

# Making Transitions Work

## ANNUAL PLAN FISCAL YEAR 2014

(JULY 1, 2013 – JUNE 30, 2014)

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# Oakland Housing Authority

## Fiscal Year 2014 MTW Annual Plan

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# Oakland Housing Authority

## Fiscal Year 2014 MTW Annual Plan

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## Section I. Introduction

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The OAKLAND HOUSING AUTHORITY (OHA) was established in 1938 to assure the availability of quality housing for low-income persons. OHA operates federally funded and other low-income housing programs and assists over 15,000 of Oakland's lowest-income families, elderly and persons with disabilities. The mission of the OHA is:

*To assure the availability of quality housing for low-income persons and to promote the civic involvement and economic self-sufficiency of residents and to further the expansion of affordable housing within Oakland.*

As the City's largest provider of affordable housing, OHA recognizes that it takes a tremendous amount of support to help people make a home and assist residents in building communities. Accordingly, OHA has previously been recognized by the U.S. Department of Housing and Urban Development (HUD) as a "high performing" housing authority and earned the opportunity to participate in the congressionally authorized Moving to Work Demonstration program.

### MTW Demonstration Program

OHA was selected to participate in the Moving to Work (MTW) Demonstration program in 2001 and executed its first MTW agreement with HUD in March of 2004. The original seven year contract was scheduled to expire on June 30, 2011. In February of 2009, OHA signed an Amended and Restated Moving to Work Agreement with HUD. The new agreement extends OHA's participation in the MTW program through June 30, 2018. OHA is one of 39 public housing authorities in the nation, out of approximately 3,400, selected to participate in the prestigious MTW Demonstration program.

MTW provides a unique opportunity for housing authorities to explore and test new and innovative methods of delivering housing and supportive services to low-income residents. Originally authorized under the Omnibus Consolidated Receptions and Appropriations Act of 1996, the MTW Demonstration program waives certain provisions of the Housing Act of 1937 and HUD's implementing requirements and regulations. In addition, using MTW authority, OHA may combine funding from several HUD programs into a Single Fund Budget with full flexibility. The Authority may use MTW funds in the Single Fund Budget for any eligible MTW activity including operating subsidy, capital improvements, acquisition and new construction, and resident services. In addition, OHA's agreement allows the MTW funds to be used outside of the traditional Public Housing and Section 8 programs to support local housing activities. The Oakland Housing Authority has renamed the MTW program "*Making Transitions Work*" in order to better reflect the potential of the demonstration program here in Oakland.

The United States Congress established the following three statutory goals when it approved the MTW Demonstration program:

- Reduce costs and achieve greater cost effectiveness in Federal expenditures;
- Give incentives to families with children whose heads of household are either working, seeking work, or are participating in job training, educational or other programs, that assist in obtaining employment and becoming economically self-sufficient; and
- Increase housing choices for low income families.

## **Overview of the Agency's Goals and Objectives for FY 2014**

During Fiscal Year (FY) 2014, OHA will focus its efforts on creating administrative efficiencies as a means to expand and improve program operations. As part of this goal, OHA is proposing to implement an alternative recertification schedule where fixed income households would have their income recertified once every three years and wage earning households would be recertified once every two years (see MTW activity #14-01 for more details). Previously, OHA has implemented a triennial recertification schedule for households on a fixed income in the Section 8 program and at two public housing properties. This activity has been very successful at reducing the administrative costs and the burden on residents. During FY 2014, OHA plans to implement this policy, in conjunction with the biennial recertification schedule for wage earning households, portfolio-wide. Additionally, OHA will begin the multi-year process of upgrading to a new business system that can better accommodate the types of modifications needed to facilitate the flexibility provided under the MTW program. These combined efforts will create administrative efficiencies that will allow OHA to enhance the existing operations in future years.

In FY 2014, OHA will take advantage of administrative efficiencies achieved through various MTW activities to serve more families. In the Section 8 program, OHA plans to lease up to 105 percent (105%) of the authorized MTW vouchers. This level of over-leasing will continue to be evaluated throughout the program year to ensure sufficient funds continue to be available. Furthermore, OHA intends to utilize MTW flexibility to continue to fund the development of new affordable housing units throughout Oakland (see MTW Activity #08-01 for more details). These developments provide a critical housing resource to families in our local community with incomes at or below 80 percent (80%) of the area median income. To ensure the continued safety of our residents, OHA will also use MTW flexibility to fund the Oakland Housing Authority Police Department and continue vital community policing efforts in our neighborhoods (more information about the OHAPD can be found in Section VII.E.). OHA will strive to achieve these goals and objectives throughout FY 2014 while continuing to provide quality, affordable housing to low-income families in our community.

### **The MTW Annual Plan**

As an MTW Agency, OHA submits an MTW Annual Plan to HUD containing the information outlined in Attachment B of the MTW Agreement, HUD form 50900. OHA's MTW Annual Plan is intended to provide residents, the public and HUD with information on OHA's programs and policies, including both approved and planned MTW activities and operating budgets and capital investment plans. The following provides a summary of the sections of the FY 2014 MTW Plan.

#### **Section I. Introduction**

This section provides general information about the MTW Demonstration program, an overview of OHA's goals and objectives for FY 2014, and a summary of the Plan.

#### **Section II. General Housing Authority Operating Information**

This section includes general housing stock, lease-up, and waiting list information.

#### **Section III. Non-MTW Related Housing Authority Information**

This section provides information on OHA activities that do not require MTW authorization.

#### Section IV. Long-term MTW Plan

This section gives an overview of OHA's long-term vision for participation in the MTW Demonstration program.

#### Section V. Proposed MTW Activities: HUD Approval Requested

This section includes information on the following proposed MTW activity:

- 14-01: Alternative Recertification Schedules

#### Section VI. Ongoing MTW Activities: HUD Approval Previously Granted

This section includes information on all approved and ongoing MTW activities.

#### Section VII. Sources and Uses of Funding

This section includes summary budget information for FY 2014 including planned sources and uses for MTW and non-MTW (special purpose) funds.

#### Section VIII. Administrative

This section includes information on agency directed evaluations of the demonstration.

## Section II. General Housing Authority Operating Information

### A. Housing Stock Information

| <b>Table 1</b>                         |  |
|--|--|
| <b>FY 2014 Housing Stock Inventory</b> |  |
|  | <b>Beginning of FY 2014<br/>July 1, 2013</b> |
| <b>PUBLIC HOUSING</b>                  |  |
| <b>Large Family Sites</b>              |  |
| Campbell Village                       | 154  |
| Lockwood Gardens                       | 371  |
| Peralta Villa                          | <u>390</u>                                   |
|  | 915  |
| <b>Designated Senior Sites</b>         |  |
| Harrison Towers                        | 101  |
| Adel Court                             | 30   |
| Oak Grove North                        | 77   |
| Oak Grove South                        | 75   |
| Palo Vista Gardens                     | <u>100</u>                                   |
|  | 383  |
| <b>HOPE VI Sites*</b>                  |  |
| Linden Court                           | 38   |
| Mandela Gateway                        | 46   |
| Chestnut Court                         | 45   |
| Foothill Family Apts.                  | 21   |
| Lion Creek Crossings Phase 1           | 45   |
| Lion Creek Crossings Phase 2           | 54   |
| Lion Creek Crossings Phase 3           | 37   |
| Lion Creek Crossings Phase 4           | <u>21</u>                                    |
|  | 307  |
| <b>TOTAL PUBLIC HOUSING</b>            | <b>1,605</b>                                 |
| <b>VOUCHER PROGRAM</b>                 |  |
| <b>MTW</b>                             |  |
| General MTW HCV                        | 12,687                                       |
| <b>Non-MTW</b>                         |  |
| Section 8 Mod Rehab                    | 329  |
| Section 8 Mainstream                   | 175  |
| VASH                                   | <u>205</u>                                   |
|  | 709  |
| <b>TOTAL VOUCHERS</b>                  | <b>13,396</b>                                |
| <b>Shelter Plus Care Program</b>       | <b>237</b>                                   |
| <b>TOTAL INVENTORY</b>                 | <b>15,238</b>                                |

\*Only the public housing units are counted for the HOPE IV sites.

### 1. Number of public housing units at the beginning of the Plan Year

The Oakland Housing Authority (OHA) will begin FY 2014 with 1,605 public housing units. See Table 1 for a breakdown of the housing stock inventory by program type.

### 2. General description of any planned significant capital expenditures by development

Table 2 provides a list of the planned capital expenditures for FY 2014.

| Table 2<br>FY 2014 Planned Capital Expenditures |           |   |   |            |                       |
|---|-----------|---|---|------------|-----------------------|
| Public Housing                                  | AMP #     | Development Name                                | Description of Work   | # of Units | Projected Expenditure |
| x   | 101       | Harrison Towers                                 | building and unit restoration   | 101        | \$175,000             |
| x   | 103       | Campbell Village                                | security enhancements   | 154        | \$200,000             |
| x   | 104       | Lockwood Gardens                                | security enhancements, exterior painting, building and unit restoration, and roof | 371        | \$733,000             |
| x   | 105 & 106 | Oak Groves North & South                        | develop an engineering and design plan for full project restoration               | 152        | \$300,000             |
| x   | 107       | Palo Vista Gardens                              | boiler, elevator, and security enhancements                                       | 100        | \$500,000             |
| x   | 108       | Peralta Village                                 | security enhancements, exterior painting, building and unit restoration and roof  | 390        | \$838,000             |
|   | 109       | Deep East Oakland Project-Based Section 8 Sites | building and unit restoration and landscaping                                     | 278        | \$2,292,000           |
|   | 110       | East Oakland Project-Based Section 8 Sites      | building and unit restoration and landscaping                                     | 280        | \$2,424,000           |
|   | 111       | Fruitvale Project-Based Section 8 Sites         | building and unit restoration and landscaping                                     | 272        | \$1,827,000           |
|   | 111       | 2558 35th Avenue                                | major renovation  | 12         | \$970,000             |
|   | 112       | San Antonio Project-Based Section 8 Sites       | building and unit restoration and landscaping                                     | 243        | \$2,126,000           |
|   | 113       | West Oakland Project-Based Section 8 Sites      | building and unit restoration and landscaping                                     | 242        | \$1,947,000           |
|   | 114       | North Oakland Project-Based Section 8 Sites     | building and unit restoration and landscaping                                     | 239        | \$1,967,000           |
|   |           | 1535 Harrison Street (Administrative Building)  | tenant improvements   | N/A        | \$2,500,000           |
| <b>Total MTW Funds</b>                          |           |   |   |            | <b>\$18,799,000</b>   |

### 3. Description of any new public housing units to be added during the year by development

OHA does not anticipate adding any new public housing units during FY 2014.

#### **4. Number of public housing units to be removed from the inventory during the year**

OHA has applied to HUD for permission to dispose of five public housing sites designated for seniors, a total of 383 units. OHA anticipates the disposition process to occur over a one year period from the time approval is granted and Section 8 Tenant Protection Vouchers are awarded. If the disposition is approved, OHA anticipates removing the 383 units from the public housing inventory during FY 2014. More information regarding the disposition of the senior public housing sites can be found in Section III.

#### **5. Number of MTW Housing Choice Vouchers (HCV) units authorized**

OHA expects to begin FY 2014 with 12,687 authorized MTW Housing Choice Vouchers. See Table 1 for a breakdown of the voucher inventory by program type.

#### **6. Number of non-MTW HCV units authorized**

OHA expects to begin FY 2014 with 709 authorized non-MTW vouchers. This number includes 329 Section 8 Moderate Rehabilitation (Mod Rehab) vouchers, 175 Section 8 Mainstream vouchers, and 205 Veterans Affairs Supportive Housing (VASH) vouchers. Additionally, OHA administers a Shelter Plus Care program under a contract with Alameda County providing 237 vouchers. See Table 1 for a breakdown of the voucher inventory by program type.

As noted above, OHA has submitted an application to HUD for permission to dispose of five senior public housing sites. If the application is approved, OHA will apply for Section 8 Tenant Protection Vouchers (TPV) for the residents currently residing in the properties. OHA estimates that up to 383 TPV may be awarded as part of the disposition of the senior sites during FY 2014. The TPV will be awarded as non-MTW vouchers and will be converted to MTW vouchers at the anniversary of the contracts.

#### **7. Number of HCV units to be project-based during the Plan year**

The OHA Board of Commissioners has approved allocating up to 2,650 of the current MTW HCV units for project-based assistance. During FY 2014, OHA estimates that it will project-base approximately 487 units. Table 3 provides a summary of the units scheduled to be project-based including a description of each project.

| <b>Table 3<br/>HCV Units to be Project-based in FY 2014</b>                               |                               |                       |                      |  |
|---|-------------------------------|-----------------------|----------------------|--|
| <b>Development Name</b>   | <b>Date of Board Approval</b> | <b># of PBV Units</b> | <b>Contract Date</b> | <b>Project Description</b>                       |
| *Effie's House (10)   | 5/4/2009                      | 2                     | 8/1/2010             | Low Income Families                              |
| *Drachma Housing (14)   | 5/4/2009                      | 4                     | 12/1/2010            | Low Income Families                              |
| *OHA Scattered Sites (1554)   | 7/27/2009                     | 200                   | Ongoing              | Low Income Families / Public Housing Disposition |
| *Madison Park   | 6/11/2011                     | 25                    | Ongoing              | Low Income Families / Mod Rehab Conversion       |
| *Hugh Taylor House  | 6/11/2011                     | 10                    | Ongoing              | Low Income Families / Mod Rehab Conversion       |
| **California Hotel – Phase 2 (135)  | 2/28/2011                     | 47                    | In Dev.              | Special Needs                                    |
| St. Joseph's Family Apartments  | 10/25/2010                    | 15                    | In Dev.              | Low Income Families                              |
| MacArthur Apartments  | 10/25/2010                    | 14                    | In Dev.              | Low Income Families                              |
| Marcus Garvey Commons   | 4/11/2011                     | 22                    | In Dev.              | Low Income Families                              |
| Cathedral Gardens   | 5/23/2011                     | 43                    | In Dev.              | Low Income Families                              |
| Lakeside Senior Apartment   | 1/23/2012                     | 91                    | In Dev.              | Senior   |
| 94th and International  | 10/17/2011                    | 14                    | In Dev.              | Low Income Families                              |
| <b>Total PBV Units</b>  |                               | <b>487</b>            |                      |  |
| * Conversion to PBV ongoing as units currently occupied by HCV assisted families turnover |                               |                       |                      |  |
| ** California Hotel-Phase 1 - 88 unit completed in FY 2013                                |                               |                       |                      |  |

## **B. Leasing Information – Planned**

### **1. Anticipated total number of MTW public housing units leased in Plan Year**

OHA anticipates leasing 1,537 of the available public housing units during FY 2014. This represents an overall routine vacancy rate of 2.2 percent (2.2%). See Table 4 for a breakdown of the estimated number of public housing units to be leased up during FY 2014.

As noted previously, OHA has submitted an application to HUD for permission to dispose of five public housing sites designated for seniors, a total of 383 units. If the disposition is approved by HUD and the subsequent request to HUD for Tenant Protection Vouchers is granted this fiscal year, OHA will remove 383 units from the Public Housing program. This is not reflected in Table 4 because the timeline for this activity is uncertain.

| <b>Table 4</b>  |              |
|---|--------------|
| <b>Anticipated Public Housing Units Leased in FY 2014</b> |              |
| Total Public Housing Units                                | 1,605        |
| Units Approved for Non-dwelling Use                       | (11)         |
| Vacant Units Off-line for Rehabilitation                  | (22)         |
| Total Public Housing Units Available                      | 1,572        |
| Routine Vacancies   | 35           |
| <b>Total Public Housing Units Leased</b>                  | <b>1,537</b> |
| <b>Percent of Available Units Leased</b>                  | <b>97.8%</b> |

**2. Anticipated total number of non-MTW public housing units leased in Plan Year**

OHA does not have any non-MTW public housing units.

**3. Anticipated total number of MTW HCV units leased in Plan Year**

OHA estimates that it will have 100 percent (100%) of the MTW HCV leased up at the end of FY 2014. See Table 5 for a breakdown of the projected HCV leased in FY 2014.

