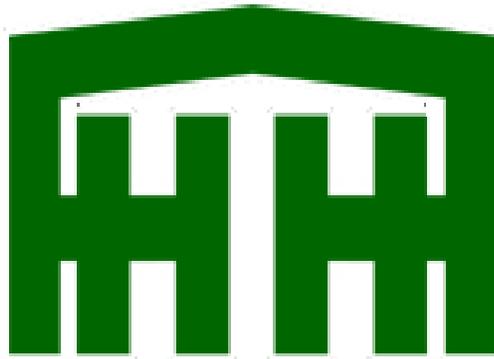


*Holyoke Housing Authority*



*MOVING TO WORK ANNUAL PLAN*

HHA FISCAL YEAR 2016  
(JANUARY 1, 2016 TO DECEMBER 31, 2016)

First Submission to HUD: October 13, 2015  
Second Submission to HUD: January 15, 2016

## Contents

I.	Introduction .....	1
II.	General Housing Authority Operating Information.....	7
II.1	Housing Stock Information .....	7
A.	Planned New Public Housing Units to be Added During the Fiscal Year .....	7
B.	Planned Public Housing Units to be Removed During the Fiscal Year .....	7
C.	New Housing Choice Vouchers to be Project-Based During the Fiscal Year.....	8
D.	Other Changes to the Housing Stock Anticipated During the Fiscal Year.....	8
E.	General Description of All Planned Capital Fund Expenditures During the Plan Year.....	9
II.2	Leasing Information.....	9
A.	Planned Number of Households Served at the End of the Fiscal Year .....	9
B.	Reporting Compliance with Statutory MTW Requirements .....	10
C.	Description of any Anticipated Issues Related to Leasing of Public Housing, Housing Choice Vouchers, and/or Local, Non-Traditional Units and Possible Solutions .....	10
II.3	Wait list.....	10
A.	Wait List Information Projected for the Beginning of the Fiscal Year.....	10
III.	Proposed MTW Activities.....	11
Activity 2016-1:	Modified Project-Based Voucher Program.....	11
IV.	Approved MTW Activities.....	15
A.	Implemented Activities .....	15
Activity 2015-2:	Rent Reasonableness.....	15
Activity 2015-3:	PBV Rent Reasonableness.....	17
Activity 2013-1:	Biennial Recertifications.....	19
Activity 2013-2:	Revised Asset Policies.....	23
Activity 2013-3:	Career Advancement Program .....	25
Activity 2013-4:	Neighborhood Revitalization .....	33
Activity 2015-4:	Preservation after Conservation.....	36
B.	Not Yet Implemented Activities .....	38
Activity 2015-1:	Rent Simplification .....	38
C.	Activities on Hold – None .....	38
D.	Closed Out Activities .....	38
Activity 2013-5:	Biennial HQS Inspections .....	38
V.	Sources and Uses of Funds.....	39
VI.	Administrative.....	41
A.	Resolutions .....	41
B.	Public Comments.....	41
C.	Planned Agency-Directed Evaluations of Demonstration.....	41
D.	Annual Statement/Performance and Evaluation Report (HUD 50075.1).....	44

Appendix A- Board Resolutions .....	45
Appendix B - Annual Statement/Performance and Evaluation Report (HUD 50075.1) .....	50
Appendix C - RAD Significant Amendment; Lyman Terrace .....	56

## I. Introduction

In September 2013, the Holyoke Housing Authority (“HHA”) entered into a Moving To Work (“MTW”) Agreement with the US Department of Housing and Urban Development (“HUD”). HHA is one of only four new MTW agencies selected by HUD as part of a national competition conducted in 2012. The term of the MTW Agreement extends until December 31, 2018.

Moving To Work is a demonstration program created by Congress in 1996 which permits a limited number of participating Public Housing Authorities to combine Public Housing Operating Fund, Capital Fund and Housing Choice Voucher Program funding into a single, agency-wide block grant and to design and test flexible, locally-tailored approaches to administering its low-income housing programs. Subject to HUD approval, MTW agencies are allowed to waive some provisions of the US Housing Act of 1937 to promote one or more of the MTW statutory objectives, which can be summarized as follows:

- To reduce cost and achieve greater effectiveness in administering federally funded housing assistance programs;
- To provide incentives to families with children to obtain employment and become economically self-sufficient; and,
- To increase housing choices for eligible low-income families.

HHA’s MTW designation provides an opportunity to develop innovative local solutions to the City of Holyoke’s unique local needs and challenges while promoting MTW’s statutory objectives. HHA believes that MTW designation will provide a critically important set of tools that will: help to leverage and increase the positive impact of limited federal funding; promote HHA’s long-term objectives to revitalize Holyoke’s public housing portfolio and surrounding neighborhoods including the City’s Arts and Innovation District; provide HHA residents with training and other supportive services so that they can obtain good-paying jobs and/or become first-time homebuyers; improve and streamline administration of both the Public Housing and Housing Choice Voucher programs; and, increase the range and quality of housing choices for low-income households.

HHA is required to submit an MTW Annual Plan for HUD approval in advance of each fiscal year. This document, which is organized according to HUD’s requirements, describes HHA’s planned activities under the MTW Demonstration for Fiscal Year 2016, i.e. the period from January 1, 2016 through December 31, 2016.

### **Long-Term MTW Goals and Objectives**

HHA has identified the following goals and objectives for the remaining three year term of the MTW Agreement. These long-term plans are expected to evolve over time in response to changing conditions, new opportunities and resident and community feedback:

***Increasing the number of HHA residents who are working or actively engaged in educational or job training programs*** - Through creative partnerships with experienced educational and job training partners, HHA plans to expand the range and quality of training,

education and job placement services provided to HCV and Public Housing residents. Programs such as the Career Advancement Program (CAP), implemented in FY 2015, will offer an incremental income disregard for all clients who have graduated from an approved professional development program and who have obtained employment.

***Increasing High School Graduation Rates and Improving Educational Attainment*** – Holyoke has one of the lowest high school graduation rates in the state. HHA intends to collaborate with the Public School system and others to identify strategies that can be adopted with MTW flexibility to encourage higher graduation rates, support early childhood learning and improve educational attainment among HHA youth. In connection with the CAP initiative, HHA is working with Holyoke Community College regarding educational opportunities for HHA residents. HHA may incorporate additional activities related to increasing educational opportunities for residents in future MTW Plans.

***Reducing homelessness in Holyoke*** – HHA has been working for decades to reduce homelessness in Holyoke. While much progress has been made, continuous and ongoing efforts are needed. HHA's vision for MTW includes adopting flexible programs and policies that, in tandem with our partnership with mission-oriented local agencies, will secure permanent housing solutions and reduce chronic homelessness. Over the coming year, HHA intends to develop an initiative, Sponsor-Based Transitional Housing Partnership for Homeless Families, which will result in a partnership with Valley Opportunity Counsel aimed at providing housing for homeless families. The initiative will allow for families transitioning out of homelessness to build their credit, establish a housing history, and maintain stable housing while working toward the opportunity to receive their own TBV. HHA plans to submit this initiative as part of the FY 17 Plan.

***Supporting sustainable development and community-wide neighborhood revitalization efforts*** – HHA believes that MTW flexibility can help to support and energize the City's ongoing revitalization objectives with an emphasis on the new Arts and Innovation District. This area includes a newly constructed transit hub, and the City has engaged developers and the community in a plan designed to transform the downtown consistent with transit-oriented development and sustainability principles. HHA's Lyman Terrace public housing development is proximate to the district, and its revitalization through the RAD program will reinforce and provide synergy to the activities planned for the Arts and Innovation neighborhood. Through HHA's Neighborhood Revitalization initiative, HHA intends to issue an RFP for PBV units in the Arts & Innovation District at the end of FY 2015. Other initiatives may be proposed in future Annual Plans.

***Streamlining and reducing the cost of HHA operations*** - In light of ongoing and severe restrictions on federal funding, it is more important than ever to focus efforts on streamlining administration and reducing transaction costs. HHA's MTW vision includes identifying more flexible and cost-effective methods to administer federal housing programs. HHA intends to do this in a manner that is not just less expensive, but that actually results in a better, more transparent and predictable customer experience for our residents and the general public.

***Leveraging non-HUD resources to respond to the housing and related service needs of Holyoke's low-income households*** - HHA's vision for MTW includes ongoing efforts to secure additional non-HUD funding sources to address housing and related service needs. Project-basing of vouchers in the Arts and Innovation District provides one example of how HUD funding can be used to leverage private equity and other development resources.

## **Short-Term MTW Goals and Objectives**

Since September 2013, HHA received HUD approval to proceed with nine (9) MTW activities and is proposing an additional activity in this FY 16 MTW Annual Plan. As more fully described in Section IV below, full implementation of each of these activities requires substantial upfront planning time to develop policies, procedures, staff training, monitoring systems and other activities to ensure successful efforts. Planned activities for FY 2016 include:

***Provide training and jobs to residents through the Career Advancement Program (“CAP”)*** in partnership with Holyoke Works, Holyoke Community College, NuestrasRaices and other community partner agencies. HHA implemented the CAP initiative in FY 15 and intends to enroll up to 20 households during FY 16. The unemployed and/or extremely low-income HHA residents will receive training and employment placement assistance through established HHA partner programs. This initiative includes a “rent reform” component, i.e. employment income received by participating residents will be fully excluded from income calculations for the entire first year, and then will be gradually phased in. In FY 2016, HHA plans to continue recruiting households by highlighting the benefits of CAP and working to find additional community partner agencies.

***Encourage employment and simplify program administration with Biennial Recertification and Streamlined Asset Certification Program*** for Public Housing and Housing Choice Voucher program households. To encourage adults to obtain employment and to simplify program administration, HHA modified its income recertification policy, moving from an annual process to a biennial process. Under the MTW policy, HHA residents are recertified every two years. In tandem, HHA streamlined the recertification process by allowing residents to self-certify assets when the combined gross value of assets is less than \$50,000. These initiatives have been on-going since FY 2014.

***Support neighborhood revitalization and Holyoke’s Center City Vision Plan*** through targeting of Project Based Vouchers. The Center City Vision Plan focuses on revitalizing the Arts and Innovation District through a comprehensive transit-oriented redevelopment strategy. The City envisions creating a vibrant, sustainable downtown with a thriving arts and culture component and easy access to regional transit. HHA initially plans to target up to 30 Project Based Vouchers in order to encourage private investment and ensure the continued availability of affordable housing in this newly revitalized community. In FY 2016, HHA projects that it will award vouchers to developers and enter into AHAPs/HAP contracts.

## **Non-MTW Goals and Objectives**

Non-MTW activities are defined by HUD as those activities that do not require MTW authority or flexibility to implement. In addition to its planned long and short-term MTW activities, HHA will continue to implement a broad array of housing management, maintenance and supportive services efforts. HHA will continue to effectively manage Mod Rehab and Mod Rehab SRO programs that are not part of the MTW Demonstration. HHA will also continue to operate state-assisted public housing and leasing programs subject to continued state funding.

HHA recently received approval from HUD to convert the public housing development, Lyman Terrace, to the project-based voucher assistance under the Rental Assistance Demonstration (“RAD”) program. HHA is in the process moving forward with the conversion and has included the RAD conversion plan as Appendix C to this FY 16 MTW Annual Plan.

In addition to the RAD conversion, HHA may apply for HUD and other competitive funding opportunities and/or take other necessary actions consistent with the table below:

Name and Location	Development Activities	Demo/Dispo Activities	Designated Housing Activities	Conversion Activities	Homeownership Activities
Beaudoin Village 40 Leary Drive	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds, MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application	None	None	Possible conversion of unit/parcels for residential unit reconfiguration and commercial, economic development, management offices, community and supportive services offices, and/or open space	None
Beaudry-Boucher Apartments 68 Cabot Street	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds, MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application	None	HHA monitors its waiting list and may apply for additional designated housing dependent upon need	Possible conversion of unit/parcels for residential unit reconfiguration and commercial, economic development, management offices, community and supportive services offices, and/or open space	None
Coughlin Apartments 300 Walnut Street	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds, MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application	None	HHA monitors its waiting list and may apply for additional designated housing dependent upon need	Possible conversion of unit/parcels for residential unit reconfiguration and commercial, economic development, management offices, community and supportive services offices, and/or open space	None
Falcetti Towers Apartments 475 Maple	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds,	None	HHA intends renew the elderly only designated	Possible conversion of unit/parcels for residential unit	None

Name and Location	Development Activities	Demo/Dispo Activities	Designated Housing Activities	Conversion Activities	Homeownership Activities
Street	MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application		housing plan.	reconfiguration and commercial, economic development, management offices, community and supportive services offices, and/or open space	
Lyman Terrace 5 Hampden Street	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds, MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application	PBV RAD Conversion is anticipated for Lyman Terrace	HHA monitors its waiting list and may apply for additional designated housing dependent upon need	Possible conversion of unit/parcels for residential unit reconfiguration and commercial, economic development, management offices, community and supportive services offices, and/or open space	None
Ramos Units Scattered Site	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds, MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application	None	None	Possible conversion of unit/parcels for residential unit reconfiguration and commercial, economic development, management offices, community and supportive services offices, and/or open space	Possible homeownership component in connection with potential modernization and revitalization
Rosary Towers 21 Bowers Street	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds, MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application	None	HHA monitors its waiting list and may apply for additional designated housing dependent upon need	Possible conversion of unit/parcels for residential unit reconfiguration and commercial, economic development, management offices, community and supportive	None

Name and Location	Development Activities	Demo/Dispo Activities	Designated Housing Activities	Conversion Activities	Homeownership Activities
				services offices, and/or open space.	
Toepfert Apartments 22 North Summer Street	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds, MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application	None	HHA monitors its waiting list and may apply for additional designated housing dependent upon need	Possible conversion of unit/parcels for residential unit reconfiguration and commercial, economic development, management offices, community and supportive services offices, and/or open space	None
Zielinski Apartments 70 Walnut Street	Possible candidate for modernization, ESPC, rehabilitation with capital funds, bond proceeds, MTW, program income, private funds with Choice Neighborhoods and/or LIHTC Application	None	HHA monitors its waiting list and may apply for additional designated housing dependent upon need	Possible conversion of unit/parcels for residential unit reconfiguration and commercial, economic development, management offices, community and supportive services offices, and/or open space	None

## II. General Housing Authority Operating Information

The tables and information in this section are required by HUD Form 50900.

