fill these units, the SHA first offers a unit that has accessibility features for families that include a person with a disability and require the accessibility features of such units. The

Housing Authority of the City of Stuart does not discriminate against elderly or disabled families that include children (Fair Housing Amendments Act of 1988).

Units Designated for Elderly or Disabled Families [24 CFR 945]

The Housing Authority of the City of Stuart does not have designated elderly or designated disabled housing at this time.

Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]

The Housing Authority of the City of Stuart's admission policy provides for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of our deconcentration policies is included in our annual plan [24 CFR 903.7(b)]. The Housing Authority's deconcentration policy complies with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)].

VAWA...No applicant for public housing who has been a victim of domestic violence, dating violence, or stalking shall be denied admission into the program if they are otherwise qualified.

Steps for Implementation [24 CFR 903.2(c)(1)]

In order to comply with the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, the housing authority will:

- ❖ Determine the average income of all families residing in all the SHA's developments on an annual basis.
- ❖ The SHA then determines whether each of its covered developments falls above, within, or below the established income range (EIR), which is from 85% to 115% of the average family income.
- ❖ The SHA having average incomes outside the EIR will then determine whether or not these developments are consistent with its local goals and annual plan.
- ❖ Where the income profile is not explained or justified in the annual plan submission, the SHA will include it in the admission policy its specific policy to provide for deconcentration of poverty and income mixing.

A family has the sole discretion whether to accept an offer of a unit made under the SHA's deconcentration policy. The SHA will not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under the SHA's deconcentration policy [24 CFR 903.2(c)(4)].

If, at annual review, the average incomes at all general occupancy developments are within the EIR (established income range), the SHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

DECONCENTRATION POLICY

It is the policy of the Housing Authority of the City of Stuart to provide for deconcentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. The Housing Authority of the City of Stuart will skip families on the waiting list to reach other families with a lower or higher income. The Housing Authority of the City of Stuart will accomplish this in a uniform and non-discriminating manner.

The Housing Authority of the City of Stuart will affirmatively market its housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Before the beginning of each new fiscal year, the housing authority will analyze the income levels of families residing in each of its developments, the income levels of census tracts in which the housing authority developments are located, and the income levels of the families on the waiting list. Based on this analysis, the Housing Authority of the City of Stuart will determine the level of marketing strategies and deconcentration incentives to implement.

Order of Selection [24 CFR 960.206(e)]

Families will be selected from the waiting list based on date and time their application was issued as well as preference. Among applicants with the same preference, families will be selected on a first-come, first-served basis according to the date and time their application was issued by the housing authority.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and SHA policy.

NOTIFICATION OF SELECTION

The Housing Authority of the City of Stuart will notify the family by telephone and/or by first class mail when it is selected from the waiting list.

The notice will inform the family of the following:

Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

Who is required to attend the interview

Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

Documents that must be provided at the interview to document eligibility for a preference, if applicable

Other documents and information that should be brought to the interview

If a notification letter is returned to the SHA with no forwarding address, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents the SHA from making an eligibility determination; therefore no informal hearing will be offered.

THE APPLICATION INTERVIEW

Families selected from the waiting list are required to participate in an eligibility interview.

The head of household and the spouse/cohead will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/cohead may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to the SHA.

The interview will be conducted only if the head of household or spouse/cohead has provided the appropriate documentation of legal identity

If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for a preference (see Chapter 7

The family must provide the information necessary to establish the family's eligibility, including suitability, and to determine the appropriate amount of rent the family will pay.

The family must also complete required forms, provide required signatures, and submit required documentation.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview. An extension may be issued at this time. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (see Chapter 3).

Interviews will be conducted in English. For limited English proficient (LEP) applicants, the SHA will try to provide translation services.

If the family is unable to attend a scheduled interview, the family must contact the SHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, the SHA will send another notification letter with a new interview appointment time.

Applicants who fail to attend two scheduled interviews without SHA approval will have their applications made inactive based on the family's failure to supply information needed to determine eligibility. The second appointment letter will state that failure to appear for the appointment without a request to reschedule will be interpreted to mean that the family is no longer interested and their application will be made inactive. Such failure to act on the part of the applicant prevents the SHA from making an eligibility determination, therefore the SHA will not offer an informal hearing.

FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]

The Housing Authority of the City of Stuart will notify a family in writing of their eligibility within 10 business days.

The SHA will notify within 10 business days any family determined to be ineligible for admission including the basis for such determination, and provide the applicant upon request, within a reasonable time after the determination is made, with an opportunity for an informal hearing on such determination [24 CFR 960.208(a)].

Should the Housing Authority of the City of Stuart use a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record will precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before the SHA can move to deny the application.

THE APPLICATION PROCESS OVERVIEW

This part describes the policies that guide the Housing Authority of the City of Stuart's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes this Agency's obligation to ensure the accessibility of the application process.

APPLYING FOR ASSISTANCE

Any family that wishes to reside in public housing must apply for admission to the program [24 CFR 1.4(b)(2)(ii), 24 CFR 960.202(a)(2)(iv), and PH Occ GB, p. 68].

When the Housing Authority of the City of Stuart is accepting applications, it will advertise in the local newspaper. The ad will specify the date and time the Housing Authority will start accepting applications. Once the ad has been placed, families may obtain application forms from the Housing Authority office between the hours of 9:00 AM and 12 noon and 1:00 PM and 3:00 PM Monday through Friday. Families who are located out of town may request an application be sent to them via first class mail.

The Housing Authority of the City of Stuart initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and the amount of rent the family will pay when selected from the waiting list.

Completed applications must be returned to the housing authority by mail, by fax, or submitted in person during normal business hours. Applications must be complete in order to be accepted by the SHA for processing. If an application is incomplete, the SHA will notify the family of the additional information required.

ACCESSIBILITY OF THE APPLICATION PROCESS

The Housing Authority of the City of Stuart will take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard SHA application process.

Disabled Populations [24 CFR 8; PH Occ GB, p. 68]

The Housing Authority of the City of Stuart will provide reasonable accommodation to the needs of individuals with disabilities.

Limited English Proficiency

The Housing Authority of the City of Stuart will take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1].

PLACEMENT ON THE WAITING LIST

The Housing Authority of the City of Stuart will review each completed application received and make a preliminary assessment of the family's eligibility. The family will then be placed on the waiting list unless the SHA determines the family to be ineligible. If the family is determined ineligible, the SHA will notify the family in writing [24 CFR 960.208(a); PH Occ GB, p. 41].

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

Ineligible for Placement on the Waiting List

If the Housing Authority of the City of Stuart can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. The SHA will send written notification of the ineligibility determination within 10 business days of receiving a completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so (see Chapter 14).

Eligible for Placement on the Waiting List

The Housing Authority of the City of Stuart will send written notification of the preliminary eligibility determination within 10 business days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) (if any) for which the family appears to qualify.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. A final determination of eligibility and qualification for preferences will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to SHA preference(s) and the date and time their application is issued by the SHA.

The Housing Authority of the City of Stuart will assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards (see Chapter 5). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to SHA standards and local codes). However, in these cases, the family must agree not to request a transfer for **two years after admission**, unless they have a change in family size or composition.

MANAGING THE WAITING LIST

OVERVIEW

The Housing Authority of the City of Stuart has policies regarding the type of waiting list it will utilize as well as the various aspects of organizing and managing the waiting list of applicant families. This includes opening and closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for public housing, and conducting outreach to ensure a sufficient number of applicants.

ORGANIZATION OF THE WAITING LIST

The Housing Authority of the City of Stuart's waiting list will be organized in such a manner to allow the housing authority to accurately identify and select families in the proper order, according to the admissions policies described in this ACOP.

The Housing Authority of the City of Stuart's waiting list will contain the following information for each applicant listed:

- Name and social security number of head of household
- Unit size required (number of family members)
- Amount and source of annual income
- Accessibility requirement, if any
- Date and time of application or application number
- Household type (family, elderly, disabled)
- Admission preference, if any
- Race and ethnicity of the head of household

The Housing Authority of the City of Stuart will maintain five (5) separate waiting lists, one for each bedroom size. Within the list, the SHA will designate subparts to easily identify the needs of the next applicant on the list. The SHA will not adopt site-based waiting lists.

If at the time application is made, the Housing Authority may have the applicant also fill out an application for Housing Choice Voucher Program providing that program is accepting applications at that time, and the family is qualified for the other programs [24 CFR 982.205(a)(2)(i)].

The Housing Authority of the City of Stuart will not merge the public housing waiting list with the waiting list for any other program the SHA operates.

OPENING AND CLOSING THE WAITING LIST

Closing the Waiting List

The Housing Authority of the City of Stuart will close the waiting list, in whole or in part, if it has an adequate pool of families to fill its developments. The SHA may close the waiting list completely, or restrict intake by preference, or by size and type of dwelling unit. [PH Occ GB, p. 31].

The SHA will close the waiting list when the estimated waiting period for housing applicants on the list reaches 24 months for the most current applicants.

Reopening the Waiting List

If the waiting list has been closed, it may be reopened at any time. The Housing Authority of the City of Stuart will publish a notice in local newspapers of general circulation, minority media, and other suitable media outlets that the SHA is reopening the waiting list. This notice is designed to comply with HUD fair housing requirements. The ad will specify who may apply, where to apply, and when applications will be issued.

The SHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

The housing authority will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

- ❖ Port St. Lucie News
- ❖ Stuart News
- ❖ Sebastian Sun
- ❖ Jupiter Courier
- ❖ Vero Beach press Journal

FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]

The Housing Authority of the City of Stuart will conduct outreach as necessary to ensure that the SHA has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that the SHA is affirmatively furthering fair housing and complying with the Fair Housing Act.

REPORTING CHANGES IN FAMILY CIRCUMSTANCES

While the family is on the waiting list, the family must inform the SHA, within 10 business days, of changes in family size or composition, preference status, or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing by the Applicant.

Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

UPDATING THE WAITING LIST

The Housing Authority of the City of Stuart has establish policies to use when removing applicant names from the waiting list [24 CFR 960.202(a)(2)(iv)].

Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to the SHA's request for information or updates because of the family member's disability, the SHA will, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 8.4(a), 24 CFR 100.204(a), and PH Occ GB, p. 39 and 40]. See Chapter 2.

The waiting list will be updated as needed to ensure that all applicants and applicant information is current and timely.

To update the waiting list, the Housing Authority of the City of Stuart will send an update request via first class mail to each family on the waiting list to determine whether the family is still interested in, and qualifies for, the program. This update request will be sent to the last address that the SHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by the PHA not later than 10 business days from the date of the SHA letter.

If the family fails to respond within 10 business days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 10 business days to respond from the date the letter was re-sent. If the family fails to respond within this time frame, the family will be removed from the waiting list without further notice.

When a family is removed from the waiting list during the update process for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent the SHA from making an eligibility determination; therefore no informal hearing is required.

If a family is removed from the waiting list for failure to respond, the Executive Director may reinstate the family if s/he determines the lack of response was due to SHA error, or to circumstances beyond the family's control.

Removal from the Waiting List

The Housing Authority of the City of Stuart will remove applicants from the waiting list if they have requested that their name be removed. In such cases no informal hearing is required.

If the SHA determines that the family is not eligible for admission (see Chapter 3) at any time while the family is on the waiting list, the family will be removed from the waiting list.

If a family is removed from the waiting list because the SHA has determined the family is not eligible for admission, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal hearing regarding the SHA's decision (see Chapter 14) [24 CFR 960.208(a)].

Section 8

BASIC ELIGIBILITY CRITERIA

INCOME ELIGIBILITY AND TARGETING

Income Limits

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the housing choice voucher program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

Types of Low-Income Families [24 CFR 5.603(b)]

Low-income family. A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

Very low-income family. A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

Extremely low-income family. A family whose annual income does not exceed 30 percent of the median income for the area, adjusted for family size.

HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

Using Income Limits for Eligibility [24 CFR 982.201]

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be one of the following:

- A *very low-income* family
- A *low-income* family that has been "continuously assisted" under the 1937 Housing Act. A family is considered to be continuously assisted if the family is already receiving assistance under any 1937 Housing Act program at the time the family is admitted to the HCV program [24 CFR 982.4]

SHA Policy

The SHA will consider a family to be continuously assisted if the family was leasing a unit under any 1937 Housing Act program at the time they were issued a voucher by the SHA.

- A low-income family that qualifies for voucher assistance as a non-purchasing household living in HOPE 1 (public housing homeownership), HOPE 2 (multifamily housing homeownership) developments, or other HUD-assisted multifamily homeownership programs covered by 24 CFR 248.173
- A low-income or moderate-income family that is displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract on eligible low-income housing as defined in 24 CFR 248.101

HUD permits the SHA to establish additional categories of low-income families that may be determined eligible. The additional categories must be consistent with the SHA plan and the consolidated plans for local governments within the SHA's jurisdiction.

SHA Policy

The SHA has not established any additional categories of eligible low-income families.

Using Income Limits for Targeting [24 CFR 982.201]

At least 75 percent of the families admitted to the SHA's program during a SHA fiscal year must be extremely low-income families. HUD may approve exceptions to this requirement if the SHA demonstrates that it has made all required efforts, but has been unable to attract an adequate number of qualified extremely low-income families.

Families continuously assisted under the 1937 Housing Act and families living in eligible low-income housing that are displaced as a result of prepayment of a mortgage or voluntary termination of a mortgage insurance contract are not subject to the 75 percent restriction.

CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, SUBPART E]

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with the SHA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

Declaration [24 CFR 5.508]

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible noncitizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, cohead, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Noncitizens below). No declaration is required for live-in aides, foster children, or foster adults.

U.S. Citizens and Nationals

In general, citizens and nationals are required to submit only a signed declaration that claims their status. However, HUD regulations permit the SHA to request additional documentation of their status, such as a passport.

SHA Policy

Family members who declare citizenship or national status will not be required to provide additional documentation unless the SHA receives information indicating that an individual's declaration may not be accurate.

Eligible Noncitizens

In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with SHA efforts to verify their immigration status as described in Chapter 7. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

Ineligible Noncitizens

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a non-contending family members listing, signed by the head, spouse, or cohead (regardless of citizenship status), indicating their ineligible immigration status. The SHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student.

Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

Mixed Families

A family is eligible for assistance as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered ***mixed families***. Such families will be given notice that their assistance will be prorated and that they may request a hearing if they contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 16 for a discussion of informal hearing procedures.

Ineligible Families [24 CFR 5.514(d), (e), and (f)]

The SHA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by

the SHA that the individual or at least one family member is eligible. Verification of eligibility for this purpose occurs when the individual or family members have submitted documentation to the SHA in accordance with program requirements [24 CFR 5.512(a)].

SHA Policy

The SHA will not provide assistance to a family before the verification of at least one family member as a citizen, national, or eligible non-citizen.

When the SHA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family will be sent a written notice within ten (10) business days of the determination. The notice will explain the reasons for the denial of assistance, that the family may be eligible for proration of assistance, and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with the SHA. The informal hearing with the SHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Informal hearing procedures are contained in Chapter 16.

Timeframe for Determination of Citizenship Status [24 CFR 5.508(g)]

For new occupants joining the assisted family, the SHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

If an individual qualifies for a time extension for the submission of required documents, the SHA must grant such an extension for no more than 30 days [24 CFR 5.508(h)].

Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

SHA Policy

The SHA will verify the status of applicants at the time other eligibility factors are determined.

SOCIAL SECURITY NUMBERS [24 CFR 5.216 AND 5.218]

The applicant and all members of the applicant's household age six (6) or older must provide documentation of a valid Social Security Number (SSN) or a

certification stating that no SSN has been issued. If a household member who is required to execute a certification is less than 18 years old, the certification must be executed by the individual's parent or guardian [24 CFR 5.216(j)]. Assistance cannot be provided to a family until all SSN documentation requirements are met.

A detailed discussion of acceptable documentation is provided in Chapter 7.

If a new member who is at least six years of age is added to the family, the new member's SSN documentation must be submitted at the household's next interim or regular reexamination, whichever comes first. If any member of the household who is at least six years of age obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted at the family's next regularly scheduled reexamination.

The SHA will deny assistance to an applicant family if they do not meet the SSN disclosure, documentation and verification, and certification requirements contained in 24 CFR 5.216.

FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230, HCV GB, P. 5-13]

HUD requires each adult family member, and the head of household, spouse, or cohead, regardless of age, to sign form **HUD-9886, Authorization for the Release of Information/Privacy Act Notice**, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

Chapter 7 provides detailed information concerning the consent forms and verification requirements.

The SHA will deny admission to the program if any member of the applicant family fails to sign and submit the consent forms for obtaining information in accordance with 24 CFR 5, Subparts B and F [24 CFR 982.552(b)(3)].

STUDENTS ENROLLED IN INSTITUTIONS OF HIGHER EDUCATION [24 CFR 5.612 and FR Notice 4/10/06]

Section 327 of Public Law 109-115 and the implementing regulation at 24 CFR 5.612 established new restrictions on the eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education.

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the student's eligibility must be examined along with the income eligibility of the student's parents. In these cases, both the student and the student's parents must be income eligible for the student to receive HCV assistance. If, however, a student in these circumstances is determined independent from his/her parents in accordance with

SHA policy, the income of the student's parents will not be considered in determining the student's eligibility.

The new law does not apply to students who reside with parents who are applying to receive HCV assistance. It is limited to students who are seeking assistance on their own, separately from their parents.

Definitions

In determining whether and how the new eligibility restrictions apply to a student, the SHA will rely on the following definitions [FR 4/10/06, p. 18148].

Dependent Child

In the context of the student eligibility restrictions, ***dependent child*** means a dependent child of a student enrolled in an institution of higher education. The dependent child must also meet the definition of ***dependent*** in 24 CFR 5.603, which states that the dependent must be a member of the assisted family, other than the head of household or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student. Foster children and foster adults are not considered dependents.

Independent Student

SHA Policy

The SHA will consider a student "independent" from his or her parents and the parents' income will not be considered when determining the student's eligibility if the following four criteria are all met:

The individual is of legal contract age under state law.

The individual has established a household separate from his/her parents for at least one year prior to application for occupancy or the individual meets the U.S. Department of Education's definition of independent student.

To be considered an ***independent student*** according to the Department of Education, a student must meet one or more of the following criteria:

Be at least 24 years old by December 31 of the award year for which aid is sought

Be an orphan or a ward of the court through the age of 18

Be a veteran of the U.S. Armed Forces

Have one or more legal dependents other than a spouse (for example, dependent children or an elderly dependent parent)

Be a graduate or professional student

Be married

The individual was not claimed as a dependent by his/her parents pursuant to IRS regulations, as demonstrated on the parents' most recent tax forms.

