

**PHA 5-Year and Annual Plan**

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

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

1.0	<b>PIA Information</b> PHA Name: <u>City of New York Department of Housing Preservation and Development</u> PHA Code: <u>NY110</u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>07/01/2011</u>				
2.0	<b>Inventory</b> (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: <u>31,118</u>				
3.0	<b>Submission Type</b> <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only				
4.0	<b>PHA Consortia</b> <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)				
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program PH      HCV
	PHA 1:				
	PHA 2:				
	PHA 3:				
5.0	<b>5-Year Plan.</b> Complete items 5.1 and 5.2 only at 5-Year Plan update.				
5.1	<b>Mission.</b> State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:  <i>N/A- Submitting Annual Plan only</i>				
5.2	<b>Goals and Objectives.</b> Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.  <i>N/A- Submitting Annual Plan only</i>				

**PHA Plan Update**

(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: There have been no major changes since the last annual plan. HPD continues its mission to improve the availability, affordability, and quality of housing in New York City by using Housing Choice Voucher and Project Based Vouchers to create and preserve housing for the neediest of New Yorkers.

(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.

The public may obtain copies of the 5-Year and Annual PHA Plan by visiting HPD's Client Services Office  
100 Gold Street Rm. 1-0  
New York, NY 10038

**PHA Plan Elements:**

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

**Eligibility:**

Based on local housing needs and priorities, HPD has established a system of preferences for the selection of families admitted to its programs. HPD may change these preferences to respond to changes in local housing needs or emergency housing situations. HPD will verify preference claims at the time the application is reviewed. HPD will employ staff from different divisions within the agency to outreach to households that may qualify for one of the applicant preference categories. Once a full application is submitted and the applicant is determined to meet preference requirements, eligibility of each applicant is determined based on federal section 8 eligibility requirements. HPD describes its policy in more detail beginning Chapter 3 in the Administrative Plan.

HPD's preference categories are:

- 1. Housing Homeless Households and Programs for Near Homeless, including SRO Re-Rentals and Special Needs
- 2. HPD Building Renovation Households - Relocation
- 3. HPD Building Renovation Households - Rent Restructuring
- 4. In Place Households with Rent Burdens - Homeless Housing and Special Needs Housing
- 5. In Place Households with Rent Burdens - Homeless Prevention Strategies
- 6. HPD Pilot Programs for the Expansion of Affordable Housing
- 7. Households in Special Circumstances

**Selection:**

HPD maintains a single waiting list for the tenant-based program and a separate site based waiting list for the Project-Based Voucher (PBV) Program. HPD offers all tenant-based voucher applicants the opportunity to be placed on the PBV waiting list at the time of application. Criteria for occupancy of PBV units will be established based on the services provided by the development. In accordance with Federal Regulations, HPD maintains preference categories to determine the selection of families to our Section 8 program. Local preferences will be used to select families from the waiting list. When funding is available, families will be selected from the waiting list in their determined sequence based on date and time of application within individual local preference categories, regardless of family size and subject to income targeting requirements. HPD describes its policy in more detail beginning Chapter 4 in the Administrative Plan.

**Admissions:**

Pursuant to Federal Regulations, all applicants are screened to ensure they meet income eligibility. HPD also verifies that an applicant has never been convicted of manufacturing methamphetamine on Federally assisted housing and that no member of the household is subject to a lifetime registration requirement under a state sex offender registration program. Once a family is deemed eligible and attends an oral briefing, the family is given a Housing Choice Voucher in order to locate a unit to lease. Once a unit is found HPD conducts a Housing Quality Standards inspection and conducts a rent reasonability study to ensure that the rent is comparable to unassisted units in the area. Once a family has found an apartment and the HAP contract is signed, the family is admitted into the program. HPD describes its policy in more detail beginning Chapter 7 in the Administrative Plan.

**2. Financial Resources**

The chart below outlines the funding and planned use of Federal Grants for FY 2011:

1. Federal Grants		Funding	Planned Uses
a)	Annual Contributions for Section 8 Tenant-Based Assistance	\$335,012,092	Provide Housing Choice Voucher assistance to low-income families
b)	Community Development Block Grant	\$ 172,714,099	Maintenance of low-income housing; economic and community development; housing rehabilitation and supportive services.
c)	HOME	\$ 124,813,610	Neighborhood development and housing rehabilitation. Provide Tenant Based Rental Assistance to 750 families that had their voucher rescinded from the NYCHA in 2009.