**4. Anticipated total number of non-MTW HCV units leased in Plan Year**

OHA estimates that it will have 98.7 percent (98.7%) of the non-MTW HCV leased up at the end of FY 2014. See Table 5 for a breakdown of the projected HCV leased in FY 2014.

| <b>Table 5</b>                                   |                             |                         |                   |
|--|-----------------------------|-------------------------|-------------------|
| <b>Housing Choice Vouchers Leased in FY 2014</b> |                             |                         |                   |
|  | <b>Projected Authorized</b> | <b>Projected Leased</b> | <b>% Utilized</b> |
| <b>MTW Housing Choice Vouchers</b>               |                             |                         |                   |
| MTW HCV  | <u>12,687</u>               | <u>12,687</u>           | 100.0%            |
| <b>Total MTW HCV</b>                             | <b>12,687</b>               | <b>12,687</b>           | <b>100.0%</b>     |
| <b>Non-MTW Housing Choice Vouchers</b>           |                             |                         |                   |
| Section 8 Mod Rehab                              | 329                         | 325                     | 98.8%             |
| Section 8 Mainstream Program                     | 175                         | 175                     | 100.0%            |
| VASH   | <u>205</u>                  | <u>200</u>              | 97.6%             |
| <b>Total non-MTW HCV</b>                         | <b>709</b>                  | <b>700</b>              | <b>98.7%</b>      |
| <b>Total Housing Choice Vouchers</b>             | <b>13,396</b>               | <b>13,387</b>           | <b>99.9%</b>      |

## **5. Description of anticipated issues relating to any potential difficulties in leasing units**

### Public Housing Program

The long period of underfunding in the Public Housing program had previously caused the deferral of maintenance and repairs resulting in difficulty leasing apartments. With the flexibility of funding under MTW, OHA has been able to invest resources to aggressively address deferred maintenance and building repairs. This attention to enhancing vacancy turnover has resulted in several units being taken off-line for renovations. In addition, if the disposition of the senior sites is approved during the fiscal year, it may impact the Authority's ability to lease units.

Furthermore, OHA staff and the property management companies are conducting aggressive lease compliance activities to maintain the safety and peaceful enjoyment of the properties for the residents. OHA will continue to pursue aggressive lease compliance activities at these properties, which may result in higher than average vacancies. OHA is committed to this strategy as an effective way to maintain the security and safety of these properties for the residents and to ensure the sustainability and viability of the surrounding communities.

### Voucher Program

One of the lease-up challenges faced by OHA is the significant amount of port-out vouchers administered by other housing authorities surrounding Oakland, nearly 1,500 port-out vouchers. If OHA was not a MTW agency, the 80 percent (80%) loss of administrative fee to other housing authorities as a result of the port-outs would create a significant financial burden. However, the flexibility provided under MTW allows OHA to provide this level of portability to nearby communities offering greater housing choices to our voucher holders.

## **6. Number of project-based vouchers in use at the beginning of the Plan Year**

OHA estimates that 1,215 units will be under PBV HAP contract at the beginning of FY 2014. See Table 6 for a breakdown of the project-based vouchers allocated by project.

**Table 6  
Approved Project Based Voucher Allocations as of July 1, 2013**

| <b>Development Name</b>                                  | <b>Date of Board Approval</b> | <b># of PBV Units</b> | <b>Contract Date</b> | <b>Project Description</b>                       |
|--|-------------------------------|-----------------------|----------------------|--|
| Mandela Gateway  | 2/12/2003                     | 30                    | 10/20/2004           | Low Income Families                              |
| Altenheim Senior Housing Phase I                         | 7/13/2005                     | 23                    | 1/1/2007             | Senior   |
| Lion Creek Crossings II                                  | 11/9/2005                     | 18                    | 7/3/2007             | Low Income Families                              |
| Madison Apartments                                       | 7/13/2005                     | 19                    | 4/25/2008            | Low Income Families                              |
| Lion Creek Crossings III                                 | 6/14/2006                     | 16                    | 6/25/2008            | Low Income Families                              |
| Seven Directions   | 7/13/2005                     | 18                    | 9/12/2008            | Low Income Families                              |
| Orchards on Foothill                                     | 6/14/2006                     | 64                    | 11/7/2008            | Senior   |
| Fox Courts / Uptown Oakland                              | 12/3/2004                     | 20                    | 5/15/2009            | Low Income Families / Homeless with HIV/AIDS     |
| Jack London Gateway - Phase II                           | 2/26/2007                     | 60                    | 6/5/2009             | Senior   |
| 14 <sup>th</sup> St Apartments at Central Station        | 1/22/2007                     | 20                    | 11/25/2009           | Low Income Families                              |
| Tassafaronga Village Phase I                             | 2/25/2008                     | 80                    | 4/23/2010            | Low Income Families                              |
| Altenheim Senior Housing Phase II                        | 4/28/2008                     | 40                    | 4/5/2010             | Senior   |
| Fairmount Apartments                                     | 10/24/2008                    | 16                    | 3/8/2010             | Low Income Families / Persons with Disabilities  |
| Tassafaronga Village Phase II                            | 7/21/2008                     | 19                    | 5/27/2010            | Low Income Families / Homeless with HIV/AIDS     |
| *Harp Plaza (19)   | 5/24/2010                     | 18                    | 8/1/2010             | Low Income Families                              |
| *Effie's House (10)                                      | 5/4/2009                      | 6                     | 8/1/2010             | Low Income Families                              |
| *Drachma Housing (14)                                    | 5/4/2009                      | 4                     | 12/1/2010            | Low Income Families / Mod Rehab Conversion       |
| Foothill Family Partners                                 | 6/28/2010                     | 11                    | 8/1/2011             | Low Income Families                              |
| St. Joseph's Senior Apts                                 | 5/29/2007                     | 83                    | 8/22/2011            | Senior   |
| *OHA Scattered Sites (1554)                              | 7/27/2009                     | 290                   | In Progress          | Low Income Families / Public Housing Disposition |
| Lion Creek Crossings IV                                  | 4/28/2008                     | 10                    | 1/13/2012            | Low Income Families                              |
| Savoy Phase 1  | 6/28/2010                     | 55                    | 2/14/2012            | Special Needs                                    |
| *Hugh Taylor house (35)                                  | 6/11/2011                     | 3                     | 5/8/2012             | Low Income Families / Mod Rehab Conversion       |
| *Madison Park (96)                                       | 6/11/2011                     | 5                     | 6/7/2012             | Low Income Families / Mod Rehab Conversion       |
| Merritt Crossing Apts (6 <sup>th</sup> and Oak)          | 5/4/2009                      | 50                    | 6/27/2012            | Senior   |
| 720 E 11 <sup>th</sup> Street Apts (aka Clinton Commons) | 4/28/2008                     | 16                    | 10/2/2012            | Low Income Families / Homeless with HIV/AIDS     |
| Harrison Street Senior Housing                           | 4/23/2007                     | 11                    | 11/15/2012           | Senior   |
| California Hotel Phase 1                                 | 2/28/2012                     | 88                    | 2/28/2013            | Special Needs                                    |
| Kenneth Henry Court                                      | 4/11/2011                     | 13                    | 2/28/2013            | Low Income Families                              |
| Slim Jenkins Court                                       | 5/4/2009                      | 11                    | 2/28/2013            | Low Income Families                              |
| James Lee Court  | 10/25/2010                    | 12                    | 2/28/2013            | Low Income Families                              |
| Oak Point Limited (OPLP)                                 | 10/25/2010                    | 15                    | 2/28/2013            | Low Income Families                              |
| Savoy Phase 2  | 6/28/2010                     | 46                    | 5/1/2013             | Special Needs                                    |
| Drasnin Manor  | 10/25/2010                    | 25                    | 6/1/2013             | Low Income Families                              |
| St. Joseph's Family Apts                                 | 10/25/2010                    | 15                    | <i>pending</i>       | Low Income Families                              |
| Marcus Garvey Commons                                    | 4/11/2011                     | 10                    | <i>pending</i>       | Low Income Families                              |
| California Hotel Phase 2                                 | 2/28/2012                     | 47                    | <i>pending</i>       | Special Needs                                    |
| Cathedral Gardens  | 5/23/2011                     | 43                    | <i>pending</i>       | Low Income Families                              |
| MacArthur Apts   | 10/25/2010                    | 14                    | <i>pending</i>       | Low Income Families                              |
| Lakeside Senior Apartments                               | 1/23/2012                     | 91                    | <i>pending</i>       | Senior   |
| 94th and International                                   | 10/17/2011                    | 14                    | <i>pending</i>       | Low Income Families                              |
| MacArthur Transit Village                                | 2/28/2011                     | 22                    | <i>pending</i>       | Low Income Families                              |
| Lion Creek Crossings V                                   | 10/17/2011                    | 127                   | <i>pending</i>       | Senior   |
| 460 Grand  | 3/16/2010                     | 37                    | <i>pending</i>       | Low Income Families                              |
| 11th and Jackson   | 12/6/2010                     | 48                    | <i>pending</i>       | Low Income Families                              |

**Total PBV Units Under HAP Contracts 1,215**

\* Conversion to PBV ongoing as units currently occupied by HCV-assisted families turnover  
*Italicized* items are projections as of the beginning of July 1, 2013, FY 2014.

## **C. Wait List Information**

### **1. Description of anticipated changes in waiting lists**

There are no anticipated changes in the organization of the wait lists. All public housing wait lists are site-based and will continue to be through FY 2014. OHA will continue to operate a single wait list for the MTW HCV program while sites with allocations of PBV units will continue to operate site-based wait lists.

### **2. Description of anticipated changes in the number of families on the waiting lists and/or opening and closing of the waiting lists**

The demand for affordable housing in the city of Oakland far outpaces the supply. In response to such high demand, OHA has established wait lists that are only open for brief periods once every few years and then depleted as units come available. This is meant to alleviate exaggerated wait times for applicants and helps keep the lists refreshed and up-to-date.

#### Public Housing

The waiting lists for all of the public housing properties were opened for a period of time during FY 2013. OHA does not anticipate opening any of these waiting lists during FY 2014.

#### Voucher Program

The Section 8 waiting list was last opened in January 2011. This waiting list is expected to remain closed during FY 2014.

In FY 2013, the waiting lists were opened for the scattered sites project-based voucher assisted units in the AMPs formerly part of the public housing portfolio. These properties are part of the Oakland Affordable Housing Preservation Initiative (OAHPI) portfolio, an instrumentality of OHA. In FY 2014, OHA will evaluate opening these waiting lists on a continuous basis potentially for specific bedroom sizes.

## **Section III. Non-MTW Related Housing Authority Information**

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### **A. Planned Sources and Uses of Other HUD or other Federal Funds (excluding HOPE VI)**

OHA elects not to include this optional information. Information about the sources and uses of funding can be found in Section VII.

### **B. Description of non-MTW Activities**

#### Lion Creek Crossings (Coliseum Gardens) HOPE VI Redevelopment Project

The Revised Revitalization Plan (RRP) for the Lion Creek Crossings HOPE VI Revitalization Program includes the construction of 128 senior affordable housing units on the original 1.5 acre homeownership development site. OHA is working in collaboration with its development partners East Bay Asian Local Development Corporation and The Related Companies, to start construction by the end of July 2013.

#### Planned Demolition and Disposition Request

On December 22, 2010, OHA submitted an application to HUD for the disposition of 383 senior public housing units on five scattered sites (see Table 1 for a breakdown of the senior site inventory). The Authority came to this conclusion based on the costs associated with operating and managing this portfolio, as well as, the enormous backlog of deferred maintenance at the sites created by the lack of adequate subsidy in the Public Housing program over a sustained period of time. If the disposition is approved by HUD and the subsequent request to HUD for Tenant Protection Vouchers is granted, the Authority will transfer the control of the properties to the Oakland Senior Housing Initiatives (OSHI), a nonprofit corporation created by OHA for this purpose. The nonprofit corporation will maintain and manage the units using conventional financing and management strategies to address the physical needs of the properties and ensure their continued operation as affordable senior housing in the City of Oakland. Disposition will be contingent upon the future receipt of Section 8 resources.

The Authority is committed to maintaining the affordability of these scattered senior site units to low-income seniors earning at or below 60% of AMI for 55 years. After disposition, the senior units will be project-based to maintain their affordability at current levels, subject to compliance with HUD requirements. Residents who choose to move may request a Tenant-Based Voucher. Any proceeds from increased operating income will be utilized to improve the existing units and properties, or used to support the Public Housing program. OHA intends to continue to make progress in our efforts toward meeting our capital improvement and quality of life goals for all our households, including our senior households, by providing healthier, greener units and greater housing choice. OHA has determined that this is the most effective way to accomplish these goals.

## **Section IV. Long-Term MTW Plan**

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The Oakland Housing Authority's long-term goals are to utilize its participation in the MTW Demonstration program to target the following primary areas.

### **Preserving and Enhancing the Public Housing Portfolio**

OHA has made a long-term commitment to use MTW authority to preserve and enhance its portfolio of public housing units through a combination of enhanced operations and aggressive efforts to address deferred maintenance and improve physical conditions.

### **Preserving and Expanding Affordable Housing Opportunities**

OHA's participation in the MTW program has allowed the Authority to preserve affordable housing resources and expand housing opportunities through real estate development, site acquisition, partnerships with nonprofit developers, and active coordination with the City of Oakland. These brick and mortar strategies will be combined with new innovative subsidy programs designed to meet local needs and initiatives.

### **Promoting Resident Empowerment, Self Sufficiency, and Educational Achievement**

The long-term success for many of OHA's clients requires a level of support beyond simply housing. MTW allows OHA to enhance the quality and reach of client services provided both in-house and in partnership with community based service providers who are experts in their respective fields.

### **Oakland Choice Housing Opportunities (OCHO): Expanding Housing Choice in the Public Housing Program**

One of the long-term goals of OHA is to expand housing opportunities for residents in the Public Housing program. Under the traditional system, depending on when and where there is an opening in the Public Housing or Housing Choice Voucher program; families admitted for assistance receive significantly different housing options. For public housing residents, their assistance, with very few exceptions, is limited to the unit they accept when they enter the program. Families are locked into a specific location and often do not move, despite changing family needs, because they cannot afford to lose this critical housing assistance. In contrast, a participant in the HCV program is able to relocate with continued assistance to meet the changing needs of their family. This bifurcated system results in a higher percentage of families receiving public housing assistance living in areas of concentrated poverty compared to families receiving HCV assistance. In an effort to expand the housing choices available to public housing residents and standardize policies across programs, OHA plans to implement MTW Activity #11-02, which allows public housing residents to request a tenant-based voucher after meeting certain occupancy requirements and relocate to an area more suited to their personal circumstances and needs. More information on this activity can be found in Section VI.

## Section V. Proposed MTW Activities: HUD Approval Requested

This section includes information on proposed Moving to Work activities for which the Oakland Housing Authority is requesting HUD approval.

| Table 7   |                                       |   |   |                                  |
|---|---------------------------------------|---|---|----------------------------------|
| Proposed MTW Activities: HUD Approval Requested |                                       |   |   |                                  |
| Activity #                                      | MTW Activity Name                     | Description   | Statutory Objective(s)                              | Authorization(s)                 |
| 14-01   | Alternative Recertification Schedules | Changes reexamination of income for elderly and disabled households on fixed incomes to every three years and every two years for wage earning households. Households with fixed income from Social Security will receive automatic adjustments to their rent in interim years based on published cost of living adjustments (COLA) to the subsidy program. | Reduce costs and achieve greater cost effectiveness | Attachment C, Section C.4, D.1.c |

### MTW Activity #14-01: Alternative Recertification Schedules

#### A. Describe the activity

Regulations require that a household's income is recertified for program eligibility and rent calculations once a year. In FY 2007, MTW activity #07-01 was approved allowing for a triennial recertification schedule for elderly and/or disabled households on a fixed income in the Public Housing and Section 8 programs. In the interim years, an automatic adjustment is applied to the households' housing payment equal to the cost of living adjustment (COLA) made to the households' related income subsidy program. The COLA adjustment could result in an increase or a decrease to the tenant's rent payment. Typically, the COLA for Social Security (a common fixed income source for the target population) is in the range of an increase or decrease of about two percent (2%). This activity has been implemented in the Section 8 program and at two senior-designated properties in the Public Housing program. This schedule has been effective at reducing staff time and costs, as well as, being less intrusive and time consuming for residents.