The individual provides a certification of the amount of financial assistance that will be provided by his/her parents. This certification must be signed by the individual providing the support and must be submitted even if no assistance is being provided.

The SHA will verify that a student meets the above criteria in accordance with the policies in Section 7-II.E.

Institution of Higher Education

The SHA will use the statutory definition under section 102 of the Higher Education Act of 1965 to determine whether a student is attending an ***institution of higher education*** (see Exhibit 3-2).

Parents

SHA Policy

For purposes of student eligibility restrictions, the definition of ***parents*** includes biological or adoptive parents, stepparents (as long as they are currently married to the biological or adoptive parent), and guardians (e.g., grandparents, aunt/uncle, godparents, etc).

Person with Disabilities

The SHA will use the statutory definition under section 3(b)(3)(E) of the 1937 Act to determine whether a student is a *person with disabilities* (see Exhibit 3-1).

Veteran

SHA Policy

A ***veteran*** is a person who served in the active military, naval, or air service and who was discharged or released from such service under conditions other than dishonorable.

Determining Student Eligibility

If a student is applying for assistance on his/her own, apart from his/her parents, the SHA will determine whether the student is subject to the eligibility restrictions contained in 24 CFR 5.612. If the student is subject to those restrictions, the SHA will ensure that:

- (1) the student is individually eligible for the program,
- (2) either the student is independent from his/her parents or the student's parents are income eligible for the program, and
- (3) the "family" with which the student is applying is collectively eligible for the program.

SHA Policy

For any student who is subject to the 5.612 restrictions, the SHA will:

Follow its usual policies in determining whether the student individually and the student's "family" collectively are eligible for the program

Determine whether the student is independent from his/her parents in accordance with the definition of *independent student* in this section

Follow the policies below, if applicable, in determining whether the student's parents are income eligible for the program

If the SHA determines that the student, the student's parents (if applicable), or the student's "family" is not eligible, the SHA will send a notice of denial in accordance with the policies in Section 3-III.F, and the applicant family will have the right to request an informal review in accordance with the policies in Section 16-III.B.

Determining Parental Income Eligibility

SHA Policy

For any student who is subject to the 5.612 restrictions and who does not satisfy the definition of *independent student* in this section, the SHA will determine the income eligibility of the student's parents as follows:

If the student's parents are married and living together, the SHA will obtain a joint income declaration and certification of joint income from the parents.

If the student's parent is widowed or single, the SHA will obtain an income declaration and certification of income from that parent.

If the student's parents are divorced or separated, the SHA will obtain an income declaration and certification of income from each parent.

If the student has been living with one of his/her parents and has not had contact with or does not know where to contact his/her other parent, the SHA will require the student to submit a certification under penalty of perjury describing the circumstances and stating that the student does not receive financial assistance from the other parent. The SHA will then obtain an income declaration and certification of income from the parent with whom the student has been living or had contact.

In determining the income eligibility of the student's parents, the SHA will use the income limits for the jurisdiction in which the parents live.

SELECTION FOR HCV ASSISTANCE

OVERVIEW

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families receive assistance from the waiting list depends on the selection method chosen by the SHA and is impacted in part by any selection preferences that the family qualifies for. The source of HCV funding also may affect the order in which families are selected from the waiting list.

The SHA will maintain a clear record of all information required to verify that the family is selected from the waiting list according to the SHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

SELECTION AND HCV FUNDING SOURCES

Special Admissions [24 CFR 982.203]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, the SHA may admit families that are not on the waiting list, or without considering the family's position on the waiting list. The SHA will maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award SHA funding for a specified category of families on the waiting list. The SHA will use this funding only to assist the families within the specified category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

SHA Policy

The SHA does not administer any type of targeted funding at this time.

Regular HCV Funding

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

SELECTION METHOD

SHA must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the SHA will use [24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

SHA is permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the SHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the SHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

SHA Policy

The SHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during the SHA's fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, SHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of

the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

SHA Policy

The SHA will monitor progress in meeting the ELI requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

The SHA also operates a Public Housing (PH) program. Admissions of extremely low-income families to the SHA HCV program during the SHA fiscal year that exceed the 75% minimum target requirement for the HCV program, shall be credited against the SHA's basic targeting requirement in the Public Housing program for the same fiscal year.

Order of Selection

The SHA system of preferences may select families either according to the date and time of application, or by a random selection process [24 CFR 982.207(c)]. When selecting families from the waiting list SHA is required to use targeted funding to assist only those families who meet the specified criteria, and SHA is not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

SHA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with the SHA's hierarchy of preferences, if applicable. Within each targeted funding or preference category, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by the SHA.

Documentation will be maintained by the SHA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that the SHA does not have to ask higher placed families each time targeted selections are made.

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the SHA in writing within ten (10) business days when their circumstances change. When an applicant claims an additional preference, she/he will be placed on the waiting list in the appropriate order determined by the proper order of their newly claimed preference.

NOTIFICATION OF SELECTION

When a family has been selected from the waiting list, the SHA will notify the family.

SHA Policy

The SHA will notify the family by telephone and/or first class mail when it is selected from the waiting list. The notice will inform the family of the following: Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

Who is required to attend the interview

Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

Documents that must be provided at the interview to document eligibility for a preference, if applicable

Other documents and information that should be brought to the interview

If a notification letter is returned to the SHA with no forwarding address, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents the SHA from making an eligibility determination; therefore, no informal review will be offered. A notice of denial (see Chapter 3) will be sent to the family's address of record, as well as to any known alternate address.

THE APPLICATION INTERVIEW

HUD recommends that the SHA obtain the information and documentation needed to make an eligibility determination through a private interview [HCV GB, pg. 4-16]. Being invited to attend an interview does not constitute admission to the program.

Reasonable accommodation will be made for persons with disabilities who are unable to attend an interview due to their disability.

SHA Policy

Families selected from the waiting list are required to participate in an eligibility interview.

The head of household and the spouse/cohead will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/cohead may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to the SHA.

The interview will be conducted only if the head of household or spouse/cohead provides appropriate documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.

The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, the SHA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within ten (10) business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

Interviews will be conducted in English. For limited English proficient (LEP) applicants, the SHA may provide translation services in accordance with the SHA's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact the SHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, the SHA will send another notification letter with a new interview appointment time.

Applicants who fail to attend two scheduled interviews without SHA approval will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.

COMPLETING THE APPLICATION PROCESS

The SHA will verify all information provided by the family (see Chapter 7). Based on verified information, the SHA will make a final determination of eligibility (see Chapter 3) and will confirm that the family qualified for any special admission, targeted admission, or selection preference that affected the order in which the family was selected from the waiting list.

SHA Policy

If the SHA determines that the family is ineligible, the SHA will send written notification of the ineligibility determination within ten (10) business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (Chapter 16).

If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g. targeted funding, extremely low-income), the family will be returned to its original position on the waiting list. The SHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

If the SHA determines that the family is eligible to receive assistance, the SHA will invite the family to attend a briefing in accordance with the policies in Chapter 5.

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

When a family wishes to receive Section 8 HCV assistance, the family must submit an application that provides the SHA with the information needed to determine the family's eligibility. HUD requires the SHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, the SHA must select families from the waiting list in accordance with HUD requirements and SHA policies as stated in the administrative plan and the annual plan.

The SHA is required to adopt a clear approach to accepting applications, placing families on the waiting list, selecting families from the waiting list and must follow this approach consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or the SHA to receive preferential treatment. Funding earmarked exclusively for families with particular characteristics may also alter the order in which families are served.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that the SHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that the SHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and SHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how the SHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how the SHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process the SHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance. This part describes the policies that guide the SHA in selecting families for HCV assistance as such assistance becomes available. It also specifies how in-person interviews will be used to ensure that the SHA has the information needed to make a final eligibility determination.

THE APPLICATION PROCESS

OVERVIEW

This part describes the policies that guide the SHA's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes the SHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16]

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits the SHA to determine the format and content of HCV applications, as well as how such applications will be made available to interested families and how applications will be accepted by the SHA.

SHA Policy

The SHA will initially require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

When the Housing Authority of the City of Stuart is accepting applications, it will advertise in the local newspaper. The ad will specify the date and time the Housing Authority will start accepting applications. Once the ad has been placed, families may obtain application forms from the Housing Authority office between the hours of 9:00 AM and 12 noon and 1:00 PM and 3:00 PM Monday through Friday. Families who are located out of town may request an application be sent to them via first class mail.

Completed applications must be returned to the SHA by mail, or submitted in person during normal business hours. Applications must be complete in order to be accepted by the SHA for processing. If an application is incomplete, the SHA will notify the family of the additional information required.

ACCESSIBILITY OF THE APPLICATION PROCESS

Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]

The SHA will take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard SHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). The SHA will provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process will be fully accessible, or the SHA will provide an alternate approach that provides full access to the application process. Chapter 2 provides a full discussion of the SHA's policies related to providing reasonable accommodations for people with disabilities.

Limited English Proficiency

SHA will take reasonable steps to ensure meaningful access to its programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on the SHA's policies related to ensuring access to people with limited English proficiency (LEP).

PLACEMENT ON THE WAITING LIST

The SHA will review each complete application received and make a preliminary assessment of the family's eligibility. The SHA will accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, the SHA will notify the family in writing [24 CFR 982.201(f)]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

Ineligible for Placement on the Waiting List

SHA Policy

If the SHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, the SHA will send written notification of the ineligibility determination within ten (10) business days of receiving a complete application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review and explain the process for doing so (see Chapter 16).

Eligible for Placement on the Waiting List

SHA Policy

The Housing Authority of the City of Stuart will review each completed application received and make a preliminary assessment of the family's eligibility. The family will then be placed on the waiting list unless the SHA determines the family to be ineligible. If the family is determined ineligible, the SHA will notify the family in writing [24 CFR 960.208(a); PH Occ GB, p. 41].

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to any preference(s) (if a preference is applicable), for which they qualify, and the date and time their complete application is received by the SHA.

Ineligible for Placement on the Waiting List

If the Housing Authority of the City of Stuart can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. The SHA will send written notification of the ineligibility determination within 10 business days of receiving a completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so.

MANAGING THE WAITING LIST

OVERVIEW

The SHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how SHA may structure its waiting list and how families must be treated if they apply for assistance from a PHA that administers more than one assisted housing program.

ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]

The SHA's HCV waiting list will be organized in such a manner to allow the SHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires the SHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. SHA is permitted, but not required, to maintain a separate waiting list for each county or municipality served.

SHA Policy

The SHA will maintain a single waiting list for the HCV program.

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program the SHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that SHA maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

SHA Policy

The SHA will not merge the HCV waiting list with the waiting list for any other program the SHA operates.

OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]

Closing the Waiting List

The SHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, the SHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

SHA Policy

The SHA will close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 24 months for the most current applicants. Where the SHA has particular preferences or funding criteria that require a specific category of family, the SHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until the SHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

SHA Policy

The SHA will announce the reopening of the waiting list at least ten (10) business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

The SHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

- *Port St Lucie News*
- *Stuart News*
- *Sebastian Sun*
- *Jupiter Courier*
- *Vero Beach Press Journal*

FAMILY OUTREACH [HCV GB, pp. 4-2 to 4-4]

The SHA will conduct outreach as necessary to ensure that the SHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted.

Because HUD requires the SHA to serve a specified percentage of extremely low income families (see Chapter 4, Part III), the SHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

SHA outreach efforts will comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

SHA outreach efforts will be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population

- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

SHA Policy

The SHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in the SHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

REPORTING CHANGES IN FAMILY CIRCUMSTANCES

SHA Policy

While the family is on the waiting list, the family must inform the SHA within ten (10) business days of changes in family size or composition, preference status or contact information, including current residence, mailing address, and phone number. The changes must be submitted by the applicant in writing to the SHA office.

UPDATING THE WAITING LIST [24 CFR 982.204]

HUD requires the SHA to establish policies to use when removing applicant names from the waiting list.

Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to a SHA request for information or updates because of the family member's disability, the SHA will, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 982.204(c)(2)].

SHA Policy

The waiting list will be updated as needed to ensure that all applicants and applicant information is current and timely.

To update the waiting list, the SHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that the SHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by the SHA not later than ten (10) business days from the date of the SHA letter.

If the family fails to respond within ten (10) business days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have ten (10) business days to respond from the date the letter was re-sent. If the family fails to respond within this timeframe, the family will be removed from the waiting list without further notice.

If a family is removed from the waiting list for failure to respond, the Executive Director may reinstate the family if s/he determines the lack of response was due to SHA error, or to circumstances beyond the family's control.

Removal from the Waiting List

SHA Policy

The SHA will remove applicants from the waiting list if they have requested in writing that their name be removed.

If at any time an applicant family is on the waiting list, the SHA determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from the waiting list.

If a family is removed from the waiting list because the SHA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding the SHA's decision (see Chapter 16) [24 CFR 982.201(f)].

When a family is removed from the waiting list during the update process for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent the SHA from making an eligibility determination; therefore no informal hearing is required.

If a family is removed from the waiting list for failure to respond, the Executive Director may reinstate the family if s/he determines the lack of response was due to SHA error, or to circumstances beyond the family's control.

2. Financial Resources

The table below lists the Housing Authority’s anticipated financial resources, such as PHA Operating, Capital and other anticipated Federal resources available to the Agency, as well as tenant rents and other income available to support the public housing and housing choice voucher programs in Fiscal Year 2011.

Funding Source	Amount	Use
FY2011 PH Operating Fund	\$223,766	PH Oper.
FY2011 Capital Fund Program	\$115,000	PH Mod.
Housing Choice Voucher Program	\$500,000	HCV
Public Housing Dwelling Rent	\$158,000	PH Operations
Interest	\$16,680	PH Operations
Total	\$1,013,446	

3. Rent Determination

Public Housing

OVERVIEW OF INCOME-BASED RENT CALCULATIONS

The first step in calculating income-based rent is to determine each family’s total tenant payment (TTP). Then, if the family is occupying a unit that has tenant-paid utilities, the utility allowance is subtracted from the TTP. The result of this calculation, if a positive number, is the tenant rent. If the TTP is less than the utility allowance, the result of this calculation is a negative number, and is called the utility reimbursement, which will be paid directly to the utility company by the SHA.

TTP Formula [24 CFR 5.628]

HUD regulations specify the formula for calculating the total tenant payment (TTP) for a tenant family. TTP is the highest of the following amounts, rounded to the nearest dollar:

30 percent of the family’s monthly adjusted income (adjusted income is defined in Part II)

10 percent of the family’s monthly gross income (annual income, as defined in Part I, divided by 12)

Minimum rent.

The SHA may suspend and exempt families from minimum rent when a financial hardship exists, as defined in section B.

Welfare Rent [24 CFR 5.628]

Welfare rent does not apply in this locality.

Minimum Rent [24 CFR 5.630]

The minimum rent for this locality is \$50.

Optional Changes to Income-Based Rents [24 CFR 960.253(c)(2) and PH Occ GB, pp. 131-134]

The SHA chooses not to adopt optional changes to income-based rents.

Ceiling Rents [24 CFR 960.253 (c)(2) and (d)]

The PHA chooses not to use ceiling rents.

Utility Reimbursement [24 CFR 960.253(c)(3)]

Utility reimbursement occurs when any applicable utility allowance for tenant-paid utilities exceeds the TTP. The SHA will pay the reimbursement directly to the utility provider.

FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If the SHA determines that a hardship exists, the TTP is the highest of the remaining components of the family's calculated TTP.

HUD-Defined Financial Hardship

Family income has decreased because of changed family circumstances, including the loss of employment.

A death has occurred in the family. In order to qualify under this provision, a family must describe how the death has created a financial hardship (e.g., because of funeral-related expenses or the loss of the family member's income).

Implementation of Hardship Exemption

Determination of Hardship

When a family requests a financial hardship exemption, the SHA will suspend the minimum rent requirement beginning the first of the month following the family's request.

The SHA will then determine whether the financial hardship exists and whether the hardship is temporary or long-term. The SHA defines temporary hardship as a hardship expected to last 90 days or less. Long term hardship is defined as a hardship expected to last more than 90 days.

To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing to the housing authority and it must explain the nature of the hardship and how the hardship has affected the family's ability to pay the minimum rent.

The housing authority will make the determination of hardship within 30 calendar days.

The SHA may not evict the family for nonpayment of minimum rent during the 90-day period beginning the month following the family's request for a hardship exemption.

When the minimum rent is suspended, the TTP reverts to the highest of the remaining components of the calculated TTP.

No Financial Hardship

If the SHA determines there is no financial hardship, the SHA will reinstate the minimum rent and require the family to repay the amounts suspended.

Temporary Hardship

If the SHA determines that a qualifying financial hardship is temporary, the housing authority will reinstate the minimum rent from the beginning of the first of the month following the date of the family's request for a hardship exemption.

The family must resume payment of the minimum rent and must repay the SHA the amounts suspended. A reasonable repayment agreement, on terms and conditions will be established by the housing authority. The SHA also may determine that circumstances have changed and the hardship is now a long-term hardship.

The SHA will enter into a repayment agreement in accordance with the SHA's repayment agreement policy (see Chapter 16).

Long-Term Hardship

The hardship period ends when any of the following circumstances apply:

- (1) At an interim or annual reexamination, the family's calculated TTP is greater than the minimum rent.
- (2) For hardship conditions based on loss of income, the hardship condition will continue to be recognized until new sources of income are received that are at least equal to the amount lost.
- (3) For hardship conditions based upon hardship-related expenses, the minimum rent exemption will continue to be recognized until the cumulative amount exempted is equal to the expense incurred.

UTILITY ALLOWANCES [24 CFR 965, Subpart E]

Overview

Utility allowances are provided to families paying income-based rents when the cost of utilities is not included in the rent. For policies on establishing and updating utility allowances, see Chapter 16.

Reasonable Accommodation [24 CFR 8]

On request from a family, the SHA will approve a utility allowance that is higher than the applicable amount for the dwelling unit if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family with a disability (oxygen) [PH Occ GB, p. 172].

Utility Allowance Revisions [24 CFR 965.507]

The tenant rent calculations will reflect any changes in the SHA's utility allowance schedule [24 CFR 960.253(c)(3)]. Unless the Housing Authority of the City of Stuart is required to revise utility allowances retroactively, revised utility allowances will be applied to a family's rent calculations at the first annual reexamination after the allowance is adopted.