### II.1 Housing Stock Information

#### A. Planned New Public Housing Units to be Added During the Fiscal Year

AMP Name and Number	Bedroom Size							Total Units	Population Type*	# of UFAS Units	
										Fully Accessible	Adaptable
	0	1	2	3	4	5	6+				
N/A	0	0	0	0	0	0	0	0	N/A	0	0
N/A	0	0	0	0	0	0	0	0	N/A	0	0
N/A	0	0	0	0	0	0	0	0	N/A	0	0
N/A	0	0	0	0	0	0	0	0	N/A	0	0
N/A	0	0	0	0	0	0	0	0	N/A	0	0

Total Public Housing Units to be Added

0

\*Select Population Type from: Elderly, Disabled, General, Elderly/Disabled, Other

Other Population Type\*\*: N/A

\*\* Description of other population type served. I.e. Veteran, Supportive housing

#### B. Planned Public Housing Units to be Removed During the Fiscal Year

PIC Dev. # / AMP and PIC Dev. Name	Number of Units to be Removed	Explanation for Removal
MA005000001	167	RAD Conversion
N/A	0	N/A
N/A	0	N/A

Total Number of Units to be Removed

167

### C. New Housing Choice Vouchers to be Project-Based During the Fiscal Year

Property Name	Anticipated Number of New Vouchers to be Project-Based	Description of Project
South Canal	127	4 story building with 8 zero-bedrooms, 45 one-bedroom, 38 two-bedrooms, 25 three-bedrooms, 7 four-bedrooms, and 4 five-bedrooms units for families
N/A	N/A	N/A

Anticipated Total New Vouchers to be Project-Based

127
-----

Anticipated Total Number of Project-Based Vouchers Committed at the End of the Fiscal Year  
 Anticipated Total Number of Project-Based Vouchers Leased Up or Issued to a Potential Tenant at the End of the Fiscal Year

229
218

### D. Other Changes to the Housing Stock Anticipated During the Fiscal Year

The Housing Authority has applied for and has received a CHAP for the conversion of 167 housing units at our Lyman Terrace Development. It is anticipated the financial closing will occur in 2016 at which point the conversion of the units will be finalized.

## E. General Description of All Planned Capital Fund Expenditures During the Plan Year

The following chart provides a summary of planned capital expenditures for HHA's Federal public housing developments during FY 2016. Actual Expenditures may vary.

Public Housing Development	Planned Improvements	Projected Expenditures for FY 2016
Beaudoin Village	Safety & Security Grant including security cameras, lighting and landscaping	\$169,090
	Roof Replacement	\$50,000
	Main & Lateral Sewer Cleaning	\$13,000
	Landscaping	\$9,999
Rosary Towers	Common Area Floors and Community Room Upgrades	\$75,000
	Kitchen Upgrades	\$495,000
Toepfert Apts.	Floor Replacement	\$9,999
	Tree Trimming and Sidewalk Repairs	\$5,000

## II.2 Leasing Information

### A. Planned Number of Households Served at the End of the Fiscal Year

#### MTW Households to be Served Through:

	Planned Number of Households to be Served*	Planned Number of Unit Months Occupied/Leased***
Federal MTW Public Housing Units to be Leased	903	10,836
Federal MTW Voucher (HCV) Units to be Utilized	1,329	15,948
Number of Units to be Occupied/Leased through Local, Non-Traditional, MTW Funded, Property-Based Assistance Programs**	0	0
Number of Units to be Occupied/Leased through Local, Non-Traditional, MTW Funded, Tenant-Based Assistance Programs**	0	0
<b>Total Households Projected to be Served</b>	<b>2,232</b>	<b>26,784</b>

\*Calculated by dividing the planned number of unit months occupied/leased by 12

\*\*In instances when a local, non-traditional program provides a certain subsidy level but does not specify a number of unit/households to be served, the PHA should estimate the number of households to be served.

\*\*\*Unit Months Occupied/Leased is the total number of months the PHA has leased/occupied units, according to unit category during the fiscal year.

## B. Reporting Compliance with Statutory MTW Requirements

HHA is not out of compliance with any of the required statutory MTW requirements listed in Section II(C) of the Standard MTW Agreement.

## C. Description of any Anticipated Issues Related to Leasing of Public Housing, Housing Choice Vouchers, and/or Local, Non-Traditional Units and Possible Solutions

Housing Program	Description of Anticipated Leasing Issues and Possible Solutions
Public Housing	Leasing projections may be impacted by Lyman Terrace leasing schedule.
N/A	N/A
N/A	N/A

## II.3 Wait list

### A. Wait List Information Projected for the Beginning of the Fiscal Year

Housing Program(s)	Wait List Type	Number of Households on Wait List	Wait List Open, Partially Open or Closed	Are There Plans to Open the Wait List During the Fiscal Year
Housing Choice Voucher	Statewide	168,453	Open	N/A
Housing Choice Voucher	Statewide with Holyoke Residency	4,668	Open	N/A
Federal Public Housing	Merged (excluding Churchill Homes)	2,683	Open	N/A
Churchill Homes	Site-Based	37	Partially Open	N/A

\**Select Housing Program*: Federal MTW Public Housing Units; Federal MTW Housing Choice Voucher Program; Federal non-MTW Housing Choice Voucher Units; Tenant –Based Local, Non-Traditional MTW Housing Assistance Program; Project-Based Local, Non-Traditional MTW Housing Assistance Program; and Combined Tenant-Based and Project-Based Local, Non-Traditional MTW Housing Assistance Program.

\*\* *Select wait List Types*: Community-Wide, Site-Based, Merged (Combined Public Housing or Voucher Wait List), Program Specific (Limited by HUD or Local PHA Rules to Certain Categories of Households which are Described in the Rules for Program Participation), None (If the Program is a New Wait list, Not an Existing Wait List) or Other (Please Provide a Brief Description of this Wait List Type).

**For Partially Open Wait Lists, provide a description of the populations for which the waiting list is open:**

The Federal public housing site-based waiting list at Churchill Homes is currently open to the 40%-60% AMI income tier.

**If Local, Non-Traditional Housing Program, please describe:**

N/A

**If Other Wait List Type, please describe:**

N/A

**If there are any changes to the organizational structure of the wait list or policy changes regarding the wait list, provide a narrative detailing these changes.**

Per federal regulations, HHA will give preference to RAD households that request an HCV tenant-based voucher after their first year of assisted tenancy following conversion. Otherwise, HHA does not anticipate any changes to the organizational structure or policies of the waitlist.

### **III. Proposed MTW Activities**

#### **Activity 2016-1: Modified Project-Based Voucher Program**

##### **A. Description of MTW Initiative**

Preserving affordable housing and expanding the supply of units continues to be a major objective of HHA. In connection with HHA's Preservation after Conservation MTW Activity and other PBV activities to be undertaken by HHA, HHA proposes to implement the following activities. These activities will help support HHA's efforts to expand the supply of affordable housing to low-income families, and will be incorporated into HHA's future PBV selection and implementation efforts:

1. HHA may elect to unit-base 100 percent (100%) of the dwelling units in any PBV project or development provided that the development meets the applicable MTW Site and Neighborhood Standards.
2. HHA will not provide a mobile tenant-based voucher to PBV participants except when the participant has requested and been granted a reasonable accommodation transfer; or, has requested and been determined eligible for a VAWA transfer; or, has requested and been determined eligible for an emergency transfer. HHA will not permit a family member to be added to a PBV household if the new member would result in the family being under-housed.
3. HHA will allow for units to be added to a PBV HAP Contract at any time during the term of the HAP Contract if HHA determines that such addition will support the goals of promoting neighborhood revitalization, avoiding tenant displacement and/or ensuring long-term affordability. The anniversary and expiration dates of the HAP Contract term for the PBV units originally placed under contract and the new units added to the contract will remain consistent. HHA envisions that this flexibility will be applied infrequently and only as necessary to support the above-listed goals. HHA will follow any applicable non-MTW provisions related to subsidy layering, Field Office approval or other applicable HUD requirements.
4. HHA may select its own units to receive project-based assistance without a competitive process. Such units will be subject to subsidy layering requirements. HHA may project-base assistance at properties other than public housing properties owned directly or indirectly by HHA, including those owned by HHA affiliates or instrumentalities. HHA acknowledges the guidance provided by HUD in PIH Notice 2015-15(HA) and will continue to adhere to the requirements set forth in the Notice unless or until HHA receives HUD approval to waive said requirements.

##### **B. Statutory Objective**

This initiative will support the MTW statutory objective to increase housing choice for low-income families by preserving or making additional units available in Holyoke to low income households.

**C. Anticipated Impact**

HHA anticipates this initiative will preserve and/or increase the range and quality of units available to low-income families in Holyoke. HHA maintains that affordable housing can provide the foundation that allows low-income households to enter the economic mainstream and access good jobs and educations. In turn, housing stabilization can serve as the foundation for economic self-sufficiency for extremely and very low-income households.

**D. Anticipated Timeline**

HHA intends to implement this activity immediately upon approval from HUD.

**E. Metrics**

HHA will use the HUD standard metrics found below to quantify the impact anticipated as a result of this activity. HUD requires HHA to utilize standard metrics CE#1, CE#2 and HC#4; however, as noted below, HHA does not believe these metrics are applicable to the proposed activity. HHA welcomes further discussion and guidance from HUD related to the use and tracking of these metrics. HHA has included HC#1 as a local metric as the activity is designed to create or preserve housing units. HHA’s data collection process will focus on tracking of the number of units that are project-based through this initiative.

<b>CE #1: Agency Cost Savings**</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total cost of task in dollars (decrease).	\$0.00	\$0.00	.	.

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity as this activity is not anticipated to result in cost savings.*

<b>CE #2: Staff Time Savings**</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total time to complete the task in staff hours (decrease).	0	0		

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity as this activity is not anticipated to result in staff time savings.*

<b>HC #4: Displacement Prevention**</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households at or below 80% AMI that would lose assistance or need to move (decrease). If units reach a specific type of household, give that type in this box.	0 units	0 Units		

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity as this activity is not designed as a displacement prevention initiative.*

<b>HC #1: Additional Units of Housing Made Available**</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of new housing units made available for households at or below 80% AMI as a result of the activity (increase). If units reach a specific type of household, give that type in this box.	0 units	229 units at the end of FY 16		

*\*\* HHA is incorporating this standard metric as a local metric.*

## **F. Data Collection Processes**

HHA will maintain a database of all PBV assisted units and collect other data as needed to report on standard metrics.

## **G. Authorization Cited**

Standard MTW Agreement, Attachment C, Paragraph D (7) – The Agency is authorized to develop and adopt a reasonable policy and process for project-basing Section 8 tenant-based leased housing assistance. This authorization supports expansion of the PBV program as described above by allowing HHA to waive the regulatory provisions related to percent of units in a building that can be project-based, issuance of tenant-based vouchers to PBV participants after one year of occupancy, increases to the number of units covered by a HAP contract and non-competitive selection of PHA-owned properties.

## **H. Rent Reform**

This is not a rent reform activity.

## **IV. Approved MTW Activities**

### **A. Implemented Activities**

#### **Activity 2015-2: Rent Reasonableness**

##### **1. Description of MTW Activity**

HHA eliminated the requirement to re-determine reasonable rent if there is a 5% decrease in the published Fair Market Rent (FMR) in effect 60 days before the contract anniversary date as compared to the FMR in effect 1 year before the contract anniversary. HHA continues to complete a reasonable rent determination when a unit is placed under HAP contract for the first time, when an owner requests a contract rent adjustment, and at any other time HHA deems it necessary. As rent increases will continue to be allowed during the lease-prescribed time periods, HHA assumes that owners will request a rent increase within market fluctuations as warranted. Therefore, HHA believes that reasonable rent determinations will continue to be made with regular frequency.

##### **2. Status**

HHA implemented this activity in FY 2015 upon approval from HUD.

##### **3. Non-Significant Changes or Modifications Since Approval**

HHA does not anticipate making any changes to this activity in FY 2016.

##### **4. Changes to Baselines, Benchmarks & Metrics**

The metrics below have been updated to reflect baseline information which was not included in the FY 15 Plan. HHA will report on outcomes in the MTW Annual Report.

5. Metrics

<b>CE #1: Agency Cost Savings</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total cost of task in dollars (decrease).	<p><b>Number of HCV units leased in FY 2015: 1,203</b></p> <p><b>Time to complete Reasonable Rent: 15 minutes</b></p> <p><b>Staff Hourly Wage: \$23.87</b></p> <p><b>Cost to re-determine reasonable rent in FY 15 if 5% decrease in published FMR: \$7,179</b></p>	\$0.00		
<b>CE #2: Staff Time Savings</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total time to complete the task in staff hours (decrease).	<p><b>Number of HCV units leased in FY 2015: 1,203</b></p> <p><b>Time to complete Reasonable Rent: 15 minutes</b></p> <p><b>Time spent to re-determine reasonable rent in FY 15 if 5% decrease in published FMR: 301 hours</b></p>	\$0.00		

## Activity 2015-3: PBV Rent Reasonableness

### 1. Description of MTW Activity

Under this initiative HHA modified the requirement for conducting rent reasonableness for re-determined rents under the Project Based Voucher (PBV) program. Note that no change was implemented to the existing policy for determining initial rents, i.e. initial PBV rents will continue to be determined in conformance with the provisions of 24 CFR 983.301 through 983.305 as applicable.

Under the new policy, re-determined rents to owners of PBV units, *except for certain tax credit units as defined in 983.501(c)*, shall not exceed the lowest of the reasonable rent or the rent requested by owner. This policy change eliminated consideration of the then current Fair Market Rent (FMR) limits when re-determining PBV rents. HHA also eliminated the requirement at 983.303(b) to re-determine the reasonable rents for PBV units whenever there is a five percent or greater decrease in the published FMR in effect sixty days before the contract anniversary as compared with the FMR in effect one year before the contract anniversary.

Affordable housing developers use the PBV commitment to secure project funding and project lenders assume rent trending when underwriting projects; therefore, this policy change helps to ensure the long-term viability and affordability of PBV developments while also promoting housing choice.

### 2. Status

HHA implemented this activity in FY 2015 upon approval from HUD.