In FY 2014, OHA intends to fully implement the triennial recertification schedule for eligible households in the remaining Public Housing properties. Additionally, OHA is requesting approval to place working households, those with wage earnings, on a biennial recertification schedule in the Public Housing and Section 8 programs. If approved, OHA will eliminate MTW activity #07-01 and combine the triennial and biennial recertification schedules under MTW activity #14-01. Households that report no income will remain on an annual recertification schedule until income has been established. Once income has been established, the household will switch to either a biennial or triennial recertification schedule based on their eligibility. Households enrolled in Special Programs will remain on an annual recertification schedule and/or follow the rules of that program (e.g. Mainstream, Moderate Rehabilitation, VASH, MOMS, Local Program, FSS, and Sponsor Based). The details of the recertification schedules are summarized in Table 8 below.

**Table 8  
Summary of the Alternative Recertification Schedules**

|                                 | <b>Annual</b>   | <b>Biennial</b>  | <b>Triennial</b>   |
|---------------------------------|---|--|--|
| <b>Frequency</b>                | Once per year   | Once every 2 years   | Once every 3 years   |
| <b>Target Group</b>             | <p>Households with:</p> <ul style="list-style-type: none"> <li>• <b>No income at all (zero income)</b></li> <li>• <b>No income from wages</b></li> <li>• <b>Income from a temporary source</b> such as <ul style="list-style-type: none"> <li>○ Temporary Assistance for Needy Families (TANF)</li> <li>○ General Assistance (GA)</li> <li>○ Child Support</li> <li>○ Unemployment</li> <li>○ Other non-wage sources</li> </ul> </li> <li>• Mixed income from fixed source (e.g. Social Security (SS), Supplemental Security Income (SSI)) <u>and</u> temporary source (e.g. TANF, GA)</li> <li>❖ Also includes households enrolled in Special Programs (e.g. Mainstream, Mod Rehab, VASH, MOMS, Local Program, and FSS)</li> </ul> | <p>Households with:</p> <ul style="list-style-type: none"> <li>• <b>Any income from wages</b></li> <li>• Mixed income from wage source <u>and</u> fixed source (e.g. SS, SSI)</li> <li>• Mixed income from a wage source <u>and</u> a temporary source (e.g. TANF, child support)</li> </ul> | <p>Elderly and/or Disabled Head of Households with:</p> <ul style="list-style-type: none"> <li>• <b>All income from a fixed source</b> such as: <ul style="list-style-type: none"> <li>○ SS</li> <li>○ SSI</li> <li>○ Pension</li> </ul> </li> </ul>   |
| <b>During the Interim Years</b> | <ul style="list-style-type: none"> <li>✓ Required to report increases in income when it occurs</li> <li>✓ May report decreases in income at any time</li> <li>✓ Must report changes in household composition when it occurs</li> </ul>  | <ul style="list-style-type: none"> <li>✓ Not required to report increases in income</li> <li>✓ May report decreases in income at any time</li> <li>✓ Must report changes in household composition when it occurs</li> </ul>  | <ul style="list-style-type: none"> <li>✓ Not required to report increases in income</li> <li>✓ May report decreases in income at any time</li> <li>✓ Must report changes in household composition when it occurs</li> <li>✓ Cost of Living Adjustment (COLA) automatically applied to household's related income subsidy (once per year at interim recertification)</li> </ul> |
| <b>Hardship Policy</b>          | Households can request a review, at any time, of the PHA's determination of their adjusted income, and the use of such income to compute their tenant rent if they feel it has been calculated incorrectly.   |  |  |

The definition of a senior and/or disabled household will follow the current HUD definitions used by OHA as follows:

- The head, spouse, or co-head, or sole member is an elderly person (24 CFR 5.403). An elderly person is defined as a person who is at least 62 years of age (24 CFR 5.100).
- The head, spouse, or co-head is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides (24 CFR 5.403).
- Disability is defined in detail in OHA's Admissions and Continued Occupancy Policy (ACOP) and Administrative Plan (Admin Plan) in Exhibit 3-1 and can be found in Appendix B.

OHA will continue to use an income-based rent model. Other than for the households that are in the Rent Reform Pilot Program (see MTW Activity #13-01), the rent calculations and other occupancy policies will remain the same as described in the ACOP and Admin Plan.

## **B. Describe relationship to statutory objectives**

This activity relates to the statutory objective to reduce cost and achieve greater cost effectiveness in federal expenditures. OHA will be able to reduce costs and staff resources by conducting the income reexaminations less frequently for the target populations.

## **C. Identify and discuss the anticipated impact**

Reduce the administrative time and costs associated with conducting reexaminations for households on fixed incomes and those households with wage earnings. Additionally, this policy will be less burdensome and intrusive for residents as they will not have to come into the office as frequently to have their income reviewed.

## **D. Evaluation Metrics**

Evaluation metrics have been developed to measure the impacts of the alternative recertification schedule policy in relation to the statutory objective identified. OHA plans to track the metrics separately for the two groups, fixed income households and wage earning households, as well as separating the benchmarks by program, Public Housing and Section 8. By doing this, OHA will be able to analyze the impacts on the groups and on the housing programs.

It is assumed that for households on a triennial recertification schedule, one-third of the population will be reexamined each year. However, a straight one-third reduction in staff time and costs is not anticipated because of the COLA rent reviews conducted in the interim years. The time and cost to perform the COLA rent review is included in the calculations in order to provide a more complete picture of the time and cost savings for this activity. For the households on a biennial schedule, one-half of the target population will be reexamined each year.

| <b>#14-01 Evaluation Metrics</b>   |   |                                       |                                       |
|--|---|---------------------------------------|---------------------------------------|
| <i>Fixed Income Households – Triennial Schedule</i>  |   |                                       |                                       |
| <b>Statutory Objective(s)</b>  | <b>Measurement</b>                                    | <b>Baseline</b>                       | <b>Benchmarks FY 2014</b>             |
| Reduce costs and achieve greater cost effectiveness<br>Reduce costs and achieve greater cost effectiveness | Number of full rent review examinations performed     | Public Housing: 560 full rent reviews | 224 full rent reviews (60% reduction) |
|  |   | Section 8: 2,678 full rent reviews    | 883 full rent reviews (67% reduction) |
|  | Staff time to perform all rent review re-examinations | Public Housing: 1,680 hours           | 840 hours (50% reduction)             |
|  |   | Section 8: 2,678 hours                | 1,475 hours (45% reduction)           |
|  | Labor cost to perform all rent review re-examinations | Public Housing: \$42,000              | \$21,000 (50% reduction)              |
|  |   | Section 8: \$111,940                  | \$57,985 (48% reduction)              |

| <b>#14-01 Evaluation Metrics</b>   |   |                                       |   |
|--|---|---------------------------------------|---|
| <i>Wage Earning Households – Biennial Schedule</i>   |   |                                       |   |
| <b>Statutory Objective(s)</b>  | <b>Measurement</b>                                    | <b>Baseline</b>                       | <b>Benchmarks FY 2014</b>               |
| Reduce costs and achieve greater cost effectiveness<br>Reduce costs and achieve greater cost effectiveness | Number of full rent review examinations performed     | Public Housing: 390 full rent reviews | 195 full rent reviews (50% reduction)   |
|  |   | Section 8: 3,500 full rent reviews    | 1,750 full rent reviews (50% reduction) |
|  | Staff time to perform all rent review re-examinations | Public Housing: 1,170 hours           | 585 hours (50% reduction)               |
|  |   | Section 8: 3,500 hours                | 1,750 hours (50% reduction)             |
|  | Labor cost to perform all rent review re-examinations | Public Housing: \$29,250              | \$14,625 (50% reduction)                |
|  |   | Section 8: \$146,300                  | \$73,150 (50% reduction)                |

## E. Data Collection Process

The baseline data for the staff time and resources spent on initial rent calculations was based on management estimates. The baseline data for the staff time and resources spent on recertifications was based on staff interviews and experience from the existing triennial recertification activity (previously MTW activity #07-01). Staff will continue to track time spent on recertifications once the policy is implemented.

## F. Authorizations

This activity uses the authorizations found in Attachment C, Section C.4 and Section D.1.c, of OHA's Amended and Restated Agreement to conduct this activity.

## G. Rent Reform

### 1. Agency's Board approval of policy

Board approval of this policy is included in Appendix E.

### 2. Impact Analysis

This policy will not affect the calculation of rent, but will change the frequency of the rent determination. In most cases, this will result in a benefit to residents because their rent will not increase as frequently due to the modified length between recertification. Although, this policy may result in a loss of revenue to OHA, it is anticipated that this loss of revenue will be offset by the reduction in labor costs creating a revenue neutral strategy.

OHA conducted an analysis on current households to determine the number of households that will be impacted by the implementation of this policy, see Table 9 for more details. The impact analysis was based on data from households recertified between January 2012 to January 2013. Table 10 on the following page presents the demographic and economic characteristics of the impacted residents.

| <b>Table 9</b>  |   |                       |                  |            |
|---|---|-----------------------|------------------|------------|
| <b>Impact Analysis of Alternative Recertification Schedules</b> |   |                       |                  |            |
|   |   | <b>Public Housing</b> | <b>Section 8</b> | <b>All</b> |
| <b>Fixed Income Households</b>                                  | Households on a fixed income                          | 42%                   | 30%              | 32%        |
|   | Fixed income households with increases in income      | 65%                   | 78%              | 75%        |
|   | Resulting average increase in the monthly tenant rent | \$29.35               | \$27.00          | \$27.33    |
| <b>Wage Earning Households</b>                                  | Households with income from wages                     | 29%                   | 42%              | 41%        |
|   | Wage income households with increases in income       | 48%                   | 49%              | 49%        |
|   | Resulting average increase in the monthly tenant rent | \$96.36               | \$131.00         | \$127.58   |

### 3. Annual reevaluation of rent reform initiative

OHA will evaluate the alternative recertification schedule policy at least annually to ensure that the intended outcomes are being reached. OHA will also review and analyze hardship requests to ensure that the policy is not negatively impacting or having a disparate impact on residents.

### 4. Hardship case criteria

Any household can request an interim review at any time if they feel their rent has been calculated incorrectly. For those households on the triennial recertification schedule, which includes a COLA adjustment annually, households may request an interim review at any time if they believe their rent portion would be lower than the stated cost of living increase or decrease.

**Table 10**  
**Demographic and Economic Characteristics of Impacted Residents**

|  | Family Public Housing Sites | Senior-Designated Public Housing Sites | All Public Housing Sites | All MTW Section 8* |
|--|-----------------------------|--|--------------------------|--------------------|
| <b>Family Type Based on Head of Household</b>    |                             |  |                          |                    |
| Elderly (≥ 62 years old)                         | 21%                         | 99%                                    | 40%                      | 23%                |
| <i>Elderly Disabled</i>                          | <i>12%</i>                  | <i>75%</i>                             | <i>27%</i>               | <i>18%</i>         |
| <i>Elderly Non-Disabled</i>                      | <i>9%</i>                   | <i>25%</i>                             | <i>13%</i>               | <i>5%</i>          |
| Disabled (< 62 years old)                        | 15%                         | 1%                                     | 12%                      | 24%                |
| Family   | 64%                         | 0%                                     | 49%                      | 53%                |
| Total  | 100%                        | 100%                                   | 100%                     | 100%               |
| <b>Race Based on Head of Household</b>           |                             |  |                          |                    |
| White  | 4%                          | 5%                                     | 4%                       | 7%                 |
| Black/African American                           | 74%                         | 44%                                    | 67%                      | 72%                |
| American Indian/Alaskan Native                   | 1%                          | 0%                                     | 0%                       | 1%                 |
| Asian  | 18%                         | 51%                                    | 26%                      | 20%                |
| Native Hawaiian/Other Pacific Islander           | 0%                          | 1%                                     | 0%                       | 0%                 |
| More than 1 Race and/or Other                    | 1%                          | 0%                                     | 1%                       | 1%                 |
| Not Reported                                     | 3%                          | 0%                                     | 2%                       | 0%                 |
| Total  | 100%                        | 100%                                   | 100%                     | 100%               |
| <b>Ethnicity Based on Head of Household</b>      |                             |  |                          |                    |
| Hispanic   | 5%                          | 1%                                     | 4%                       | 4%                 |
| Non-Hispanic                                     | 94%                         | 99%                                    | 95%                      | 96%                |
| Not Reported                                     | 1%                          | 0%                                     | 1%                       | 0%                 |
| Total  | 100%                        | 100%                                   | 100%                     | 100%               |
| <b>Households with at least 1 working member</b> |                             |  |                          |                    |
| Percentage of Households                         | 36%                         | 5%                                     | 28%                      | 34%                |
| <b>Household Income Percent of AMI</b>           |                             |  |                          |                    |
| 0% - 30%   | 85%                         | 94%                                    | 87%                      | 81%                |
| 31% - 50%  | 11%                         | 5%                                     | 9%                       | 15%                |
| 51% - 80%  | 4%                          | 1%                                     | 3%                       | 4%                 |
| Over 80%   | 1%                          | 0%                                     | 0%                       | 1%                 |
| Total  | 100%                        | 100%                                   | 100%                     | 100%               |
| <b>Number of People in the Household</b>         |                             |  |                          |                    |
| 1 Person   | 33%                         | 72%                                    | 42%                      | 37%                |
| 2 People   | 26%                         | 28%                                    | 27%                      | 27%                |
| 3 People   | 21%                         | 0%                                     | 16%                      | 16%                |
| 4 People   | 13%                         | 0%                                     | 10%                      | 12%                |
| 5 People   | 4%                          | 0%                                     | 3%                       | 5%                 |
| 6+ People  | 3%                          | 0%                                     | 2%                       | 3%                 |
| Total  | 100%                        | 100%                                   | 100%                     | 100%               |

\* This data includes all MTW Housing Choice Voucher recipients. This data set does not include non-MTW voucher holders that are participants of specially funded and designated programs (i.e. Mainstream, Mod Rehab, VASH).

## **5. Transition period**

The triennial recertification schedule has already been implemented in the Section 8 program and at two senior Public Housing sites under previously approved activity #07-01. The remaining Public Housing sites will begin implementation of the triennial recertification schedule immediately with the goal of having all households on the new schedule by the end of the calendar year. By the end of FY 2014, OHA anticipates that all households will be recertified under the new schedules based on the household's eligibility.

## **6. Documentation of public hearing**

The public hearing for this policy was conducted in conjunction with the public hearing for the MTW Plan on March 4, 2013. In addition, this policy was presented to the Resident Advisory Board (RAB) on March 14, 2013. One letter was received during the public comment period regarding the Section 8 program. The letter and the response provided are included in Appendix H along with the minutes from the RAB meeting and other documentation of the public process.

## Section VI. Ongoing MTW Activities: HUD Approval Granted

The activities discussed in this section have been approved by HUD in previous fiscal years.