PRORATED RENT FOR MIXED FAMILIES [24 CFR 5.520]

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. The SHA will prorate the assistance provided to a mixed family after first determining the TTP.

Revised public housing maximum rents will be applied to a family's rent calculation at the first annual reexamination after the revision is adopted. For policies related to the establishment of the public housing maximum rent see Chapter 16.

FLAT RENTS AND FAMILY CHOICE IN RENTS [24 CFR 960.253]

Flat Rents [24 CFR 960.253(b)]

The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

There is no utility allowance or reimbursement with flat rents. When the family elects to pay the flat rent, the flat rent amount quoted to the family by the PHA is the amount the family pays. Changes in family income, expenses, or composition will not affect the flat rent amount because it is outside the income-based formula. Policies related to the reexamination of families paying flat rent are contained in Chapter 9, and policies related to the establishment and review of flat rents are contained in Chapter 16.

Family Choice in Rents [24 CFR 960.253(a) and (e)]

The annual SHA offer to a family of the choice between flat and income-based rent will be conducted upon admission and upon each subsequent annual reexamination.

The SHA will require families to submit their choice of flat or income-based rent in writing and will maintain such requests in the tenant file as part of the admission or annual reexamination process.

The housing authority will provide sufficient information for families to make an informed choice.

Switching from Flat Rent to Income-Based Rent Due to Hardship [24 CFR 960.253(f)]

Upon determination by the SHA that a financial hardship exists, the SHA will allow a family to switch from flat rent to income-based rent effective the first of the month following the family's request.

Reasons for financial hardship include:

- The family has experienced a decrease in income because of changed circumstances, including loss or reduction of employment, death in the family, or reduction in or loss of earnings or other assistance

- The family has experienced an increase in expenses, because of changed circumstances, for medical costs, child care, transportation, education, or similar items
- Such other situations determined by the PHA to be appropriate

The PHA considers payment of flat rent to be a financial hardship whenever the switch to income-based rent would be lower than the flat rent [PH Occ GB, p. 137].

Change in Flat Rents

Changes to flat rents, up or down, will not affect families paying flat rent until their next annual flat rent offer, at which time the family will be given the choice of switching back to income-based rent or of remaining on flat rent at the current (most recently adjusted) flat rent for their unit [PH Occ GB, pp. 137-138].

Section 8

OVERVIEW OF RENT AND SUBSIDY CALCULATIONS

TTP Formula [24 CFR 5.628]

HUD regulations specify the formula for calculating the total tenant payment (TTP) for an assisted family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30 percent of the family's monthly adjusted income (adjusted income is defined in Part II)
- 10 percent of the family's monthly gross income (annual income, as defined in Part I, divided by 12)
- The welfare rent (in as-paid states only)
- A minimum rent between \$0 and \$50 that is established by the SHA

The SHA has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in section 6-III.B.

The amount that a family pays for rent and utilities (the family share) will never be less than the family's TTP but may be greater than the TTP depending on the rent charged for the unit the family selects.

Welfare Rent [24 CFR 5.628]

SHA Policy

Welfare rent does not apply in this locality.

Minimum Rent [24 CFR 5.630]

SHA Policy

The minimum rent for this locality is \$50.

Family Share [24 CFR 982.305(a)(5)]

If a family chooses a unit with a gross rent (rent to owner plus an allowance for tenant-paid utilities) that exceeds the SHA's applicable payment standard: (1) the family will pay more than the TTP, and (2) at initial occupancy the SHA may not approve the tenancy if it would require the family share to exceed 40 percent of the family's monthly adjusted income. The income used for this determination must have been verified no earlier than 60 days before the family's voucher was issued. (For a discussion of the application of payment standards, see section 6-III.C.)

SHA Subsidy [24 CFR 982.505(b)]

The SHA will pay a monthly housing assistance payment (HAP) for a family that is equal to the lower of (1) the applicable payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP. (For a discussion of the application of payment standards, see section 6-III.C.)

Utility Reimbursement [24 CFR 982.514(b)]

When the SHA subsidy for a family exceeds the rent to owner, the family is due a utility reimbursement. HUD permits the SHA to pay the reimbursement to the family or directly to the utility provider.

SHA Policy

The SHA will pay utility reimbursements directly to the utility provider.

4. Operation and Management

The Housing Authority has a maintenance staff which provides general maintenance services to help ensure the units are kept in good condition. If a resident needs an item repaired, they are asked to call the office and place a work order. Once the work order is entered, a maintenance person is scheduled to visit

the unit to repair the item. If the need for repair was not caused by the resident, then the Authority does not charge the resident. If the resident caused the repair, then they are charged according to the Maintenance Charge List on file at the office.

The Authority also has a preventative maintenance schedule in which items such as filters for the HVAC systems are changed out on a regular basis.

The Authority also has a pest control plan in which each unit is sprayed once a month to help control pest infestation.

The Housing Authority also has operational policies such as the Procurement Policy, Capitalization Policy, Personnel Policy, Disposition Policy, etc. These policies are available for review at the Authority's main office.

5. Grievance Procedures

Public Housing

INTRODUCTION

The Grievance Procedure is an administrative method prescribed by HUD to deal with resident complaints. Regulatory requirements are set forth in the Code of Federal Regulation, 24 CFR 966.50-57. The Grievance Procedure is part of the Housing Authority of the City of Stuart's Lease.

INFORMAL HEARINGS FOR PUBLIC HOUSING APPLICANTS

OVERVIEW

When a decision is made by the housing authority that has a negative impact on an applicant family, the family may be entitled to appeal the decision. For applicants, the appeal takes the form of an informal hearing. HUD regulations do not provide a structure for or requirements regarding informal hearings for applicants (except with regard to citizenship status, to be covered in Part II).

INFORMAL HEARING PROCESS [24 CFR 960.208(a) and PH Occ GB, p. 58]

This Agency will only offer informal hearings to applicants for the purpose of disputing denials of admission.

Notice of Denial [24 CFR 960.208(a)]

The Housing Authority of the City of Stuart will promptly notify a family of a decision denying eligibility for admission. The notice will contain a description of how to obtain the informal hearing.

Prior to notification of denial based on information obtained from criminal or sex offender registration records, the family, in some cases, will be given the opportunity to dispute the information in those records which would be the basis of the denial. See Section 3-III.F of our ACOP for details concerning this requirement.

Scheduling an Informal Hearing

A request for an informal hearing must be made in writing and delivered to the Housing Authorities Office either in person or by first class mail, by the close of business, no later than 10 business days from the date of the SHA's notification of denial of admission.

The SHA will respond in writing within 10 business days of the family's request stating the date and time the hearing will take place.

Conducting an Informal Hearing [PH Occ GB, p. 58]

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

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

The person conducting the informal hearing will make a recommendation to the SHA, but the SHA is responsible for making the final decision as to whether admission should be granted or denied.

Informal Hearing Decision [PH Occ GB, p. 58]

The Housing Authority will notify the applicant of its final decision, including a brief statement of the reasons for the final decision.

In rendering a decision, the SHA 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 admission. If the grounds for denial are not specified in the regulations or in SHA policy, then the decision to deny assistance will be overturned.

CRITERIA FOR DECIDING TO DENY ADMISSION

Evidence

The Housing Authority of the City of Stuart will use the concept of the **preponderance of the evidence** as the standard for making all admission decisions.

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.

Consideration of Circumstances [24 CFR 960.203(c)(3) and (d)]

In the event the Housing Authority of the City of Stuart receives unfavorable information with respect to an applicant, consideration will be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). In a manner consistent with its policies, Stuart Housing may give consideration to factors which might indicate a reasonable probability of favorable future conduct.

The Housing Authority will consider the following factors prior to making its decision:

The seriousness of the case, especially with respect to how it would affect other residents;

The effects that denial of admission may have on other members of the family who were not involved in the action or failure;

The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities;

The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future;

Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs;

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully.

The SHA will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

Removal of a Family Member's Name from the Application [24 CFR 960.203(c)(3)(i)]

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household

must certify that the **family member will not be permitted to visit or to stay as a guest in the public housing unit.**

After admission to the program, the family must present evidence of the former family member's current address upon SHA request.

Reasonable Accommodation [PH Occ GB, pp. 58-60]

If the family indicates that the behavior of a family member with a disability is the reason for the proposed denial of admission, the Housing Authority of the City of Stuart will determine whether the behavior is related to the disability. If so, upon the family's request, the housing authority will determine whether alternative measures are appropriate as a reasonable accommodation. The SHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of admission.

Validity of Evidence

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

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

The SHA will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision.

The notice will be mailed, with return receipt requested, within 10 business days of the informal hearing, to the applicant and his or her representative, if any.

If the informal hearing decision overturns the denial, processing for admission will resume.

If the family fails to appear for their informal hearing, the denial of admission will stand and the family will be so notified.

Reasonable Accommodation for Persons with Disabilities [24 CFR 966.7]

Persons with disabilities may request reasonable accommodations to participate in the informal hearing process and the SHA will consider such accommodations. The SHA will also consider reasonable accommodation requests pertaining to the reasons for denial if related to the person's disability.

INFORMAL HEARINGS WITH REGARD TO NON-CITIZENS

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. These special hearings are referred to in the regulations as informal hearings, but the requirements for such hearings are different from the informal hearings used to deny applicants for reasons other than immigration status.

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

As discussed above, the notice of denial or termination of assistance for non-citizens must advise the family of any of the following that apply:

- 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 pro-ration of assistance.
- In the case of a tenant, the criteria and procedures for obtaining relief under 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.

United States Citizenship and Immigration Services Appeal Process [24 CFR 5.514(e)]

The Housing Authority 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 SHA 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 SHA 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)]

The informal hearing procedures for applicant families are described below.

Informal Hearing Officer

The SHA will 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. The Executive Director in most cases, if not all, acts as the Hearing Officer.

Evidence

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 SHA documents no later than 12:00 p.m. on the business day prior to the hearing.

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

Recording of the Hearing

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

Hearing Decision

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

Retention of Documents [24 CFR 5.514(h)]

The Housing Authority of the City of Stuart will retain for a minimum of 5 years the following documents that may have been submitted to the SHA by the family, or provided to the SHA as part of the USCIS appeal or the SHA informal hearing process:

1. The application for assistance
2. The form completed by the family for income reexamination
3. Photocopies of any original documents, including original USCIS documents
4. The signed verification consent form
5. The USCIS verification results
6. The request for a USCIS appeal
7. The final USCIS determination
8. The request for an informal hearing
9. The final informal hearing decision

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

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

The informal hearing procedures for resident families whose tenancy is being terminated based on immigration status is the same as for any grievance under the grievance procedures for resident families found in Part III below.

GRIEVANCE PROCEDURES FOR PUBLIC HOUSING RESIDENTS

REQUIREMENTS [24 CFR 966.52]

The Housing Authority of the City of Stuart's grievance procedure will be incorporated by reference in the tenant lease.

Residents and resident organizations (if there is one) will have 30 calendar days from the date they are notified by the SHA of any proposed changes in the SHA grievance procedure, to submit written comments to the SHA.

The Housing Authority of the City of Stuart provides a copy of the grievance procedure to each resident upon move-in and will provide one to the resident organization should one be created.

DEFINITIONS [24 CFR 966.53; 24 CFR 966.51(a)(2)(i)]

There are several terms used by HUD with regard to public housing grievance procedures, which take on specific meanings different from their common usage. These terms are as follows:

1. **Grievance** – any dispute which a tenant may have with respect to SHA action or failure to act in accordance with the individual tenant's lease or SHA regulations which adversely affect the individual tenant's rights, duties, welfare or status.
2. **CFR** – The code of federal regulations that contains the federal regulation governing this grievance procedure.
3. **Complainant** – any tenant whose grievance is presented to the SHA or at the project management office.
4. **Drug-related Criminal Activity** – The illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use of a controlled substance as defined in section 102 of the Controlled Substances Act (21
5. **Due Process Determination** – a determination by HUD that law of the jurisdiction requires that the tenant must be given the opportunity for a hearing in court which provides the basic elements of due process before eviction from the dwelling unit
6. **Elements of Due Process** – an eviction action or a termination of tenancy in a state or local court in which the following procedural safeguards are required:
 - Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction
 - Right of the tenant to be represented by counsel

- Opportunity for the tenant to refute the evidence presented by the SHA including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have
 - A decision on the merits
7. **Hearing Officer/Panel** – a person/panel selected in accordance with HUD regulations to hear grievances and render a decision with respect thereto.
 8. **Housing Authority** – The Housing Authority, a body corporate organized and existing under the laws of the State of Florida.
 9. **HUD** – The United States Department of Housing and Urban Development.
 10. **Notice** – As used herein, the term notice shall, unless otherwise specifically provided, means written notice.
 11. **Resident Organization** – An organization of residents, which includes any Resident Management Corporation and specifically includes the Resident Organization.
 12. **The “Regulations”** – The HUD regulations.
 13. **Tenant/Resident** – the adult person (or persons) (other than a live-in aide)
 - Who resides in the unit, and who executed the lease with the SHA as lessee of the dwelling unit, or, if no such person now resides in the unit,
 - Who resides in the unit, and who is the remaining head of household of the tenant family residing in the dwelling unit

APPLICABILITY [24 CFR 966.51]

The Housing Authority of the City of Stuart is not located in a due process state, therefore it will grant opportunity for grievance hearings for all lease terminations, with the exception of criminal or drug abuse cases.

INFORMAL SETTLEMENT OF GRIEVANCE [24 CFR 966.54]

The Housing Authority of the City of Stuart will accept requests for an informal settlement of a grievance in writing, to the SHA office within 10 business days of the grievable event. Within 10 business days of receipt of the request the SHA will arrange a meeting with the tenant at a mutually agreeable time and confirm such meeting in writing to the tenant.

If a tenant fails to attend the scheduled meeting without prior notice, the SHA will reschedule the appointment only if the tenant can show good cause for failing to appear, 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.

HUD regulations require that a summary of such discussion will be prepared within a reasonable time and one copy will be given to the tenant and one retained in the SHA's tenant file.

The summary must specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore, and will specify the procedures by which a hearing may be obtained if the complainant is not satisfied.

The SHA will prepare a summary of the informal settlement within 5 business days; one copy to be given to the tenant and one copy to be retained in the SHA's tenant file.

For SHAs who have the option to establish an expedited grievance procedure, and who exercise this option, the informal settlement of grievances is not applicable to those grievances for which the expedited grievance procedure applies.

PROCEDURES TO OBTAIN A HEARING [24 CFR 966.55]

Requests for Hearing and Failure to Request [24 CFR 966.55(a), (c), and (d)]

Resident's must submit a written request for a grievance hearing to the SHA within 5 business days of the tenant's receipt of the summary of the informal settlement.

If the complainant does not request a hearing, the SHA's disposition of the grievance under the informal settlement process will become final. However, failure to request a hearing does not constitute a waiver by the complainant of the right to contest the PHA's action in disposing of the complaint in an appropriate judicial proceeding [24 CFR 966.55(c)].

Escrow Deposits [24 CFR 966.55(e)]

The SHA will not waive the escrow requirement for grievances involving rent amounts except where required to do so by regulation.

Scheduling of Hearings [24 CFR 966.55(f)]

Within 10 business days of receiving a written request for a hearing, the hearing officer will schedule and send written notice of the hearing to both the complainant and the SHA.

The SHA may wish to permit the tenant to request to reschedule a hearing for good cause.

Expedited Grievance Procedure [24 CFR 966.55(g)]

The SHA will follow expedited grievance procedures for any grievance concerning a termination of tenancy or eviction that involves any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or employees of the SHA, or any drug-related criminal activity on or near such premises.

Such procedures will provide for an expedited notice of hearing request, an expedited scheduling of the hearing, and for an expedited decision on the grievance. The tenant will have 3 business days to make their hearing request. The hearing officer will have 3 business days to schedule the hearing, and 3 business days to render a decision. All other aspects of the expedited grievance process shall be the same as for other grievances.

SELECTION OF HEARING OFFICER/PANEL [24 CFR 966.55(b)]

The Housing Authority of the City of Stuart's grievance hearings will be conducted by a single hearing officer and not a panel. In most cases, if not all, the Executive Director will act as the Hearing Officer.

The SHA will appoint a person who has been selected in the manner required under the grievance procedure. Efforts will be made to assure that the person selected is not a friend, nor enemy, of the complainant and that they do not have a personal stake in the matter under dispute or will otherwise have an appearance of a lack of impartiality.

Rights of Complainant [24 CFR 966.56(b)]

The tenant 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 hearing.

Hearings may be attended by the following applicable persons:

A SHA representative(s) and any witnesses for the SHA

The tenant and any witnesses for the tenant

The tenant's counsel or other representative

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

14. The right to a private hearing unless the complainant requests a public hearing.
15. The right to present evidence and arguments in support of the tenant's complaint, to controvert evidence relied on by the SHA or project management, and to confront and cross-examine all witnesses upon whose testimony or information the SHA or project management relies.
16. A decision based solely and exclusively upon the facts presented at the hearing.

Decision without Hearing [24 CFR 966.56(c)]

The hearing officer/panel may render a decision without proceeding with the hearing if the hearing officer/panel determines that the issue has been previously decided in another proceeding.

Failure to Appear [24 CFR 966.56(d)]

If the tenant does not appear at the scheduled time of the hearing, the hearing officer will wait up to 30 minutes. If the tenant appears within 30 minutes of the scheduled time, the hearing will be held. If the tenant does not arrive within 30 minutes of the scheduled time, they will be considered to have failed to appear.

General Procedures [24 CFR 966.56(e), (f), and (g)]

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 SHA. Writings include all forms of recorded communication or representation, including letters, emails, 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.

Accommodations of Persons with Disabilities [24 CFR 966.56(h)]

The SHA will provide reasonable accommodation for persons with disabilities to participate in the hearing.

DECISION OF THE HEARING OFFICER/PANEL [24 CFR 966.57]

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

SHA 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 family was given the opportunity to examine any relevant documents in accordance with SHA policy.

SHA Evidence to Support the SHA 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 SHA's conclusion.

Validity of Grounds for Termination of Tenancy (when applicable):

The hearing officer will determine if the termination of tenancy is for one of the grounds specified in the HUD regulations and SHA policies. If the grounds for termination are not specified in the regulations or in compliance with SHA policies, then the decision of the SHA will be overturned.

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

Hearing information:

Name of the complainant
Date, time and place of the hearing
Name of the hearing officer
Name of the SHA representative(s)
Name of family representative (if any)
Names of witnesses (if any)

Background:

A brief, impartial statement of the reason for the hearing and the date(s) on which the informal settlement was held, who held it, and a summary of the results of the informal settlement. Also includes the date the complainant requested the grievance 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 SHA's decision.