6.0

**3 Rent Determination**

HPD will set the payment standard at 110% of the Fair Market Rent (FMR) in order to maximize the housing opportunities for voucher recipients in the city's restricted housing market. In accordance with HUD Regulations, families will pay the highest of the following amounts, rounded to the nearest dollar:

- 30% of the family's monthly adjusted income;
- 10% of the family's monthly income.
- If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs (including tenant-paid utilities), the portion of those payments which is so designated; or
- The minimum rent established by HPD

HPD describes its policy in more detail beginning on Chapter 10 in the Administrative Plan

**4 Operation and Management**

Per Federal Regulations, HPD requires that all units subsidized with Section 8 funding meet Housing Quality Standards (HQS). Each unit subsidized is inspected at least once annually. HPD describes its policy in more detail beginning on Chapter 8 in the Administrative Plan.

In addition, The Violence Against Women Reauthorization Act of 2005 (VAWA) provides that "criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be a cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that domestic violence, dating violence, or stalking."

6.0

HPD may exercise its authority to "terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant." HPD will grant Emergency Move Vouchers for documented cases of Domestic Violence and will provide Community Based Organization assistance to any participant that is a victim of domestic violence that may require assistance locating another unit

**5 Grievance Procedures**

HPD offers numerous ways for program applicants and participants to clarify, resolve, review, and appeal matters and decisions concerning their eligibility to receive Section 8 rent subsidies. These include informal reviews, conferences, and informal hearings. Applicants who wish to request an informal review, conference or informal hearing of an HPD decision must do so in writing within 21 calendar days from the date of the written notification of the denial of assistance/subsidy.

HPD describes its policy in more detail beginning on Chapter 16 in the Administrative Plan.

**6. Designated Housing for Elderly and Disabled Families:**

HPD administers Project-Based Vouchers in order to increase the HPD supply of housing to the elderly and disabled. Below are two new developments. A complete list of PBV developments can be found on the HPD website at <http://www.nyc.gov/html/hpd/downloads/pdf/Section-8-Vouchers.pdf>.

- 1) Serviam Towers- 321-325 East 198th Street, Bronx NY
  - i. Senior Housing
  - ii. Currently accepting applications, must see development for application
  - iii. Date the designation was approved is 2/1/2008
  - iv. The number of units affected is 126 units
- 2) Victory Fiedler Senior Housing - 150 Victory Boulevard, Staten Island NY, 10301
  - i. Senior Housing
  - ii. New Construction, expected lease-up 11/1/11
  - iii. The date the designation was approved is 2/25/10
  - iv. The number of units affected is 38 units

7 Community Service and Self-Sufficiency- N/A. HPD does not operate public housing.

8 Safety and Crime Prevention-N/A HPD does not operate public housing.

7.0	<p><b>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.</b> <i>Include statements related to these programs as applicable.</i></p> <p><b>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.</b> <i>Include statements related to these programs as applicable.</i></p> <p>Homeownership          HPD maintains a Section 8 homeownership program with fifteen participants. HPD also has its own Division of Homeownership that works with the agency's citywide development projects. The staff has extensive financial experience and expertise, and established relationships with the homeownership industry, and has been instrumental in assisting Section 8 Homeownership participants with down payment assistance and counseling. HPD continues to work with FSS Participants to encourage participation in the homeownership program.</p> <p><i>In order to be able to apply for a homeownership voucher, a participant must:</i></p> <ol style="list-style-type: none"> <li>1. <i>Must be in full compliance with Lease and program Requirements</i></li> <li>2. <i>Must be a participant in the FSS Program</i></li> <li>3. <i>Must not owe HPD any funds under a repayment agreement</i></li> <li>4. <i>Must be a first time homebuyer</i></li> <li>5. <i>Must have a minimum income equivalent to 2000 hours of annual full time work at Federal Minimum Wage. Public Assistance income may not be used for meeting this requirement (except for households in which the Head or spouse is elderly or disabled).</i></li> <li>6. <i>Must contribute at least one percent of the purchase price from his or her own resources</i></li> <li>7. <i>Must not have defaulted on a mortgage to purchase a home under the homeownership option of any PHA</i></li> <li>8. <i>Must be employed full time (30 Hours or more weekly) continuously during the year prior to commencement of homeownership assistance.</i></li> <li>9. <i>May be required to enroll in a First Home Club and/or Home Buyers Club</i></li> </ol> <p>Project-Based Vouchers          HPD is expanding the supply of assisted housing by administering Project-Based Vouchers. HPD selects developments that will supply housing to the elderly, disabled or low-income households. Currently, HPD has 1,637 project-based units in its portfolio, at various stages of completion (e.g. AHAP, HAP).</p> <table border="1" data-bbox="341 808 901 940"> <thead> <tr> <th>Neighborhood/ Borough</th> <th>Units</th> </tr> </thead> <tbody> <tr> <td>Manhattan</td> <td>502</td> </tr> <tr> <td>Brooklyn</td> <td>417</td> </tr> <tr> <td>Bronx</td> <td>679</td> </tr> <tr> <td>Staten Island</td> <td>39</td> </tr> </tbody> </table>	Neighborhood/ Borough	Units	Manhattan	502	Brooklyn	417	Bronx	679	Staten Island	39
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8.0	<p><b>Capital Improvements.</b> Please complete Parts 8.1 through 8.3, as applicable.</p>										
8.1	<p><b>Capital Fund Program Annual Statement/Performance and Evaluation Report.</b> As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.          N/A</p>										
8.2	<p><b>Capital Fund Program Five-Year Action Plan.</b> As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.          N/A</p>										
8.3	<p><b>Capital Fund Financing Program (CFFP).</b>  <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.          N/A</p>										
9.0	<p><b>Housing Needs.</b> Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location  <i>N/A- Submitting Annual Plan only. HPD is a high performing agency</i></p>										
9.1	<p><b>Strategy for Addressing Housing Needs.</b> Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. <b>Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</b>  <i>N/A- Submitting Annual Plan only. HPD is a high performing agency</i></p>										
10.0	<p><b>Additional Information.</b> Describe the following, as well as any additional information HUD has requested.  <i>N/A- Submitting Annual Plan only. HPD is a high performing agency</i></p> <p>(a) <b>Progress in Meeting Mission and Goals.</b> Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>(b) <b>Significant Amendment and Substantial Deviation Modification.</b> Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"</p>										