### A. List of Ongoing Activities Including Plan Year Identified and Implemented

Table 11 provides a list of all ongoing MTW activities including the year the activity was implemented and the primary statutory objective(s) the activity is intended to impact. Each activity has been assigned a number based on the fiscal year in which the activity was identified (e.g. 13-01 indicates that the activity was identified in the FY 2013 MTW Annual Plan).

| Table 11<br>Ongoing MTW Activities: HUD Approval Previously Granted |                         |  |  |  |  |
|---|-------------------------|--|--|--|--|
| Activity #  | Fiscal Year Implemented | MTW Activity Name  | Description  | Statutory Objective(s)   | Authorization(s)   |
| 13-01   | To Be Determined (TBD)  | Rent Reform Pilot Program                                | <p>Creates a pilot program to test rent reform strategies at Campbell Village (Public Housing) and AMP 10 (Section 8 PBV) where:</p> <ul style="list-style-type: none"> <li>Total Tenant Payment (TTP) calculated based on 27.5% of gross annual income for seniors and disabled households and 27% for work-eligible households</li> <li>Triennial recertification schedule for senior and disabled households, biennial schedule for work-eligible households</li> <li>Eliminate all deductions and earned income disallowance</li> <li>Recent increases in income excluded in recertification</li> <li>Absolute minimum rent of \$25</li> </ul> | <p>-Reduce costs and achieve greater cost effectiveness</p> <p>-Provide incentives for families with children to become economically self-sufficient</p> | Attachment C, Section C.4, C.11<br>Section D.1.c<br>Section D.2.a    |
| 12-01   | 2012                    | Eliminate Caps on PBV Allocations                        | Eliminates the cap on the total number of units the Authority can project-base and the number of units that can be project-based in a development  | Increase housing choices   | Attachment C, Section D.1.e,<br>Section B.3                          |
| 11-01   | 2011                    | PBV Occupancy Standards                                  | Modifies the occupancy standards in the PBV program to be consistent with occupancy standards required by other state or locally administered funding in a development (e.g. LIHTC program)  | Increase housing choices   | Attachment C, Section D.7  |
| 11-02   | TBD                     | Standardized Transfer Policy                             | Creates standard transfer policies in the public housing, Section 8, and project-based assistance programs to increase housing choices for residents.  | Increase housing choices   | Attachment D, Use of Funds   |
| 11-03   | TBD                     | SRO/ Studio Apartment Project-based Preservation Program | Develops a PBV sub-program tailored to the needs of developments with SRO and studio units providing service enriched housing. OHA will commit long-term PBV subsidies to developments where there is a need to preserve the housing resource.   | Increase housing choices   | Attachment C, Section D.7  |
| 11-05   | 2011                    | PBV Transitional Housing Programs                        | Modifies PBV program rules to permit transitional service enriched housing to fill specific unmet community needs. Used to operate the MOMS Program, which provides transitional service enriched housing to mothers returning from prison to reunite with their children.   | Increase housing choices   | Attachment C, Section B.1, B.4, D.1.a,b<br>Attachment D, Section B.2 |

**Table 11**

**Ongoing MTW Activities: HUD Approval Previously Granted**

| <b>Activity #</b> | <b>Fiscal Year Implemented</b> | <b>MTW Activity Name</b>                                       | <b>Description</b>  | <b>Statutory Objective(s)</b>   | <b>Authorization(s)</b>                              |
|-------------------|--------------------------------|--|---|---|--|
| 10-01             | 2010                           | Specialized Housing Programs                                   | Increases allocation of resources to the MOMS program to improve outcomes and enhance program coordination. MOMS program is operated in partnership with the Alameda County Sheriff's Department.   | Provide incentives for families with children to become economically self-sufficient                                    | Attachment D, Use of Funds                           |
| 10-02             | 2010                           | Program Extension for Households Receiving \$0 HAP             | Extends the period of time that a household can remain in the Section 8 program while receiving zero HAP assistance from 6 months to 24 months.   | Provide incentives for families with children to become economically self-sufficient                                    | Attachment C, Section D.1.b, D.3.a                   |
| 10-03             | 2010                           | Combined PBV HAP Contract for Multiple Non-contiguous Sites    | Allows a single PBV HAP contract to be executed for non-contiguous scattered site buildings organized by AMP or other logical grouping.   | Reduce costs and achieve greater cost effectiveness   | Attachment C, Section D.1.a, D.7                     |
| 10-04             | 2010                           | Alternative Initial Rent Determination for PBV Units           | Allows for the use of a comparability analysis or market study certified by an independent agency approved in determining rent reasonableness to establish the initial PBV contract rent.   | Reduce costs and achieve greater cost effectiveness   | Attachment C, Section D.2, D.7                       |
| 10-05             | 2010                           | Acceptance of Lower HAP in PBV Units                           | In situations where a family becomes over housed as a result of conflicting occupancy policies in the conversion from Public Housing to Section 8, this activity allows the landlord or management agent to accept a lower HAP based on the appropriate number of bedrooms for the family and in order to keep the family in-place.   | Increase housing choices  | Attachment C, Section D.7                            |
| 10-06             | 2010                           | Local Housing Assistance Program                               | Develops a Local Housing Assistance Program (LHAP) to assist households that otherwise might not qualify for or be successful in the traditional Public Housing and/or Section 8 programs. LHAP is provided directly to eligible families and to partnering agencies providing service enriched housing to special needs populations. | Increase housing choices  | Attachment D, Use of Funds                           |
| 10-07             | 2010                           | Disposition Relocation and Counseling Services                 | Provides counseling and relocation assistance to impacted public housing residents in developments approved for disposition.  | -Provide incentives for families with children to become more economically self-sufficient<br>-Increase housing choices | Attachment D, Use of Funds                           |
| 10-08             | 2011                           | Redesign FSS Program   | Redesigns the FSS Program to incorporate best practices in the industry and encourage partnerships with community based programs and initiatives.   | Provide incentives for families with children to become economically self-sufficient                                    | Attachment C, Section E                              |
| 10-09             | 2010                           | Waive 12 Month Minimum Stay Requirement in Converted PBV Units | Waives the 12 month minimum stay requirement for existing tenants in units that have converted to PBV assistance as the result of an approved disposition.  | Increase housing choices  | Attachment C, Section D.7                            |
| 09-01             | 2011                           | Alternative HQS System   | Uses a risk-based strategy to allocate HQS inspection resources in order to improve compliance at problem properties and allocate fewer resources to properties with a history of compliance.   | Reduce costs and achieve greater cost effectiveness   | Attachment C, Section D.5<br>Attachment D, Section D |

**Table 11**

**Ongoing MTW Activities: HUD Approval Previously Granted**

| Activity #             | Fiscal Year Implemented | MTW Activity Name   | Description   | Statutory Objective(s)  | Authorization(s)                 |
|------------------------|-------------------------|---|---|---|----------------------------------|
| 09-02                  | 2010                    | Short-Term Subsidy Program                                  | Provides temporary housing assistance to preserve existing affordable housing resources and allow tenants to remain in-place.                                     | Reduce costs and achieve greater cost effectiveness                               | Attachment D, Use of Funds       |
| 08-01                  | 2008                    | Fund Affordable Housing Development Activities              | Utilize single-fund budget flexibility to leverage funds to preserve affordable housing resources and create new affordable housing opportunities in Oakland.     | Increase housing choices  | Attachment D, Use of Funds       |
| 07-01 (moved to 14-01) | 2010                    | Triennial Income Recertification                            | This activity is now described under activity #14-01.   | Reduce costs and achieve greater cost effectiveness                               | Attachment C, Section C.4, D.1.c |
| 06-01                  | 2006                    | Site Based Wait Lists                                       | Establishes site based wait lists in all public housing sites, HOPE IV sites, and developments with PBV allocations.  | Reduce costs and achieve greater cost effectiveness                               | Attachment C, Section C.1        |
| 06-02                  | 2006                    | Allocation of PBV Units: Without Competitive Process        | Allows for the allocation of PBV subsidy to developments owned directly or indirectly, through an affiliated partner, by OHA without using a competitive process. | -Reduce costs and achieve greater cost effectiveness<br>-Increase housing choices | Attachment C, Section D.7.a      |
| 06-03                  | 2006                    | Allocation of PBV Units: Using Existing Competitive Process | Allows for the allocation of PBV subsidy to qualifying developments using the City of Oakland NOFA/RFP or other existing competitive process.                     | -Reduce costs and achieve greater cost effectiveness<br>-Increase housing choices | Attachment C, Section D.7.b      |

**B. Update on Status of Activity**

Additional information is provided on each activity including a brief status update and evaluation metrics for FY 2014.

**MTW Activity #13-01: Rent Reform Pilot Program**

*Description of MTW Activity:* Create a pilot program to test rent reform strategies at Campbell Village (Public Housing) and AMP 10 (Section 8 PBV) where:

- Total Tenant Payment (TTP) calculated based on 27.5% of gross annual income for seniors and disabled households and 27% for work-eligible households
  - Working seniors and working disabled individuals will have the option to choose to be included in the “work-eligible” group where their rent would be calculated based on 27% of their gross income and they would be on a biennial recertification schedule.
- Triennial recertification schedule for senior and disabled households, biennial schedule for work-eligible households
- Eliminate all deductions (elderly/disabled deduction, dependent deduction, medical expenses, child care expenses) and earned income disallowance

- Increases in income within six months of recertification are excluded
- Absolute minimum rent of \$25. Households will still be eligible for a utility allowance. However, no rent will be reduced below the minimum rent due to a utility allowance.
- Flat rent – In the Public Housing program, households will still have the option to choose a flat rent or the rent reform income-based rent calculation during initial eligibility or at the time of recertification.

During the test phase of the pilot program, OHA will, at its discretion, withdraw components that are not working and/or move forward with implementing the policy for additional participants or properties based on the outcomes, after providing an opportunity for the public to comment on proposed changes. More details about this program and its components can be found in the FY 2013 MTW Annual Plan.

*Hardship Policy (Rent Reform activity):* For households that have more than a \$25 increase in their tenant rent payment (estimated 3% of all households or 12 households), the rent increase will be capped at \$25 if they meet one of the following criteria:

- Three or more dependents, or
- Out-of-pocket child care expenses above \$2,000 annually, or
- Out-of-pocket medical expenses above \$1,500 annually

This cap will remain in effect for 12 months and can be renewed annually if the same conditions exist. Households will have to provide documentation substantiating that they meet the criteria outlined above.

Households that feel that the rent increase cap does not go far enough in addressing their hardship or households that do not qualify for the rent increase cap can request a hardship review if they received any increase in their rent. These households will be required to provide documentation substantiating their hardship. A committee of representatives from the Public Housing and Section 8 programs will be established to review the hardship requests on a case-by-case basis. The hardship committee will have the option to reduce the amount of increase to the tenant rent payment to a level that is affordable for the resident or to eliminate the increase to the tenant rent payment entirely. Based on the circumstances, the hardship committee will determine an appropriate length of time for the hardship reduction to remain in place. Reductions to rent increases will be reviewed and either extended or removed after the specific period of time or at the next scheduled recertification. If a household is denied a hardship request and disagrees with the determination, the household can appeal following OHA's grievance procedure.

*Anticipated Impacts:* The rent reform policy was designed to address local needs and concerns and have the following primary intended impacts:

- Stabilize the neighborhoods and schools in Oakland by creating a housing environment where families can grow economically without having to rapidly transition out of the housing programs and change their children's school.
- Promote and provide opportunities for higher income families to stay in Oakland, thereby contributing to the community both economically and as role models for other households.

- Create an environment that is less intrusive to residents and empowers them to make choices for their own life without compromising the necessary oversight needed to equitably and efficiently operate subsidized housing.
- Reduce the amount of staff time and resources spent on calculating, verifying and recertifying the tenant rent payment as a result of changes to the verification process for assets and the elimination of deductions.

*Status Update:* The implementation of the pilot program is on hold. The current business system used by OHA is not able to modify the percentage used to calculate rent. OHA is in the process of changing business systems and is ensuring that the new system will be able to accommodate these types of modifications.

| <b>#13-01 Evaluation Metrics</b>                    |  |   |                            |
|---|--|---|----------------------------|
| <b>Senior and Disabled Households</b>               |  |   |                            |
| <b>Statutory Objective(s)</b>                       | <b>Measurement</b>   | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>  |
| Reduce costs and achieve greater cost effectiveness | Staff time to perform initial rent calculation per household | Public Housing: 90 minutes                                  | 72 minutes (20% reduction) |
|   |  | Section 8: 45 minutes                                       | 36 minutes (20% reduction) |
|   | Labor cost to perform initial rent calculation per household | Public Housing: \$54 (based on \$36 per hour)               | \$43.20 (20% reduction)    |
|   |  | Section 8: \$31 (based on \$42 per hour)                    | \$24.80 (20% reduction)    |
| Reduce costs and achieve greater cost effectiveness | Staff time to perform all rent review re-examinations        | Public Housing: 120 hours (based on 60 eligible households) | 60 hours (50% reduction)   |
|   |  | Section 8: 67 hours (based on 67 eligible households)       | 37 hours (45% reduction)   |
|   | Labor cost to perform all rent review re-examinations        | Public Housing: \$4,320 (based on 60 eligible households)   | \$2,160 (50% reduction)    |
|   |  | Section 8: \$2,800 (based on 67 eligible households)        | \$1,540 (45% reduction)    |

| <b>#13-01 Evaluation Metrics</b>                    |  |   |                            |
|---|--|---|----------------------------|
| <b>Work-Eligible Households</b>                     |  |   |                            |
| <b>Statutory Objective(s)</b>                       | <b>Measurement</b>   | <b>Baseline</b>                               | <b>Benchmarks FY 2014</b>  |
| Reduce costs and achieve greater cost effectiveness | Staff time to perform initial rent calculation per household | Public Housing: 120 minutes                   | 96 minutes (20% reduction) |
|   |  | Section 8: 90 minutes                         | 72 minutes (20% reduction) |
|   | Labor cost to perform initial rent calculation per household | Public Housing: \$72 (based on \$36 per hour) | \$57.60 (20% reduction)    |
|   |  | Section 8: \$63 (based on \$42 per hour)      | \$50.40 (20% reduction)    |

| #13-01 Evaluation Metrics   |   |   |                              |
|---|---|---|------------------------------|
| Work-Eligible Households  |   |   |                              |
| Statutory Objective(s)  | Measurement   | Baseline  | Benchmarks FY 2014           |
| Reduce costs and achieve greater cost effectiveness                                       | Staff time to perform all rent review re-examinations                   | Public Housing: 267 hours (based on 89 eligible households) | 134 hours (50% reduction)    |
|   |   | Section 8: 362 hours (based on 181 eligible households)     | 181 hours (50% reduction)    |
|   | Labor cost to perform all rent review re-examinations                   | Public Housing: \$6,408 (based on 89 eligible households)   | \$3,204 (50% reduction)      |
|   |   | Section 8: \$15,132 (based on 181 eligible households)      | \$7,565 (50% reduction)      |
| Provide incentives for families with children to become more economically self sufficient | Number of households with earned income                                 | Public Housing: 42 households                               | 46 households (10% increase) |
|   |   | Section 8: 75 households                                    | 82 households (10% increase) |
|   | Number of households with increases in income as a result of new policy | Public Housing: 0   | 5 households                 |
|   |   | Section 8: 0  | 8 households                 |
|   | Average annual income   | Public Housing: \$10,926                                    | \$12,020 (10% increase)      |
|   |   | Section 8: \$14,444   | \$5,888 (10% increase)       |

**MTW Activity #12-01: Eliminate Caps on PBV Allocations**

*Description of MTW Activity:* Eliminate caps on project-based voucher (PBV) allocations. Under the existing regulations, Public Housing Authorities (PHA) are limited to project-basing up to 20 percent (20%) of the amount of budget authority allocated to the PHA by HUD in the PHA voucher program. In addition, PHAs are limited to project-basing up to 25 percent (25%) of units in a single development. Previously, OHA has received approval in the FY 2010 MTW Plan to remove the cap on the number of PBVs allocated to a single development. This activity expands on the previously approved activity to eliminate caps on PBV allocations in all areas.

*Anticipated Impacts:* Preserve the long-term affordability as Public Housing, Moderate Rehabilitation, or other assisted housing units are converted to PBV assistance. Award projects to developers that will leverage the PBV funding commitment to preserve or build additional affordable housing.

*Status Update:* Ongoing.

| <b>#12-01 Evaluation Metrics</b> |  |   |   |
|----------------------------------|--|---|---|
| <b>Statutory Objective</b>       | <b>Measurement</b>   | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>   |
| Increase housing choices         | Number of units and development opportunities created in developments with allocations over 25%    | Number of PBV units awarded above 25% of the total units in a project = 0   | Number of PBV units awarded above 25% of the total units in a project = 25 new and/or preservation units    |
| Increase housing choices         | Number of units awarded PBV assistance above the 20% cap of the total units in the voucher program | Number of PBV units awarded above 20% of total units in voucher program = 0 | Number of PBV units awarded above 20% of total units in voucher program = 100 new and/or preservation units |

**MTW Activity #11-01: PBV Occupancy Standards**

*Description of MTW Activity:* Modify the occupancy standards in the PBV program to be consistent with occupancy standards required by other state or locally administered funding in a development (e.g. LIHTC program). Based on family composition, under this activity a family may qualify for a larger bedroom size than they would have under the previous policy. The activity applies to new participants in the PBV program and to in-place families whose household composition changes would require them to relocate.

*Anticipated Impacts:* Create consistent occupancy standards for all units in a development regardless of source of subsidy, thereby, increasing housing options for households assisted with PBVs.