Order:

The hearing report will include a statement of whether the SHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct the SHA to change the decision in accordance with the hearing officer's determination. In the case of termination of tenancy, the hearing officer will instruct the SHA to restore the family's status.

Procedures for Further Hearing

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 SHA will take effect and another hearing will not be granted.

Final Decision [24 CFR 966.57(b)]

When the SHA considers the decision of the hearing officer to be invalid due to the reasons stated above, it will present the matter to the SHA Board of Commissioners within 10 business days of the date of the hearing officer's decision. The Board has 30 calendar days to consider the decision. If the Board decides to reverse the hearing officer's decision, it must notify the complainant within 10 business days of this decision.

A decision by the hearing officer/panel, or Board of Commissioners in favor of the SHA or which denies the relief requested by the complainant in whole or in part must not constitute a waiver of any rights the complainant may have to a subsequent trial or judicial review in court [24 CFR 966.57(c)].

Section 8

INFORMAL REVIEWS AND HEARINGS

OVERVIEW

When the SHA 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.

SHA is required to include in the administrative plan, informal review procedures for applicants, and informal hearing procedures for participants [24 CFR 982.54(d)(12) and (13)].

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 SHA 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 SHA 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
- Denial of assistance based on an unfavorable history that may be the result of domestic violence, dating violence or stalking. (See Section 3-III.G.)

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

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

SHA Policy

The SHA will only offer an informal review to applicants for whom assistance is being denied. Denial of assistance includes: denying listing on the SHA 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 SHA must give an applicant prompt notice of a decision denying assistance. The notice must contain a brief statement of the reasons for the SHA 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

SHA Policy

A request for an informal review must be made in writing and delivered to the SHA either in person or by first class mail, by the close of the business day, no later than ten (10) business days from the date of the SHA's denial of assistance. Except as provided in Section 3-III.G, the SHA must schedule and send written notice of the informal review within ten (10) business days of the family's request.

Informal Review Procedures [24 CFR 982.554(b)]

SHA Policy

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 SHA.

The person conducting the review will make a recommendation to the SHA, but the SHA 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 SHA must notify the applicant of the SHA's final decision, including a brief statement of the reasons for the final decision.

SHA Policy

In rendering a decision, the SHA 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 SHA 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 SHA will uphold the decision to deny assistance.

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

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

If the decision to deny is overturned as a result of the informal review, processing for admission will resume.

If the family fails to appear for their informal review, the denial of admission will stand and the family will be so notified.

INFORMAL HEARINGS FOR PARTICIPANTS [24 CFR 982.555, Pub.L. 109-162]

SHA must offer an informal hearing for certain SHA determinations relating to the individual circumstances of a participant family. A participant is defined as a

family that has been admitted to the SHA's HCV program and is currently assisted in the program. The purpose of the informal hearing is to consider whether the SHA's decisions related to the family's circumstances are in accordance with the law, HUD regulations and SHA policies.

The SHA 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 SHA 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 SHA utility allowance schedule
- A determination of the family unit size under the SHA'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 SHA's subsidy standards, or the SHA 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 SHA 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)]
- A determination to deny admission based on an unfavorable history that may be the result of domestic violence, dating violence, or stalking.

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

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

SHA Policy

The SHA 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 SHA makes a decision that is subject to informal hearing procedures, the SHA 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 SHA 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 SHA'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.

SHA Policy

In cases where the SHA 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 SHA.

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 SHA'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 SHA's hearing procedures.

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

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

SHA Policy

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

The SHA will schedule and send written notice of the informal hearing to the family within ten (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 SHA 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 SHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The SHA 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 SHA are permitted pre-hearing discovery rights. The family must be given the opportunity to examine before the hearing any SHA documents that are directly relevant to the hearing. The family must be allowed to copy any such documents at their own expense. If the SHA does not make the document available for examination on request of the family, the SHA may not rely on the document at the hearing.

The SHA hearing procedures may provide that the SHA must be given the opportunity to examine at the SHA offices before the hearing, any family documents that are directly relevant to the hearing. The SHA must be allowed to copy any such document at the SHA's expense. If the family does not make the document available for examination on request of the SHA, the family may not rely on the document at the hearing.

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

SHA 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 SHA documents no later than 12:00 p.m. on the business day prior to the scheduled hearing date

The SHA must be given an opportunity to examine at the SHA offices before the hearing any family documents that are directly relevant to the hearing. Whenever a participant requests an informal hearing, the SHA 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 SHA, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision.

SHA Policy

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

The Executive Director or someone who is at the housing program administrator level or above;

A commissioner from the SHA Board; or

An individual from outside the SHA.

Attendance at the Informal Hearing

SHA Policy

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

SHA representative(s) and any witnesses for the SHA

The participant and any witnesses for the participant

The participant's counsel or other representative

Any other person approved by the SHA 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 SHA's hearing procedures [24 CFR 982.555(4)(ii)].

SHA 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 SHA 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.

SHA 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 SHA. 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 SHA 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.

SHA Policy

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

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

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

SHA Evidence to Support the SHA 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 SHA'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 SHA policies. If the grounds for termination are not specified in the regulations or in compliance with SHA policies, then the decision of the SHA will be overturned.

The hearing officer will issue a written decision to the family and the SHA 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 SHA's decision.

Order: The hearing report will include a statement of whether the SHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct the SHA 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 SHA to restore the participant's program status.

Procedures for Rehearing or Further Hearing

SHA 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 SHA will take effect and another hearing will not be granted.

In addition, within ten (10) business days after the date the hearing officer's report is mailed to the SHA and the participant, the SHA 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 ten (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 SHA 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.

SHA Notice of Final Decision [24 CFR 982.555(f)]

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

SHA Policy

The SHA 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 SHA's file.

6. Designated Housing for Elderly and Disabled Families

At this time, the Authority does not have any specific units designated for occupancy by elderly and disabled families.

7. Community Service and Self-Sufficiency

Due to the limited staff size and funding level, the Authority does not offer any self-sufficiency programs or services to residents at this time.

The Authority has adopted a flat rent schedule which enhances the economic self-sufficiency of residents. This schedule allows residents to pay a flat rent instead of an income-based rent. Because the flat rent is lower than the income-based rent, tenants can save money to pay for a market rent unit. The flat rents are based on the current market rents and are adjusted for the condition and amenities of the public housing units as compared to the private market.

Residents who are not employed and do not meet the exemption criteria are required to perform eight (8) hours of community service each month. The Authority keeps track of the time to make sure if residents are complying.

8. Safety and Crime Prevention

Currently, the public housing developments are relatively safe and there is not a need to introduce safety measures outside of what the Authority is currently doing. Housing Authority management has a good working relationship with local law enforcement. On the rare occurrence that police are called to one of the

properties, the Executive Director is alerted by law enforcement and given a report of the situation.

9. Pets

I. Purpose

In compliance with Section 227 of Title II of the Housing and Urban-Rural Recovery Act of 1983, Section 526 of the Quality Housing and Work Responsibility Act of 1998, which added new Section 31 (captioned Pet Ownership in Public Housing) and with Part 5 and amended Part 960 to include subpart G, the Housing Authority will permit residents of housing projects to own and keep common household pets in their dwelling units.

This policy sets forth the conditions and guidelines under which pets will be permitted. This policy is to be adhered to at all times.

The purpose of the policy is to ensure that pet ownership will not be injurious to persons or property, or violate the rights of all residents to clean, quiet, and safe surroundings.

II. Eligibility

All tenants residing in Public Housing will be eligible to own and keep common household pets within their dwelling units. No pets will be allowed outside of the dwelling unit.

III. Definitions

Common household pet:

A common household pet means a smaller domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes. Such pets will be limited to dogs, cats, caged birds and fish.

IV. Nomenclature, Descriptions and Amounts

Dog:

1. Any variety except those prohibited below (3) but cannot exceed fifteen (15) pounds in weight.
2. Only one per household.

3. Dangerous animals, such as pit bulls, etc. are not allowed under any circumstances.

Cat:

1. Any variety but cannot exceed ten (10) pounds in weight.
2. Only one per household.

Caged Birds:

1. Any small domestic birds such as parakeets, canaries, minor birds, etc.
2. Only two per household.

Fish:

1. Any variety of tropical fish normally maintained in a glass tank.
2. One tank per household not to exceed twenty (20) gallons.

Note:

Each household may maintain one of the above but not any combination of two or more.

V. Rules Governing Entrance and Continued Occupancy

1. Inoculations, Licensing and General Health Certification.
 - A. All pet owners must produce documentation of inoculations, licensing and general health certification from a licensed veterinarian prior to entrance or continued occupancy.
2. Neutering, Spayed.
 - A. All dogs and cats must be neutered or spayed.
 - B. Requirements in A will be waived or deferred if surgery is inadvisable because of the age or health of the dog or cat.
 - C. All pet owners must produce documentation of either A or B above, prior to entrance or continued occupancy.

3. Registration.

All pet owners, prior to entrance into any project, must complete all of the following:

- A. Register your pet as to nomenclature, size and description. This applies to all pets.
- B. Produce all documentation as required in V-1 and V-2 above. This applies to dogs and cats.
- C. Produce a color snapshot or photograph of your pet. This applies to all pets.
- D. Complete a responsibility form giving the name, address and phone number of a responsible party that will care for the pet if the pet owner dies, is incapacitated, or is otherwise unable to care for the pet. This applies to all pets.
- E. Agree to pay a pet security deposit of **One Hundred Fifty Dollars (\$150.00)**. This applies to dogs and cats.
- F. A statement that the tenant will defend any pet-related suit brought against management or owner. This applies to dogs only.
- G. Sign a statement of policy and procedure governing all pets and conditions of occupancy. This applies to all pets.

VI. Pet Policy and Procedure after Admittance

1. Sanitary Standards and Waste Disposal

- A. Litter boxes must be provided for cats with use of odor-reducing chemicals.
- B. Fur-bearing pets must wear effective flea collars at all times. Should extermination become necessary, cost of such extermination will be charged to the pet owner.
- C. Pet owners are responsible for immediate removal of the feces of their pet and shall be charged in instances where

damages occur to Authority property due to pet or removal of pet feces by staff.

- (i) All pet waste must be placed in a plastic bag and tied securely to reduce odor and placed in designated garbage container and/or trash compactor.
- (ii) Residents with litter boxes must clean them regularly. Non compliance may result in removal of the pet. The Housing Authority reserves the right to impose a mandatory twice-weekly litter box cleaning depending on need. Litter box garbage shall be placed in a plastic bag and deposited outside the building in the garbage container and/or trash compactor.

D. All apartments with pets must be kept free of pet odors and maintained in a clean and sanitary manner. Pet owners' apartments may be subject to inspections once a month.

2. General Rules

The resident agrees to comply with the following rules imposed by the Housing Authority:

- A. No pet shall be tied up anywhere on Authority property and left unattended for any amount of time.
- B. Pet owners will be required to make arrangements for their pets in the event of vacation or hospitalization.
- C. Doghouses are not allowed on Authority property.
- D. No visitor or guest will be allowed to bring pets on the premises at any time. Residents will not be allowed to pet sit or house a pet without fully complying with this policy.
- E. Feeding or caring for stray animals is prohibited and will be considered keeping a pet without permission.
- F. Every dog and cat must wear the appropriate local animal license, a valid rabies tag and a tag bearing the owner's name, address and phone number. All licenses and tags must be current.

- G. One (1) dog or cat will be allowed per apartment. Only two (2) birds will be allowed per apartment. The Housing Authority only will give final approval on type and density of pets.

3. Pet Restraints

- A. All dogs must be on a leash when not in the owner's apartment. The leash must be no longer than eight (8) feet.
- B. Cats must be in a caged container or on a leash when taken out of the owner's apartment.
- C. Birds must be in a cage when inside of the resident's apartment or entering or leaving the building.

4. Pet Rule Violation and Pet Removal

- A. If it is determined on the basis of objective facts supported by written statement that a pet owner has violated a rule governing the pet policy, the Housing Authority shall serve a notice of pet rule violation on the pet owner. Serious or repeated violations may result in pet removal or termination of pet owner's tenancy, or both.
- B. If a pet poses a nuisance such as excessive noise, barking, or whining which disrupts the peace of other residents, owner will remove the pet from premises upon request of management within 48 hours. Nuisance complaints regarding pets are subject to immediate inspections.
- C. If a pet owner becomes unable either through hospitalization or illness to care for the pet and the person so designated to care for the pet in the pet owner's absence refuses or is unable physically to care for the pet, the Housing Authority can officially remove the pet. The Authority accepts no responsibility for pets so removed.

5. Rule Enforcement

Violation of these pet rules will prompt a written notice of violation. The pet owner will have seven (7) days to correct the violation or request an informal hearing at which time the Authority's Grievance Procedure will be followed.

6. Grievance

Management and resident agree to utilize the Grievance Procedure described in the Lease Agreement to resolve any dispute between resident and management regarding a pet.

7. Liability

Residents owning pets shall be liable for the entire amount of all damages to the Housing Authority premises caused by their pet and all cleaning, defleaing and deodorizing required because of such pet. Pet owners shall be strictly liable for the entire amount of any injury to the person or property of other residents, staff or visitors of the Housing Authority caused by their pet, and shall indemnify the Housing Authority for all costs of litigation and attorney's fees resulting from such damage.

VI. Pet Violation Procedure

A. All complaints from tenants regarding violations of pet policy must be in writing.

B. Pet owners will be notified of pet policy and procedure violations in the following manner:

(1) A notice of Pet Violation will be prepared and served on the pet owner. The notice will contain a brief statement of the factual basis for the determination and the policy or procedure that is alleged to be in violation. The notice will further state that the pet owner has seven (7) days from the effective date of service of the notice to correct the violation by either meeting with the resident manager or management agent and solve the problem or by removal of the pet from the project. Failure to resolve the violation may result in initiation of procedures to have the pet removed or to terminate the pet owner's tenancy, or both.

(2) Pet Policy Violation Meeting: If the pet owner requests a meeting to discuss the pet policy violation within the seven (7) days time frame in (B) (1), the management agent and the pet owner will attempt to resolve the violation. If the parties are unable to resolve the violation, the management agent may inform the pet owner in writing that the pet must be removed from the project within seven (7) days of the pet policy violation meeting.

- (3) Termination of Pet Owner's Lease. If, after the management agent determines that the pet owner has failed to correct any violations within the allotted time frames, and has refused to remove the pet from the project, the management agent may initiate action to terminate the pet owner's lease under the terms of the lease and applicable law.

VII. Emergencies

1. If a pet becomes vicious, displays symptoms of severe illness, or demonstrates other behavior that constitutes an immediate threat to health or safety to other tenants, or employees at the project, the manager or management agent may request the pet owner to remove the pet from the project immediately.
2. If the pet owner refuses to remove the pet or if management is unable to locate or contact the pet owner, management may contact the appropriate state or local authority to have the pet immediately removed from the project premises.
3. If the health or safety of a pet is threatened by the death or incapacity of a pet owner, or by other factors that render the pet owner unable to care for the pet, management may then contact the appropriate state or local agency and request removal of the pet from the project.

IX Exclusions

1. All animals that are utilized to assist the handicapped for the purpose of sight or hearing such as seeing eye dogs, hearing dogs or cats, are excluded from the following parts of this pet policy:

IV (1)
V (2) (A) (B) (C)
V (3) (B) (E) (F)
VI (3) (A)
2. However, excluded pet owners must produce documentation of such a handicap and a statement that the animal has been trained to assist the handicapped individual.
3. In regard to Article VI (1), Sanitary Standards, the following will prevail:

- a. A suitable arrangement must be worked out between management and the handicapped pet owner for waste dropping and disposal.

10. Civil Rights

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

11. Fiscal Audit

The Fiscal Audit for the Year ended March 31, 2009 is attached to the Agency Plan as attachment fl045e01. The Fiscal Audit for the Year ended March 31, 2010 is in the process of being completed.

12. Asset Management

With less than 450 units of public housing, the Housing Authority is not required to convert to Asset Management. Management will continue to assess the properties on an annual basis to determine what physical needs to be addressed with the Capital Funds.

13. Violence Against Women Act

Due to staff size and funding, the Authority does not provide or offer any activities, services, or programs to child and adult victims of domestic violence, dating violence, sexual assault, or stalking at his time.

The Authority has adopted a Violence Against Women Policy in accordance with Federal Regulations.

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

(a) Hope VI or Mixed Finance Modernization or Development

The Housing Authority will not apply for HOPE VI or Mixed Finance Modernization or Development in the upcoming Fiscal Year.

(b) Demolition and/or Disposition

The Housing Authority does not plan to submit a Demolition and/or Disposition Application to HUD in the upcoming Fiscal Year.

(c) Conversion of Public Housing

The Housing Authority is not required and does not plan to convert any units to tenant-based assistance in the upcoming Fiscal Year.

(d) Homeownership

Public Housing

The Housing Authority does not currently have nor plans to administer a Public Housing Homeownership Program in the upcoming Fiscal Year.

Section 8 Tenant Based Assistance

The Housing Authority does not currently have nor plans to administer a Housing Choice Voucher Homeownership Program in the upcoming Fiscal Year.

(e) Project-Based Vouchers

The Housing Authority does not currently have nor plans to Project-Base any Housing Choice Vouchers in the upcoming Fiscal Year.

8.0 Capital Improvements

8.1 Capital Fund Annual Statement/Performance and Evaluation Report

See attachments:

f1045b01 – FY2011 CFP Annual Statement

f1045d01 – FY2009 ARRA Performance and Evaluation Report

8.2 Capital Fund Program Five-Year Plan

See attachment:

f1045c01 – FY2011-2015 CFP Five-Year Plan

8.3 Capital Fund Financing Program (CFFP)

At this time, the Housing Authority does not plan to use the Capital Fund Financing Program to leverage Capital Funds for a twenty-year period.

9.0 Housing Needs

Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the “Overall” Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being “no impact” and 5 being “severe impact.” Use N/A to indicate that no information is available upon which the PHA can make this assessment.