### 3. Non-Significant Changes or Modifications Since Approval

HHA does not anticipate making any changes to this activity in FY 16.

### 4. Changes to Baselines, Benchmarks & Metrics

The metrics below have been updated to reflect baseline information which was not included in the FY 15 Plan. HHA will report on outcomes in the MTW Annual Report.

5. Metrics

<b>CE #1: Agency Cost Savings</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total cost of task in dollars (decrease).	<p><b>Number of PBV developments receiving assistance leased in FY 2015: 2</b></p> <p><b>Time to complete Reasonable Rent: 30 min.</b></p> <p><b>Staff Hourly Wage: \$23.87</b></p> <p><b>Cost to re-determine reasonable rent in FY 15 if 5% decrease in published FMR: \$23.87</b></p>	\$0.00		
<b>CE #2: Staff Time Savings</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total time to complete the task in staff hours (decrease).	<p><b>Number of PBV developments receiving assistance leased in FY 2015: 2</b></p> <p><b>Time to complete Reasonable Rent: 30 min.</b></p> <p><b>Time spent to re-determine reasonable rent in FY 15 if 5% decrease in published FMR: 1 hour</b></p>	\$0.00		

## Activity 2013-1: Biennial Recertifications

### 1. Activity Description

HHA has used its MTW Authority to recertifying clients in both the Housing Choice Voucher Program and the Public Housing Program on a biennial schedule. The documentation requirements for the recertification process are time consuming and burdensome, and generally, tenant rents do not vary greatly from year to year. By moving to a biennial recertification schedule, HHA was able to reallocate staff resources to other program areas and staff has more time to ensure income reviews are accurate and thorough.

Zero-income households and households on minimum rent will continue to be subject to annual or more frequent recertification requirements. Additionally, MTW households will remain subject to all interim reexamination policies outlined in HHA's Administrative Plan and/or ACOP. HHA will continue to allow clients to request interim rent decreases when income changes, and clients will not be required to report changes between regular recertifications unless for a reason required in HHA's Administrative Plan and/or ACOP, i.e. change in household composition. Clients participating in the Career Advancement Program may be subject to additional interim reporting requirements described in the applicable section of the MTW Plan and/or implementing policies/procedures.

In FY 2015, HHA received approval from HUD to modify the biennial recertification initiative and include a limitation on the number of voluntary interim recertifications a family may complete between biennial recertifications to two (2). Elderly and disabled households are exempt from this provision and will be able to complete an interim recertification at any time.

### 2. Status

This activity was first proposed in HHA's MTW Year 1 Annual Plan submitted to HUD in May 2013 and is currently implemented at HHA.

### 3. Non-Significant Changes or Modifications Since Approval

HHA does not anticipate making any changes to this activity in FY 16.

### 4. Changes to Baselines, Benchmarks & Metrics

The benchmarks for CE#1, CE#2 and CE#5 have been updated to reflect anticipated program volume in FY 2016. HHA will report on outcomes in the MTW Annual Report.

### 5. Metrics

<b>CE #1: Agency Cost Savings</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total cost of task in dollars (decrease).	<p><b>Recertifications performed in FY 2013: 1,887</b></p> <p><b>Time per recertification: 105 minutes</b></p> <p><b>Time spent on recertifications in FY 13: 3,302 hours</b></p> <p><b>Interims performed in FY 13: 1,321</b></p> <p><b>Time per interim: 45 min.</b></p> <p><b>Time spent on interims in FY 13: 991 hours</b></p> <p><b>Total time spent on interims and recertifications: 4,293 hours</b></p> <p><b>Average hourly wage for staff: \$23.87</b></p> <p><b>Total cost in FY 2013: \$102,474</b></p>	<p><b>Estimated number of recertifications performed in FY 15: 1,116</b></p> <p><b>Time per recertification: 85 minutes</b></p> <p><b>Time spent on recertifications in FY 15: 1,581 hours</b></p> <p><b>Estimated number of interims performed in FY 15: 1,500</b></p> <p><b>Time per interim: 45 min.</b></p> <p><b>Anticipated time spent on interims: 1,125 hours</b></p> <p><b>Total time spent on interims and recertifications: 3,081 hours</b></p> <p><b>Average hourly wage for staff: \$23.87</b></p> <p><b>Total cost after implementation of activity: \$73,543</b></p>		

<b>CE #2: Staff Time Savings</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total time to complete the task in staff hours (decrease).	<b>Recertifications performed in FY 2013: 1,887</b>  <b>Time per recertification: 105 minutes</b>  <b>Time spent on recertifications in FY 13: 3,302 hours</b>	<b>Estimated number of recertifications performed in FY 15: 1,116</b>  <b>Time per recertification: 85 minutes</b>  <b>Time spent on recertifications in FY 15: 1,581 hours</b>		
	<b>Interims performed in FY 13: 1,321</b>  <b>Time per interim: 45 minutes</b>  <b>Time spent on interims in FY 13: 991 hours</b>  <b>Total time spent on interims and recertifications prior to implementation of activity: 4,293 hours</b>	<b>Estimated number of interims performed in FY 15: 1,500</b>  <b>Time per interim: 45 minutes</b>  <b>Anticipated time spent on interims: 1,125 hours</b>  <b>Anticipated time spent on interims and recertifications after implementation of activity: 3,081 hours</b>		

<b>CE #5: Increase in Agency Rental Revenue**</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Rental revenue in dollars (increase).	<p><b>Average tenant rent share in HCV: \$350</b></p> <p><b>Average tenant rent share in public housing: \$300</b></p>	<p><b>Average tenant rent share in HCV: \$350</b></p> <p><b>Average tenant rent share in public housing: \$310</b></p>	.	.

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity.*

## Activity 2013-2: Revised Asset Policies

### 1. Activity Description

Holyoke Housing Authority has used its MTW Authority to revise the requirements for the verification, calculation, and inclusion of asset income. Verifying and calculating assets is a time consuming process, and clients rarely have enough assets to impact the final rent determination.

In order to streamline the recertification process, HHA made three revisions to the existing asset policy:

- **Self-Certification of Assets-** Clients are permitted to self-certify all assets, when the family's combined market asset value is less than \$50,000. For families whose market value of their assets is greater than \$50,000, asset verification is subject to standard HUD verification requirements. HHA determines asset value using market, rather than cash value.
- **Calculation of Asset Income-** When determining asset income, HHA uses the market value of the asset and imputes asset income using HHA's established passbook savings rate.
- **Exclusion of Asset Income-** All asset income below \$500 are excluded.

### 2. Status

This activity was first proposed in HHA's MTW Year 1 Annual Plan submitted to HUD in May 2013 and implemented in FY 2014.

### 3. Non-Significant Changes or Modifications Since Approval

HHA does not anticipate making any changes to this activity in FY 16.

### 4. Changes to Baselines, Benchmarks & Metrics

The benchmark for CE#5 has been revised for FY 16. HHA will report on outcomes in the MTW Annual Report.

### 5. Metrics

<b>CE #5: Increase in Agency Rental Revenue**</b>				
<b>Unit of Measurement</b>	<b>Baseline*</b>	<b>Benchmark*</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Rental revenue in dollars (increase).	<b>Average tenant rent share in HCV: \$350</b>  <b>Average tenant rent share in public housing: \$300</b>	<b>Average tenant rent share in HCV: \$350</b>  <b>Average tenant rent share in public housing: \$310</b>		

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity.*

*\* All baselines include public housing and HCV clients; however, the Churchill Homes public housing development is managed by a third-party and HHA does not have easy access to the managing company's data systems. As such, the baselines and benchmarks do not currently include the 100 residents at that development. HHA is currently working to integrate the two to systems and will update the baselines and benchmarks accordingly.*

## Activity 2013-3: Career Advancement Program

### 1. Activity Description

HHA has used its MTW Authority to partner with local non-profit and educational institutions to develop the Career Advancement Program (CAP). The goal of this activity is to encourage HHA clients to improve their long-term employment prospects, to increase the number of HHA clients with earned income, and to increase the savings of program participants.

HHA offers an incremental income disregard for all clients who have graduated from an approved professional development program and who have obtained employment. This disregard will be open to any HHA Public Housing or HCV client who participates in the CAP initiative and completes all of the requirements. All clients must meet eligibility requirements of the partner program they choose, which in some cases may limit participation to clients who are currently unemployed. HHA will divide clients into a control and treatment group for purposes of its rent reform study. The control group will not be eligible for this income disregard.

Once HHA has verified that the client participating in CAP successfully completed an approved job training program, the individual's income disregard will be structured as follows:

- 100% of the individual's earned income less the client's prequalifying earned income will be disregarded for the first twelve months following graduation from the program.
- 75% of the individual's earned income less the client's prequalifying earned income will be disregarded for the second twelve months following graduation from the program.
- 50% of the individual's earned income less the client's prequalifying earned income will be disregarded for the third twelve months following graduation from the program.
- 25% of the individual's earned income less the client's prequalifying earned income will be disregarded for the fourth twelve months following graduation from the program.
- After the final twelve months at the 25% disregard level, the individual's rent and income calculation will be in accordance with standard HHA rent and income calculation policies. There will be no earned income disregard.

### 2. Status

In FY 2015 HHA worked with its evaluation partner to evaluate the effectiveness of this program in increasing tenant income, further refined the metrics used to track the effectiveness of CAP and defined and set guidelines for measuring family self-sufficiency. HHA implemented CAP in July of 2015 and has begun recruitment of eligible households.

### 3. Non-Significant Changes or Modifications Since Approval

HHA intends to modify FSS and CAP so that participants can transfer between programs in a beneficial manner. This may include allowing FSS participants to freeze their participation in the FSS program while they take advantage of CAP educational programs and the income disregard. After completing the educational requirement through CAP, the participant would be permitted to return to the FSS program. This modification would also allow the FSS participant to freeze their escrow account while they were active CAP participants. The goal of this

modification is to allow participants the greatest flexibility possible while achieving their educational goals.

#### 4. Changes to Baselines, Benchmarks & Metrics

HHA began implementation of this activity in 2015. The metrics below have been updated in this FY 16 Plan to reflect baseline and benchmarks for control and treatment groups. HHA will report on outcomes in the MTW Annual Report.

#### 5. Metrics

##### I. SS #1: Increase in Household Income

###### Control Group:

Unit of Measurement	Baseline*	Benchmark	Outcome	Benchmark Achieved?
Average earned income of households affected by this policy in dollars (increase).	The average earned income of HHA HCV participants that have earned income prior to implementation: \$16,793.  The average earned income of HHA public housing participants that have earned income prior to implementation: \$15,608.	HHA anticipates the average earned income of the control group will be:  HCV - \$16,793  PH - \$15,608		

###### Treatment Group:

Unit of Measurement	Baseline*	Benchmark	Outcome	Benchmark Achieved?
Average earned income of households affected by this policy in dollars (increase).	HHA will establish this baseline after participants have been enrolled in the program.	HHA anticipates the average earned income of participants will be \$18,720 by the end of the disregard period.		

## II. SS #2: Increase in Household Savings

### Control Group:

Unit of Measurement	Baseline*	Benchmark	Outcome	Benchmark Achieved?
Average amount of savings/escrow of households affected by this policy in dollars (increase).	The approximate average savings balance of current HHA participants is \$317. HHA may reestablish this baseline when the first participants enroll in the program.	HHA anticipates the average savings balance of control group participants will remain at \$317.		

### Treatment Group:

Unit of Measurement	Baseline*	Benchmark	Outcome	Benchmark Achieved?
Average amount of savings/escrow of households affected by this policy in dollars (increase).	HHA anticipates that the vast majority of individuals utilizing this program will have less than \$100 of household savings. HHA may reestablish this baseline when the first participants enroll in the program.	HHA anticipates that households participating in this program will have an increase of \$1,800 in household savings by the end of the disregard period.		

### III. SS #3: Increase in Positive Outcomes in Employment Status

#### Control Group:

<i>Report the Baseline, Benchmark and Outcome data for each type of employment status for those head(s) of households affected by the self-sufficiency activity.</i>				
<b>Unit of Measurement</b>	<b>Baseline*</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Report the following information separately for each category: (1) Employed Full- Time (2) Employed Part- Time (3) Enrolled in an Educational Program (4) Enrolled in Job Training Program (5) Unemployed (6) Other	(6) Have earned income during the FY: 107 PH households and 175 HCV households	(6) Have earned income during the FY: 107 PH households and 175 HCV households		
	(6) Have earned income: 27% of PH and 29% of HCV	(6) Have earned income: 27% of PH and 29% of HCV		

#### Treatment Group:

<i>Report the Baseline, Benchmark and Outcome data for each type of employment status for those head(s) of households affected by the self-sufficiency activity.</i>				
<b>Unit of Measurement</b>	<b>Baseline*</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Report the following information separately for each category: (1) Employed Full- Time (2) Employed Part- Time (3) Enrolled in an Educational Program (4) Enrolled in Job Training Program (5) Unemployed (6) Other	(6) Have earned income during the FY: 107 PH households and 175 HCV households	(6) Have earned income during the FY: 112 PH households and 180 HCV households		
	(6) Have earned income: 27% of PH and 29% of HCV	(6) Have earned income: 30% of PH and 29% of HCV		

**IV. SS #4: Households Removed from Temporary Assistance for Needy Families (TANF)**

**Control Group:**

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households receiving TANF assistance (decrease).	320 public housing households receive TANF  308 HCV households receive TANF	At the end of FY 16 HHA anticipates:  320 public housing households receive TANF  308 HCV households receive TANF		

**Treatment Group:**

<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households receiving TANF assistance (decrease).	320 public housing households receive TANF  308 HCV households receive TANF	At the end of FY 16 HHA anticipates:  325 public housing households receive TANF  213 HCV households receive TANF		

**V. SS #5: Households Assisted by Services that Increase Self-Sufficiency**

**Control Group:**

<b>Unit of Measurement</b>	<b>Baseline*</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households receiving services aimed to increase self-sufficiency (Increase)	40 households receive self-sufficiency services prior to implementation of this activity.	HHA anticipates that 45 households in the control group will receive self-sufficiency services after implementation of this activity.		

**Treatment Group:**

<b>Unit of Measurement</b>	<b>Baseline*</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households receiving services aimed to increase self-sufficiency (Increase)	40 households receive self-sufficiency services prior to implementation of this activity.	HHA anticipates that 60 households in the treatment group will receive self-sufficiency services after implementation of this activity.		