- 11.0 Required Submission for HUD Field Office Review.** In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. **Note:** Faxed copies of these documents will not be accepted by the Field Office.
- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights)
  - (b) Form HUD-50070, *Certification for a Drug-Free Workplace* (PHAs receiving CFP grants only)
  - (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* (PHAs receiving CFP grants only)
  - (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only)
  - (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only)
  - (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.
  - (g) Challenged Elements
  - (h) Form HUD-50075.1, *Capital Fund Program Annual Statement, Performance and Evaluation Report* (PHAs receiving CFP grants only)
  - (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)

**RESIDENT ADVISORY BOARD MEETING**  
**COMMENTS ON THE 2011 AGENCY PLAN AND HPD'S RESPONSES**

Attendance:

New York City Housing Preservation and Development: Dinsiri Fikru, Kimberly Romano & Ja' Net Del Valle

Resident Advisory Board (RAB) members: Catheline Bradley, Crecencia Latimer, Deidre Short, Juana Torres, Gerard Adams, and Melba Valencia.

**RAB member comment: HPD should provide classes for computer learning for tenants.**

*HPD response: HPD has a Family Self Sufficiency (FSS) program. Participants learn many skills which aid tenants in furthering their career and education goals. The public library also has programs that teach computer classes.*

**RAB member comment: HPD should spend more money on the Homeownership Program.**

*HPD response: HPD will take comment under advisement.*

**RAB member comment: Will HPD have enough money to continue its Section 8 program for next year?**

*HPD response: HPD expects enough funding to continue to run its Section 8 program in 2011.*

**RAB member comment: There Senior Housing for the elderly but the developments that I apply to are still in construction and they want to see proof of my voucher. Vouchers are only good for 120 days and will be invalid by the time the building is ready to rent. What is HPD going to do about this and how will they help the elderly.**

*HPD response: HPD administers Project Based Voucher for several developments with units designated for the elderly. HPD will look into other ways in which a tenant can provide proof of assistance other than a voucher when the tenants are applying for other developments outside of the Project Based Voucher program.*

**RAB member comment: Tenants should be sent a letter when HPD rejects a proposed rent increase from a landlord.**

*HPD response: HPD will take this suggestion under advisement.*

No specific comments were made regarding the 2011 Annual PHA Plan.

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

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or  Annual PHA Plan for the PHA fiscal year beginning 7/2011, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

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

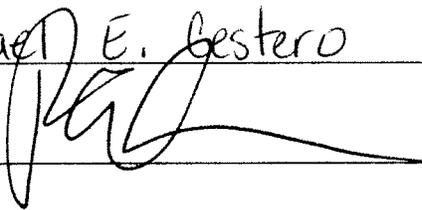
12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority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

*Housing Preservation*
*NY 110*  
City of New York Department of *& Development*      NY 110  
 PHA Name      PHA Number/HA Code

       5-Year PHA Plan for Fiscal Years 20       - 20      

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	Title
<i>Rafael E. Gesterro</i>	<i>Commissioner</i>
Signature	Date
	<i>3/25/11</i>