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford-ability	Supply	Quality	Access-ibility	Size	Loca-tion
Income <= 30% of AMI	336	5	5	5	3	4	4
Income >30% but <=50% of AMI	429	4	4	4	3	3	3
Income >50% but <80% of AMI	351	3	3	3	3	2	3
Elderly	494	3	3	3	4	2	3
Families with Disabilities	348	3	4	4	5	4	4
White	1,000	3	3	3	3	3	3
Black	138	3	3	3	3	3	3
Hispanic	77	3	3	3	3	3	3
Asian	30	3	3	3	3	3	3

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- Consolidated Plan of the Jurisdiction/s
Indicate year:
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
- American Housing Survey data
Indicate year:
- Other housing market study
Indicate year:
- Other sources: (list and indicate year of information)

9.1 Strategy for Addressing Housing Needs

Strategies

Need: Shortage of affordable housing for all eligible populations

Strategy 1: Maximize the number of affordable units available to the PHA within its current resources by:

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

- Employ admissions preferences aimed at families who are working
- Adopt rent policies to support and encourage work

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing

Reasons for Selecting Strategies

- Funding constraints
- Staffing constraints
- Influence of the housing market on PHA programs

10.0 Additional Information

(a) Progress in Meeting Goals and Objectives

- Maximize the number of affordable units available to the PHA within its current resources by employing affective maintenance, and management policies to minimize the number of public housing units off line.
- Reduce turnover time for vacated public housing units.

Progress: Once a unit is vacated, the management and maintenance departments work together to ensure the unit is ready to be re-rented as soon as possible. If multiple units become vacant at he same time, the Authority will use contractors to help get the units ready to rent.

- Reduce time to renovate public housing units.

Progress: Due to unforeseen events, the Housing Authority had to put the 2010 Capital Funds into Operations. The Authority has developed a Five-Year Plan for the use of the FY2011 CFP funds to ensure that when the money becomes available, it can be put to work quickly. The Five-Year Plan for 2011-2015 is included as an attachment to this Plan.

- Maintain or increase lease rates for Section 8 Housing Choice Voucher Program by establishing payment standards that will enable families to rent throughout the jurisdiction.

Progress: The Authority has instituted a payment standard of 95% of fair market rent to try help as many families as possible find suitable living quarters.

- Maintain or increase our Section 8 Lease up rates by effectively screening Section 8 applicants to increase owners acceptance of the program.

Progress: Due to financial constraints, the Authority can only lease 66 vouchers at this time instead of the full allotment.

- Increase the number of affordable housing units by applying for additional Section 8 Vouchers should they become available.

Progress: Staff is in the process of applying for “Family Unification Vouchers” and is analyzing the possibility of obtaining “VASH” Vouchers.

- Exceed HUD's Federal targeting requirements for families at or below 30% of the AMI in Public Housing and in Tenant Based Section 8 Assistance.

Progress: Due to the population served, the Authority exceeds the Federal targeting requirements listed above.

- Adopt rent policies to support and encourage work.

Progress: The Authority has adopted a working family preference for admission.

- Carry out the modifications needed in Public Housing based on Section 504 Needs Assessments for Public Housing.

Progress: As needed, the Authority will make reasonable accommodations to a unit to make them accessible for a person with a disability.

(b) Significant Amendment and Substantial Deviation/Modification

A Significant Amendment or Modification to the Annual Plan is a change in policy pertaining to the operation of the HA. The HA will consider the following actions as a Significant Amendment or Modification to the Five-Year Plan and Annual Plan:

- Significant changes to rent or admission policies, or organization of the waiting list.
- Addition of new work items (*excludes* emergency work) not included in the Capital Fund Program (CFP) 5-Year Action Plan or Annual Statement(s) exceeding a cumulative amount of \$ 10,845.00 1 under the current Fiscal Year, or changes in use of the replacement reserve under the CFP.
- Demolition and/or disposition activities, new or amended development plans, designation or conversion actions not currently identified in the Five-Year Plan or either the Annual Plan, or otherwise approved by HUD.
- New program activities required or adopted to reflect changes in HUD regulations or as a result of a declared national or local emergency are *exempted* actions. In such cases, the administrative/programmatic changes implemented will not be considered as a Substantial Amendment or Modification to the Five-Year Plan and Annual Plan.

Substantial Deviation from the 5-year Plan:

A Substantial Deviation from the Five-Year Plan is an overall change in the direction of the Housing Authority (HA) pertaining to its goals and objectives. The HA will consider the following actions as a Substantial Deviation from the Five-Year Plan:

- The undertaking of new program activities that do not otherwise further the HA's stated mission or further the goals as set forth in the current Five-Year Plan.
- Insufficient budget authority from HUD necessitating the need to either, alter, reduce, or terminate any specific program activity.
- New program activities required or adopted to reflect changes in HUD regulations or as a result of a declared national or local emergency are *exempted* actions. In such cases, the administrative/programmatic changes implemented will not be considered as a Substantial Deviation from the Five-Year Plan.

(c) Memorandum of Agreement

The Housing Authority does not have a Memorandum of Agreement (MOA) with HUD.

(d) Resident Advisory Board Comments

Multiple Resident Advisory Board meetings were held during the development of the FY2011 Annual Update. While the RAB provided general support for the Plan, there were no specific comments.

(e) Challenged Elements

No elements of the FY2011 Annual Update to the FY2010-2014 Five-Year Agency Plan were challenged.

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

Part I: Summary		Grant Type and Number	FFY of Grant:
PHA Name: Housing Authority of the City of Stuart 611 Church Street Stuart, FL 34994		Capital Fund Program Grant No: FL14P04550111 Replacement Housing Factor	2011
Type of Grant		Grant No:	FFY of Grant Approval:
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		Date of CFFP:	2011
<input type="checkbox"/> Reserve for Disasters/Emergencies <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	
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost ¹
		Original	Obligated
		Revised ²	Expended
1	Total non-CFFP Funds		
2	1406 Operations (may not exceed 20% of line 21) ³	\$9,200.00	
3	1408 Management Improvements	\$5,000.00	
4	1410 Administration (may not exceed 10% of line 21)		
5	1411 Audit		
6	1415 Liquidated Damages		
7	1430 Fees and Costs	\$3,000.00	
8	1440 Site Acquisition		
9	1450 Site Improvement	\$15,000.00	
10	1460 Dwelling Structures	\$74,800.00	
11	1465.1 Dwelling Equipment - Nonexpendable	\$5,000.00	
12	1470 Nondwelling Structures		
13	1475 Nondwelling Equipment	\$3,000.00	
14	1485 Demolition		
15	1492 Moving to Work Demonstration		
16	1495.1 Relocation Costs		
17	1499 Development Activities ⁴		
18a	1501 Collateralization or Debt Service paid by the PHA		
18b	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 line 2- 19)	\$115,000.00	
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		

Part I: Summary		FFY of Grant: 2011	
PHA Name: Housing Authority of the City of Stuart 611 Church Street Stuart, FL 34994		FFY of Grant Approval: 2011	
Grant Type and Number Capital Fund Program Grant No: FL14P04550111 Replacement Housing Factor Grant No: Date of CFFP:			
<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	
Type of Grant		Total Actual Cost¹	
Line Summary by Development Account		Expended	
		Obligated	
		Revised²	
		Original	
		Total Estimated Cost	
Signature of Executive Director <i>Maria G. Burger</i>		Signature of Public Housing Director	
Date 10/29/10		Date	

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

Part II: Supporting Pages		Grant Type and Number		Federal FY of Grant: 2011				
PHA Name: Housing Authority of the City of Stuart 611 Church Street Stuart, FL 34994		Capital Fund Program Grant No: FL14P04550111 CFPP (Yes/No): N Replacement Housing Factor Grant No:						
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
	Dwelling Structures							
FL045-001	Interior mod. including kitchen cabinets, counters, sinks, plumbing, range hoods, wiring, hot water tanks, flooring, painting, smoke detectors, bathroom vanities, sinks, toilets, tubs, plumbing, upgrade electrical, ceiling fans, interior doors and hardware, lighting	1460	5 units	\$62,300.00				
FL045-001	Exterior mod. including roofs, soffit, back porch overhang, front porch, windows, sec. screen doors, painting, entry doors and locksets, lighting, mailboxes, and sewer lines	1460	5 units	\$12,500.00				
	Subtotal 1460			\$74,800.00				

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement

² To be completed for the Performance and Evaluation Report

Capital Fund Program—Five-Year Action Plan

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

Part I: Summary						
PHA Name/Number: Stuart/FL045		Locality (Stuart/Martin Co., Florida)			<input checked="" type="checkbox"/> Original 5-Year Plan	<input type="checkbox"/> Revision No:
Development Number and Name	Work Statement for Year 1 FFY 2011	Work Statement for Year 2 FFY 2012	Work Statement for Year 3 FFY 2013	Work Statement for Year 4 FFY 2014	Work Statement for Year 5 FFY 2015	
B. Physical Improvements Subtotal	Annual Statement	\$102,400.00	\$107,000.00	\$101,500.00	\$86,000.00	
C. Management Improvements		\$3,000.00	\$3,000.00	\$3,000.00	\$0.00	
D. PHA-Wide Non-dwelling Structures and Equipment		\$2,000.00	\$2,000.00	\$12,100.00	\$3,000.00	
E. Administration		\$0.00	\$0.00	\$0.00	\$0.00	
F. Other		\$3,000.00	\$3,000.00	\$3,000.00	\$1,000.00	
G. Operations		\$9,600.00	\$10,000.00	\$10,400.00	\$10,075.00	
H. Demolition		\$0.00	\$0.00	\$0.00	\$0.00	
I. Development		\$0.00	\$0.00	\$0.00	\$0.00	
J. Capital Fund Financing – Debt Service		\$0.00	\$0.00	\$0.00	\$0.00	
K. Total CFP Funds		\$120,000.00	\$125,000.00	\$130,000.00	\$100,075.00	
L. Total Non-CFP Funds		\$0.00	\$0.00	\$0.00	\$0.00	
M. Grand Total		\$120,000.00	\$125,000.00	\$130,000.00	\$100,075.00	

Part II: Supporting Pages – Physical Needs Work Statement(s)

Work Statement for Year 1 FFY 2011	Work Statement for Year 2 FFY 2012			Work Statement for Year 3 FFY 2013		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
	Operations/PHA-Wide			Operations/PHA-Wide		
	Operations	LS	\$9,600.00	Operations	LS	\$10,000.00
	Subtotal 1406		\$9,600.00	Subtotal 1406		\$10,000.00
See Annual Statement						
	Management Improvements/PHA-Wide			Management Improvements/PHA-Wide		
	Computer Software	LS	\$3,000.00	Computer Software	LS	\$3,000.00
	Subtotal 1408		\$3,000.00	Subtotal 1408		\$3,000.00
	Fees and Costs/PHA-Wide			Fees and Costs/PHA-Wide		
	Fees and Costs	LS	\$3,000.00	Fees and Costs	LS	\$3,000.00
	Subtotal 1430		\$3,000.00	Subtotal 1430		\$3,000.00
	Site Improvements/PHA-Wide			Site Improvements/PHA-Wide		
	Pavement, car stops, driveway repairs, sod, trees, shrubs, erosion	LS	\$15,000.00	Pavement, car stops, driveway repairs, sod, trees, shrubs, erosion	LS	\$10,000.00
	Subtotal 1450		\$15,000.00	Subtotal 1450		\$10,000.00
	Subtotal of Estimated Cost		See next page	Subtotal of Estimated Cost		See next page

Capital Fund Program—Five-Year Action Plan

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

Part II: Supporting Pages – Physical Needs Work Statement(s)		Work Statement for Year 2 FFY 2012		Work Statement for Year 3 FFY 2013		
Work Statement for Year 1 FFY 2011	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
See Appendix Statement	Dwelling Structures Interior modernization at FL045-001 including kitchen cabinets, counters, sinks, wiring, plumbing, range hoods, flooring, interior doors and hardware, hot water tanks, smoke detectors, bathroom vanities, sinks, toilets, tubs, and accessories, other plumbing replacement, upgrade electrical, repaint interior, ceiling fans, interior, ceiling fans, and lighting.	5 units	\$62,400.00	Dwelling Structures Interior modernization at FL045-001 including kitchen cabinets, counters, sinks, wiring, plumbing, range hoods, flooring, interior doors and hardware, hot water tanks, smoke detectors, bathroom vanities, sinks, toilets, tubs, and accessories, other plumbing replacement, upgrade electrical, repaint interior, ceiling fans, and lighting.	5 units	\$67,000.00
	Exterior mod. at FL045-001 including roofs, soffit, back porch overhang, front porch, windows, sec. screen doors, painting, entry doors and locksets, lighting, mailboxes, and sewer lines	5 units	\$20,000.00	Exterior mod. at FL045-001 including roofs, soffit, back porch overhang, front porch, windows, sec. screen doors, painting, entry doors and locksets, lighting, mailboxes, and sewer lines	5 units	\$25,000.00
	Subtotal 1460		\$82,400.00	Subtotal 1460		\$92,000.00
	Dwelling Equipment Replace ranges and refrigerators at FL045-001	10	\$5,000.00	Dwelling Equipment Replace ranges and refrigerators at FL045-001	10	\$5,000.00
	Subtotal 1465.1		\$5,000.00	Subtotal 1465.1		\$5,000.00
	Non-Dwelling Equipment/PHA-Wide Computer and utility vehicle	LS	\$2,000.00	Non-Dwelling Equipment/PHA-Wide Computer and utility vehicle	LS	\$2,000.00
	Subtotal 1475		\$2,000.00	Subtotal 1475		\$2,000.00
	Subtotal of Estimated Cost		\$120,000.00	Subtotal of Estimated Cost		\$125,000.00

Work Statement for Year 1 FFY 2011	Work Statement for Year 4 FFY 2014				Work Statement for Year 5 FFY 2015				
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
	Operations/PHA-Wide			Operations/PHA-Wide			Operations/PHA-Wide		
	Operations	LS	\$10,400.00	Operations	LS	\$10,400.00	Operations	LS	\$10,075.00
	Subtotal 1406		\$10,400.00	Subtotal 1406		\$10,400.00	Subtotal 1406		\$10,075.00
See Annual Statement									
	Management Improvements/PHA-Wide			Management Improvements/PHA-Wide			Management Improvements/PHA-Wide		
	Computer Software	LS	\$3,000.00	Computer Software	LS	\$3,000.00	Computer Software	LS	\$0.00
	Subtotal 1408		\$3,000.00	Subtotal 1408		\$3,000.00	Subtotal 1408		\$0.00
	Fees and Costs/PHA-Wide			Fees and Costs/PHA-Wide			Fees and Costs/PHA-Wide		
	Fees and Costs	LS	\$3,000.00	Fees and Costs	LS	\$3,000.00	Fees and Costs	LS	\$1,000.00
	Subtotal 1430		\$3,000.00	Subtotal 1430		\$3,000.00	Subtotal 1430		\$1,000.00
	Site Improvements/PHA-Wide			Site Improvements/PHA-Wide			Site Improvements/PHA-Wide		
	Pavement, car stops, driveway repairs, sod, trees, shrubs, erosion	LS	\$10,000.00	Sod, erosion fill, bushes and trees, car stops, driveway and pavement repairs, exterior plumbing and piping	LS	\$10,000.00	Sod, erosion fill, bushes and trees, car stops, driveway and pavement repairs, exterior plumbing and piping	LS	\$12,000.00
	Subtotal 1450		\$10,000.00	Subtotal 1450		\$10,000.00	Subtotal 1450		\$12,000.00
	Subtotal of Estimated Cost		See next page	Subtotal of Estimated Cost		See next page	Subtotal of Estimated Cost		See next page

Capital Fund Program—Five-Year Action Plan

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

Part II: Supporting Pages – Physical Needs Work Statement(s)

Work Statement for Year 1 FFY 2011		Work Statement for Year 4 FFY 2014		Work Statement for Year 5 FFY 2015	
Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
Dwelling Structures			Dwelling Structures		
Interior modernization at FL045-001 including kitchen cabinets, counters, sinks, wiring, plumbing, range hoods, flooring, interior doors and hardware, hot water tanks, smoke detectors, bathroom vanities, sinks, toilets, tubs, and accessories, other plumbing replacement, upgrade electrical, repaint interior, ceiling fans, and lighting.	5 units	\$64,000.00	Interior modernization at FL045-001 including kitchen cabinets, counters, sinks, plumbing, range hoods, wiring, hot water tanks, flooring, painting, smoke detectors, bathroom vanities, sinks, toilets, tubs, plumbing, hardware, upgrade electrical, ceiling fans, doors and hardware	5 units	\$65,000.00
Exterior mod. at FL045-001 including roofs, soffit, back porch overhang, front porch, windows, sec. screen doors, painting, entry doors and locksets, lighting, mailboxes, and sewer lines	5 unit	\$22,500.00	Exterior modernization at FL045-001 including exterior doors and locksets, and painting	5 units	\$9,000.00
Subtotal 1460		\$86,500.00	Subtotal 1460		\$74,000.00
Dwelling Equipment			Non-Dwelling Equipment/PHA-Wide		
Replace ranges and refrigerators at FL045-001	10	\$5,000.00	Computer and utility vehicle	LS	\$3,000.00
Subtotal 1465.1		\$5,000.00	Subtotal 1475		\$3,000.00
Non-Dwelling Structures/PHA-Wide					
HVAC replacement and carpeting	LS	\$8,500.00			
Subtotal 1470		\$8,500.00			
Non-Dwelling Equipment/PHA-Wide					
Computer and utility vehicle	LS	\$3,600.00			
Subtotal 1475		\$3,600.00			
Subtotal of Estimated Cost		\$130,000.00	Subtotal of Estimated Cost		\$100,075.00

Part II: Supporting Pages – Physical Needs Work Statement(s)

Work Statement for Year 1 FFY 2011	Work Statement for Year 4 FFY 2014				Work Statement for Year 5 FFY 2015			
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost		
See Annual Statement								
	Dwelling Equipment			Non-Dwelling Equipment/PHA-Wide				
	Replace ranges and refrigerators at FL045-001	2	\$1,000.00	Computer and utility vehicle	LS	\$3,000.00		
	Replace ranges and refrigerators at FL045-002	8	\$4,000.00	Subtotal 1475		\$3,000.00		
	Subtotal 1465.1		\$5,000.00					
	Non-Dwelling Structures/PHA-Wide							
	HVAC replacement and carpeting	LS	\$8,500.00					
	Subtotal 1470		\$8,500.00					
	Non-Dwelling Equipment/PHA-Wide							
	Computer and utility vehicle	LS	\$3,600.00					
	Subtotal 1475		\$3,600.00					
	Subtotal of Estimated Cost		\$130,000.00	Subtotal of Estimated Cost		\$100,075.00		