**VI. SS #6: Reducing Per Unit Subsidy Cost for Participating Households\*\***

**Control Group:**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Average amount of Section 8 and/or 9 subsidy per household affected by this policy in dollars (decrease).	\$543	\$543	.	.

**Treatment Group:**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Average amount of Section 8 and/or 9 subsidy per household affected by this policy in dollars (decrease).	\$543	\$535	.	.

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity.*

**VII. SS #7: Increase in Agency Rental Revenue**

**Control Group:**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
PHA rental revenue in dollars (increase).	\$263	\$263	.	.

**Treatment Group:**

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
PHA rental revenue in dollars (increase).	\$263	\$268	.	.

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity.*

### VIII. SS #8: Households Transitioned to Self-Sufficiency

#### Control Group:

Unit of Measurement	Baseline*	Benchmark	Outcome	Benchmark Achieved?
Number of Households transitioned to self-sufficiency (increase).	7 households transitioned to self-sufficiency in the year prior to implementation of this activity.	HHA anticipates that 7 households in the control group will transition to self-sufficiency after implementation of this activity.	.	.

#### Treatment Group:

Unit of Measurement	Baseline*	Benchmark	Outcome	Benchmark Achieved?
Number of Households transitioned to self-sufficiency (increase).	7 households transitioned to self-sufficiency in the year prior to implementation of this activity.	HHA anticipates that 7 households in the treatment group will transition to self-sufficiency after implementation of this activity.		.

*\* All baselines include public housing and HCV clients; however, the Churchill Homes public housing development is managed by a third-party and HHA does not have easy access to the managing company's data systems. As such, the baselines do not currently include the 100 residents at that development. HHA is currently working to integrate the two to systems and will update the baselines accordingly.*

## Activity 2013-4: Neighborhood Revitalization

### 1. Activity Description

Holyoke Housing Authority used its MTW Authority to set-aside project based vouchers to be targeted at new or renovated developments in Holyoke's Arts & Innovation District. In August 2009, the City of Holyoke began the implementation of the Holyoke Center City Vision Plan, the transit-oriented redevelopment plan for Center City and its surrounding neighborhoods. The revitalization of Holyoke's Arts & Innovation district is an essential component to this plan, and HHA's commitment of thirty project-based units to the area will help ensure that affordable housing is a central component of the area's revitalization.

HHA may waive the requirement limiting the number of PBV units in a project to 25% of the total number of units in that project. Additionally, HHA may allow PBV sites to develop their own tenant selection plans, provided the plans receive HHA approval and are consistent with the goals of the city's transformation plan.

Lastly, HHA will waive or revise the requirement that HHA offer tenant-based rental assistance to clients after one-year of occupancy in the assisted unit. HHA believes this is necessary to ensure the PBVs are serving the intended purpose of revitalizing the Arts & Innovation District and are not being used as a means of obtaining tenant-based vouchers. This limitation will not apply to households seeking to move due to domestic violence under VAWA and/or as a reasonable accommodation for a person with a disability.

The goal of this activity is to promote development in the Art's & Innovation District which will allow low-income households to move to a new or rehabilitated unit in a neighborhood of opportunity. HHA will initially set aside thirty project-based vouchers for this activity; however, this number may be revised in future years depending on the success of this activity. HHA will award project-based contracts as the city's transformation plan progresses and as new units come on line in the area.

### 2. Status

HHA has implemented this activity and issued an RFP for PBV units in the Arts and Innovation District at the end of FY 2015. As of the writing of this Plan, HHA had not yet issued any commitments.

### 3. Non-Significant Changes or Modifications Since Approval

HHA does not anticipate making any changes to this activity in FY 16.

### 4. Changes in Baselines, Benchmarks and Metrics

HHA began implementation of this activity in 2015. The metrics below have been updated in the FY 16 Plan to reflect current baseline and benchmarks. HHA will report on outcomes in the MTW Annual Report.

**5. Metrics**

<b>CE #1: Agency Cost Savings**</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total cost of task in dollars (decrease).	\$0.00	\$0.00	.	.

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity.*

<b>CE #2: Staff Time Savings**</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Total time to complete the task in staff hours (decrease).	HUD requires HHA to include this metric, but has provided no guidance on how to measure staff time savings when project-basing units in the Art & Innovation District. This activity was not designed to save staff time. HHA welcomes HUD guidance.	HUD requires HHA to include this metric, but has provided no guidance on how to measure staff time savings when project-basing units in the Art & Innovation District. This activity was not designed to save staff time. HHA welcomes HUD guidance.		

<b>HC #4: Displacement Prevention**</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households at or below 80% AMI that would lose assistance or need to move (decrease). If units reach a specific type of household, give that type in this box.	0 units	0 Units – This activity is designed to create units, not prevent displacement.		

*\*\*HUD is requiring the use of this metric; however, HHA does not believe it is applicable in this context of this MTW activity.*

<b>HC #5: Increase in Resident Mobility</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of households able to move to a better unit and/or neighborhood of opportunity as a result of the activity (increase).	0 units	0 units in FY 16. 30 units total will be created in the Arts & Innovation District with this activity.	.	.

## Activity 2015-4: Preservation after Conservation

### 1. Description of MTW Activity

HHA has preserved the long term affordability of expiring use properties by project-basing Enhanced and Tenant Protection vouchers for up to a 15 year extendable term. Households that reside in a preservation eligible project as of the conversion date are given the choice between an Enhanced or Tenant Protection voucher or a Project-Based Voucher. Prior to the conversion date, HHA meets with tenants to explain the advantages/disadvantages and the impact of an Enhanced Voucher vs. a Project-Based Voucher so the tenants can make informed decisions. When a household opts for an Enhanced or Tenant Protection Voucher, HHA may apply their MTW operating flexibilities (i.e. Biennial Recertification and Inspections; Revised Asset Policies) to the Voucher provided the operating flexibilities do not infringe on the enhanced nature of the Voucher. The only Enhanced Voucher provision which will apply to tenants selecting the Project-Based option is the initial income eligibility requirement.

For tenants that are over-housed as of the conversion date and elect to receive a Project-Based Voucher, HHA may waive the subsidy policy provided there is at least one household member per bedroom. Tenants may also request a reasonable accommodation if applicable.

HHA may waive 24 CFR 983.56 in its entirety including the 25% per building/project which will allow for every eligible household in a preservation eligible project to elect to receive a Project-Based Voucher. Additionally, should a household that elects to receive an Enhanced or Tenant Protection Voucher move from the property, HHA may add the unit to the Project-Based HAP Contract at any time during the term of the HAP Contract.

### 2. Status

This activity was included as an amendment to HHA's FY 2014 MTW Annual Plan which was approved by HUD in January of 2015. HHA implemented this activity immediately.

### 3. Non-Significant Changes or Modifications Since Approval

HHA does not anticipate making any changes to this activity in FY 16.

### 4. Changes in Baselines, Benchmarks and Metrics

HHA began implementation of this activity in 2015. The benchmark for the following metric has been updated for the FY 16 Plan. HHA will report on outcomes in the MTW Annual Report.

5. Metrics

<b><i>HC #2: Units of Housing Preserved</i></b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Outcome</b>	<b>Benchmark Achieved?</b>
Number of housing units preserved for households at or below 80% AMI that would otherwise not be available (increase).	0 units	127 units		

## **B. Not Yet Implemented Activities**

### **Activity 2015-1: Rent Simplification**

#### **1. Description of MTW Activity**

In August of 2015, HHA received approval from HUD to proceed with the Rent Simplification initiatives outlined below. The payment standard portion of this initiative will be applied solely to Housing Choice Voucher (HCV) Program households and the FT student income exclusion and elimination of the FT student deduction will be applied to both Public Housing and HCV program households.

- Use the Payment Standard in effect at the effective date of the regular recertification regardless of any change in the Payment Standard.
- Exclude all Full-time student income for household members other than the Head, Spouse or Co-Head
- Eliminate the adult full time student deduction

#### **2. Status and Timeline**

HHA will train staff and modify policies and procedures in order to implement this activity prior to the end of FY 2016.

#### **3. Non-Significant Changes or Modifications Since Approval**

HHA has not made any changes or modifications to this activity since it was approved.

## **C. Activities on Hold – None**

## **D. Closed Out Activities**

### **Activity 2013-5: Biennial HQS Inspections**

#### **1. Activity Description**

Holyoke Housing Authority intended to use its MTW Authority to develop and implement a risk-based HQS inspection schedule in the Housing Choice Voucher Program. Units would continue to be physically inspected annually, unless HHA designated the unit as “low-risk” per the criteria listed below. Units designated as “low-risk” will be moved to a biennial schedule for physical inspections. In the place of the physical inspection, on the off year landlords of “low-risk” units would be required to self-certify that the units meet HQS standards.

#### **2. Reason for Closing Out**

This activity was approved by HUD in HHA’s FY 2013 Annual Plan, but was not implemented under HHA’s MTW authority. HHA has closed out this activity as an MTW initiative due to the 2014 Appropriations Act which allows HHA to transition to a biennial inspection schedule without MTW authority.

## V. Sources and Uses of Funds

### A. Estimated Sources of MTW Funding for the Fiscal Year

<b>Sources</b>		
<b>FDS Line Item</b>	<b>FDS Line Item Name</b>	<b>Dollar Amount</b>
70500 (70300+70400)	Total Tenant Revenue	\$2,736,000
70600	HUD PHA Operating Grants	\$14,776,398
70610	Capital Grants	\$950,000
70700 (70710+70720+70730+70740+70750)	Total Fee Revenue	\$ 1,796,000
71100+72000	Interest Income	\$10,652
71600	Gain or Loss on Sale of Capital Assets	\$0.00
71200+71300+71310+71400+71500	Other Income	\$240,000
<b>70000</b>	<b>Total Revenue</b>	<b>\$20,509,050</b>

### B. Estimated Uses of MTW Funding for the Fiscal Year

<b>Uses</b>		
<b>FDS Line Item</b>	<b>FDS Line Item Name</b>	<b>Dollar Amount</b>
91000 (91100+91200+91400+91500+91600+91700 +91800+91900)	Total Operating - Administrative	\$3,176,000
91300+91310+92000	Management Fee Expense	\$1,520,000
91810	Allocated Overhead	\$0
92500 (92100+92200+92300+92400)	Total Tenant Services	\$128,750
93000 (93100+93600+93200+93300+93400+93800)	Total Utilities	\$1,925,000
93500+93700	Labor	\$0
94000 (94100+94200+94300+94500)	Total Ordinary Maintenance	\$2,735,000
95000 (95100+95200+95300+95500)	Total Protective Services	\$0
96100 (96110+96120+96130+96140)	Total insurance Premiums	\$210,000
96000 (96200+96210+96300+96400+96500+96600 +96800)	Total Other General Expenses	\$135,000
96700 (96710+96720+96730)	Total Interest Expense and Amortization Cost	\$180,000
97100+97200	Total Extraordinary Maintenance	\$250,000
97300+97350	Housing Assistance Payments + HAP Portability-In	\$9,600,000
97400	Depreciation Expense	\$649,300

<b>97500+97600+97700+97800</b>	<b>All Other Expenses</b>	<b>\$0</b>
<b>90000</b>	<b>Total Expenses</b>	<b>\$20,509,050</b>

**C. Describe Activities that will use only MTW Single Fund Flexibility**

- Savings achieved from biennial recertifications and inspections will be reallocated to support services for Moving to Work Initiatives.
- The HHA has budgeted \$20,000 to support the first year block grant evaluation.

**D. Local Asset Management Plan**

Is the PHA allocating costs within statute?

Yes

Is the PHA implementing a local asset management plan (LAMP)?

No

Has the PHA provided a LAMP in the appendix?

No

## VI. Administrative

### A. Resolutions

On October 8, 2015 the Board of Commissioners of Holyoke Housing Authority passed a resolution approving this MTW Plan. This resolution is included in the Appendix A to this plan.

### B. Public Comments

This MTW Plan was made available for public comment on September 1, 2015 through October 1, 2015. The public hearing was held on September 21, 2015 at Falcetti Towers Community Room, 475 Maple Street, Holyoke, MA. The attendance sheet from the public hearing has been included in Appendix A with the Board Resolution.

### C. Planned Agency-Directed Evaluations of Demonstration

Holyoke Housing Authority has partnered with the University of Massachusetts-Amherst (UMass) to work with HHA to evaluate the outcome of the approved activities in this plan, to design and implement the block grant evaluation, and to design and implement future rent reform and block grant studies. The results of these evaluations will help to:

- Determine the effectiveness of rent reform activities as a means of encouraging employment;
- Measure the quantifiable savings associated with waiving certain provisions of the 1937 Act;
- Identify additional uses for federal funds that promote housing choice, self-sufficiency, and cost efficiency; and,
- Promote local program designs that can be provided to housing authorities nationwide.

Dr. Michael Krezmien is leading this effort. His academic career has focused on social and educational inequalities. Much of his research has focused on populations that are heavily represented in subsidized housing program, including current programs serving HHA families. Dr. Krezmien and his colleague, Dr. John Carey, have extensive evaluation experience in both the public and non-profit sectors. Due to their experience conducting similar evaluations, HHA believes the UMass partnership will be a valuable asset when designing and implementing evaluations related to its MTW designation.

HHA is focusing its evaluation on the design and implementation of a rent reform study and a block grant evaluation.

**Rent Reform Study-** HHA will implement three activities that are categorized as rent reform. These activities include Activity One: Career Advancement Program, Activity Two: Biennial Recertification, and Activity Three: Revised Asset Policies.