*Status Update:* Ongoing

| <b>#11-01 Evaluation Metrics</b> |  |  |   |
|----------------------------------|--|--|---|
| <b>Statutory Objective</b>       | <b>Measurement</b>   | <b>Baseline</b>  | <b>Benchmark FY 2014</b>  |
| Increase housing choices         | Number of households who would not qualify for an available unit based on household composition. | Number of households who qualify for an available unit who would not have qualified under the previous PBV rules = 0 | Number of households who qualify for an available unit who would not have qualified under the previous PBV rules = 5 households |

**MTW Activity #11-02: Standardize Transfer Policy**

*Description of MTW Activity:* Adopt a policy to allow residents to transfer from Public Housing or PBV assisted housing to the tenant-based Section 8 voucher program. Amend the current transfer policies to standardize the procedures across programs. Policy may include provisions such as the length of tenancy required to request a transfer voucher, impacts to the HCV wait list, and a cap on the number of transfer vouchers issued annually. Families may be required to complete a two-year tenancy in order to be eligible to request a transfer voucher from either the

Public Housing or PBV program. In order to limit the impact on the HCV waitlist, the issuance of vouchers may be subject to a one-for-one policy whereby at least one or more new vouchers are issued to families selected from the HCV tenant-based waiting list for every Public Housing or PBV transfer voucher issued. In order to control demand, OHA is considering limiting the number of transfer vouchers available to no more than 10 percent (10%) of the total units in the Public Housing and PBV programs combined per year.

*Anticipated Impacts:* Increase housing choices for families by allowing residents of public housing and PBV assisted housing the option to move when family, employment, or other circumstances change.

*Status Update:* Components of this policy may be implemented during FY 2014, such as the length of tenancy required to request a transfer voucher in the PBV program, but the overall implementation of this policy is on hold. OHA is concerned about the impact this policy may have on the Section 8 program in this unstable funding environment.

| <b>#11-02 Evaluation Metrics</b> |   |  |  |
|----------------------------------|---|--|--|
| <b>Statutory Objective</b>       | <b>Measurement</b>                                  | <b>Baseline</b>                                      | <b>Benchmarks FY 2014</b>                              |
| Increase housing choices         | Number of households requesting a transfer voucher. | Number of families requesting a transfer voucher = 0 | Number of families requesting a transfer voucher = 200 |

**MTW Activity #11-03: SRO/Studio Apartment Project-based Preservation Program**

*Description of MTW Activity:* Develop a PBV sub-program to award long-term Section 8 assistance to Single Room Occupancy (SRO) and studio apartment developments offering service enriched housing.

*Anticipated Impacts:* Preserve and improve distressed SRO/studio apartment developments with service enriched housing thereby increasing the housing options for these households.

*Status Update:* The policy is in development and will be included in the next revision of the Administrative Plan. After the policy has been incorporated into the Administrative Plan, OHA plans to convert projects currently in development and/or release a Notice of Funding Availability (NOFA) to solicit additional proposals in FY 2014.

| <b>#11-03 Evaluation Metrics</b> |  |   |   |
|----------------------------------|--|---|---|
| <b>Statutory Objective</b>       | <b>Measurement</b>   | <b>Baseline</b>   | <b>Benchmark FY 2014</b>  |
| Increase housing choices         | Number of units/projects awarded PBV assistance under this activity. | Number of SRO/studio units awarded PBV assistance under this activity = 0 | Number of SRO/studio units awarded PBV assistance under this activity = 250 |

**MTW Activity #11-05: PBV Transitional Housing Program**

*Description of MTW Activity:* Develop a PBV sub-program to allow for transitional housing programs at developments serving low-income special needs households who otherwise might not qualify for or be successful in the Public Housing and/or Section 8 programs.

*Anticipated Impacts:* Expand housing options for low-income special needs families that would traditionally not be served by the Public Housing or Section 8 program.

*Status Update:* The PBV transitional housing program is under development. The program will be incorporated into the Administrative Plan revisions planned for FY 2014. The pilot project for this activity will be the Maximizing Opportunities for Mothers to Succeed (MOMS) program, which provides 11 units of service enriched transitional housing for women leaving the county jail system and reuniting with their children. The newly created transitional housing program guidelines will be implemented in FY 2014 after the revised Administrative Plan is approved.

| <b>#11-05 Evaluation Metrics</b> |  |  |   |
|----------------------------------|--|--|---|
| <b>Statutory Objective</b>       | <b>Measurement</b>   | <b>Baseline</b>  | <b>Benchmarks FY 2014</b>   |
| Increase housing choices         | Number of families participating in PBV transitional housing program | Number of families participating in PBV transitional housing program = 0 | Number of families participating in PBV transitional housing program = 11 (100% increase) |
|                                  | Number of new applicants meeting program requirements                | Number of new applicants = 4   | Number of new applicants = 6 (50% increase)   |

**MTW Activity #10-01: Specialized Housing Programs**

*Description of MTW Activity:* In partnership with the Alameda County Sheriff’s Department, OHA operates the MOMS program. This activity increases the allocation of resources to the MOMS program to improve outcomes and enhance program coordination among partners.

*Anticipated Impacts:* Improve self-sufficiency outcomes for residents.

*Status Update:* Ongoing.

| <b>#10-01 Evaluation Metrics</b>  |   |                                   |                                   |
|---|---|-----------------------------------|-----------------------------------|
| <b>Statutory Objective</b>  | <b>Measurement</b>                              | <b>Baseline</b>                   | <b>Benchmarks FY 2014</b>         |
| Provide incentives for families with children to become more economically self-sufficient | Number of different types of services available | Types of services available = 0   | Types of services available = 10  |
|   | Number of families graduating from the program  | Number of families graduating = 0 | Number of families graduating = 3 |

**MTW Activity #10-02: Program Extension for Households Receiving Zero HAP**

*Description of MTW Activity:* Modify the HCV program rules to allow participants receiving a Housing Assistance Payment (HAP) of zero (\$0) to remain in the program for up to 24 months before being terminated from the program.

*Anticipated Impacts:* Remove incentives for families to end employment or reduce sources of income in order to maintain housing assistance. Encourage employment and provide additional security for participants trying to increase their income.

*Status Update:* Ongoing

| <b>#10-02 Evaluation Metrics</b>   |   |   |  |
|--|---|---|--|
| <b>Statutory Objective</b>   | <b>Measurement</b>  | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>  |
| Provide incentives for families with children to become economically self sufficient | Number of families able to remain in Section 8 past 6 months  | Number of families able to remain in Section 8 past 6 months = 0  | Number of families able to remain in Section 8 past 6 months = 85  |
|  | Number of families that returned to a HAP payment after being at zero HAP assistance for more than 6 months | Number of families that returned to a HAP payment after being at zero HAP assistance for more than 6 months = 0 | Number of families that returned to a HAP payment after being at zero HAP assistance for more than 6 months = 25 |

**MTW Activity #10-03: Combined PBV HAP Contract for Non-Contiguous Scattered Sites**

*Description of MTW Activity:* Modify PBV program rules to allow HAP contracts to be executed for non-contiguous buildings.

*Anticipated Impacts:* Reduce the staff time and administrative costs associated with preparing, executing, and managing the HAP contracts.

*Status Update:* Ongoing. OHA does not anticipate utilizing this activity in FY 2014, but it remains active for use with eligible sites.

| <b>#10-03 Evaluation Metrics</b>                    |  |   |  |
|---|--|---|--|
| <b>Statutory Objective</b>                          | <b>Measurement</b>                                   | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>  |
| Reduce costs and achieve greater cost effectiveness | Number of HAP contracts executed for scattered sites | Number of HAP contracts executed for scattered sites = 8          | Number of HAP contracts executed for scattered sites = 0         |
|   | Staff time to execute contracts for scattered sites  | Staff time to execute HAP contracts at scattered sites = 48 hours | Staff time to execute HAP contracts at scattered sites = 0 hours |

**MTW Activity #10-04: Alternative Initial Rent Determination for PBV Units**

*Description of MTW Activity:* Modify the PBV program requirement to use a state certified appraiser to determine the initial contract rent for each PBV project. Under this activity, initial contract rents are determined using a comparability analysis or market study certified by an independent agency approved to determine rent reasonableness for OHA-owned units. In addition, the definition of PBV “project” is expanded to include non-contiguous scattered sites grouped into Asset Management Properties (AMPs). Initial PBV contract rents are determined for each bedroom size within an AMP. The rent established for a two-bedroom unit is applicable to all two-bedroom units within an AMP and so on for all bedroom sizes.

*Anticipated Impacts:* Reduce the costs associated with establishing reasonable rents.

*Status Update:* Ongoing

| <b>#10-04 Evaluation Metrics</b>                    |   |  |  |
|---|---|--|--|
| <b>Statutory Objective</b>                          | <b>Measurement</b>  | <b>Baseline</b>  | <b>Benchmark FY 2014</b>   |
| Reduce costs and achieve greater cost effectiveness | Per building cost to determine initial PBV program rents at scattered site units. | Per building cost to use a state certified appraiser for a market rent study = \$1,200 | Per building cost to determine initial PBV program rents at scattered site units = \$29 (based on a project with approximately 70 separate building per AMP) |

**MTW Activity #10-05: Acceptance of Lower HAP in PBV Units**

*Description of MTW Activity:* As a result of disposition, some households may become considered “over-housed” based on differences in the occupancy policies in the Public Housing and Section 8 programs. In these situations, this activity allows the landlord or management agent to accept a lower HAP based on the appropriate number of bedrooms for the family as opposed to the actual number of bedrooms in the unit.

*Anticipated Impacts:* Ensure access to housing for families impacted by disposition.

*Status Update:* Ongoing. OHA does not anticipate any new families will be over-housed under this policy during FY 2014. However, this remains an active activity and is being used for families that remained in place after the disposition of the scattered site units.

| <b>#10-05 Evaluation Metrics</b> |  |  |  |
|----------------------------------|--|--|--|
| <b>Statutory Objective</b>       | <b>Measurement</b>   | <b>Baseline</b>  | <b>Benchmark FY 2014</b>   |
| Increase housing choices         | Number of over-housed households eligible to remain in-place with PBV assistance | Number of over-housed households eligible to remain in-place with PBV assistance = 0 | Number of over-housed households eligible to remain in-place with PBV assistance = 0 |

**MTW Activity #10-06: Local Housing Assistance Program**

*Description of MTW Activity:* The Local Housing Assistance Program (LHAP) provides support to households that might not qualify for or be successful in the traditional Public Housing and/or Section 8 programs. LHAP provides subsidies to eligible households and to partnering agencies operating service enriched housing for low-income households with special needs.

*Anticipated Impacts:* Increase the housing choices for hard-to-house families and provide critical support to agencies operating serviced enriched housing for special needs households.

*Status Update:* For FY 2014, OHA plans to partner with the City of Oakland to provide housing subsidies to participants in supportive housing programs funded by the City.

| <b>#10-06 Evaluation Metrics</b> |   |   |   |
|----------------------------------|---|---|---|
| <b>Statutory Objective</b>       | <b>Measurement</b>  | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>   |
| Increase housing choices         | Number of households assisted directly by LHAP                      | Number of households assisted directly by LHAP = 0                      | Number of households assisted directly by LHAP = 10                       |
|                                  | Number of households assisted by partnering agencies receiving LHAP | Number of households assisted by partnering agencies receiving LHAP = 0 | Number of households assisted by partnering agencies receiving LHAP = 110 |

**MTW Activity #10-07: Disposition Relocation and Counseling Services**

*Description of MTW Activity:* Provide counseling and relocation assistance to residents impacted by an approved disposition of public housing units.

*Anticipated Impacts:* Increase participants' knowledge and understanding of housing options available in the community and improve outcomes for households that receive a transfer voucher.

*Status Update:* Families impacted by disposition have already been provided relocation and counseling assistance in previous fiscal years. If the disposition of the senior sites is approved during FY 2014, this activity will be used to provide those resources again and the benchmark will be revised. The transfer voucher requests are ongoing.

| <b>#10-07 Evaluation Metrics</b> |   |   |   |
|----------------------------------|---|---|---|
| <b>Statutory Objective</b>       | <b>Measurement</b>  | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>   |
| Increase housing choices         | Amount of resources available for relocation and counseling | Amount of resources available for relocation and counseling = 0 | Amount of resources available for relocation and counseling = N/A |
|                                  | Number of transfer vouchers requested                       | Number of transfer vouchers requested = 0                       | Number of transfer vouchers requested = 80                        |

**MTW Activity #10-08: Redesign FSS Program**

*Description of MTW Activity:* Redesign the Family Self Sufficiency (FSS) program building on best practices in the industry and, where applicable, working in tandem with other community-based programs and initiatives.

*Anticipated Impacts:* Increase participant enrollment in the program and improve outcomes by better matching program design with participant needs.

*Status Update:* The redesign of the FSS program is on hold. OHA continues to operate the FSS program under the regulations outlined in the associated Notice of Funding Availability (NOFA). OHA uses MTW Block Grant funds to supplement the funding received in the FSS program.

| <b>#10-08 Evaluation Metrics</b>   |   |  |  |
|--|---|--|--|
| <b>Statutory Objective</b>   | <b>Measurement</b>                                  | <b>Baseline</b>                          | <b>Benchmarks FY 2014</b>                |
| Provide incentives for families with children to become economically self-sufficient | Number of families participating in the FSS program | Number of families enrolled in FSS = 222 | Number of families enrolled in FSS = 225 |
|  |   | Number of new contracts signed = 43      | Number of new contracts signed = 44      |
|  |   | Number of workshops held = 3             | Number of workshops held = 10            |

**MTW Activity #10-09: Waive 12 Month Minimum Stay Requirement in Converted PBVs**

*Description of MTW Activity:* Waives the 12 month minimum stay requirement for existing tenants in units that have converted to PBV assistance as the result of an approved disposition. Under the existing PBV regulations, households must complete a one year tenancy in the unit before they can request a tenant-based voucher and move with continued assistance. This activity would allow residents that are in-place at the time of an approved disposition where the units are being converted to PBV assistance, to move at any time.

*Anticipated Impacts:* Ensure housing choices are available to residents impacted by disposition.

*Status Update:* Ongoing.

| <b>#10-09 Evaluation Metrics</b> |   |   |  |
|----------------------------------|---|---|--|
| <b>Statutory Objective</b>       | <b>Measurement</b>  | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>  |
| Increase housing choices         | Number of households in PBV units requesting a voucher after less than 1 year in the unit | Number of households in PBV units requesting a voucher after less than 1 year in the unit = 0 | Number of households in PBV units requesting a voucher after less than 1 year in the unit = 40 |

**MTW Activity #09-01: Alternative HQS System**

*Description of MTW Activity:* Develop an alternative inspection methodology and frequency for HQS inspections based on a risk assessment system and findings from prior inspections. Properties that are HQS compliant and pass their first inspection are only inspected every two years. Properties that fail on the first inspection remain on the annual inspection schedule. Properties that fail to pass HQS after two inspections will be inspected more frequently and require semi-annual inspections for the next year. After two inspections that pass, the property may be placed back on an annual or biennial inspection schedule. Results of the inspections are submitted electronically to HUD via the HUD 50058 form and stored electronically in OHA's database.

*Anticipated Impacts:* The protocol is designed to be less intrusive to residents, requiring fewer inspections in properties that maintain units in good condition. In addition, resources can be better allocated to focus on properties with HQS deficiencies rather than on properties with a history of compliance.

*Status Update:* Ongoing. The number of vouchers in the HCV program has increased since the baseline was established. Therefore, the baseline has been revised to reflect expected outcomes based on the current number of vouchers available in the HCV program.

| <b>#09-01 Evaluation Metrics</b>                    |  |  |  |
|---|--|--|--|
| <b>Statutory Objective</b>                          | <b>Measurement</b>                       | <b>Baseline</b>                                      | <b>Benchmarks FY 2014</b>  |
| Reduce costs and achieve greater cost effectiveness | Number of units inspected annually       | Number of units inspected annually = 12,980          | Number of units inspected annually = 9,332 (28% reduction)           |
|   | Number of inspections conducted annually | Number of inspections conducted annually = 12,980    | Number of inspections conducted annually = 11,292 (13% reduction)    |
|   | Cost to perform HQS inspections annually | Cost to perform HQS inspections annually = \$399,784 | Cost to perform HQS inspections annually = \$347,794 (13% reduction) |

**MTW Activity #09-02: Short-Term Subsidy Program**

*Description of MTW Activity:* Provide temporary subsidy funding to buildings 1) that were developed with assistance from the City of Oakland, 2) where there is a risk of an imminent threat of displacement of low income households, and 3) where it can be reasonably expected that providing short-term subsidy assistance will provide the necessary time to preserve the affordable housing resource.