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 E: Summary		Grant Type and Number Capital Fund Program Grant No. Date of CFP: CFP FL14S045501-09	Replacement Housing Factor Grant No:	FY of Grant 2009	FY of Grant Approval
PHA Name: Housing Authority of the City of Stuart					
Type of Grant	<input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 09/27/2010 <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Fiscal Performance and Evaluation Report				
Line	Summary by Development Account	Original	Revised ¹	Obligated	Expended
Total Estimated Cost		Total Actual Cost ¹			
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) ²				
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 21)				
5	1411 Audit				
6	1415 Liquidated Damages	5,000.00	45.22	45.22	45.22
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement	8,733.00	0	0	0
10	1460 Dwelling Structures	78,000.00	91,029.94	91,029.94	91,029.94
11	1465 1 Dwelling Equipment - Nonexpendable	45,647.00	46,204.84	46,204.84	46,204.84
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition	.00			
15	1492 Moving to Work Demonstration				
16	1495 1 Relocation Costs				
17	1499 Development Activities ⁴				
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9900 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)	137,280.00	137,280.00	137,280.00	137,280.00
21	Amount of line 20 Related to LBF 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				

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

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
Expires 4/30/2011

Part I: Summary		FFY of Grant: 2009	
FFEA Name: Housing Authority of the City of Stuart		FFY of Grant Approval:	
Grant Type and Number Capital Fund Program Grant No: Date of CFFP: FL14SH45501-09		Replacement Housing Factor Grant No:	
Type of Grant <input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Reserve for Disasters/Emergencies		<input checked="" type="checkbox"/> Revised Annual Statement (revision no: 1) <input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost
		Original	Revised
Signature of Executive Director: <i>Maria A Burger</i>		Signature of Public Housing Director: Date: 09/27/2010	
		Obligated	Expended

Maria A Burger

Digitally signed by
Maria A Burger
DN: cn=Maria A Burger,
o=Housing Authority of
the City of Stuart, ou,
email=maria611sh@aol.
.com, c=US
Date: 2009.01.06
11:26:48 -05'00'

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
 Expires 4/30/2011

Part II: Supporting Pages									
PHA Name: Housing Authority of the City of Stuart		Grant Type and Number Capital Fund Program Grant No: FL 14S045501-09			CFPP (Yes/ No):		Federal FY of Grant: 2009		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²		
PHA Wide	Fees and Costs	1430		5,000.00	45.22	45.22	45.22		
PHA Wide	Site Improvement								
	Replacement of dead or eroded sod, trees, shrubs	1450		8,733.00	.00	.00	.00		
PHA Wide	Dwelling Structure Replace Kitchen Cabinets, Counters, sinks, faucet, plumbing	1460	27 Units	78,000.00	74,580.00	74,580.00	74,580.00		
PHA Wide	Dwelling Equip - Non Expendable Refrigerators - \$27,420.00 Ranges - \$18,127.00	1465.1	Total 60 54	45,547.00	46,204.84	46,204.84	46,204.84		
PHA Wide	Replace Exterior Doors	1460	19	.00	16,449.94	16,449.94	16,449.94		
	Total Grant			137,280.00	137,280.00	137,280.00	137,280.00		

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

**REPORT ON AUDIT OF BASIC FINANCIAL STATEMENTS,
SUPPLEMENTAL INFORMATION AND SINGLE AUDIT**

FOR THE YEAR ENDED MARCH 31, 2009

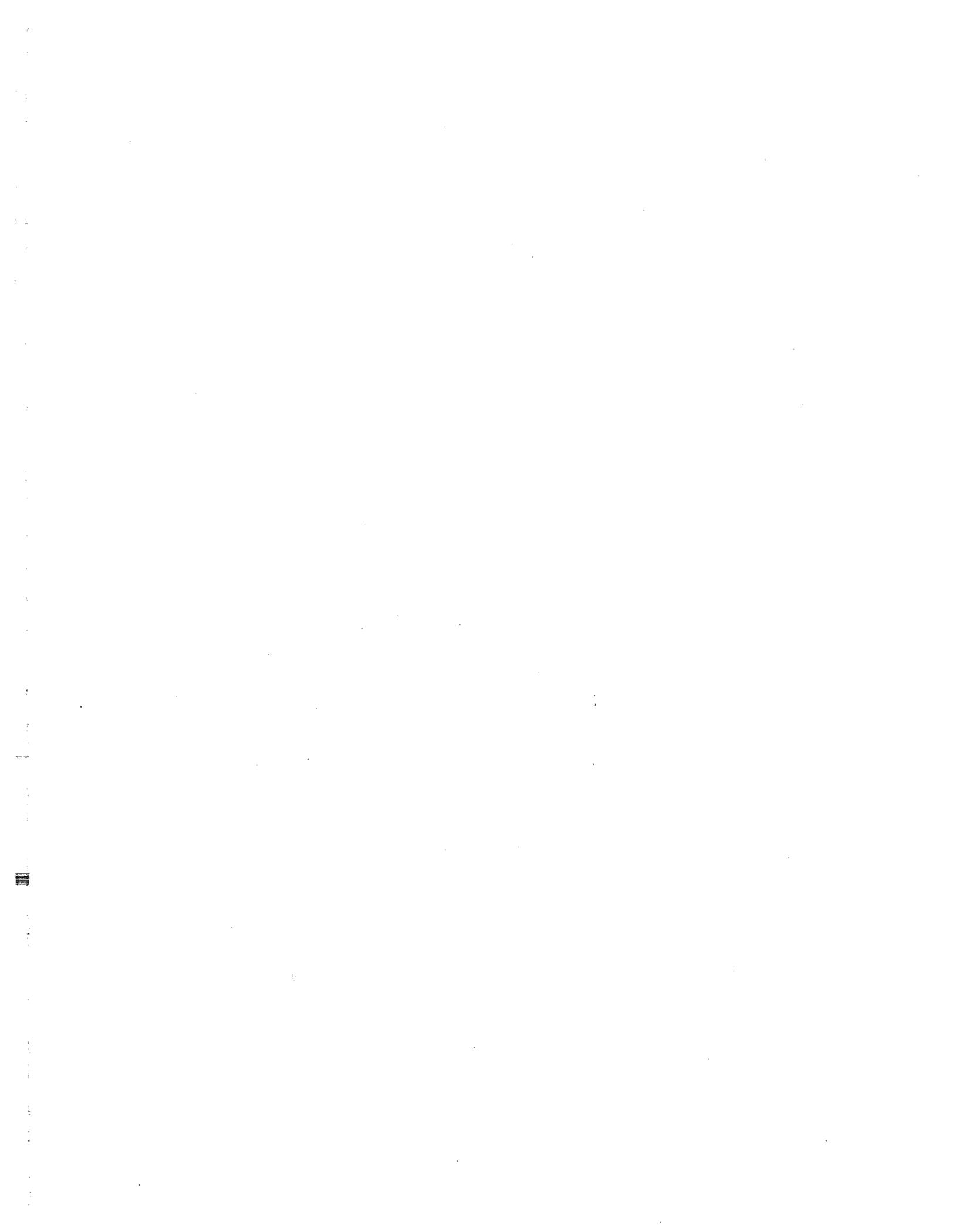


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MALCOLM JOHNSON & COMPANY, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

P.O. Box 530848

210 N. Highway 17-92

DeBary, Florida 32753-0848

Phone (386) 668-6464 Fax (386) 668-6463

INDEPENDENT AUDITOR'S REPORT

Board of Commissioners
Housing Authority of the City of Stuart
Stuart, Florida

HUD, Miami Area Office
Office of Public Housing
909 S. E. First Avenue, Room 500
Miami, Florida 33131-3028

We have audited the basic financial statements of the Housing Authority of the City of Stuart ("the Authority") as of and for the year ended March 31, 2009, as listed in the table of contents. These basic financial statements are the responsibility of the Authority's management. Our responsibility is to express an opinion on these basic financial statements based on our audit.

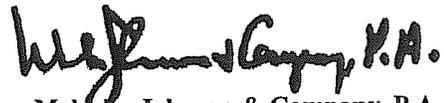
We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall basic financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the financial position of the Authority as of March 31, 2009, and the changes in financial position and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 11, 2009 on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*, and should be considered in assessing the results of our audit.

The Management's Discussion and Analysis as detailed in this Report, is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries made of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming an opinion on the basic financial statements of the Authority. The Schedule of Expenditures of Federal Awards and state financial assistance, and the other supplemental information as listed in the table of contents are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.



Malcolm Johnson & Company, P.A.
Certified Public Accountants

DeBary, Florida
December 11, 2009

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)
MARCH 31, 2009

The Housing Authority of the City of Stuart's ("the Authority") management's discussion and analysis is designed to (a) assist the reader in focusing on significant financial issues, (b) provide an overview of the Authority's financial activity, (c) identify changes in the Authority's financial position, and (d) identify individual fund issues or concerns.

Since the Management's Discussion and Analysis (MD&A) is designed to focus on the current year's activities, resulting changes and currently known facts, please read it in conjunction with the Authority's basic financial statements.

Financial Highlights

- The Authority's net assets increased by \$456,346 (24%) during fiscal year ended 2009.
- The total operating revenues of the authority increased by \$515,052 (or 32%) during fiscal year ended 2009.
- The total operating expenses of all Authority programs increased by \$146,837 (or 14%) during fiscal year ended 2009.
- At the close of fiscal year ended 2009, the Authority's assets exceeded its liabilities by \$2,395,319.

Using This Annual Report

The Report includes three major sections, the "Management's Discussion and Analysis (MD&A)", "Basic Financial Statements", and "Other Supplementary Information":

MD&A

~ Management's Discussion and Analysis

Basic Financial Statements

~ *Authority-wide Financial Statements* –

Statement of Net Assets

Statement of Revenues, Expenses, and Changes in Net Assets

Statement of Cash Flows

~ *Notes to Basic Financial Statements*

Supplemental Information

~ Supplemental Information (other than the MD&A)

The primary focus of the Authority's basic financial statements is on both the Authority as a whole (Authority-wide) and the major individual programs. Both perspectives (authority-wide and major individual programs) allow the user to address relevant questions, broaden a basis for comparison (year to year or Authority to Authority), and enhance the Authority's accountability.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)
MARCH 31, 2009
(Continued)

Authority-Wide Basic Financial Statements

The Authority-wide basic financial statements are designed to be corporate-like in that all business type activities are consolidated into columns which add to a total for the entire Authority.

These Statements include a **Statement of Net Assets**, which is similar to a Balance Sheet. The Statement of Net Assets reports all financial and capital resources for the Authority. The statement is presented in the format where assets, minus liabilities, equals "Net Assets", formerly known as equity. Assets and liabilities are presented in order of liquidity, and are classified as "Current" (convertible into cash within one year), and "Non-current".

The focus of the Statement of Net Assets (the "Unrestricted Net Assets") is designed represent the net available liquid (non-capital) assets, net of liabilities, for the entire Authority. Net Assets (formerly equity) are reported in three broad categories:

Net Assets, Invested in Capital Assets, Net of Related Debt: This component of Net Assets consists of all Capital Assets, reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

Restricted Net Assets: This component of Net Assets consists of restricted assets, when constraints are placed on the asset by creditors (such as debt covenants), grantors, contributors, laws, regulations, etc.

Unrestricted Net Assets: Consists of Net Assets that do not meet the definition of "Net Assets Invested in Capital Assets, Net of Related Debt", or "Restricted Net Assets".

The Authority-wide basic financial statements also include a **Statement of Revenues, Expenses and Changes in Net Assets** (similar to an Income Statement). This Statement includes Operating Revenues, such as rental income, Operating Expenses, such as administrative, utilities, and maintenance, and depreciation, and Non-Operating Revenue and Expenses, such as capital grant revenue, investment income, and interest expense.

The focus of the Statement of Revenues, Expenses and Changes in Net Assets is the "Change in Net Assets", which is similar to Net Income or Loss.

Finally, a **Statement of Cash Flows** is included, which discloses net cash provided by, or used for operating activities; non-capital financing activities; from capital and related financing activities; and from investing activities.

Basic Financial Statements

The Authority consists of an Enterprise Fund. Enterprise funds utilize the full accrual basis of accounting. The Enterprise method of accounting is similar to accounting utilized by the private sector accounting.

Many of the programs maintained by the Authority are required by the Department of Housing and Urban Development. Others are segregated to enhance accountability and control.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)
MARCH 31, 2009
(Continued)

The Authority's Programs

Low Rent Public Housing – Under the Low Rent Public Housing Program, the Authority rents units that it owns to low-income households. The Low Rent Public Housing Program is operated under an Annual Contributions Contract (ACC) with HUD, and HUD provides Operating Subsidy and Capital Grant funding to enable the Authority to provide the housing at a rent that is based upon 30% of household income. The Low Rent Public Housing Program also includes the Capital Fund Program, which is the primary funding source for physical and management improvements to the Authority's properties.

Housing Choice Voucher Program- This program is a type of Section 8 assistance. The Authority administers contracts with independent landlords that own the property. The Authority subsidizes the family's rent through a Housing Assistance Payment made to the landlord. The program is administered under an Annual Contributions Contract (ACC) with HUD. HUD provides contributions to the Authority to enable the Authority to subsidize the participants' rents.

Capital Fund Program – The Conventional Public Housing (low rent) also includes the capital fund program, which is the primary source for physical and management improvements to the Authority's ACC properties. The formula funding methodology used is based upon the number of units, bedroom sizes of those units, and age of the buildings/ units.

Administrative Fund/ Affordable Housing Program – This program obtains non-HUD funds for the purpose of promoting affordable housing in communities in the area. The housing authority secured a \$525,000 grant from Martin County to construct three units to be used as affordable rental units for low income families.

Our analysis below focuses on the net assets and the change in net assets of the Authority as a whole and not individual programs.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)
MARCH 31, 2009
(Continued)

Authority-wide Statements

Statement of Net Assets

The following table reflects the condensed Statement of Net Assets compared to prior year. The Authority is engaged only in Business-type activities.

Table 1 – Comparative Statement of Net Assets

	<u>2009</u>	<u>2008</u>
Assets		
Current assets	\$ 355,874	\$ 1,020,974
Capital assets, net	<u>2,137,095</u>	<u>1,331,563</u>
Total assets	<u>2,492,969</u>	<u>2,352,537</u>
Liabilities		
Current	64,806	384,913
Resident security deposits	25,679	20,025
Noncurrent	<u>7,165</u>	<u>8,626</u>
Total liabilities	<u>97,650</u>	<u>413,564</u>
Net Assets		
Invested in capital assets	2,137,095	1,331,563
Restricted	(35,400)	6,153
Unrestricted	<u>293,624</u>	<u>601,257</u>
Total net assets	<u>\$ 2,395,319</u>	<u>\$ 1,938,973</u>

For more detailed information see the Statement of Net Assets.

Major Factors Affecting the Statement of Net Assets

During 2009 current assets decreased by \$665,100 largely due to decreases in cash. Current liabilities decreased by \$320,107 due to inter-program elimination with the voucher program due to public housing.

Capital assets increased from \$1,331,563 to \$2,137,095. The \$805,532 increase was attributed to capital improvements in the CFP program and construction in the business activities program.

For more detail see "Capital Assets and Debt Administration" below.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)
MARCH 31, 2009
(Continued)

Table 2 – Comparative Statement of Revenues, Expenses and Changes in Net Assets

The following schedule compares the revenues and expenses for the current and previous fiscal year. The Authority is engaged in Business-type activities.

	<u>2009</u>	<u>2008</u>
Operating revenues		
Rental revenues	\$ 148,906	\$ 158,854
Other governmental grants	<u>525,000</u>	<u>-</u>
Total operating revenues	<u>673,906</u>	<u>158,854</u>
<i>Operating expenses</i>		
Administrative	267,001	263,418
Utilities	52,537	53,727
Ordinary maintenance and operation	249,441	171,619
Protective services	-	115
Insurance	50,255	51,376
General expenses	9,426	11,787
Housing Assistance Payments	490,983	439,377
Depreciation	<u>90,772</u>	<u>72,159</u>
Total operating expenses	<u>1,210,415</u>	<u>1,063,578</u>
Operating loss	<u>(536,509)</u>	<u>(904,724)</u>
Non-operating revenues		
HUD grants	936,515	745,915
Interest revenue, unrestricted	3,264	21,809
Interest revenue, restricted	-	150
Other revenue	<u>38,083</u>	<u>22,111</u>
Total nonoperating revenues	<u>977,862</u>	<u>789,985</u>
Loss before contributions	<u>(441,353)</u>	<u>(114,739)</u>
Capital contributions	<u>14,993</u>	<u>-</u>
Increase in net assets	456,346	(114,739)
Net assets, beginning of year, restated	<u>1,938,973</u>	<u>2,053,712</u>
Net assets, end of year	<u>\$ 2,395,319</u>	<u>\$ 1,938,973</u>

**HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida**

**MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)
MARCH 31, 2009
(Continued)**

Major Factors Affecting the Statement of Revenues, Expenses and Changes in Net Assets

Operating revenues increased \$515,052 during 2009 largely due to the receipt of a local government grant. Operating subsidies received from HUD increased by \$190,600 comparing 2008 to 2009 due to the effects of the CFP program and increase in low rent operating subsidy. As evidenced above, the Authority's current ratio increased during the fiscal year due to a decrease in current assets and a decrease in current liabilities causing a greater proportion of current assets to current liabilities in 2009. Current assets decreased by \$665,100 while current liabilities decreased by \$320,107. Net assets increased, by \$456,346.

Federal and State Awards:

Low Rent Public Housing	\$ 226,779
Local Government Grants	525,000
Public Housing Capital Fund Program	222,098
Housing Choice Vouchers	<u>502,631</u>
Total Federal and State Awards	<u>\$ 1,476,508</u>

Capital Assets and Debt Administration

Capital Assets

As of year end, the Authority had \$2.137.095 invested in a variety of capital assets as reflected in the following schedule.

Table 3 – Capital Assets at Year-End (Net of Depreciation)

Non-depreciable:	
Land	\$ 391,901
Construction in progress	728,677
Depreciable:	
Buildings and Equipment	<u>2,773,752</u>
Total	<u>3,894,330</u>
Accumulated depreciation	<u>(1,757,235)</u>
Capital assets, net	<u>\$ 2,137,095</u>

This year's major capital asset addition is the increase in fixed assets from the business activities program.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)
MARCH 31, 2009
(Continued)

Debt Outstanding

As of year-end, the Authority had no long-term debt (bonds, notes, etc.) outstanding. The only long term liabilities were accrued compensated absences totaling \$7,165.

Factors Affecting Next Year's Budget

The Authority continues its affordable housing ventures. Availability of funding by HUD for operating subsidy, housing voucher program and modernization remain uncertain and volatile. It is also anticipated that insurance costs will significantly increase due to the damages and claims associated with increased hurricane activity.