HUD has indicated that one of the approved rent reform activities must include establishment of control and treatment groups through random assignment, and in the response to the original MTW Plan, requested that HHA conduct the controlled study for the Career Advancement Program. HHA has begun to work with its evaluation partner to establish the specific

parameters for this study. HHA will also work with its evaluation partner to identify comparable groups across the country, to which HHA can compare its control and treatment groups. HHA and the evaluation partner propose to track (1) the recruitment of participants into the CAP program, (2) The engagement of HHA CAP eligible participants in the CAP activities, (3) the program specific outcomes (e.g., completion of work readiness program, successful passing of the HiSET test, etc.) achieved by the CAP participants, (4) changes in employment for CAP eligible participants, and (5) changes in earned income among the CAP eligible participants. The evaluation will utilize both quantitative and qualitative approaches to understand these five areas. Specifically:

1. The evaluation will monitor the recruitment process implemented by the HHA, and examine the impact of recruitment activities on the participation of CAP eligible clients. This will be done by:
  - a. Reviewing the recruitment letter, and surveying attendees to the CAP meeting about the reasons for their interest in the program.
  - b. Surveying CAP participants and non-participants who attended the meeting to understand their reasons for participation or non-participation in the CAP program. The survey will include questions about motivation to work, motivation to increase earned income, and motivation toward self-sufficiency.
  - c. Surveying CAP participants about their motivation to work, their interest in employment improvement, and their interest in educational opportunities afforded by the CAP program.

The purpose of the surveys will be to identify the characteristics of those clients interested and those not interested in the CAP program. The evaluators will use this information to help HHA modify the follow-up recruitment process in order to (1) better recruit clients with high motivation for income improvement and (2) find ways to increase the desirability of the CAP program for clients with lower motivation for income improvement.

2. The evaluation will monitor the CAP participants during their participation in one or more of the CAP program options. The evaluators will monitor their participation in the program, their level of interest in the program over time, and their perceptions about the program(s). This will be done by:
  - a. Collecting attendance and performance measures from participating programs.
  - b. Conducting pre and post surveys of the CAP participants about the programs.
  - c. Conducting surveys with the program implementers about the engagement of the CAP participants.

The attendance and performance measures will allow HHA to understand how engaged the participants are in the CAP program. It will also help HHA to provide additional supports and motivation to those participants who are less engaged in the CAP programs. The surveys from the program implementers will help HHA to understand the performance and engagement of the participants from the perspective of the implementers, which will help HHA personnel to target participants for support and encouragement.

3. The evaluation will also monitor program specific outcomes of the CAP participants. Specifically the evaluators will:
  - a. Collect information about certificates obtained;
  - b. Collect information about training programs completed; and
  - c. Collect information about HiSET tests taken, subtests passed, and HiSET tests passed.

The program specific outcomes will help HHA understand the impact of the programs on important outcomes associated with the CAP programs. Additionally, this data will help HHA identify which programs are more effective for HHA CAP eligible participants. This will help HHA in making future referrals during additional recruitment phases of the CAP program.

4. The evaluators will monitor all changes in employment and employment activities of the CAP eligible participants. This will include:
  - a. Identification of CAP eligible clients with a current resume;
  - b. Identification of CAP eligible clients who have participated in a job interview;
  - c. Identification of CAP eligible clients who have obtained a job;
  - d. Identification of CAP eligible clients who have changed jobs; and
  - e. Identification of CAP eligible clients who have left a job.

The employment data will be important for two distinct purposes. First, it will allow HHA to understand differences in the employment activities of the CAP eligible participants in the treatment condition and the CAP eligible participants in the comparison condition. This will help HHA measure the impact of the CAP program on job searches and job acquisitions. Second, the employment data will allow HHA to understand how the CAP programs affect the employment activities of the CAP participants. This will allow HHA to understand which programs are effective for promoting improved employment outcomes of CAP participants, which can be used for both recruitment and referrals to CAP programs.

5. The evaluators will monitor income of all CAP eligible participants. Specifically, they will:
  - a. Monitor income of all CAP eligible participants;
  - b. Monitor household income of all CAP eligible participants; and
  - c. Conduct annual surveys of CAP eligible participants

The income data will allow HHA to understand the impact of the CAP program on income of CAP eligible participants and will be used for two distinct purposes. First, it will allow HHA to understand differences in the income of the CAP eligible participants in the treatment condition and the CAP eligible participants in the comparison condition. This will help HHA measure the impact of the CAP program on income. Second, the income data will allow HHA to understand how the CAP programs affect the income of the CAP participants. This will allow HHA to understand which programs are effective for improving income of CAP participants, which, in turn, can be used for both recruitment and referrals to CAP programs. The income data must be examined closely and carefully because it is possible that participation in a CAP program might require a participant to leave a low paying job in order to improve their long-term employment opportunities and income. For instance, a CAP participant may leave a part-time job at a fast food restaurant in order to participate in a Holyoke Community College program. During the course of their participation in the program, their income will go down. However, upon completion of the program, the participant may find full time employment in a professional position, which would raise their income in the long term, and which would lead to self-sufficiency.

The evaluators will also use annual surveys to understand CAP eligible clients' perceptions of work and motivations to work and to achieve self-sufficiency. The surveys will help HHA to understand the characteristics which contribute to participation in CAP programs, and the differences in perceptions and motivations that are related to changes in income and employment. As noted in section IV above, HHA commenced implementation of CAP in 2015 including initial recruitment efforts. Baselines and benchmarks for control and treatment groups

are included in this FY 16 Annual Plan above. HHA will report on FY 15 CAP evaluation activities as part of the FY 15 MTW Annual Report. HHA will report on FY 16 CAP evaluation activities as part of the FY 16 MTW Annual Report. The following is a summary of projected evaluation-related deliverables and timelines. Timelines are shown by quarter, i.e. Q1 runs from January 1 to March 31, 2016, etc.

<b>FY 2016 Evaluation Deliverables and Timeline</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Complete identification of CAP eligible residents	X	X	X	X
Complete recruitment of participants	X		X	
Follow-up to recruited CAP eligible residents	X		X	
Complete enrollment of CAP Participants	X		X	
Survey CAP Residents		X		X
Collect attendance & performance measures from CAP programs		X		X
Collect CAP outcomes from CAP participants				X
Collect income data on CAP eligible participants				X
Conduct Annual Survey				X
Complete report on CAP Activities from prior year	X			

**Detailed Block Grant Evaluation-** HHA has committed to designing a method that measures and evaluates the aspects of the MTW block grant that result in quantifiable cost savings and other direct measurable outcomes. HHA evaluation of the block grant consists of the following activities:

1. Tracking the utilization of the three major funding sources: public housing operating and capital funds; Administrative Fees; and HAP Funds.
2. Tracking and recording transfers that may occur among the various funding sources. i.e. HAP funding transfers to support public housing operations or capital fund transfers to support the HCV program.
3. Documenting and evaluating the activities funded through the transfers. The 'planned' uses of the funds and the 'actual' uses will be evaluated as well.
4. An assessment will be performed of the impact of the block grant and the evaluator will assess and consider the role of the block grant flexibility in the implementation of each activity.

HHA intends to complete the block grant evaluation at the end of FY 2015 and report on the results in the FY 2015 MTW Annual Report submission.

#### **D. Annual Statement/Performance and Evaluation Report (HUD 50075.1)**

See Appendix B.

**Appendix A**

**Certifications of Compliance  
Public Hearing Attendance Sheet**

Form 50900: Elements for the Annual MTW Plan and Annual MTW Report

Attachment B

Certifications of Compliance

Annual Moving to Work Plan  
Certifications of Compliance

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

Certifications of Compliance with Regulations:  
Board Resolution to Accompany the Annual Moving to Work 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 Annual Moving to Work Plan for the PHA fiscal year beginning 1/1/16 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 PHA published a notice that a hearing would be held, that the Plan and all information relevant to the public hearing was available for public inspection for at least 30 days, that there were no less than 15 days between the public hearing and the approval of the Plan by the Board of Commissioners, and that the PHA conducted a public hearing to discuss the Plan and invited public comment.
2. The PHA took into consideration public and resident comments (including those of its Resident Advisory Board or Boards) before approval of the Plan by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the Annual MTW Plan.
3. The PHA certifies that the Board of Directors has reviewed and approved the budget for the Capital Fund Program grants contained in the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1.
4. The PHA 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.
5. 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.
6. 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.
7. The PHA will affirmatively further fair housing by examining its 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. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. 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.
10. 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.
11. The PHA will comply with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA will comply with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.

13. 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.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide HUD or the responsible entity any documentation needed to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58. Regardless of who acts as the responsible entity, the PHA will maintain documentation that verifies compliance with environmental requirements pursuant to 24 Part 58 and 24 CFR Part 50 and will make this documentation available to HUD upon its request.
16. 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.
17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
19. 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) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
20. 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 Moving to Work Agreement and Statement of Authorizations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the 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 Plan and will continue to be made available at least at the primary business office of the PHA.

Holyoke Housing Authority  
PHA Name

MA 005  
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)

Marilyn Sanabria  
Name of Authorized Official

Chair  
Title

  
Signature

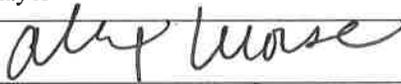
10/08/2015  
Date

\*Must be signed by either the Chairman or Secretary of the Board of the PHA's legislative body. This certification cannot be signed by an employee unless authorized by the PHA Board to do so. If this document is not signed by the Chairman or Secretary, documentation such as the by-laws or authorizing board resolution must accompany this certification.

**Certification of Consistency with the Consolidated Plan  
and Analysis of Impediments to Fair Housing Choice**

I certify that the proposed Moving to Work Annual Plan for Fiscal Year 2016 is consistent with the City of Holyoke's current, approved Consolidated Plan. I further certify that that an Analysis of Impediments to Fair Housing Choice has been completed and the MTW Annual Plan is consistent with the said analysis.

Applicant Name: Holyoke Housing Authority  
Project Name: Moving to Work Annual Plan (FY 2016)  
Location: City of Holyoke, Massachusetts

Certifying Jurisdiction: Holyoke, Massachusetts  
Certifying Official: Alex B. Morse  
Title: Mayor  
Signature:   
Date: 10-5-15



**Appendix B**

Annual Statement/Performance and Evaluation Report (HUD 50075.1)

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 06/30/2017

<b>Part I: Summary</b>		FFY of Grant: 2016	
PHA Name: Holyoke Housing Authority	Grant Type and Number Capital Fund Program Grant No: MA06P005501-16 Replacement Housing Factor Grant No: Date of CFFP:	FFY of Grant Approval:	

Line	Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:	Reserve for Disasters/Emergencies <input type="checkbox"/>	Revised Annual Statement (revision no: )		Total Actual Cost <sup>1</sup> Expended
			Original	Final Performance and Evaluation Report Revised <sup>2</sup>	
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>				
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 21)				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495.1 Relocation Costs		1,044,012		
17	1499 Development Activities <sup>4</sup>				

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHP 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  
 OMB No. 2577-0226  
 Expires 06/30/2017

<b>Part I: Summary</b>		FFY of Grant: 2016	
PHA Name: Hoyoke Housing Authority	Grant Type and Number Capital Fund Program Grant No: MA06P00501-16 Replacement Housing Factor Grant No: Date of CFP:	FFY of Grant Approval:	

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost <sup>1</sup>	
		Original	Revised <sup>2</sup>	Obligated	Expended
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant:: (sum of lines 2 - 19)	1,044,012			
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				
Signature of Executive Director Matthew A. Mainville		Signature of Public Housing Director		Date	
Date August 31, 2015					

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







**Appendix C - RAD Significant Amendment; Lyman Terrace  
RAD Conversion Plan**

## **A. Background**

The Holyoke Housing Authority (HHA) submitted a Rental Assistance Demonstration (RAD) application to HUD on December 26, 2013. On March 25, 2015, HUD issued a RAD award letter to HHA that approved the conversion of the Lyman Terrace (MA-001) public housing units to Project-Based Voucher (PBV) assistance, subject to HHA meeting all of the conditions and requirements of the RAD program including the guidelines set forth in PIH Notice 2012-32, REV-2 and any successor Notices.

One of the conditions of the RAD program is that HHA submit a "Significant Amendment" to its MTW Annual Plan which includes important information on HHA's RAD conversion plan at Lyman Terrace. At the time HHA received the RAD award letter, HHA was in the process of preparing its FY 2016 MTW Annual Plan and HHA has chosen to include this required information in its FY 2016 MTW Annual Plan. Therefore, this document serves as HHA's "Significant Amendment." HHA has provided for a thirty (30) day public comment period and conducted a public hearing to allow residents and the general public an opportunity to review and comment on HHA's RAD conversion plan and FY MTW Annual Plan.

## **B. RAD Conversion Plan**

Lyman Terrace is currently a one-hundred and sixty (167) unit public housing family development. HHA and its development partner, The Community Builders, have proposed a major rehabilitation of the Lyman Terrace in two phases. This rehabilitation will result in a loss of seven (7) units in order to create much needed ADA units as currently Lyman Terrace has no ADA units. See the chart below for the unit breakdown once the redevelopment is complete.

Upon conversion to Project Based Voucher (PBV) assistance HHA will adopt the resident rights, participation, waiting list and grievance procedures listed in Section 1.6 of PIH Notice 2012-32, REV-2; and Joint Housing PIH Notice H-2014-09/PIH-2014-17. These resident rights, participation, waiting list and grievance procedures are included in this Significant Amendment. Additionally, upon conversion to project-based assistance the units and residents will no longer be subject to the rules and regulations pertaining to the public housing program. Upon conversion, the Lyman Terrace units and residents will be subject to the project-based voucher (PBV) assistance rules and regulations.

Temporary relocation will be required for current tenants of Lyman Terrace to accommodate for the rehabilitation of the building. Any temporary relocation will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and its implementing regulations and PIH Notice 2014-17, *Relocation Requirements under the Rental Assistance Demonstration (RAD) Program, Public Housing in the First Component*, issued July 17, 2014. HHA will submit an Accessibility and Relocation Checklist along with its financing plan. Additionally, HHA certifies that it is currently compliant with all fair housing and civil rights requirements.

After conversion, HHA will establish a site-based waiting list for Lyman Terrace. HHA will notify the community and applicants on HHA's waitlist on application process for the Lyman Terrace site-based

waiting list by including information on HHA’s website, a community-wide newspaper and any other modes of communication appropriate and/or required by HUD and federal regulations.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing HHA with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, HHA’s Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that HHA may also borrow funds to address their capital needs. HHA will also be contributing operating reserves in the amount of \$500,000.

Subject to approval from HHA’s board and HUD, HHA may use MTW fungibility and programmatic flexibility in connection with the conversion. Regardless of any funding changes that may occur as a result under RAD, the Holyoke Housing Authority certifies that it will maintain its continued service level as required by the MTW Agreement.