*Anticipated Impacts:* Preserving existing housing resources with a short-term subsidy is more cost effective in many circumstances than relocating in-place families and providing a HAP.

*Status Update:* This activity is under evaluation to determine its effectiveness and efficiency prior to any new commitments being made.

| <b>#09-02 Evaluation Metrics</b>                    |                         |                                |                                  |
|---|-------------------------|--------------------------------|----------------------------------|
| <b>Statutory Objectives</b>                         | <b>Measurement</b>      | <b>Baseline</b>                | <b>Benchmarks FY 2014</b>        |
| Reduce costs and achieve greater cost effectiveness | Cost to issue subsidies | Cost to issue new HCV annually | Cost to issue short-term subsidy |

**MTW Activity #08-01: Fund Affordable Housing Development Activities**

*Description of MTW Activity:* Utilize Single Fund Flexibility to leverage funds to preserve affordable housing resources and create new affordable housing opportunities in Oakland.

*Anticipated Impacts:* Create new and replacement affordable housing thereby increasing the housing choices for low-income households.

*Status Update:* Ongoing. OHA utilizes MTW flexibility to fund the development and rehabilitation of affordable housing available to residents with income less than 80 percent (80%) of the Area Median Income (AMI). These funds will be used in conjunction with Replacement Housing Factor (RHF) funds at projects identified in the RHF Plan, found in Appendix C. See Appendix D for a summary of the affordable housing activities planned for FY 2014.

| <b>#08-01 Evaluation Metrics</b> |  |  |  |
|----------------------------------|--|--|--|
| <b>Statutory Objective</b>       | <b>Measurement</b>   | <b>Baseline</b>  | <b>Benchmark FY 2014</b>   |
| Increase housing choices         | Number of affordable housing units in predevelopment, constructed or rehabilitated | Number of affordable housing units brought on-line = 0 | Number of affordable housing units under construction = 388 units; in predevelopment = 98 units; undergoing rehabilitation = 242 units |

**MTW Activity #06-01: Site Based Wait Lists**

*Description of MTW Activity:* Establish site based wait lists at all public housing sites, HOPE VI sites, and developments with PBV allocations.

*Anticipated Impacts:* The selection and pre-screening of prospective tenants at each site improves efficiency and reduces the duplication of administrative functions. Site based wait lists allow applicants to choose what sites or areas of the city they choose to live, and reduces the number of households rejecting an apartment because it is not near the family's support systems, work and schools. Applicants may apply for multiple lists as well. Additionally, OHA has chosen to loterize its site based wait lists down to a number that offers can be made to in a reasonable period of time. Thus, the site based wait lists will be opened and closed more frequently thereby increasing the frequency of access to affordable housing opportunities,

reducing the long waiting periods for applicants, and reducing the need and cost of wait list purging and maintenance.

*Status Update:* Ongoing

| <b>#06-01 Evaluation Metrics</b>                    |  |  |  |
|---|--|--|--|
| <b>Statutory Objective</b>                          | <b>Measurement</b>   | <b>Baseline</b>  | <b>Benchmarks FY 2014</b>  |
| Reduce costs and achieve greater cost effectiveness | Time per household to lease a unit to an applicant in Public Housing     | Time to determine program eligibility, offer a unit to an applicant, and have them sign the lease = 19 hours per household | Time to determine program eligibility, offer a unit to an applicant, and have them sign the lease = 11 hours per household |
|   | Cost per vacancy to lease a unit to an applicant in Public Housing       | Cost to determine program eligibility, offer a unit to an applicant, and have them sign the lease = \$875 per vacancy      | Cost to determine program eligibility, offer a unit to an applicant, and have them sign the lease = \$500 per vacancy      |
|   | Annual cost to lease available vacant units to public housing applicants | Annual cost to lease available vacant units to public housing applicants = \$110,000                                       | Annual cost to lease available vacant units to public housing applicants = \$77,000  |

**MTW Activity #06-02: Allocation of PBV Units: Without a Competitive Process**

*Description of MTW Activity:* Allocate PBV units to developments owned directly or indirectly by OHA without using a competitive process.

*Anticipated Impacts:* Reduce the administrative time and development costs associated with issuing a Request for Proposal (RFP) when OHA has a qualifying development. Increase housing choices by creating new or replacement affordable housing opportunities.

*Status Update:* Ongoing

| <b>#06-02 Evaluation Metrics</b>                    |   |   |   |
|---|---|---|---|
| <b>Statutory Objectives</b>                         | <b>Measurement</b>  | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>   |
| Reduce costs and achieve greater cost effectiveness | Cost to develop and issue a RFP                                   | Cost to develop and issue one RFP = \$7,500                     | Cost to develop and issue one RFP = \$0                           |
|   | Cost to respond to an RFP   | Cost to respond to one RFP = \$4,000                            | Cost to respond to one RFP = \$0                                  |
| Increase housing choices                            | Number of PBV units allocated without using a competitive process | Number of PBV units allocated without a competitive process = 0 | Number of PBV units allocated without a competitive process = 100 |

**MTW Activity #06-03: Allocation of PBV Units: Using Existing Competitive Process**

*Description of MTW Activity:* Allocate PBV units to qualifying developments using the City of Oakland Notice of Funding Availability (NOFA)/ RFP or other existing competitive process.

*Anticipated Impacts:* Reduce the administrative time and development costs associated with issuing a RFP. Increase housing choices by creating new or replacement affordable housing opportunities.

*Status Update:* Ongoing

| <b>#06-03 Evaluation Metrics</b>                    |   |   |   |
|---|---|---|---|
| <b>Statutory Objectives</b>                         | <b>Measurement</b>  | <b>Baseline</b>   | <b>Benchmarks FY 2014</b>   |
| Reduce costs and achieve greater cost effectiveness | Cost to develop and issue a RFP                                     | Cost to develop and issue one RFP = \$7,500                             | Cost to develop and issue one RFP = \$0                                   |
| Increase housing choices                            | Number of PBV units allocated using an existing competitive process | Number of PBV units allocated using an existing competitive process = 0 | Number of PBV units allocated using an existing competitive process = 100 |

**C. Changes, Modifications, or Additions to Attachment C Authorizations**

There are no changes to the Attachment C authorizations for the MTW activities.

**D. Use of Outside Evaluators**

Currently, OHA is not using outside evaluators to measure the ongoing activities identified above. During FY 2014, OHA plans to solicit proposals from outside evaluators through a Request for Proposals (RFP) process. OHA anticipates working with outside evaluators in FY 2014 to begin a longitudinal study that will measure the impacts of the MTW activities from FY 2014 through FY 2019, one year past the expiration of the current MTW Agreement.

## Section VII. Sources and Uses of Funding

Included in this section are the planned sources and uses of funding in the consolidated MTW and Special Purpose program budgets.

### A. Planned Sources and Uses of MTW Funds

Using MTW flexibility, OHA consolidates the Public Housing Operating Subsidy, the Capital Fund Program (CFP), which includes including Replacement Housing Factor (RHF) funds, and the Section 8 Housing Choice Voucher Block Grant program funding into a Single Fund Budget.

| Table 12<br>FY 2014 Planned Sources and Uses of MTW Funds |                    |                      |                         |                         |                    |                     |
|---|--------------------|----------------------|-------------------------|-------------------------|--------------------|---------------------|
|   | Public Housing     | Capital Fund Program | Housing Choice Vouchers | Real Estate Development | Local Programs     | MTW Consolidated    |
| <b>SOURCES</b>  |                    |                      |                         |                         |                    |                     |
| Rental Income   | 5,445,066          | -                    | -                       | -                       | 5,000              | 5,450,066           |
| Subsidy Earned  | 4,617,660          | -                    | 184,140,000             | -                       | -                  | 188,757,660         |
| HUD Grants (CFP)  | -                  | 7,957,882            | -                       | -                       | -                  | 7,957,882           |
| HUD Grants (RHF)  | -                  | 5,087,758            | -                       | -                       | -                  | 5,087,758           |
| Investment Income   | -                  | -                    | -                       | -                       | -                  | -                   |
| Other Revenue <sup>1</sup>                                | 32,000             | -                    | 800,000                 | -                       | 58,000             | 890,000             |
| <b>TOTAL SOURCES</b>                                      | <b>10,094,726</b>  | <b>13,045,640</b>    | <b>184,940,000</b>      | <b>-</b>                | <b>63,000</b>      | <b>208,143,366</b>  |
| <b>USES</b>   |                    |                      |                         |                         |                    |                     |
| Administrative  | 1,390,000          | 819,265              | 14,090,970              | -                       | -                  | 16,300,235          |
| Tenant Services   | 900,000            | -                    | 2,395,000               | -                       | -                  | 3,295,000           |
| Utilities   | 1,400,000          | -                    | -                       | -                       | -                  | 1,400,000           |
| Maintenance   | 1,918,800          | -                    | 102,500                 | -                       | -                  | 2,021,300           |
| Protective Services                                       | 2,238,600          | -                    | 1,255,000               | -                       | -                  | 3,493,600           |
| General   | 1,087,000          | -                    | -                       | -                       | -                  | 1,087,000           |
| Housing Assistance Payments                               | -                  | -                    | 167,138,115             | -                       | 1,500,000          | 168,638,115         |
| Capital Expenditures                                      | 2,750,379          | 12,226,375           | 2,544,000               | 14,717,720              | -                  | 32,238,474          |
| Indirect Cost Allocations                                 | 2,767,922          | -                    | 1,800,000               | -                       | 33,000             | 4,600,922           |
| <b>TOTAL USES</b>   | <b>14,452,701</b>  | <b>13,045,640</b>    | <b>189,325,585</b>      | <b>14,717,720</b>       | <b>1,533,000</b>   | <b>233,074,646</b>  |
| <b>Surplus (Deficit)</b>                                  | <b>(4,357,975)</b> | <b>-</b>             | <b>(4,385,585)</b>      | <b>(14,717,720)</b>     | <b>(1,470,000)</b> | <b>(24,931,280)</b> |

<sup>1</sup> "Other Revenue" includes income from parking lots owned by the Authority, parking concessions, sign boards, investments, interest on bank accounts, and in the Section 8 program, fraud recovery and port-ins.

The column for “Local Program” consists primarily of the expenses for the Sponsor Based Housing Assistance Program, which is part of MTW Activity #10-06 Local Housing Assistance Programs. The rental income showing in that column consist of tenant rental payments from assisted tenants in non-public housing OHA owned properties.

The HUD Grants (RHF) line includes funding received for Replacement Housing Factor funds. This funding will be accumulated and used for development of low-income housing as outlined in the RHF Plan found in Appendix C.

Additionally, OHA plans to sell five disposed properties pursuant to the approved Disposition Application #DDA003364. OHA will use the proceeds from the sale in conformance with the HUD Disposition Approval and correspondence.

The FY 2014 Budget was approved based on contract obligations for developments in progress and the desire to continue implementing a capital expenditure plan to preserve OHA units for sustained occupancy and income generation using OHA operating reserves to cover anticipated funding deficits. However, OHA recognizes that this is not a sustainable solution. The continued use of reserves could cause OHA to face additional challenges in the future if further reductions occur impacting the ability to manage day-to-day operational expenses, pay our landlords, and/or, as a last resort, could require termination of program participants. OHA has historically anticipated funding shortfalls and as a result, has budgeted conservatively. OHA will continue to monitor revenue and spending trends and has implemented the following cost saving measures.

- Reduction of staff: delay hiring vacant positions for the first six months of the fiscal year and reduced the number of temporary positions
- Postponed capital purchases
- Suspended making any new Project Based Section 8 Awards and reevaluate any renewal requests for previously awarded PBV commitments.
- Postpone any new affordable housing development activity and investment

In addition, OHA will continue to look at other alternatives to determine the most effective result, with the least impact to our operations and program participants while mitigating future funding shortfalls.

## B. Planned Sources and Uses of State or Local Funds

| Table 13<br>FY 2014 Planned Sources and Uses of Special Purpose Funds |                     |                        |                            |                    |                         |
|---|---------------------|------------------------|----------------------------|--------------------|-------------------------|
|   | Non-MTW<br>Vouchers | Other<br>(State/Local) | Real Estate<br>Development | CAHI               | Non-MTW<br>Consolidated |
| <b>SOURCES</b>  |                     |                        |                            |                    |                         |
| Rental Income   | -                   | 8,000                  | -                          | -                  | 8,000                   |
| Subsidy Earned  | 6,182,000           | -                      | -                          | 407,157,468        | 413,339,468             |
| HUD Grants (CFP)  | -                   | -                      | -                          | -                  | -                       |
| Investment Income   | -                   | 90,000                 | -                          | -                  | 90,000                  |
| Other Revenue   | -                   | 2,578,679              | -                          | -                  | 2,578,679               |
| <b>TOTAL SOURCES</b>  | <b>6,182,000</b>    | <b>2,676,679</b>       | <b>-</b>                   | <b>407,157,468</b> | <b>416,016,147</b>      |
| <b>USES</b>   |                     |                        |                            |                    |                         |
| Administrative  | 147,500             | 113,823                | 1,284,848                  | 370,184            | 1,916,355               |
| Tenant Services   | -                   | -                      | -                          | -                  | -                       |
| Utilities   | -                   | -                      | -                          | -                  | -                       |
| Maintenance   | -                   | -                      | -                          | -                  | -                       |
| Protective Services   | -                   | -                      | -                          | -                  | -                       |
| General   | -                   | 20,000                 | -                          | 9,924,221          | 9,944,221               |
| HAP   | 5,947,300           | -                      | -                          | 393,723,180        | 399,670,480             |
| Capital Expenditures  | -                   | -                      | -                          | 3,000,000          | 3,000,000               |
| Indirect Cost Allocation  | 87,200              | 21,000                 | -                          | 68,000             | 176,200                 |
| <b>TOTAL USES</b>   | <b>6,182,000</b>    | <b>154,823</b>         | <b>1,284,848</b>           | <b>407,085,585</b> | <b>414,707,256</b>      |
| <b>Surplus(Deficit)</b>   | <b>-</b>            | <b>2,521,856</b>       | <b>(1,284,848)</b>         | <b>71,883</b>      | <b>1,308,891</b>        |

## C. Planned Sources and Uses of the COCC

OHA has elected to use an OMB A-87 compliant multi-basis cost allocation plan for allocating the Central Office Cost Center (COCC) expenses.

| Table 14<br>FY 2014 Planned Sources & Uses of the COCC |                  |
|--|------------------|
| <b>SOURCES</b>   |                  |
| Administration   | 8,868,906        |
| Maintenance  | 170,500          |
| Utilities  | 45,000           |
| General  | 81,000           |
| <b>Total Sources</b>                                   | <b>9,165,406</b> |
| <b>USES</b>  |                  |
| Salaries   | 4,841,056        |
| Benefits   | 3,160,302        |
| Office Expenses  | 867,548          |
| Maintenance & Contract Costs                           | 170,500          |
| General Expenses                                       | 126,000          |
| <b>Total Uses</b>                                      | <b>9,165,406</b> |
| <b>Net Income (Deficit)</b>                            | <b>-</b>         |

## **D. Cost Allocation Approach – Deviations from 1937 Act**

OHA is using a cost allocation methodology that is consistent with the 1937 Act. Asset Management consists of several components. OHA differs from the asset management regulations in the following areas:

- **Public Housing Funding:** OHA's MTW Agreement allows the Agency to continue utilizing the frozen FY 2004 PUM formula income (\$242.80) in the calculation of operating subsidy through the end of the MTW Agreement in FY 2018.
- **Section 8 Funding:** The MTW Plan dictates that MTW vouchers will be funded utilizing the initial year's per unit cost (PUC) multiplied by the annual inflation factor and will not be dependent on the number of vouchers issued and reported in the VMS.
- **Accounting:** In accordance with HUD's PIH Notice 2008-16, the Oakland Housing Authority has elected to maintain a central office cost center (COCC) and allocate the overhead costs across federal programs based on an OMB A-87 compliant cost allocation plan. Therefore, the Agency will not be implementing a fee-for-service approach.
- **OHA will be utilizing the MTW Financial Data Schedule (FDS) in order to report the Authority's fiscal year financial activity as directed by HUD's "Standard MTW Agreement". All MTW funds will be reported in the appropriate programs and then transferred to a single MTW fund to be utilized in a manner consistent with OHA's MTW Plan.**

## **E. Use of Single Fund Flexibility**

OHA uses single fund flexibility to fund many activities in support of the Authority's long-term goals for the MTW program. The sources included in the MTW Single Fund Budget are summarized above in Table 12. The following is a description of the types of activities that utilize single fund flexibility.