Economic Factors

Significant economic factors affecting the Authority are as follows:

- Federal funding provided by Congress to the Department of Housing and Urban Development
- Local labor supply and demand, which can affect salary and wage rates
- Local inflationary, recessionary and employment trends, which can affect resident incomes and therefore the amount of rental income
- Inflationary pressure on utility rates, supplies and other costs
- Increased material, contracted labor, and insurance costs due to hurricane activity.

Financial Contact

The individual to be contacted regarding this report is Maria Burger, Executive Director of the Housing Authority of the City of Stuart. Specific requests may be submitted to the Housing Authority of the City of Stuart at 611 Church Street; Stuart, Fl. 34994; telephone 772-287-0496.

**HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida**

**STATEMENT OF NET ASSETS
MARCH 31, 2009**

ASSETS

Current assets

Cash and cash equivalents, unrestricted	\$ 287,474
Cash and cash equivalents, restricted	25,679
Accounts receivable, net of allowance	34
Due from U.S. Dept of HUD	3,262
Inventories, net of obsolescence	10,270
Prepaid insurance	29,155
Total current assets	355,874

Noncurrent assets

Capital assets

Not being depreciated	1,120,578
Depreciable, net	1,016,517
Total capital assets, net	2,137,095

Total assets

2,492,969

LIABILITIES

Current liabilities

Vendors and contractors payable	13,853
Accrued wages/taxes payable	2,714
Accrued compensated absences	9,031
Due to City of Stuart (PILOT)	39,170
Prepaid rents	38
Total current liabilities	64,806

Current liabilities payable from restricted assets

Resident security deposits	25,679
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Noncurrent liabilities

Accrued compensated absences	7,165
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Total liabilities

97,650

NET ASSETS

Invested in capital assets	2,137,095
Unrestricted	258,224

Total net assets

\$ 2,395,319

The accompanying notes are an integral part of these basic financial statements.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE YEAR ENDED MARCH 31, 2009

Operating revenues	
Rental revenue	\$ 148,906
Other governmental grants	525,000
Total operating revenues	<u>673,906</u>
Operating expenses	
Administrative	267,001
Utilities	52,537
Ordinary maintenance & operation	249,441
Insurance	50,255
General expenses	9,426
Housing assistance payments	490,983
Depreciation	90,772
Total operating expenses	<u>1,210,415</u>
Operating loss	<u>(536,509)</u>
Nonoperating revenues	
HUD grants	936,515
Interest revenue, unrestricted	3,264
Other revenue	38,083
Total nonoperating revenues	<u>977,862</u>
Income before contributions	<u>441,353</u>
Capital contributions	<u>14,993</u>
Increase in net assets	456,346
Net assets, beginning of year	<u>1,938,973</u>
Net assets, end of year	<u>\$ 2,395,319</u>

The accompanying notes are an integral part of these basic financial statements.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED MARCH 31, 2009

Cash Flows From Operating Activities	
Receipts from dwelling rentals	\$ 154,544
Other receipts	563,117
Payments to employees and suppliers	(621,941)
Payments to landlords and residents	(490,983)
Net cash used by operating activities	<u>(395,263)</u>
 Cash Flows From Noncapital Financing Activities	
Operating grants	<u>942,679</u>
 Cash Flows From Capital and Related Financing Activities	
Capital contributions	14,993
Purchases of capital assets	(896,304)
Net cash used by capital and related financing activities	<u>(881,311)</u>
 Cash Flows From Investing Activities	
Interest	<u>3,264</u>
Net cash provided by investing activities	<u>3,264</u>
 Net decrease in cash and cash equivalents	(330,631)
Balance - beginning of the year	<u>643,784</u>
Balance - end of the year	<u><u>313,153</u></u>
 Reconciliation of Cash Flows to Statement of Net Assets	
Cash and cash equivalents, unrestricted	\$ 287,474
Cash and cash equivalents, restricted	25,679
	<u>\$ 313,153</u>

There are no non-cash transactions.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED MARCH 31, 2009
(Continued)

**Reconciliation of Net Operating Loss to
Net Cash Used By Operating Activities**

Operating loss	\$ (536,509)
Adjustments to reconcile net operating loss to net cash used by operating activities:	
Depreciation elimination	90,772
Increase in accounts receivable	(16)
Increase in inventory	501
Increase in prepaid expenses	5,392
Decrease in security deposits	5,654
Decrease in accounts payable	3,338
Decrease in accrued wages	(1,455)
Decrease in compensated absences	(1,057)
Decrease in deferred credits	34
Fraud recovery, other revenue, other expense and transfers to other entities reported as nonoperating	<u>38,083</u>
Net cash used by operating activities	<u><u>\$ (395,263)</u></u>

The accompanying notes are an integral part of these basic financial statements.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
MARCH 31, 2009

A - Summary of Significant Accounting Policies and Organization:

1. **Organization:** Housing Authority of the City of Stuart ("the Authority") is a public body corporate and politic pursuant to Statute 421 Laws of the State of Florida. The Authority was organized to provide low rent housing for qualified individuals in accordance with the rules and regulations prescribed by the U.S. Department of Housing and Urban Development (HUD) and other federal agencies.
2. **Reporting Entity:** In determining how to define the reporting entity, management has considered all potential component units. The decision to include a component unit in the reporting entity was made by applying the criteria set forth in Section 2100 and 2600 of the *Codification of Governmental Accounting and Financial Reporting Standards* and *Statement No. 14, (amended) of the Governmental Accounting Standards Board: The Financial Reporting Entity*. These criteria include manifestation of oversight responsibility including financial accountability, appointment of a voting majority, imposition of will, financial benefit to or burden on a primary organization, financial accountability as a result of fiscal dependency, potential for dual inclusion, and organizations included in the reporting entity although the primary organization is not financially accountable. Based upon the application of these criteria, the reporting entity has one component unit.

This component unit has been blended for basic financial statement presentation as the Stuart Housing Development Corporation; LLC. columns of the combining financial schedules.

3. **Summary of HUD and Other Authority Programs:** The accompanying basic financial statements consist of the activities of the housing programs subsidized by HUD and Authority owned entities. A summary of each of these programs is provided below.
 - a. **Low Rent Public Housing:** This type of housing consists of apartments and single-family dwellings owned and operated by the Authority. Funding is provided by tenant rent payments and subsidies provided by HUD.
 - b. **Modernization and Development:** Substantially all additions to land, buildings, and equipment are accomplished through the Capital Fund Program. These programs add to, replace or materially upgrade deteriorated portions of the Authority's housing units. Funding is provided through programs established by HUD.
 - c. **Housing Choice Vouchers:** This is a housing program wherein low rent tenants lease housing units directly from private landlords rather than through the Authority. The Authority contracts with private landlords to make assistance payments for the difference between the approved contract rent and the actual rent paid by the low rent tenants.
4. **Basis of Presentation and Accounting:** In accordance with uniform financial reporting standards for HUD housing programs, the basic financial statements are prepared in accordance with U. S. generally accepted accounting principles (GAAP).

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
MARCH 31, 2009
(Continued)

A - Summary of Significant Accounting Policies and Organization: (Continued)

4. Basis of Presentation and Accounting: (Continued)

Based upon compelling reasons offered by HUD, the Authority reports its basic financial statements as a special purpose government engaged solely in business-type activities, which is similar to the governmental proprietary fund type (enterprise fund), which uses the accrual basis of accounting and the flow of economic resources measurement focus. Revenues are recorded when earned and expenses are recorded at the time the liabilities are incurred. Pursuant to the election option made available by *GASB Statement No. 20, Pronouncements of the Financial Accounting Standards Board (FASB)* pronouncements issued after November 30, 1989 are applied in the preparation of the basic financial statements, unless those pronouncements conflict with or contradict GASB pronouncements.

Generally accepted accounting principles for state and local governments requires that resources be classified for accounting and reporting purposes into the following three net asset categories:

Invested in Capital Assets, Net of Related Debt – Capital assets, net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction or improvement of those assets.

Restricted - Net assets whose use by the Authority is subject to externally imposed stipulations that can be fulfilled by actions of the Authority pursuant to those stipulations or the expire by the passage of time. Such assets include assets restricted for capital acquisitions and debt service.

Unrestricted – Net assets that are not subject to externally imposed stipulations. Unrestricted net assets may be designated for specific purposes by action of management or the Authority Board or may otherwise be limited by contractual agreements with outside parties.

- 5. Budgets:** Budgets are prepared on an annual basis for each major operating program and are used as a management tool throughout the accounting cycle. The capital fund budgets are adopted on a “project length” basis. Budgets are not, however, legally adopted nor legally required for basic financial statement presentation.
- 6. Cash and Cash Equivalents:** For purposes of the Statement of Cash Flows, the Authority considers all highly liquid investments (including restricted assets) with a maturity of three months or less when purchased and non-negotiable certificates of deposit to be cash equivalents. There were no noncash investing, capital and financing activities during the year.
- 7. Interprogram Receivables and Payables:** Interprogram receivables/payables, when present, are all current, and are the result of the use of the Public Housing Program as the common paymaster for shared costs of the Authority. Cash settlements are made periodically, and all interprogram balances net zero. Offsetting due to/due from balances are eliminated for the basic financial statement presentation.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
MARCH 31, 2009
(Continued)

A - Summary of Significant Accounting Policies and Organization: (Continued)

- 8. Investments:** Investments, when present, are recorded at fair value. Investment instruments consist only of items specifically approved for public housing agencies by HUD. Investments are either insured or collateralized using the dedicated method. Under the dedicated method of collateralization, all deposits and investments over the federal depository insurance coverage are collateralized with securities held by the Authority's agent in the Authority's name. It is the Authority's policy that all funds on deposit are collateralized in accordance with both HUD requirements and requirements of the State of Florida.
- 9. Inventories:** Inventories (consisting of materials and supplies) are valued at cost using the first in, first out (FIFO) method. If inventory falls below cost due to damage, deterioration or obsolescence, the Authority establishes an allowance for obsolete inventory. In accordance with the consumption method, inventory is expensed when items are actually placed in service.
- 10. Prepaid Items:** Payments made to vendors for goods or services that will benefit periods beyond the fiscal year end are recorded as prepaid items.
- 11. Use of Estimates:** The preparation of basic financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent liabilities at the date of the basic financial statements and reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.
- 12. Fair Value of Financial Instruments:** The carrying amount of the Authority's financial instruments at March 31, 2009 including cash, investments, accounts receivable, and accounts payable closely approximates fair value.
- 13. Capital Assets:**

 - a. Book Value:** All purchased fixed assets are valued at cost when historical records are available. When no historical records are available, fixed assets are valued at estimated historical cost.

Land values were derived from development closeout documentation.

Donated fixed assets are recorded at their fair value at the time they are received.

Donor imposed restrictions are deemed to expire as the asset depreciates.

All normal expenditures of preparing an asset for use are capitalized when they meet or exceed the capitalization threshold.
 - b. Depreciation:** The cost of buildings and equipment is depreciated over the estimated useful lives of the related assets on a composite basis using the straight-line method.

Depreciation commences on modernization and development additions in the year following completion.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
MARCH 31, 2009
(Continued)

A - Summary of Significant Accounting Policies and Organization: (Continued)

13. Capital Assets: (Continued)

b. Depreciation: (Continued)

The useful lives of buildings and equipment for purposes of computing depreciation are as follows:

Buildings	40 years
Building modernization	15 years
Furniture	3-7 years

c. **Maintenance and Repairs Expenditures:** Maintenance and repairs expenditures are charged to operations when incurred. Betterments in excess of \$250 are capitalized. When buildings and equipment are sold or otherwise disposed of, the asset account and related accumulated depreciation account are relieved, and any gain or loss is included in operations.

14. **Compensated Absences:** Compensated absences are those absences for which employees will be paid, such as vacation and sick leave computed in accordance with *GASB Statement No. 16*. A liability for compensated absences that is attributable to services already rendered and that are not contingent on a specific event that is outside the control of the Authority and its employees, is accrued as employees earn the rights to the benefits. Compensated absences that relate to future services or that are contingent on a specific event that is outside the control of the Authority and its employees are accounted for in the period in which such services are rendered or in which such events take place.

15. **Litigation Losses:** The Authority recognizes estimated losses related to litigation in the period in which the occasion giving rise to the loss occurred, the loss is probable and the loss is reasonably estimable.

16. **Annual Contribution Contracts:** Annual Contribution contracts provide that HUD shall have the authority to audit and examine the records of public housing authorities. Accordingly, final determination of the Authority's financing and contribution status for the Annual Contribution Contracts is the responsibility of HUD based upon financial reports submitted by the Authority.

17. **Risk Management:** The Authority is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Authority carries commercial insurance for all risks of loss, including workers' compensation and employee health and accident insurance, general liability, fire and extended coverage, fidelity bond, automobile, and Director and Officers liability. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years. Additionally, there have been no significant reductions in insurance coverage from the prior year.

18. **Use of Restricted Assets:** It is the Authority's policy to first apply restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
MARCH 31, 2009
(Continued)

A - Summary of Significant Accounting Policies and Organization: (Continued)

19. Operating Revenues and Expenses: The principal operating revenues of the Authority's enterprise fund are charges to customers for rents and services. Operating expenses for the Authority's enterprise fund include the cost of providing housing and services, administrative expenses and depreciation on capital assets. Revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

B - Deposits and Investments: For purposes of the Statement of Cash Flows, the Authority considers all highly liquid investments (including restricted assets) with a maturity of three months or less when purchased and non-negotiable certificates of deposit to be cash equivalents. There were no noncash investing, capital and financing activities during the year.

1. HUD Deposit and Investment Restrictions

HUD requires authorities to invest excess HUD program funds in obligations of the United States, certificates of deposit or any other federally insured instruments.

HUD also requires that deposits of HUD program funds be fully insured or collateralized at all times. Acceptable security includes FDIC/FSLIC insurance and the market value of securities purchased and pledged to the political subdivision. Pursuant to HUD restrictions, obligations of the United States are allowed as security for deposits. Obligations furnished as security must be held by the Authority or with an unaffiliated bank or trust company for the account of the Authority.

2. Risk Disclosures

a. Interest Rate Risk: As a means of limiting its exposure to fair value losses arising from rising interest rates, the Authority's investment policy limits the Authority's investment portfolio to maturities not to exceed two years at time of purchase.

At March 31, 2009, the Authority's deposits were not limited and all of which are either available on demand or have maturities of less than two years.

b. Credit Risk: This is risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. The Authority's investment policy is that none of its total portfolio may be invested in securities of any single issuer, other than the US Government, its agencies and instrumentalities.

At March 31, 2009, the Authority had deposits only.

c. Custodial Credit Risk: This is the risk that in the event of the failure of the counterparty, the Authority will not be able to recover the value of its investments or collateral securities that are held by the counterparty.

The carrying amounts of the Authority's cash deposits were \$313,053 at March 31, 2009. Bank balances before reconciling items were \$319,398 at that date, the total amount of which was collateralized or insured with securities held by an unaffiliated banking institution in the Authority's name.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
MARCH 31, 2009
(Continued)

C - Land, Buildings and Equipment:

	Balance March 31, 2008	Additions	Balance March 31, 2009
Not being depreciated:			
Land	\$ 391,901	\$ -	\$ 391,901
Construction in progress	129,766	598,911	728,677
Total not being depreciated	<u>521,667</u>	<u>598,911</u>	<u>1,120,578</u>
Depreciable:			
Buildings & improvements	2,271,348	295,596	2,566,944
Accumulated depreciation	(1,485,572)	(81,697)	(1,567,269)
Net buildings & improvements	<u>785,776</u>	<u>213,899</u>	<u>999,675</u>
Equipment	205,011	1,797	206,808
Accumulated depreciation	(180,891)	(9,075)	(189,966)
Net equipment	<u>24,120</u>	<u>(7,278)</u>	<u>16,842</u>
Net depreciable assets	<u>809,896</u>	<u>206,621</u>	<u>1,016,517</u>
TOTAL	<u>\$ 1,331,563</u>	<u>\$ 805,532</u>	<u>\$ 2,137,095</u>

D - Schedule of Changes in Noncurrent Liabilities:

	March 31, 2008		March 31, 2009		
	Long-term Portion	Current Portion	Payments	Current Portion	Long-term Portion
Accrued compensated absences	\$ 8,626	\$ 8,627	\$ (1,057)	\$ 9,031	\$ 7,165

E - Annual Contributions by Federal Agencies:

Low Rent Public Housing - Pursuant to the Annual Contributions Contract, HUD contributes an operating subsidy approved in the operating budget under the Annual Contributions Contract. HUD operating subsidy contributions for the year ended March 31, 2009 were \$226,779. HUD also contributed additional finds for modernization and operations in the amount of \$222,098 for the year ended March 31, 2009.

Housing Choice Voucher Program - The Section 8 Housing Choice Voucher program provides for housing assistance payments to private owners of residential units on behalf of eligible low or very low-income families. The program payments cover the difference between the maximum rental on a dwelling unit and the amount of rent contribution by a participating family. HUD also funds related administrative expenses. HUD contributions for the year ended March 31, 2009 were \$502,631.

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
MARCH 31, 2009
(Continued)

- F - Defined Contribution Pension Plan:** The Authority provides pension benefits for all its full-time employees through a defined contribution plan entitled "Housing Authority of the City of Stuart Defined Contribution Plan". The plan is administered by Lincoln Financial Group. In a defined contribution plan, benefits depend solely on amounts contributed to the plan plus investment earnings. The Board of Commissioners for the Authority is authorized to establish and amend plan benefits. Employees are eligible to participate after one year from the date of employment. The Authority contributes 13.75% of the employee's base salary each month, while the employee does not contribute. The Authority's contributions for each employee (and interest allocated to the employee's account) are fully vested after 5 years of continuous service, or until age 65, whichever is first. Authority contributions for, and interest forfeited by, employees who leave employment before vesting are used to reduce the Authority's current-period contribution requirement.

The Authority's total payroll in fiscal year 2009 was \$196,530. The Authority's contributions were calculated using \$146,162. The Authority made the required contributions amounting to \$24,076.