**C. Lyman Terrace Conversion**

<b>Name of Public Housing Project:</b> Lyman Terrace	<b>PIC Development ID:</b> MA-001	<b>Conversion Type:</b> PBV	<b>Transfer of Assistance:</b> No
<b>Total Units:</b> 167 units prior to conversion; 160 after conversion.	<b>Pre-RAD Unit Type:</b> Family	<b>Post-RAD Unit Type:</b> Family	<b>Capital Fund allocation of Development:</b> \$189,305

<b>Bedroom Type</b>	<b>Number of Units Pre-Conversion:</b>	<b>Number of Units Post Conversion:</b>	<b>Change in Number of Units Per Bedroom Type and Why:</b>
<b>Studio/Efficiency</b>	<b>0</b>	<b>0</b>	<b>N/A</b>
<b>One Bedroom</b>	<b>53</b>	<b>56</b>	<b>ADA units/Community Center</b>
<b>Two Bedroom</b>	<b>72</b>	<b>64</b>	<b>ADA units/Community Center</b>
<b>Three Bedroom</b>	<b>36</b>	<b>34</b>	<b>ADA units/Community Center</b>
<b>Four Bedroom</b>	<b>6</b>	<b>6</b>	<b>ADA units/Community Center</b>
<b>Five Bedroom</b>	<b>0</b>	<b>0</b>	<b>N/A</b>
<b>Six Bedroom</b>	<b>0</b>	<b>0</b>	<b>N/A</b>

The following information regarding conversion of public housing units to the PBV program is taken directly from the HUD RAD program instructions found at *PIH Notice 2012-32, Rev-2*.

### **Section 1.6.C. PBV Resident Rights and Participation.**

1. **No Re-screening of Tenants upon Conversion.** Pursuant to the RAD statute, at conversion, current households are not subject to rescreening, income eligibility, or income targeting. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR § 982.201, concerning eligibility and targeting, will not apply for current households.<sup>1</sup> Once that remaining household moves out, the unit must be leased to an eligible family. MTW agencies may not alter this requirement.
2. **Right to Return.** See section 1.4.A.4 (b) regarding a resident's right to return.
3. **Renewal of Lease.** Since publication of the PIH Notice 2012-32 Rev 1, the regulations under 24 CFR § 983.257(b)(3) have been amended requiring Project Owners to renew all leases upon lease expiration, unless cause exists. MTW agencies may not alter this requirement.
4. **Phase-in of Tenant Rent Increases.** If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 3 or 5 years. To implement this provision, HUD is specifying alternative requirements for section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of "total tenant payment" (TTP)) to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase in period at three years, five years or a combination depending on circumstances. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

<sup>1</sup> These protections (as well as all protections in this Notice for current households) apply when in order to facilitate repairs a household is relocated following the conversion and subsequently returns to the property, even if they are considered a "new admission" upon return.

The method described below explains the set percentage-based phase-in a Project Owner must follow according to the phase-in period established. For purposes of this section “standard TTP” refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the “most recently paid TTP” refers to the TTP recorded on line 9j of the family’s most recent HUD Form 50058. If a family in a project converting from Public Housing to PBV was paying a flat rent immediately prior to conversion, the PHA should use the flat rent amount to calculate the phase-in amount for Year 1, as illustrated below.

Three Year Phase-in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP or flat rent and the standard TTP
- Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 66% of difference between most recently paid TTP and the standard TTP
- Year 3: Year 3 AR and all subsequent recertifications – Full standard TTP

Five Year Phase in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP or flat rent and the standard TTP
- Year 2: Year 2 AR and any IR prior to Year 3 AR – 40% of difference between most recently paid TTP and the standard TTP
- Year 3: Year 3 AR and any IR prior to Year 4 AR – 60% of difference between most recently paid TTP and the standard TTP
- Year 4: Year 4 AR and any IR prior to Year 5 AR – 80% of difference between most recently paid TTP and the standard TTP
- Year 5 AR and all subsequent recertifications – Full standard TTP

Please Note: In either the three year phase-in or the five-year phase-in, once the standard TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward. MTW agencies may not alter this requirement.

##### 5. **Family Self-sufficiency (FSS) and Resident Opportunities and Self-sufficiency Service**

**Coordinator (ROSS-SC) programs.** Public Housing residents that are current FSS participants will continue to be eligible for FSS once their housing is converted under RAD, and PHAs will be allowed to use any remaining PH FSS funds, to serve those FSS participants who live in units converted by RAD. Due to the program merger between PH FSS and HCV FSS that took place

pursuant to the FY14 Appropriations Act (and was continued in the FY15 Appropriations Act), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, PHAs should note that there are certain FSS requirements (e.g. escrow calculation and escrow forfeitures) that apply differently depending on whether the FSS participant is a participant under the HCV program or a public housing resident, and PHAs must follow such requirements accordingly. All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR Part 984, the participants' contracts of participation, and the alternative requirements established in the "Waivers and Alternative Requirements for the FSS Program" Federal Register notice, published on December 29, 2014, at 79 FR 78100.<sup>2</sup> Further, upon conversion to PBV, already escrowed funds for FSS participants shall be transferred into the HCV escrow account and be considered TBRA funds, thus reverting to the HAP account if forfeited by the FSS participant.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future ROSS-SC grants, nor will its residents be eligible to be served by future ROSS-SC grants, which, by statute, can only serve public housing residents.

6. **Resident Participation and Funding.** In accordance with Attachment 1B, residents of Covered Projects with converted PBV assistance will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding.

<sup>2</sup> The funding streams for the PH FSS Program and the HCV FSS Program were first merged pursuant to the FY 2014 appropriations act. As a result, PHAs can serve both PH residents and HCV participants, including PBV participants, with FSS funding awarded under the FY 2014 FSS Notice of Funding Availability (FSS NOFA) and any other NOFA under which the combination of funds remains in the applicable appropriations act. For PHAs that had managed both programs separately and now have a merged program, a conversion to PBV should not impact their FSS participants.

7. **Resident Procedural Rights.** The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner’s lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.
- i. Termination Notification. HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257 related to Project Owner termination of tenancy and eviction (which MTW agencies may not alter) the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:
    - a. A reasonable period of time, but not to exceed 30 days:
      - i. If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or ii. In the event of any drug-related or violent criminal activity or any felony conviction;
    - b. 14 days in the case of nonpayment of rent; and
    - c. 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.
  - ii. Grievance Process. Pursuant to requirements in the RAD Statute, HUD is establishing additional procedural rights to comply with section 6 of the Act.

For issues related to tenancy and termination of assistance, PBV program rules require the Project Owner to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, to require that:

- a. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi),<sup>3</sup> an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a

<sup>3</sup> § 982.555(a)(1)(iv) is not relevant to RAD as the tenant-based certificate has been repealed.

Project Owner action in accordance with the individual's lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.

- i. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).
- ii. For any additional hearings required under RAD, the Project Owner will perform the hearing.
- b. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.
- c. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).
- d. The Project Owner provides opportunity for an informal hearing before an eviction.

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

8. **Earned Income Disregard (EID).** Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to rent phase-in, as described in Section 1.6.C.4; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time. Under the Housing Choice Voucher program, the EID exclusion is limited only to persons with disabilities (24 CFR § 5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV project, the provision in section 5.617(b) limiting EID to disabled persons is waived. The waiver, and resulting alternative requirement, apply only to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants who at one time received the EID but are not receiving the EID exclusion at the time of

conversion e.g., due to loss of employment; tenants that move into the property following conversion, etc.) is covered by this waiver.

9. **Jobs Plus.** Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target projects(s) under RAD will be able to finish out their Jobs Plus period of performance at that site unless significant re-location and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary's discretion, choose to end the Jobs Plus program at that project.
  
10. **When Total Tenant Payment Exceeds Gross Rent.** Under normal PBV rules, the PHA may only select an occupied unit to be included under the PBV HAP contract if the unit's occupants are eligible for housing assistance payments (24 CFR §983.53(d)). Also, a PHA must remove a unit from the contract when no assistance has been paid for 180 days because the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent)) (24 CFR §983.258). Since the rent limitation under this Section of the Notice may often result in a family's TTP equaling or exceeding the gross rent for the unit, for current residents (i.e. residents living in the public housing property prior to conversion), HUD is waiving both of these provisions and requiring that the unit for such families be placed on and/or remain under the HAP contract when TTP equals or exceeds than the Gross Rent. Further, HUD is establishing the alternative requirement that the rent to owner for the unit equal the family's TTP until such time that the family is eligible for a housing assistance payment. HUD is waiving as necessary to implement this alternative provision, the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR 983.301 as modified by Section 1.6.B.5 of this Notice.<sup>4</sup> In such cases, the resident is considered a participant under the program and all of the family obligations and protections under RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP contract. Assistance may subsequently be reinstated if the tenant becomes eligible for assistance. The PHA is required to process these individuals through the Form- 50058 submodule in PIC.

<sup>4</sup> For example, a public housing family residing in a property converting under RAD has a TTP of \$600. The property has an initial Contract Rent of \$500, with a \$50 Utility Allowance. Following conversion, the residents is still responsible for paying \$600 in tenant rent and utilities.

Following conversion, 24 CFR §983.53(d) applies, and any new families referred to the RAD PBV project must be initially eligible for a HAP payment at admission to the program, which means their TTP may not exceed the gross rent for the unit at that time. Further, a PHA must remove a unit from the contract when no assistance has been paid for 180 days. If units are removed from the HAP contract because a new admission's TTP comes to equal or exceed the gross rent for the unit and if the project is fully assisted, HUD is imposing an alternative requirement that the PHA must reinstate the unit after the family has vacated the property; and, if the project is partially assisted, the PHA may substitute a different unit for the unit on the HAP contract in accordance with 24 CFR §983.207 or, where "floating" units have been permitted, Section 1.6.B.10 of this Notice.

11. **Under-Occupied Unit.** If a family is in an under-occupied unit under 24 CFR 983.259 at the time of conversion, the family may remain in this unit until an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the underoccupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the Covered Project, 24 CFR 983.259 is waived. MTW agencies may not modify this requirement.

#### **D. PBV: Other Miscellaneous Provisions**

1. **Access to Records, Including Requests for Information Related to Evaluation of Demonstration.** PHAs must agree to any reasonable HUD request for data to support program evaluation, including but not limited to project financial statements, operating data, Choice-Mobility utilization, and rehabilitation work. Please see Appendix IV for reporting units in Form HUD-50058.
2. **Additional Monitoring Requirement.** The PHA's Board must approve the operating budget for the Covered Project annually in accordance with HUD requirements.<sup>5</sup>

<sup>5</sup> For PBV conversions that are not FHA-insured, a future HUD notice will describe project financial data that may be required to be submitted by a PBV owner for purposes of the evaluation, given that PBV projects do not submit annual financial statements to HUD/REAC.

3. **Davis-Bacon Act and Section 3 of the Housing and Urban Development Act of 1968** (Section 3).

This section has been moved to 1.4.A.13 and 1.4.A.14.

4. **Establishment of Waiting List.** 24 CFR § 983.251 sets out PBV program requirements related to establishing and maintaining a voucher-wide, PBV program wide, or site-based waiting list from which residents for the Covered Project will be admitted. These provisions will apply unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:

- i. Transferring an existing site-based waiting list to a new site-based waiting list. If the PHA is transferring the assistance to another neighborhood, the PHA must notify applicants on the wait-list of the transfer of assistance, and on how they can apply for residency at the new project site or other sites. Applicants on a project-specific waiting list for a project where the assistance is being transferred shall have priority on the newly formed waiting list for the new project site in accordance with the date and time of their application to the original project's waiting list.
- ii. Informing applicants on the site-based waiting list on how to apply for a PBV program-wide or HCV program-wide waiting list.
- iii. Informing applicants on a public housing community-wide waiting list on how to apply for a voucher-wide, PBV program-wide, or site-based waiting list. If using a site-based waiting list, PHAs shall establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the converted project's initial waiting list. In all cases, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing community-wide waiting list given the number of applicants, PHA resources, and admissions requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups);

and conducting other outreach as appropriate. Applicants on the agency's public housing community-wide waiting list who wish to be placed onto the newly-established site-based waiting list must be done so in accordance with the date and time of their original application to the centralized public housing waiting list. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and with the obligation to provide meaningful access for persons with limited English proficiency (LEP).<sup>6</sup>

- iv. A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. To implement this provision, HUD is specifying alternative requirements for 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, the PHA shall administer its waiting list for the converted project in accordance with 24 CFR § 983.251(c).

5. **Mandatory Insurance Coverage.** The Covered Project shall maintain at all times commercially available property and liability insurance to protect the project from financial loss and, to the extent insurance proceeds permit, promptly restore, reconstruct, and/or repair any damaged or destroyed project property.
6. **Agreement Waiver.** This section has been moved to 1.6.(B)(7).
7. **Future Refinancing.** Project Owners must receive HUD approval for any refinancing or restructuring of permanent debt during the HAP contract term, to ensure the financing is consistent with long-term preservation. (Current lenders and investors are also likely to require review and approval of refinancing of the primary permanent debt.)

<sup>6</sup> For more information on serving persons with LEP, please see HUD's Final guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (72 FR 2732), published on January 22, 2007.