- **Preserving and Enhancing the Public Housing Portfolio**
  - OHA utilizes the single-fund budget authority to establish a level of funding for each of the public housing developments which is comparable to Section 8 rents in the same vicinity. The increase in revenue allows the property managers to address any deferred maintenance issues and improve the physical condition of the property while providing the highest level of service to our residents.
- **Preserving and Expanding Affordable Housing Opportunities**
  - OHA utilizes MTW flexibility in order to expand housing opportunities through real estate development, site acquisition, and partnerships with nonprofit developers. The single-fund budget authority allows the Authority the ability to provide short and long-term financial assistance to encourage investment in affordable housing development. Additionally, OHA has opted to include Replacement Housing Factor funding received as a result of an approved disposition into the MTW Block Grant to utilize for development of affordable

housing. A summary of the affordable housing projects currently in the pipeline can be found in Appendix D.

- OHA also utilizes single fund flexibility to fund over-leasing in the Section 8 program. OHA is committed to increasing the number of families served when appropriate and financially feasible. For FY 2014, OHA has set a goal of leasing up to 105 percent (105%) of the authorized MTW vouchers in the Section 8 program.
- Promoting Resident Empowerment and Self-Sufficiency
  - MTW flexibility presents an opportunity to enhance the quality and reach of client services offered both in-house and in partnership with community-based service providers for both Public Housing and Section 8 residents. Single fund flexibility also allows OHA to provide the Neighborhood Orientation Workshop (NOW) Program and the Neighborhood Leadership Institute to all clients in the Public Housing and Section 8 program. These programs are designed to support successful tenants, good neighbors and leadership skills. In addition, OHA created the Department of Family and Community Partnerships to consolidate and enhance the coordination and delivery of services to clients across all OHA programs.
- Providing a Consistent Level of Security to Our Residents
  - OHA's ability to increase the funding level at public housing developments has provided the additional revenue required to provide a consistent level of security to our residents.

#### Oakland Housing Authority Police Department

In addition to these activities, the single fund budget is used, in part, to operate the Oakland Housing Authority Police Department (OHAPD). OHAPD is committed to providing police services in accordance with the law and guided by a spirit of fairness, compassion and excellence. Always sensitive to the needs of the public, the Department's success is built upon a community policing philosophy executed by the staff of dynamic and energetic professionals who are focused on providing effective, efficient and professional police services to the citizens served. OHAPD received international accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA) in March, 1999, and was reaccredited in 2002, 2005, 2008, and 2011.

The Oakland Housing Authority Police Department is proud of its continued efforts to enhance the quality of life for OHA residents. OHAPD is an active participant in many community meetings and community building activities including the following.

- ❖ Mediation – OHAPD uses mediation as a tool to address ongoing disputes between neighbors and complaints from the community regarding disturbances and personal conflicts. OHAPD works with residents and community members to reach resolution thereby reducing future conflicts.
- ❖ Student Attendance Review Board (SARB) – OHAPD partners with the Oakland Unified School District to address truancy among youth in the community.
- ❖ Health Realization – OHAPD participates in and organizes this training resource for residents and community members as an empowerment tool.

- ❖ National Night Out – A national event hosted by the OHAPD to encourage residents and community members to take back their neighborhoods.
- ❖ Youth Summer Programs – OHAPD coordinates, plans, and recruits youth participants for summer programs through partnerships with community service providers and local businesses.
- ❖ School Liaison Program – This program provides a forum through which students, parents, faculty, and law enforcement officers can establish partnerships. In this program, youth are taught that every human being has direct access to an innate, core state of commonsense, of wise and compassionate vision, of unconditional self esteem and motivation to improve the quality of life for themselves and their community. This model helps the youth to cultivate healthy alternatives to violence and expand their personal vision for their life.
- ❖ Holiday Activities – During the holidays, OHAPD provides Christmas trees and food baskets for residents needing extra assistance.

#### **F. Reserve Balances at the Beginning of the Plan Year (Optional)**

OHA elects not to include this optional information.

#### **G. Planned Sources and Uses by AMP (Optional)**

OHA elects not to include this optional information.

## **Section VIII. Administrative**

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### **A. Resolution signed by the Board of Commissioners adopting the Annual MTW Plan Certification of Compliance**

The resolution and the MTW Annual Plan Certification of Compliance are included in Appendices E and F respectively.

### **B. Description of any planned or ongoing Agency-directed evaluations of the demonstration**

Currently, OHA is not using outside evaluators to measure MTW activities. During FY 2014, OHA plans to solicit proposals from outside evaluators through a Request for Proposals (RFP) process to evaluate the proposed rent reform activities identified in Section V. OHA anticipates working with outside evaluators in FY 2014 to begin a longitudinal study that will measure the impacts of the MTW activities from FY 2014 through FY 2019, one year past the expiration of the current MTW Agreement.

## List of Appendices

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Appendix A. Glossary of Acronyms

Appendix B. Detailed Definitions Related to Disabilities

Appendix C. Replacement Housing Factor Plan

Appendix D. Summary of Affordable Housing Development Activities

Appendix E. Board Resolution

Appendix F. Annual MTW Plan Certifications of Compliance

Appendix G. Comments from the Resident Advisory Board

Appendix H. Evidence of Public Process

Appendix I. Changes to OHA's Admissions and Continued Occupancy Policy

## **APPENDIX A**

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### **Glossary of Acronyms**

## Glossary

**AMI** – Area Median Income. HUD estimates the median family income for an area in the current year and adjusts that amount for different family sizes so that family incomes may be expressed as a percentage of the area median income. Housing programs are often limited to households that earn a percent of the Area Median Income.

**AMP** – Asset Management Project. A building or collection of buildings that are managed as a single project as part of HUD’s requirement that PHAs adopt asset management practices.

**ARRA** – American Recovery and Reinvestment Act. Signed into law by President Obama to provide economic “stimulus”. The Act includes funding for PHAs to spend on capital improvements.

**COLA** – Cost of Living Adjustment. The federal government adjusts assistance programs, such as Social Security, annually based on changes in the cost-of-living index. The adjustment is a percentage amount that is added to the prior year’s amount.

**FCP** – OHA’s Department of Family and Community Partnerships.

**FSS** – Family Self-Sufficiency. A program operated by a PHA to promote self-sufficiency of families in the Section 8 and Public Housing programs.

**FY** – Fiscal Year. A 12 month period used for budgeting and used to distinguish a budget or fiscal year from a calendar year. OHA’s fiscal year runs from July 1 through June 30.

**FYE** – Fiscal Year End. OHA’s fiscal year end is June 30.

**HAP** – Housing Assistance Payment. The monthly payment by a PHA to a property owner to subsidize a family’s rent payment.

**HCV** – Housing Choice Voucher. Sometimes referred to as a Section 8 voucher or tenant-based voucher, the voucher provides assistance to a family so that they can rent an apartment in the private rental market.

**HOPE VI** – Housing Opportunities for People Everywhere. A national HUD program designed to rebuild severely distressed public housing. The program was originally funded in 1993.

**HQS** – Housing Quality Standards. The minimum standard that a unit must meet in order to be eligible for funding under the Section 8 program.

**HUD** – United States Department of Housing and Urban Development. The federal government agency responsible for funding and regulating local public housing authorities.

**LHAP** – Local Housing Assistance Programs. Under this MTW Activity, OHA has developed local housing programs that provide support to households that might not qualify for or be successful in the traditional Public Housing and/or Section 8 programs.

**Mod Rehab** – Moderate Rehabilitation. The Section 8 Moderate Rehabilitation program provides project-based rental assistance for low income families. Assistance is limited to properties previously rehabilitated pursuant to a HAP contract between an owner and a PHA.

**MOMS** – Maximizing Opportunities for Mothers to Succeed. A partnership between OHA and the Alameda County Sheriff's Department. The program provides 11 units of service enriched housing for women leaving the county jail system and reuniting with their children.

**MTW** – Moving to Work. A national demonstration program for high performing public housing authorities. OHA has named its MTW program "Making Transitions Work".

**NOFA** – Notice of Funding Availability. As part of a grant process, NOFAs are issued to dictate the format and content of proposals received in response to funding availability.

**OHA** – Oakland Housing Authority.

**PBV** – Project Based Voucher. Ongoing housing subsidy payments that are tied to a specific unit.

**PHA** – Public Housing Authority.

**REAC** – Real Estate Assessment Center. A HUD department with the mission of providing and promoting the effective use of accurate, timely and reliable information assessing the condition of HUD's portfolio; providing information to help ensure safe, decent and affordable housing; and restoring the public trust by identifying fraud, abuse and waste of HUD resources.

**RFP** – Request for Proposals. As part of a procurement or grant process, RFPs are issued to dictate the format and content of proposals received in response to funding availability.

**RHF** – Replacement Housing Factor. These are Capital Fund Grants that are awarded to PHAs that have removed units from their inventory for the sole purpose of developing new public housing units.

**SRO** – Single Room Occupancy. A unit that only allows occupancy by one person. These units may contain a kitchen or bathroom, or both.

**TANF** – Temporary Assistance to Needy Families. A federal assistance program providing cash assistance to low-income families with children.

**TPV** – Tenant Protection Voucher. A voucher issued to families displaced due to an approved demolition/disposition request, natural disaster, or other circumstance as determined by HUD. The vouchers provide families with tenant-based rental assistance that they can use in the private rental market.

**VASH** – Veterans Affairs Supportive Housing. This HUD program combines tenant-based rental assistance for homeless veterans with case management and clinical services provided by the Department of Veteran's Affairs at their medical centers and community-based outreach clinics.

## **APPENDIX B**

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### **Detailed Definitions Related to Disabilities**

Exhibit 3-1 of OHA's Administrative Plan and  
Admissions and Continued Occupancy Policy

## EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES

### Person with Disabilities [24 CFR 5.403]

The term *person with disabilities* means a person who has any of the following types of conditions.

- Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads:

Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months

In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in section 416(i)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity, requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

- Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act [42 U.S.C.6001(8)], which defines developmental disability in functional terms as:

A severe, chronic disability of a person 5 years of age or older which:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments
  - Is manifested before the person attains age twenty-two
  - Is likely to continue indefinitely
  - Results in substantial functional limitations in three or more of the following areas of major life activity: (1) self-care; (2) receptive and responsive language; (3) learning; (4) mobility; (5) self-direction; (6) capacity for independent living; and (7) economic self-sufficiency
  - Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated; except that such term, when applied to infants and young children, means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.
- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.

People with the acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for AIDS are not excluded from this definition.

A person whose disability is based solely on any drug or alcohol dependence does not qualify as a person with disabilities for the purposes of this program.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term person with disabilities refers to an individual with handicaps.

### **Individual with Handicaps [24 CFR 8.3]**

*Individual with handicaps* means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

- (1) Physical or mental impairment includes:
  - (a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine
  - (b) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.
- (2) Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- (3) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- (4) Is regarded as having an impairment means:
  - (a) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation
  - (b) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment
  - (c) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment

## **APPENDIX C**

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### **Replacement Housing Factor Plan**

## Oakland Housing Authority Replacement Housing Factor Plan

### First Increment Funding

OHA has received first increment RHF funds as a result of the disposition of 87 public housing units at the former Tassafaronga site and 1,615 public housing units at scattered sites. OHA plans to utilize these RHF funds pursuant to Option 3 of OHA's MTW Agreement. OHA intends to combine RHF funds into the MTW Block Grant, accumulate the RHF grants for five years, and be eligible for the second increment of RHF funds. OHA needs to accumulate the RHF grants in order to have sufficient funds to develop new affordable housing units.

The subject grants are:

| <b>Grant Number</b>                   | <b>Amount</b>           | <b>Project – Increment</b>   |
|---------------------------------------|-------------------------|--|
| CA39R003501-11                        | \$3,883,253             | Tassafaronga (87 units) – year 2 of 5<br>Scattered Sites (1,554 units) – year 1 of 5 |
| CA39R003501-12                        | \$3,611,056             | Tassafaronga (87 units) – year 3 of 5<br>Scattered Sites (1,554 units) – year 2 of 5 |
| CA39R003501-13                        | \$3,883,253 (estimated) | Tassafaronga (87 units) – year 4 of 5<br>Scattered Sites (1,554 units) – year 3 of 5 |
| CA39R003501-14                        | \$3,883,253 (estimated) | Tassafaronga (87 units) – year 5 of 5<br>Scattered Sites (1,554 units) – year 4 of 5 |
| CA39R003501-15                        | \$3,679,818 (estimated) | Scattered Sites (1,554 units) – year 5 of 5  |
| <i>Total 1<sup>st</sup> Increment</i> | <i>\$18,940,633</i>     |  |

This funding will be used to fill gaps in financing as needed to develop affordable housing units at the following four sites that are currently owned by OHA and located in Oakland, California. OHA will ensure that the requisite number of affordable housing units required under the "Proportionality Test" will be developed. OHA plans to commit RHF funds to develop up to 386 affordable housing rental units at development sites in the order that the sites are listed below:

1. Lion Creek Crossings Phase V (128 senior units)
2. Lakeside Senior Apartments (92 senior units)
3. Grand Avenue (68 family units)
4. 1110 Jackson (98 family units)

It is OHA's understanding from the information posted on the HUD Capital Fund webpage that the obligation end date for these funds will be October 29, 2017 and the disbursement end date will be October 29, 2019. OHA will develop new units in accordance with the requirements found in OHA's MTW Agreement and will meet the newly established obligation and disbursement deadlines.

## Second Increment Funding

OHA has received second increment Replacement Housing Factor (RHF) funds as a result of the disposition of 34 public housing units at scattered sites and 19 public housing units at scattered sites. OHA plans to utilize these RHF funds pursuant to Option 3 of OHA's MTW Agreement. OHA intends to combine RHF funds into the MTW Block Grant and accumulate the funds for five years. OHA needs to accumulate these RHF grants in order to have sufficient funds to develop new affordable housing units.

The subject grants are:

| <b>Grant Number</b>                   | <b>Amount</b>        | <b>Project – Increment</b>   |
|---------------------------------------|----------------------|--|
| CA39R003502-09                        | \$8,443              | Scattered Sites (34 units) – year 3 of 5 (2 <sup>nd</sup> )<br>Scattered Sites (19 units) – year 1 of 5 (2 <sup>nd</sup> ) |
| CA39R003502-10                        | \$148,127            | Scattered Sites (34 units) – year 4 of 5 (2 <sup>nd</sup> )<br>Scattered Sites (19 units) – year 2 of 5 (2 <sup>nd</sup> ) |
| CA39R003502-11                        | \$120,731            | Scattered Sites (34 units) – year 5 of 5 (2 <sup>nd</sup> )<br>Scattered Sites (19 units) – year 3 of 5 (2 <sup>nd</sup> ) |
| CA39R003502-12                        | \$0                  | Scattered Sites (19 units) – year 4 of 5 (2 <sup>nd</sup> )  |
| CA39R003502-13                        | \$43,281 (estimated) | Scattered Sites (19 units) – year 5 of 5 (2 <sup>nd</sup> )  |
| <i>Total 2<sup>nd</sup> Increment</i> | <i>\$320,582</i>     |  |

This funding will be used to fill gaps in financing as needed to develop affordable housing units at the following four sites that are currently owned by OHA and located in Oakland, California. OHA will ensure that the requisite number of affordable housing units required under the "Proportionality Test" will be developed. OHA plans to commit RHF funds to develop up to 386 affordable housing rental units at development sites in the order that the sites are listed below:

1. Lion Creek Crossings Phase V (128 senior units)
2. Lakeside Senior Apartments (92 senior units)
3. Grand Avenue (68 family units)
4. 1110 Jackson (98 family units)

It is OHA's understanding from the information posted on the HUD Capital Fund webpage that the obligation end date for these funds will be October 29, 2015 and the disbursement end date will be October 29, 2017. OHA will develop new units in accordance with the requirements found in OHA's MTW Agreement and will meet the newly established obligation and disbursement deadlines.