- G - Economic Dependency:** The Authority receives approximately 57% of its revenues from HUD. If the amount of revenues received from HUD falls below critical levels, the Authority's reserves could be adversely affected.
- H - Contingencies:** The Authority is subject to possible examinations made by Federal and State authorities who determine compliance with terms, conditions, laws and regulations governing other grants given to the Authority in the current and prior years. There was one such examination for the year ended March 31, 2009.
- I - Conduit Type Debt:** Debt related to the original acquisition and early modernization of the public housing developments is funded, guaranteed and serviced by HUD. There is no debt or pledge of faith and credit on part of the Authority. Accordingly, this debt has not been recorded in the basic financial statements of the Authority. Additionally, HUD no longer provides debt service information to the Authority.
- J - Leasing Activities (as Lessor):** The Authority is the lessor of dwelling units mainly to low-income residents. The rents under the leases are determined generally by the resident's income as adjusted for eligible deductions regulated by HUD, although the resident may opt for a flat rent. Leases may be cancelled by the lessee at any time. The Authority may cancel the lease only for cause.

Revenues associated with these leases are recorded in the basic financial statements and schedules as "Rental Revenue". Rental Revenue per dwelling unit generally remains consistent from year to year, but is affected by general economic conditions which impact personal income and local job availability.

- K - Interprogram Transfers:** The Authority will make cash transfers between its various programs as outlined in the Federal Regulations and authorized and approved by the Authority's Board of Commissioners. There were no transfers during the current year.

SUPPLEMENTAL INFORMATION

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

COMBINING SCHEDULE OF NET ASSETS
MARCH 31, 2009

	Business Activities	Public Housing Projects	Housing Choice Vouchers	Stuart Housing Development Corp., LLC	Total
ASSETS					
Current assets					
Cash and cash equivalents, unrestricted	\$ 1,665	\$ 253,712	\$ 27,946	\$ 4,151	\$ 287,474
Cash and cash equivalents, restricted	-	21,293	-	4,386	25,679
Accounts receivable, net of allowance	-	34	-	-	34
Due from U.S. Dept of HUD	-	-	3,262	-	3,262
Due from/to other programs	60,000	71,515	(71,515)	(60,000)	-
Inventories, net of obsolescence	-	10,270	-	-	10,270
Prepaid insurance	-	28,412	743	-	29,155
Total current assets	61,665	385,236	(39,564)	(51,463)	355,874
Noncurrent assets					
Capital assets					
Not being depreciated	-	463,983	-	656,595	1,120,578
Depreciable, net	-	1,016,517	-	-	1,016,517
Total capital assets, net	-	1,480,500	-	656,595	2,137,095
Total assets	61,665	1,865,736	(39,564)	605,132	2,492,969
LIABILITIES					
Current liabilities					
Vendors and contractors payable	-	12,859	994	-	13,853
Accrued wages/taxes payable	-	2,215	499	-	2,714
Accrued compensated absences	-	7,166	1,865	-	9,031
Due to City of Stuart (PILOT)	-	39,170	-	-	39,170
Prepaid rents	-	38	-	-	38
Total current liabilities	-	61,448	3,358	-	64,806
Current liabilities payable from restricted assets					
Resident security deposits	-	21,293	-	4,386	25,679
Noncurrent liabilities					
Accrued compensated absences	-	7,165	-	-	7,165
Total liabilities	-	89,906	3,358	4,386	97,650
NET ASSETS					
Invested in capital assets	-	1,480,500	-	656,595	2,137,095
Unrestricted	61,665	295,330	(42,922)	(55,849)	258,224
Total net assets	\$ 61,665	\$ 1,775,830	\$ (42,922)	\$ 600,746	\$ 2,395,319

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

**COMBINING SCHEDULE OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE YEAR ENDED MARCH 31, 2009**

	Business Activities	Public Housing Projects	Housing Choice Vouchers	Stuart Housing Development Corp., LLC	Total
Operating revenues					
Rental revenue	\$ -	\$ 146,814	\$ -	\$ 2,092	\$ 148,906
Other governmental grants	-	-	-	525,000	525,000
Total operating revenues	-	146,814	-	527,092	673,906
Operating expenses					
Administrative	1,303	225,216	40,482	-	267,001
Utilities	-	52,537	-	-	52,537
Ordinary maintenance & operation	-	249,441	-	-	249,441
Insurance	-	48,915	1,340	-	50,255
General expenses	-	9,426	-	-	9,426
Housing assistance payments	-	-	490,983	-	490,983
Depreciation	-	90,772	-	-	90,772
Total operating expenses	1,303	676,307	532,805	-	1,210,415
Operating income (loss)	(1,303)	(529,493)	(532,805)	527,092	(536,509)
Nonoperating revenues					
HUD grants	-	433,884	502,631	-	936,515
Interest revenue, unrestricted	738	1,230	1,296	-	3,264
Other revenue	-	16,271	17,484	4,328	38,083
Total nonoperating revenues	738	451,385	521,411	4,328	977,862
Income (loss) before contributions	(565)	(78,108)	(11,394)	531,420	441,353
Capital contributions	-	14,993	-	-	14,993
Increase (decrease) in net assets	(565)	(63,115)	(11,394)	531,420	456,346
Net assets, beginning of year	62,230	1,838,945	(31,528)	69,326	1,938,973
Net assets, end of year	\$ 61,665	\$ 1,775,830	\$ (42,922)	\$ 600,746	\$ 2,395,319

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED MARCH 31, 2009

Federal Grantor:

<u>CFDA Number</u>	<u>Program Title</u>	<u>Pass Through Entity</u>	<u>Federal Expenditures</u>
U.S. Department of Housing and Urban Development			
14.850	Low Rent Public Housing	NA	\$ 226,779
14.872	Capital Fund Program	NA	222,098
14.871	Housing Choice Vouchers	NA	502,631
	Total Federal Awards Expenditures		\$ 951,508
State Awards:			
NA	SHIP Grant awarded to blended component unit	Martin County	525,000
	Total State Awards Expenditures		\$ 525,000
	Total Federal and State Awards		\$ 1,476,508

Notes to the Schedule of Expenditures of Federal Awards

A. Basis of Accounting

This schedule is prepared on the accrual basis of accounting.

B. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations".

C. Reconciliation of Total Federal Awards Expenditures to Financial Data Schedule

FDS line 706	HUD PHA Grants	\$ 936,515
FDS line 706.1	Capital Grants	14,993
FDS line 708	Other government grants	525,000
		\$ 1,476,508

SINGLE AUDIT SECTION

**HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED MARCH 31, 2009**

SECTION I - SUMMARY OF AUDITORS' RESULTS

Basic Financial Statements

Type of auditors' report issued:	Unqualified
Internal control over financial reporting:	
~ Material weakness(es) identified?	No
~ Significant deficiency(s) identified that are not considered to be material weaknesses?	None Reported
Noncompliance material to basic financial statements noted?	No

Federal Awards

Internal control over major programs:	
~ Material weakness(es) identified?	No
~ Significant deficiency(s) identified that are not considered to be material weakness(es)?	Yes
Type of auditors' report issued on compliance for major programs:	Unqualified
Any audit findings disclosed that are required to be reported in accordance with section 510(a) of OMB Circular A-133?	No

Identification of major programs:

CFDA Number	Name of Federal Program or Cluster
14.871	Housing Choice Voucher Program

Dollar threshold used to distinguish between type A and type B programs:	\$300,000
Auditee qualified as low-risk auditee?	Yes

MALCOLM JOHNSON & COMPANY, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

P.O. Box 530848

210 N. Highway 17-92

DeBary, Florida 32753-0848

Phone (386) 668-6464 Fax (386) 668-6463

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT OF BASIC FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

Board of Commissioners
Housing Authority of the City of Stuart
Stuart, Florida

HUD, Miami Area Office
Office of Public Housing
909 S. E. First Avenue, Room 500
Miami, Florida 33131-3028

We have audited the basic financial statements of the Housing Authority of the City of Stuart ("the Authority") as of and for the year ended March 31, 2009, and have issued our report thereon dated December 11, 2009, which included a disclaimer of opinion on Management's Discussion and Analysis. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Authority's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the basic financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Authority's ability to initiate, authorize, record, process or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Authority's financial statements that is more than inconsequential will not be prevented or detected by the Authority's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the basic financial statements will not be prevented or detected by the Authority's internal control.

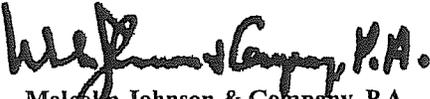
Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Authority's basic financial statements are free of material misstatement, we performed tests of its compliance with certain provision of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of basic financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain matters that we reported to management of the Authority in a separate letter dated December 11, 2009.

This report is intended solely for the information and use of the Authority's management, the Authority's Board of Commissioners, others within the entity, and the U.S. Department of HUD and is not intended to be and should not be used by anyone other than these specified parties.


Malcolm Johnson & Company, P.A.
Certified Public Accountants

DeBary, Florida
December 11, 2009

MALCOLM JOHNSON & COMPANY, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

P.O. Box 530848

210 N. Highway 17-92

DeBary, Florida 32753-0848

Phone (386) 668-6464 Fax (386) 668-6463

**REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO ITS MAJOR PROGRAMS AND ON
INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133**

Board of Commissioners
Housing Authority of the City of Stuart
Stuart, Florida

HUD, Miami Area Office
Office of Public Housing
909 S. E. First Avenue, Room 500
Miami, Florida 33131-3028

Compliance

We have audited the compliance of the Housing Authority of the City of Stuart ("the Authority") with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) *Circular A-133 Compliance Supplement* that are applicable to its major federal programs for the year ended March 31, 2009. The Authority's major federal programs are identified in the summary of auditor's results section of the accompanying Schedule of Findings and Questioned Costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to its major federal programs is the responsibility of the Authority's management. Our responsibility is to express an opinion on the Authority's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Authority's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the Authority's compliance with those requirements.

In our opinion, the Authority complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended March 31, 2009.

Internal Control Over Compliance

The management of the Authority is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the Authority's internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over compliance.

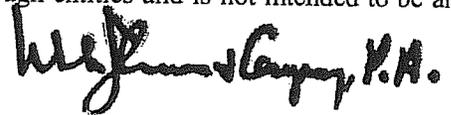
Our consideration of the internal control over compliance was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in the entity's internal control that might be significant deficiencies or material weaknesses as defined below. However, as discussed below, we identified deficiencies in internal control over compliance that we consider to be significant deficiencies.

A *control deficiency* in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A *significant deficiency* is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control. We consider the deficiencies in internal control over compliance described in the accompanying Schedule of Findings and Questioned Costs as items 2009-1, 2009-2 and 2009-3 to be significant deficiencies.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control. We did not consider any of the deficiencies described in the accompanying Schedule of Findings and Questioned Costs to be material weaknesses.

The Authority's response to the finding identified in our audit is described in the accompanying Schedule of Findings and Questioned Costs. We did not audit the Authority's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of the management, the Board of Commissioners, others within the entity, the U.S. Department of HUD and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Malcolm Johnson & Company, P.A.
Certified Public Accountants

DeBary, Florida
December 11, 2009

**HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED MARCH 31, 2009
(Continued)**

SECTION II – BASIC FINANCIAL STATEMENT FINDINGS

There were no Basic Financial Statement findings.

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

- 2009-1 Condition: Budget Overrun in Low Rent Public Housing Program**
- The Low Rent Program expanded approximately \$84,000 more than budgeted in the current year.
- CFDA Number:** 14.850a
- Questioned costs:** None
- Criteria:** Annual Contributions Contract requires that the Low Rent Public Housing Program operate within the limitations imposed by its Board-Approved budget.
- Cause/Effect:** It appears that the Authority did not monitor its expenditures in light of its approved budget, and therefore overexpended.
- Recommendation:** We recommend that the Authority implement internal controls over expenditures in the Low Rent Program sufficient to ensure that operations are within the confines of the budget. As necessary, the Board should approve amended budgets.
- Reply:** The Housing Authority transferred \$207,105 from the CFP program to augment the Low Rent Public Housing Program. During the year, additional work was required and performed thus requiring the use of some of these funds. This caused a budget overrun of the overall expenditures. The housing authority staff and fee accountant now more closely monitors expenditures and will prepare a budget revision as necessary to cover additional expenses that may come up during the year that was not originally known at the time of the original budget preparation.
- 2009-2 Condition: Ineligible Use of Low Rent Public Housing Cash**
- Low Rent Public Housing cash has been advanced to the Section 8 program for operational purposes.
- CFDA Number:** 14.850a
- Questioned costs:** None

HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED MARCH 31, 2009
(Continued)

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

- 2009-2 Condition:** **Ineligible Use of Low Rent Public Housing Cash (Continued)**
- Criteria:** OMB A-87 Allowable Cost Principles, F.3.b.
Amounts not recoverable as indirect costs or administrative costs under one program may not be shifted to another federal program.
The Annual Contributions Contract between the PHA and HUD does not allow this use of program funds.
- Cause/Effect:** The Section 8 program expended in excess of its available resources. The shortfall was therefore met with Public Housing funds.
- Recommendation:** We recommend that the Authority bring the Section 8 program within the confines of its available resources for both HAP expenditures and administrative expenditures.
- Reply:** During the fiscal year, the HAP funding in the Section 8 Voucher Program was reduced causing a shortfall in the Voucher Program. Because the families were already under lease, the housing authority was required to honor their lease agreements by paying the HAP on existing leases while they attempted to reduce the number of families served by not leasing to new families as old ones dropped off the program. Meantime, the PHA made several attempts to obtain additional funding from HUD to cover this shortfall. In the subsequent fiscal year, the housing authority was successful in obtaining \$20,000 in additional funding to cover this shortfall.
- 2009-3 Condition:** **Absence of HUD Approval of Land Lease**
- The Authority has leased a parcel of Low Rent Public Housing land to the Stuart Housing Development Corporation for the construction of affordable housing dwellings. There was no formal permission obtained from HUD for this.
- CFDA Number:** 14.850a
- Questioned costs:** None
- Criteria:** OMB A-87; Annual Contributions Contract
- Cause/Effect:** Administration was unaware that formal permission was necessary, therefore it was not obtained.

**HOUSING AUTHORITY OF THE CITY OF STUART
Stuart, Florida**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED MARCH 31, 2009
(Continued)**

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

- 2009-3 Condition:** Absence of HUD Approval of Land Lease (Continued)
- Recommendation:** We recommend that the Authority secure necessary permission from HUD for this ground lease.
- Reply:** The housing authority has an affordable housing program and obtained informal approval from HUD to lease a parcel of Low Rent Public Housing land to the Stuart Housing Development Corporation for the construction of three units of affordable housing. The housing authority is currently working with HUD and their attorney to secure formal permission for this ground lease.

SECTION IV - SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

There were no Prior Audit findings.

**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 X Annual PHA Plan for the PHA fiscal year beginning **04/01/2011**, 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.

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

Housing Authority of the City of Stuart

FL045

PHA Name

PHA Number/HA Code

_____ 5-Year PHA Plan for Fiscal Years 20____ - 20____

X _____ Annual PHA Plan for Fiscal Years 20¹¹ - 20¹²_____

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 Maria A. Burger	Title Executive Director
Signature 	Date October 29, 2010

Certification of Payments to Influence Federal Transactions

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

Applicant Name

Housing Authority of the City of Stuart

Program/Activity Receiving Federal Grant Funding

Capital Fund Program

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)

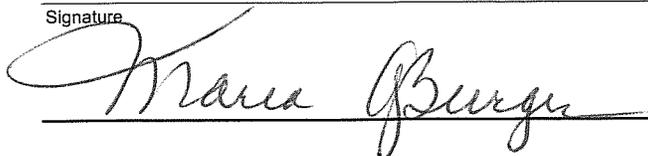
Name of Authorized Official

Maria A. Burger

Title

Executive Director

Signature



Date (mm/dd/yyyy)

10/29/2010

Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name

Housing Authority of the City of Stuart

Program/Activity Receiving Federal Grant Funding

Capital Fund Program

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.)

611 Church Street, Stuart, FL 34994
801 - 908 Bayou Avenue, Stuart, FL 34994
800 - 814 Spruce Avenue, Stuart, FL 34994
909 - 920 Dixie Lane, Stuart, FL 34994

608 - 710 Church Street, Stuart, FL 34994
809 - 823 E. 10th Street, Stuart, FL 34994
520 - 524 Delaware Street, Stuart, FL 34994
105A - 109C E. 7th Street, Stuart, FL 34994

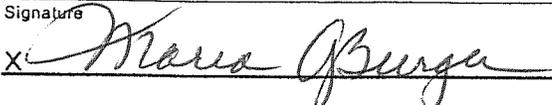
Check here if there are workplaces on file that are not identified on the attached sheets.

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
Maria A. Burger

Title
Executive Director

Signature
x 

Date
10/29/2010

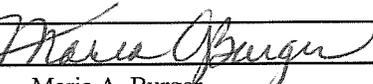
DISCLOSURE OF LOBBYING ACTIVITIES

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.)

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input 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	2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: 4c16	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency: Department of Housing & Urban Development	7. Federal Program Name/Description: Capital Fund Program CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):	
11. 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: <u></u> Print Name: <u>Maria A. Burger</u> Title: <u>Executive Director</u> Telephone No.: <u>772-287-0496</u> Date: <u>10/29/2010</u>	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Civil Rights Certification

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

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

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

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

Housing Authority of the City of Stuart

FL045

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

Martha J. Mosley

Title

Chairperson

Signature

Martha J. Mosley

Date

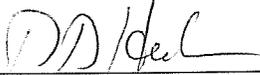
10/27/10

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan**

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

**Certification by State or Local Official of PHA Plans Consistency with the
Consolidated Plan**

I, Dan Hudson the City Manager certify that the Five Year and
Annual PHA Plan of the Housing Authority of the City of Stuart is consistent with the Consolidated Plan of
City of Stuart prepared pursuant to 24 CFR Part 91.

 10/27/2010

Signed / Dated by Appropriate State or Local Official

HOUSING AUTHORITY OF THE CITY OF STUART

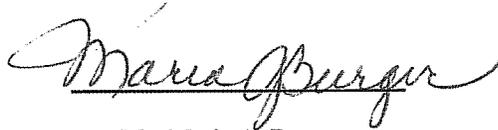
FY2011 ANNUAL UPDATE TO THE FY2010-FY2014 FIVE-YEAR AGENCY PLAN

Item 11 f. Resident Advisory Board Comments

The Housing Authority held multiple meetings concerning the FY2011 Annual Update with the Resident Advisory Board. While there was general support for the Plan from the RAB, no specific changes or recommendations were made.

Item 11 g. Challenged Elements

No element of the FY2011 Annual Update to the FY2010-FY2014 Five-Year Agency Plan was challenged.



Ms. Maria A. Burger
Executive Director

Housing Authority of the City of Stuart