8. **Administrative Fees for Public Housing Conversions during Transition Period.** For the remainder of the Calendar Year in which the HAP Contract is effective (i.e. "transition period"), RAD PBV projects will be funded with public housing funds. For example, if the project's assistance converts effective July 1, 2015, the public housing Annual Contributions Contract (ACC) between the PHA and HUD will be amended to reflect the number of units under HAP contract, but will be for zero dollars, and the RAD PBV contract will be funded with public housing money for July through December 2015. Since TBRA is not the source of funds, PHAs should not report leasing and expenses into VMS during this period, and PHAs will not receive section 8 administrative fee funding for converted units during this time. . For fiscal years 2014 and 2015, PHAs operating HCV program received administrative fees for units under a HAP contract, consistent with recent appropriation act references to "section 8(q) of the [United States Housing Act of 1937] and related appropriations act provisions in effect immediately before the Quality Housing and Responsibility Act of 1998" and 24 CFR § 982.152(b). During the transition period mentioned in the preceding paragraph, these provisions are waived, and PHAs will not receive section 8 ongoing administrative fees for PBV RAD units. After this transition period, the section 8 ACC will be amended to include section 8 funding that corresponds to the units covered by the section 8 ACC. At that time, the regular section 8 administrative fee funding provisions will apply.
9. **Choice-Mobility.** One of the key features of the PBV program is the mobility component, which provides that if the family has elected to terminate the assisted lease at any time after the first year of occupancy in accordance with program requirements, the PHA must offer the family the opportunity for continued tenant-based rental assistance, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance. If as a result of participation in RAD a significant percentage of the PHA's HCV program becomes PBV assistance, it is possible for most or all of a PHA's turnover vouchers to be used to assist those RAD PBV families who wish to exercise mobility. While HUD is committed to ensuring mobility remains a cornerstone of RAD policy, HUD recognizes that it remains important for the PHA to still be able to use tenant-based vouchers to address the specific housing needs and priorities of the community. Therefore, HUD is establishing an alternative requirement for PHAs where, as a result of RAD, the total number of PBV units (including RAD PBV units) under HAP contract

administered by the PHA exceeds 20 percent of the PHA's authorized units under its HCV ACC with HUD. The alternative mobility policy provides that an eligible voucher agency would not be required to provide more than three-quarters of its turnover vouchers in any single year to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented, the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received. In order to adopt this provision, this alternative mobility policy must be included in an eligible PHA's administrative plan. To effectuate this provision, HUD is providing an alternative requirement to Section 8(o)(13)(E) and 24 CFR part 983.261(c). Please note that this alternative requirement does not apply to PBVs entered into outside of the context of RAD. MTW agencies may not alter this requirement.

10. **Reserve for Replacement.** The Project Owner shall establish and maintain a replacement reserve in an interest-bearing account to aid in funding extraordinary maintenance and repair and replacement of capital items in accordance with applicable regulations. The reserve must be built up to and maintained at a level determined by HUD to be sufficient to meet projected requirements. For FHA transactions, Replacement Reserves shall be maintained in accordance with the FHA Regulatory Agreement. For all other transactions, Replacement Reserves shall be maintained in a bank account covered under a General Depository Agreement (HUD- 51999) or similar instrument, as approved by HUD, where funds will be held by the Project Owner or mortgagee and may be drawn from the reserve account and used subject to HUD guidelines and as directed by HUD.

The following information regarding conversion of public housing units to the PBV program is taken directly from *Joint Housing/PH Notice H-2014-09/PIH 2014-17*.

## **Relocation Requirements under the Rental Assistance Demonstration (RAD) Program, Public Housing in the First Component**

### **1. Purpose**

This Notice provides public housing agencies (PHAs)<sup>7</sup> and their partners with information and resources on applicable program and relocation assistance requirements when planning for or implementing resident moves as a result of a Rental Assistance Demonstration (RAD) conversion<sup>8</sup> under the first component of the demonstration.<sup>9</sup> This Notice provides guidance on RAD relocation requirements and requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (URA), as they relate to the public housing conversion process under the first component.<sup>10</sup>

Relocation assistance provided pursuant to public housing and RAD requirements is broader than URA relocation assistance requirements. Not all specific situations requiring relocation under RAD may trigger URA assistance requirements. In addition, whereas all qualifying residents<sup>11</sup> Of a converting public housing project are eligible for relocation assistance under RAD, some residents or household members may not meet the statutory and regulatory requirements for eligibility under URA. This Notice supersedes PIH Notice 2012-32 (HA), REV-1, with respect to relocation matters. This Notice also specifically addresses when relocation may begin (see Section 9 below). As necessary, the Department will issue additional guidance on relocation issues and requirements as they relate to RAD.

### **2. Background**

<sup>7</sup> This Notice always uses the term “PHA” to refer to the owner of the project prior to and after the RAD conversion, even though, in some cases, the owner of the converted RAD project may be another public entity, a non-profit organization, or other owner (e.g., low-income housing tax credit owner). In addition, this Notice uses “PHA” to refer to the “displacing agency,” a URA term that means the agency or person that carries out a program or project, which will cause a resident to become a displaced person. Projects vary and, for any specific task described in this Notice, may require substituting in a reference to a party that is more appropriate for a specific project.

<sup>8</sup> The content of this Notice should not be relied upon in carrying out any other activities funded under any other HUD program, except where specifically directed by HUD.

<sup>9</sup> The “first component” of RAD allows public housing and Moderate Rehabilitation properties to convert assistance; the “second component” refers to conversion of Rent Supplement, Rental Assistance Payment, and Moderate Rehabilitation properties upon contract expiration or termination.

<sup>10</sup> Relocation concerns and URA requirements apply to both components of RAD. This notice provides guidance only as to the first component.

<sup>11</sup> The term “resident” as used in this Notice refers to eligible resident families of public housing residing in a property applying for participation in RAD or a property that undergoes a conversion of assistance through RAD.

RAD allows public housing properties to convert assistance to long-term project-based Section 8 contracts. In many cases, a RAD project may require relocation of residents when properties undergo repairs, are demolished and rebuilt, or when the assistance is transferred to another site. PIH Notice 2012-32 REV-1 (see also FR Notice 5630-N-05, 78 FR 39759-39763 (July 2, 2013)) details RAD program requirements.

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (URA) is a federal law that establishes minimum standards for federally-funded programs and projects that include the acquisition of real property (real estate) and/or displace persons from their homes, businesses, or farms as a result of acquisition, rehabilitation, or demolition of real property.<sup>12</sup> The URA will apply to acquisitions of real property and relocation of persons from real property that occurs as a direct result of acquisition, rehabilitation, or demolition for a project that involves conversion of assistance to Project-Based Voucher (PBV) or Project-Based Rental Assistance (PBRA) programs under RAD.

Additionally, all relocation conducted as part of a RAD conversion and all relocation assistance provided under URA must be consistent with applicable fair housing and civil rights laws, including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973.

Because each RAD proposal varies in its scope, this Notice may not address each PHA's specific circumstances. RAD PHAs and participants should carefully review the regulations, notices, and guidance material referenced in this Notice. Any questions related to the applicability of these requirements should be referred to the RAD Transaction Managers (TM) or may be emailed to [rad@hud.gov](mailto:rad@hud.gov).

### **3. Applicable Legal Authorities**

- RAD: Consolidated and Further Continuing Appropriations Act of 2012 (Public Law 112-55, approved November 18, 2011), with the implementing PIH Notice 2012-32, REV-1
- URA statute and implementing regulations: 49 CFR part 24
- FHEO: Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Fair Housing Act
- Section 104(d) of the Housing and Community Development Act of 1974, statute and implementing regulations (if CDBG and/or HOME funds are used): 24 CFR part 42, subpart C

<sup>12</sup> HUD Handbook 1378 (Tenant Assistance, Relocation, and Real Property Acquisition), available at: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/library/relocation/policyandguidance/handbook1378](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/policyandguidance/handbook1378).

#### 4. Relocation Planning

If there is a possibility that residents will be relocated as a result of acquisition, demolition, or rehabilitation for a project converting under RAD, PHAs must undertake a planning process in conformance with URA in order to minimize the adverse impact of relocation (49 CFR 24.205(a)).

While a written Relocation Plan is not a requirement under RAD or URA, the Department strongly encourages PHAs to prepare a written Relocation Plan, both to establish their relocation process and to communicate this process consistently and effectively to all relevant stakeholders. Appendix 1 contains recommended elements of a Relocation Plan.

The following presents a general sequencing of relocation planning activities within the RAD milestones:

Stage	Activities
1. Prior Submission of RAD Application	<ul style="list-style-type: none"> <li>• Determine potential need for relocation</li> <li>• Meet with residents to discuss plans, communicate right to return, and solicit feedback</li> <li>• Provide General Information Notice (GIN) to residents</li> <li>• Survey residents to prepare Relocation Plan and relocation process cost estimate</li> </ul>
2. After receipt of the Commitment to Enter into a HAP Contract (CHAP) Award	<ul style="list-style-type: none"> <li>• Prepare Significant Amendment to PHA Plan</li> <li>• Assess and refine need for relocation</li> <li>• Develop a Relocation Plan (See Appendix 1 for recommended content)</li> <li>• Identify relocation housing options</li> </ul>
3. Preparing Financing Plan (due to RAD Transaction Manager no later than 180 days following CHAP award)	<ul style="list-style-type: none"> <li>• Budget for relocation expenses</li> <li>• Submit FHEO Accessibility &amp; Relocation checklist (PHAs may submit Relocation Plan along with checklist)</li> </ul>
4. Receipt of RAD Conversion Commitment (RCC)	<ul style="list-style-type: none"> <li>• The date of issuance of the HUD RCC marks the date of “Initiation of Negotiations” (ION), as defined in the URA (49 CFR 24.2(a)(15))</li> <li>• Provide residents with appropriate notice</li> </ul>

	<p>informing them if they will be relocated and any associated relocation assistance</p> <ul style="list-style-type: none"> <li>• Meet with residents to describe approved conversion plans and discuss required relocation</li> </ul>
5. Closing/RAD conversion	<ul style="list-style-type: none"> <li>• Generally, resident relocation should not begin until after the date of closing/conversion of assistance under RAD</li> <li>• PHAs must adhere to notification requirements (described in Paragraph 8 of this Notice): generally, a minimum of 30 days for residents to be temporarily relocated for up to a year, and 90 days for permanent relocation</li> <li>• PHAs seeking to move residents prior to closing must receive prior approval from HUD as described in Paragraph 9 of this Notice</li> </ul>

## 5. Resident Right to Return

RAD program rules prohibit the permanent involuntary relocation of residents as a result of conversion. Residents that are temporarily relocated retain the right to return to the project once it has been completed and is in decent, safe, and sanitary conditions.<sup>13</sup> The period during which residents may need to be temporarily relocated is determined by the period of rehabilitation or construction, which will be specific to each project.

If proposed plans for a project would preclude a resident from returning to the RAD project, the resident must be given an opportunity to comment and/or object to such plans. If the resident objects to such plans, the PHA must alter the project plans to accommodate the resident in the converted project. If a resident agrees to such plans, the PHA must secure informed, written consent from the resident to receive permanent relocation assistance and payments consistent with URA and acknowledge that acceptance of such assistance terminates the resident's right to return to the project. In obtaining this consent, PHAs must inform residents of their right to return, potential relocation, and temporary and

<sup>13</sup> Where the transfer of assistance to a new site is approved, residents of the converting project will have the right to reside in an assisted unit at the new site once rehabilitation or new construction is complete.

permanent housing options at least 30 days before residents must make a decision. The PHA cannot employ any tactics to pressure residents into relinquishing their right to return or accepting permanent relocation assistance and payments.<sup>14</sup> A PHA may not terminate a resident's lease if it fails to obtain this consent.

PHAs must keep documentation of such information provided to residents and such consent by residents. While HUD does not require PHAs to submit documentation of obtaining this consent, PHAs and participants must properly brief residents on their housing and relocation options and must keep auditable written records of such consultation and decisions. HUD may request this documentation during a review of the FHEO Relocation and Accessibility Checklist or if relocation concerns arise.

Examples of project plans that may preclude a resident from returning to the converted RAD project include, but are not limited to:

- Changes in bedroom distribution (i.e. when larger units will be replaced with smaller units such that current residents would become under-housed or when smaller units will be replaced with larger units such that current residents would become over-housed);
- Where a PHA is reducing the number of assisted units at a property by a de minimis amount<sup>15</sup>, but those units are occupied by assisted residents; or
- The reconfiguration of efficiency apartments, or the repurposing of dwelling units in order to facilitate social service delivery.

In all scenarios where residents voluntarily accept permanent relocation to accommodate project plans, these residents are eligible for permanent relocation assistance and payments under URA. If a resident accepts permanent relocation assistance, the resident surrenders his or her right to return to the completed project.

## **6. Relocation Assistance**

Under RAD, relocation assistance may vary depending on the length of time relocation is required.<sup>16</sup>

<sup>14</sup> Persons with disabilities returning to the RAD project may not be turned away or placed on a waiting list due to a lack of accessible units. Their accessibility needs must be accommodated.

<sup>15</sup> A reduction in total number of assisted units at RAD project of 5% or less. (Section 1.5.B of PIH 2012-32 REV-1)

<sup>16</sup> Some residents may not qualify for relocation assistance under URA. A nonexclusive listing of persons who do not qualify as displaced persons under URA is at 49 CFR 24.2(a)(9)(ii). See also, Paragraph 1-4(J) of HUD Handbook 1378.

- a. In instances when the PHA anticipates that a resident will be relocated for more than a year, the PHA must offer the resident the choice of:
- Permanent relocation assistance and payments at URA levels; or
  - Temporary relocation assistance, including temporary housing, while the resident retains his or her right to return and reimbursement for all reasonable out-of-pocket expenses associated with the temporary relocation.

The PHA must give the resident no less than 30 days to decide between permanent and temporary relocation assistance. If the resident elects to permanently relocate with assistance at URA levels, the PHA must inform the resident that his or her acceptance of permanent relocation assistance terminates the resident's right to return to the completed RAD project.

- b. In instances when a resident elects temporary relocation assistance and reoccupies a unit in the completed project within one year, the resident need not be offered permanent relocation assistance pursuant to URA.

Great care must be exercised to ensure that residents are treated fairly and equitably. If a resident is required to relocate temporarily in connection with the project, his or her temporarily occupied housing must be decent, safe, and sanitary and the resident must be reimbursed for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation. These expenses include, but are not limited to, moving expenses and increased housing costs during the temporary relocation.

- c. In the event that a resident elects to receive temporary relocation assistance and the temporary relocation exceeds one year, the resident becomes eligible for all permanent relocation assistance and payments under URA. (This assistance would be in addition to any assistance the person has already received for temporary relocation, and may not be reduced by the amount of any temporary relocation assistance.) In such event, the PHA shall give the resident the opportunity to choose to remain temporarily relocated for an agreed-to period (based on new information about when they can return to the completed RAD unit), or choose to permanently relocate with URA assistance.

PHAs may not propose or request that a displaced person waive rights or entitlements to relocation assistance under the URA. If the resident elects to permanently relocate with URA assistance, the PHA must inform the person that the person's acceptance of URA relocation assistance to permanently relocate will terminate the person's right to return to

the completed RAD project. Conversely, unless and until the resident elects to be permanently relocated, the resident may remain temporarily relocated with a right to return to the completed project.

## **7. Initiation of Negotiations (ION) Date**

Eligibility for URA relocation assistance is generally effective on the date of initiation of negotiations (ION) (49 CFR 24.2(a)(15)). For RAD projects, the ION date is the date of the issuance of the RAD Conversion Commitment (RCC).

## **8. Resident Notification**

When a project converting under RAD will include relocation of residents, notice must be provided to those resident households. For each notice listed below, one notice shall be given to each resident household. The purpose of these notifications is to ensure that residents are informed of their potential rights and the relocation assistance available to them. If residents will not be relocated, notice of relocation is not required, but the PHA should be informed of their potential rights and the relocation assistance available to them. During initial meetings with residents about RAD and in subsequent communications with residents related to relocation, the PHA should inform residents that if they choose to move after receiving a written GIN, but prior to receiving a RAD Notice of Relocation, they may jeopardize their eligibility for relocation assistance. However, PHAs should note that a resident move undertaken as a direct result of the project may still require relocation assistance and the resident may be eligible to receive permanent relocation assistance under the URA even though the PHA has not yet issued notices.

### *a. General Information Notice (49 CFR 24.203(a) & Handbook 1378, Paragraph 2-3(B))*

As soon as feasible in the planning process, the PHA must provide each resident with a written GIN (see sample in Appendix 2) to provide a general description of the project, the activities planned, and the relocation assistance that may become available. URA regulations state that the GIN should be provided as soon as feasible. Under RAD, PHAs must provide GINs during the initial RAD resident meetings, before submitting a RAD application. GINs must do at least the following:

- Inform the resident that he or she may be displaced for the project and generally describe the relocation payment(s) for which the resident may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s);
- Inform the resident that he or she will be given reasonable relocation advisory services, including referrals to replacement properties, help in filing payment claims, and other necessary assistance to help the resident successfully relocate;

- Inform the resident that, if he or she qualifies for relocation assistance as a displaced person under the URA, he or she will not be required to move without at least 90 days advance written notice, and inform any person to be displaced from a dwelling that he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available;
- Inform the resident that any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child (see 49 CFR 24.208(h) for additional information); and
- Describe the resident's right to appeal the PHA's determination as to a person's eligibility for URA assistance.

*b. RAD Notice of Relocation*

If a resident will be relocated to facilitate the RAD conversion, the PHA shall provide notice of such relocation (RAD Notice of Relocation). The PHA shall issue this notice upon the PHA's receipt of the RCC from HUD, which is the ION date. If residents will not be relocated, notice of relocation is not required, but the PHA should notify them that they are not being relocated.<sup>17</sup>

The RAD Notice of Relocation must conform to the following requirements:

- The notice must state the anticipated duration of the resident's relocation.
- PHAs must provide this notice a minimum of 30 days prior to relocation to residents who will be temporarily relocated.<sup>18</sup> Longer notice may be appropriate for persons who will be relocated for an extended period of time (over 6 months), or if necessary due to personal needs or circumstances.
- Residents whose temporary relocation is anticipated to exceed one year must be informed that they will have no less than 30 days to elect temporary or permanent

<sup>17</sup> 11 HUD policy generally requires a "notice of non-displacement" in certain instances; the RAD program does not require this notice. Although the scope of this notice is limited to guidance for projects requiring relocation, PHAs should note, however, that there may be notification requirements for projects that do not involve relocation. The RAD conversion will terminate the resident's public housing lease and commence a PBV or PBRA lease, even when there is no relocation required. In such instances, state law may impose certain notification requirements. In addition, public housing regulations generally require 30 days' notice prior to lease termination. PHAs are encouraged to review public housing requirements set forth in 24 CFR parts 5 and 966.

<sup>18</sup> 12 HUD may approve shorter notice periods based on an urgent need due to danger, health, or safety issues or if the person will be temporarily relocated for only a short period.

relocation as described in Section 6 of this Notice. When timing is critical for project completion, the 30-day decision period can run concurrently with the 30- day notice period for temporary relocation and with the 90-day period for permanent relocation if the PHA makes available comparable replacement dwellings consistent with 24.204(a).

- Residents who will be permanently relocated must receive written notice a minimum of 90 days prior to relocation. This 90-day time period may only begin once the PHA has made available at least one comparable replacement dwelling consistent with 49 CFR 24.204(a).<sup>19</sup>
- The notice must describe the available relocation assistance, the estimated amount of assistance based on the individual circumstances and needs, and the procedures for obtaining the assistance. The notice must be specific to the resident and his or her situation so that the resident will have a clear understanding of the type and amount of payments and/or other assistance the resident household may be entitled to claim.
- The notice must explain the reasonable terms and conditions under which the resident may continue to lease and occupy a unit in the completed project.
- The notice must state that the PHA will reimburse the resident for all reasonable out-of-pocket expenses incurred in connection with any temporary move. These expenses include, but are not limited to, moving expenses and increased housing costs (rent, utilities, etc.).

*c. Notice of Intent to Acquire (49 CFR 24.203(d))*

For RAD projects involving acquisition, residents may be provided with a notice of intent to acquire (“Notice of Intent to Acquire”) prior to the ION date with HUD’s prior approval. Once the Notice of Intent to Acquire is provided, a resident’s eligibility for relocation assistance and payments is established. Therefore, the RAD Notice of Relocation must be provided in conjunction with or after the Notice of intent to Acquire. A RAD Notice of Relocation would not otherwise be sent prior to the ION date.

Since residents who accept permanent relocation must receive 90 days advanced written notice prior to being required to move, providing residents the Notice of Intent to Acquire and RAD Notice of relocation prior to the ION date may be necessary to provide sufficient notice of relocation to a resident in instances where there may not be 90 days between the issuance of the RCC (ION date) and the anticipated closing

<sup>19</sup> PHAs should note that URA regulations also require, where possible, that three or more comparable replacement dwellings be made available before a resident is required to move from his or her unit.

date. This allows the PHA to issue the notice earlier so that relocation may begin upon closing. This allows program participants to conduct orderly relocation upon closing, minimize adverse impacts on displaced persons, and to expedite project advancement and completion.<sup>20</sup>

*d. URA Notice of Relocation Eligibility – for residents whose temporary relocation exceeds one year (49 CFR 24.203(b) & Handbook 1378, Paragraph 2-3(C))*

After a resident has been temporarily relocated for one year, the PHA must provide a notice of relocation eligibility in accordance with URA requirements (“Notice of Relocation Eligibility”). This notice is not required if the resident has already accepted permanent relocation assistance.

The Notice of Relocation Eligibility must conform to URA requirements as set forth in 49 CFR Part 24, to HUD Handbook 1378 and to the following requirements:

- The PHA must provide updated information as to when it is anticipated that the resident will be able to return to the completed project.
- The resident may choose to remain temporarily relocated based upon such updated information or may choose to accept permanent URA relocation assistance in lieu of exercising the right to return.
- If the resident chooses to accept permanent URA relocation assistance and such assistance requires that the resident move, the URA requires such resident to receive 90 days advance written notice of the earliest date they will be required to move (i.e., 90-Day Notice, 49 CFR 24.203(c)). The PHA should be mindful that the 90-day time period may only begin once the PHA has made available at least one “comparable replacement dwellings” as set forth in 49 CFR 24.204(a).

## **9. Initiation of Relocation**

Unless otherwise approved by HUD, relocation may not begin until the date of closing of the RAD transaction and recordation of the RAD Use Agreement. PHAs must provide residents being temporarily relocated at least 30 days advance written notice of the required move. PHAs must give residents being permanently relocated at least 90 days advance written notice of the required move. This means PHAs

<sup>20</sup> PHAs and program participants should note that, in most instances, it will be most appropriate for the acquiring entity to send this notice.

are advised to plan carefully to account for this 30-day or 90-day notice period to ensure the closing is not delayed.

However, HUD is aware that, in rare cases, some project plans necessitate relocation prior to closing. With prior HUD approval, for projects involving acquisition, PHAs may relocate residents prior to the closing date subject to public housing requirements (see 24 CFR part 5 and 24 CFR 966). PHAs must contact their assigned RAD transaction manager (TM) to discuss plans as early as possible in the process to ensure compliance with all RAD and URA requirements.

If relocation prior to closing is desired, PHAs should submit to the TM the following information, as early as possible in the process:

- A written request for relocation prior to closing. The request must include justification of why the early relocation is necessary for the viability of the RAD transaction. Justification may include the presence of outside financing, such as Low Income Housing Tax Credit (LIHTC) awards, if the PHA can show that early relocation is necessary to meet critical LIHTC deadlines.
- FHEO Accessibility and Relocation Checklist.
- Evidence of intent to comply with public housing requirements, as applicable. Generally, public housing regulations require public housing residents to receive 30 days' notice prior to relocation and that such notice either be published in the PHA's admissions and continued occupancy policies (ACOP) or published elsewhere at least 30 days prior to receipt of such notice (24 CFR parts 5 and 966).

When seeking to relocate residents prior to closing, submission of this request as early as possible is preferred, prior to the 180-day Financing Plan milestone if possible (with Financing Plan submission following the request).

HUD reserves the right to request additional follow-up information, including a Relocation Plan and related budget, prior to approving such requests. PHAs must receive written HUD approval before beginning relocation of residents prior to closing.

Early planning and submission of the Financing Plan and FHEO checklist to HUD will ensure the PHA has built in the 30- or 90-day notice period prior to initiating relocation.

## **10. Fair Housing and Civil Rights Requirements**

PHAs must comply with all applicable fair housing and civil rights laws, including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973, when conducting relocation planning and providing relocation assistance. Further, communication must be provided in a manner that is effective for persons with disabilities (24 CFR 8.6) and for person who are Limited English Proficient (see 72 FR 2732). This section discusses some of the PHA's obligations under these laws and regulations. However, the applicability of civil rights laws is not limited to the activities discussed in this section. PHAs conducting relocation activities should familiarize themselves with applicable civil rights statutes, regulations, and guidance, including but not limited to, those listed at the end of this section.

- **Effective Communication for Persons with Disabilities:** Communications and materials must be provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities consistent with Section 504 of the Rehabilitation Act of 1973 (24 CFR 8.6), and as applicable, the Americans with Disabilities Act; and for persons who are limited English proficient (see 72 Fed Reg 2732). This includes ensuring that training materials are in appropriate alternative formats as needed, e.g., Braille, audio, large type, assistive listening devices, and sign language interpreters.
- **Accessible Meeting Facilities for Persons with Disabilities:** When holding public meetings, PHAs must give priority to methods that provide physical access to individuals with disabilities, i.e., holding the meetings, workshops, and briefings or any other type of meeting in an accessible location, in accordance with the regulations implementing Section 504 of the Rehabilitation Act of 1973 and Titles II and III of the Americans with Disabilities Act of 1990, as applicable. All programs and activities must be held in accessible locations unless doing so would result in an undue financial and administrative burden, in which case the PHA must take any action that would not result in such an alteration or such burden but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity, e.g., briefings at an alternate accessible, in-home briefing. Individuals with disabilities must receive services in the most integrated setting appropriate to their needs. The most integrated setting appropriate to the needs of qualified individuals with disabilities is a setting that enables individuals with disabilities to interact with nondisabled person to the fullest extent possible (28 CFR part 35, appendix B).
- **Meaningful Access for Persons with Limited English Proficiency (LEP):** PHAs must provide meaningful access to programs and activities for persons who have a limited ability to read,

speak, or understand English. Any person with LEP who will be temporarily relocated or permanently displaced must have meaningful access to any public meetings regarding the project. In addition, any information provided to residents including, but not limited to, any notices required under the URA, should be provided in the appropriate language to persons with LEP. Generally, PHAs will be responsible for providing oral interpreters at meetings, including ensuring their competence, and covering any associated translation and interpretation costs.

- URA requires that PHAs provide persons who are unable to read or understand the notices, such as persons with disabilities or persons with LEP, with appropriate translation and counseling to ensure that they understand their rights and responsibilities and the assistance available to them (49 CFR 24.5). URA also requires that each notice indicate the name and telephone number of a person to contact with questions or for other needed help (49 CFR 24.5). This notice should include the number for the telecommunication device for the deaf (TDD) or other appropriate communication device, if applicable (24 CFR 8.6(a)(2)).
- Comparable Housing for Persons with Disabilities: PHAs should identify the accessibility needs of residents to be relocated by consulting existing information (e.g., tenant characteristics forms, including identification of the need for accessible unit features; records of approved reasonable accommodations, and records of the presence of accessible unit features). For guidance on providing relocation assistance to persons with disabilities, see Exhibit 3-1 in HUD Handbook 1378.
- Advisory Services: PHAs should determine the advisory services that will be necessary to ensure a successful relocation program consistent with 49 CFR 24.205(c). Such advisory services may include housing counseling that should be facilitated to ensure that residents affected by the project understand their rights and responsibilities and the assistance available to them (49 CFR 24.205(c)). Advisory counseling must also inform residents of their fair housing rights and be carried out in a manner that satisfies the requirements of Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and Executive Order 11063 (49 CFR 24.205(c)(1)). In addition, PHAs should inform residents that if they believe they have experienced unlawful discrimination, they may contact HUD at 1-800669-9777 (Voice) or 1-800-927-9275 (TDD) or at <http://www.hud.gov>.

#### Fair Housing References:

- Section 504 of the Rehabilitation Act of 1973
- Regulations: 24 CFR part 8

- Fair Housing Act Regulations: 24 CFR part 100
- Title VI of the Civil Rights Act of 1964
- Regulations: 24 CFR part 1
- Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (LEP Guidance) (72 FR 2732)
- Exhibit 3-1 Compliance with Section 504 of the Rehabilitation Act in HUD Handbook 1378 (Tenant Assistance Relocation and Real Property Acquisition)

## **11. Other Requirements**

### a. Public Housing Program Compliance

PHAs should note that public housing resident provisions related to occupancy and termination, including grievances and related hearings, will remain in effect until the execution of the new PBV or PBRA Housing Assistance Payment (HAP) contract.

### b. Evictions for Cause

If the PHA determines that a resident was evicted in accordance with applicable state and local law for serious or repeated violation of material terms of the lease, and the eviction was not undertaken for the purpose of evading the obligation to make available URA payments and other assistance, the resident is not entitled to relocation payments and assistance under the URA (49 CFR 24.206).