OHA confirms that its FY 2012 MTW Annual Plan was approved by HUD on June 28, 2011. OHA is in compliance with the obligation and expenditure deadlines on all of its Capital Fund Grants and is current on its LOCCS reporting. OHA understands that it must obtain a firm commitment of substantial additional funds other than public housing funds to meet the leverage requirement. When the leveraged funds are secured, OHA will submit written documentation confirming the funding.

## **APPENDIX D**

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### **Summary of Affordable Housing Development Activities**

**Table 15**  
**Summary of Affordable Housing Development Activities**

| Development Name  | Address                   | Total Units | Public Housing Units | PBV Units | Other Subsidized Unit* | Unsubsidized Units** | Target population           | Progress   | Use of MTW funds  |
|---|---------------------------|-------------|----------------------|-----------|------------------------|----------------------|-----------------------------|--|---|
| <b>Current Projects</b>   |                           |             |                      |           |                        |                      |                             |  |   |
| Cathedral Gardens   | 616 21 <sup>st</sup> St.  | 100         | 0                    | 43        | 56                     | 1                    | Families with special needs | Under construction, estimated completion spring 2014                                   | Property acquisition, predevelopment loan               |
| Lakeside Senior Housing   | 1507 2 <sup>nd</sup> Ave. | 92          | 0                    | 91        | 0                      | 1                    | Seniors                     | Scheduled to start construction in April 2013  | Property acquisition, predevelopment and permanent loan |
| Lion Creek Crossings Phase V  | 6700 Lion Way             | 128         | 0                    | 127       | 0                      | 1                    | Seniors                     | Scheduled to start construction in July 2013   | Predevelopment and permanent loan                       |
| 460 Grand   | 460 Grand Ave.            | 68          | 0                    | 37        | 30                     | 1                    | Families                    | Scheduled to start construction in August 2013   | Property acquisition, predevelopment and permanent loan |
| 11 <sup>th</sup> and Jackson  | 1110 Jackson St.          | 98          | 0                    | 48        | 50                     | 0                    | Families                    | In predevelopment  | Property acquisition, predevelopment loan               |
| North, West, East, Deep East, and San Antonio Project-Based Section 8 Sites | Multiple Addresses        | 1,554       | 0                    | 1,554     | 0                      | 0                    | Families/Seniors            | Comprehensive unit and building rehabilitation scheduled for 242 units during FY 2014. | Unit and building rehabilitation, landscaping           |
| <b>Projects Completed Using MTW Single Fund Flexibility</b>                 |                           |             |                      |           |                        |                      |                             |  |   |
| The Savoy   | 1424 Jefferson St.        | 101         | 0                    | 101       | 0                      | 0                    | Special Needs               | Under construction, estimated completion spring 2013                                   | Property acquisition, predevelopment and permanent loan |
| Chestnut Court  | 1060 West Grand Ave.      | 72          | 45                   | 0         | 26                     | 1                    | Families                    | Completed  | Predevelopment and permanent loan                       |
| Linden Court  | 1060 West Grand Ave.      | 79          | 38                   | 0         | 40                     | 1                    | Families                    | Completed  | Predevelopment and permanent loan                       |
| Mandela Gateway   | 1350 7th St.              | 168         | 46                   | 30        | 90                     | 2                    | Families                    | Completed  | Property acquisition, predevelopment and permanent loan |
| Foothill Family Apartments  | 6946 Foothill Blvd.       | 65          | 21                   | 11        | 33                     | 0                    | Families                    | Completed  | Property acquisition, permanent loan                    |
| Lion Creek Crossings Phases I - IV  | 6888 Lion Way             | 439         | 157                  | 44        | 234                    | 4                    | Families                    | Completed  | Property acquisition, predevelopment and permanent loan |
| Tassafaronga Village  | 945 84th Ave.             | 157         | 0                    | 99        | 56                     | 2                    | Families                    | Completed  | Property acquisition, predevelopment and permanent loan |
| Keller Plaza  | 5321 Telegraph Ave.       | 191         | 0                    | 0         | 157                    | 34                   | Families                    | Completed  | Predevelopment and permanent loan                       |

\* *Other Subsidized Unit* - refers to units that receive subsidy not through OHA and serve households with incomes less than 80% of AMI. In most of the developments, this includes tax credit units that do not have overlapping PBV subsidy. This category also includes a direct award of PBV to the nonprofit ownership entity at Keller Plaza (HUD Section 236).

\*\* *Unsubsidized Units* - refers to units that are rented to households with incomes above 80% AMI. Typically these are manager's units.

## **APPENDIX E**

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### **Board Resolution**

**THE BOARD OF COMMISSIONERS OF THE  
HOUSING AUTHORITY OF THE CITY OF OAKLAND, CALIFORNIA**

On Motion of Commissioner: Marlene Hurd

Seconded by Commissioner: Janny Castillo

And approved by the following vote:

AYES: Commissioners Hurd, Castillo, Nagraj, Hartwig, Montgomery

NAYS: 0

ABSTAIN: 0

EXCUSED: Moses Mayne, Tanya Pitts

ABSENT: 0

**THE FOLLOWING RESOLUTION WAS ADOPTED: NUMBER: 4510**

**RESOLUTION ADOPTING THE FISCAL YEAR 2014  
MOVING TO WORK ANNUAL PLAN AND CERTIFICATIONS OF COMPLIANCE**

WHEREAS, the Oakland Housing Authority Board of Commissioners is required to submit to the U.S. Department of Housing and Urban Development (HUD) a "Moving to Work" (MTW) Annual Plan; and

WHEREAS, the Oakland Housing Authority (OHA) named its local MTW Program "Making Transitions Work"; and

WHEREAS, the Fiscal Year (FY) 2014 MTW Annual Plan provides OHA residents, the public and HUD with baseline information on OHA programs, proposed and previously approved MTW activities, and a budget for FY 2014; and

WHEREAS, the FY 2014 MTW Annual Plan identifies the areas in which OHA intends to use its participation in MTW to explore and test new and innovative methods to reduce costs and achieve greater cost effectiveness, provide incentives for families with children to become economically self-sufficient, and increase housing choices for low-income families in Oakland; and

WHEREAS, the Oakland Housing Authority gathered resident and community input during a 30-day written comment period, a Resident Advisory Board (RAB) meeting held on March 14, 2013, and a Public Hearing held on March 4, 2013; and

WHEREAS, the FY 2014 MTW Annual Plan has been finalized after giving consideration to comments received from the members of the RAB and from the public; and

WHEREAS, the Board of Commissioners must adopt a FY 2014 MTW Annual Plan prior to submission to HUD; and

WHEREAS, the Certifications of Compliance with the MTW requirements must be included with the MTW Annual Plan; and

WHEREAS, the Certification states that the FY 2014 MTW Annual Plan will be carried out in compliance with all applicable MTW regulations and requirements of the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the FY 2014 MTW Annual Plan is in compliance with all HUD regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF  
OAKLAND, CALIFORNIA;**

THAT, the Board of Commissioners adopts the FY 2014 MTW Annual Plan; and

THAT, the Chair of the Board of Commissioners is authorized to certify that the Oakland Housing Authority will comply with all regulations as stated in the Certifications of Compliance; and

THAT, the Executive Director, on behalf of the Authority, is hereby authorized to submit the FY 2014 MTW Annual Plan and Certifications of Compliance to the US Department of Housing and Urban Development, and to take all actions necessary to implement the foregoing resolution.

I certify that the foregoing resolution is a full, true and  
correct copy of a resolution passed by the Commissioners of the Housing  
Authority of the City of Oakland, California on April 8, 2013.

  
\_\_\_\_\_  
Eric Johnson, Secretary / Executive Director

**ADOPTED: April 8, 2013**

**RESOLUTION NO. 4510**

## **APPENDIX F**

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### **Annual MTW Plan 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 7/1/2013, 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 and conducted a public hearing to discuss the Plan and invited public comment.
2. The Agency took into consideration public and resident comment 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 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.
4. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
5. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
6. 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.
7. 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.
8. The PHA will comply with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
9. 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.
10. 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.
11. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105( a).
12. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
13. 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.



## **APPENDIX G**

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### **Comments from the Resident Advisory Board (RAB)**

# Resident Advisory Board

March 14, 2013

Meeting Minutes

## 1. Welcome, Introductions, and Roll Call.

**RAB Members in Attendance:** Lillian Gibson, Robert Mitchell, Commissioner Sharon Montgomery, Tina Moses, Melvin Finister, Henry Flowers, Johnnie Green, Marlene Hurd

**Guests:** Betty Lou Wright, Reverend Mary Gilmore, David Bolaños, Egypt Ina Marie Darensburg

**Staff Members in Attendance:** José Romero, FCP, Greer McVay, Communications, Shawn Johnson, FCP, (inaudible), Hanan Albabtain, FCP, Patraya Lowe-Smith, FCP, Anna Gwyn Simpson, EO, Patricia Ison, OPO

## 2. Video from OHA Director, Eric Johnson.

**Greer McVay** presents a video from Eric Johnson, Executive Director. Mr. Johnson is out at a conference in Washington, D.C., but he very much wanted to talk to the group about sequestration and about the OHA retreat. It was decided that video was the best way to accomplish this. Greer will be available to answer questions at the end of the video.

**Eric Johnson** discussed, via video message, sequestration and what it means for the Oakland Housing Authority. Mr. Johnson expressed that OHA does not want to impact any currently housed family. Mr. Johnson stated that his main commitment is to keep everybody who has a voucher funded and in place. The Oakland Housing Authority is housing more people today than in the history of the agency. When the RAB reconvenes in April they will be given an idea of what the sequester means for OHA. In the long run, adjustments may have to be made and Mr. Johnson will let the RAB know when that is.

**Mr. Johnson** informs the RAB of the first ever retreat at the Oakland Housing Authority and that he enjoyed it very much. He would like to talk to the RAB about participating in it next year's retreat. He lets the RAB know tonight the MTW Plan will be presented and asks the RAB to keep in mind it's not something they have to approve, but it's something the OHA would like to get feedback on. What works, what doesn't work, what would you like to see? Those kinds of comments.

**Greer McVay:** provides a recap of **Mr. Johnson's** video commentary and asks if there are any questions regarding either of those two topics she would be happy to address them.

**Lillian Gibson** congratulated OHA on having its first retreat. She expressed her opinion that **Mr. Johnson** made a wonderful report and we should be proud of him and that he has done wonderful things since he's been here as Executive Director for around three (3) years.

**Greer McVay** let **Ms. Gibson** know that she will share with **Mr. Johnson** that **Ms. Gibson** wishes him well and appreciates his hard work and efforts.

### 3. Review of RAB Meeting Schedule & Topics

**Patraya Lowe-Smith** provided a brief recap of the February 7, 2013 RAB workshop meeting, and asked for comments or questions regarding the first workshop meeting of the year.

**Ms. Wright** asked if RAB has set aside a specific number of board members that must be present for a quorum. If not, she'd like to know why. Because she notices that tonight there are very few board members present and according to the long list of names that was called for roll call, she is wondering how the RAB handles that for a quorum or non-quorum?

**Ms. Moses** felt the first meeting of the year was an excellent meeting because the purpose of RAB was refreshed in people's minds. Also it helped people, including people who are presently on the board, to take a different look at RAB.

**Ms. Gibson** responded to **Ms. Wright's**, question explaining that RAB is not what you would call a regular club. When the RAB was first organized there was no quorum set. All who were selected to be members were asked to come but they were not told they had to come. There is no quorum as far as **Ms. Gibson** understands.

**Mr. Mitchell** believes that RAB should try to do something a little bit more formal. Maybe not require somebody to be here, but he feels that people need to attend to continue the progress of the RAB. The Oakland Housing Authority actually put **Mr. Mitchell** in a couple of programs and recruited him to come to the RAB and he makes every effort to be there to try to help change something within our communities. **Mr. Mitchell** thinks each person that steps up and accepts a position on the board should at least make some type of effort to attend the meetings. He feels we do need a quorum to make things happen. **Mr. Mitchell** would like to start something new, do something different. The RAB can work to make things better and help each other here. People can't help each other sitting at home.

**Lenita Ellis** also responded to **Ms. Betty's** question regarding the RAB and quorum and voting. She reminded attendees that the RAB does not vote on any of the Housing Authority's policies, procedures, or anything of that nature. One of the things the RAB does take votes on, is essentially how they govern themselves, as a RAB. This group can absolutely determine if they want to have something like a quorum in place. Perhaps it could be a topic, if the RAB so chooses, that can be addressed at a workshop meeting, when the members and guests have their various break-out groups. **Ms. Ellis** would like the RAB to consider that the concept of quorum may be a little difficult at this time because there is no set number of RAB membership seats. Quorums are typically determined based on the set number of board member seats and this body doesn't have that number. Also, part of why this body exists is so that the Housing Authority can receive resident feedback and input, and if the group determines they'd like to vote, in this very democratic way that may perhaps diminish the individual responses that are coming from the individual members of the RAB. In any case it is absolutely up to this group if they'd like to have something like that in place on how you govern yourselves.

In the last workshop meeting it was agreed that FCP would put together a binder for the RAB. It is ready and **Patraya Lowe-Smith** will review with the group. There also exists a contact cheat sheet, to know who can be contacted to address membership in the event that you wanted to invite other residents to be part of the RAB, who to contact if you need assistance arranging for child care and who to contact for transportation assistance. Calling each RAB member before meetings has been phased out. One member did contact FCP and go through the process and let FCP know they needed assistance with transportation. That person was **Ms. Bernstine!** **Ms. Bernstine** was presented with a gift card.

**Ms. Montgomery** asked for an explanation of MTW for those who may not know.

**Ms. Ellis** explained that MTW is Moving To Work, a plan the housing authority puts together, and that **Ms. Anna Gwyn Simpson** will be reviewing it with the group in detail.

**Ms. Ellis** commends the RAB for doing what it set out to do in implementing formal meetings and workshop meetings.

**Ms. Lowe-Smith** proposed covering the Brighter Than Blight project at the April RAB meeting. Patraya explained the Bright Than Blight project and that it targets RAB vision goal III, priority C. It also proposed that membership and recruiting of new RAB members will be discussed at the next meeting.

**Mr. Mitchell** asked where the Brighter Than Blight exhibit will be?

**Ms. Lowe-Smith** informed the group that the exhibit will be at the property at 77<sup>th</sup> and Bancroft

**Mr. Mitchell** asked if when the property is demolished will OHA use a raised planter box garden or existing dirt? He expressed his concern that most of the dirt in Oakland was contaminated by General Motors in the past.

**Ms. Lowe-Smith** assured him that FCP will bring an answer to that question to the next meeting.

**Ms. Gibson** asked if the “Brighter Than Blight” project will be promoting the interests of any Oakland resident “starving artists”.

**Ms. Moses** agrees with **Ms. Gibson** and adds that it would be great to utilize this project to engage the community youth.

**Ms. Ellis** explains that in April the RAB will be going over some of the upcoming community events more specifically and how the RAB will participate in these events. At this point FCP is just getting the information to the group to begin to think about.

**Ms. Bernstine** states that to work with the children there needs to be work with the mothers.

**Mr. Green** comments that while he doesn't want to be negative, he's concerned about security at a location such as 77<sup>th</sup> and Bancroft.

#### 4. Review of RAB Membership Binder

**Ms. Lowe-Smith** reviews the RAB binders, their contents, and how the binders can be useful. The binders have only been given to the members of the RAB thus far. **Ms. Lowe-Smith** asks the RAB to bring their binders to each meeting.

#### 5. OHA's Fiscal Year 2014 MTW Annual Plan Presentation

**Ms. Anna Gwyn Simpson**, the Oakland Housing Authority's Senior Policy Analyst presents an overview of the MTW Plan and lets the RAB know that she looks forward to questions, comments and feedback. **Ms. Simpson** explains that MTW is a HUD designation that the OHA has been awarded. The Oakland Housing Authority is one of only 39 agencies in the nation that has this special designation from HUD. MTW allows OHA to have some flexibility with how they are able to use their money, and allows OHA to change some of the rules and regulations in regard to running the Public Housing and Section 8 programs. OHA has an MTW designation through Fiscal Year 2018. The Plan being reviewed tonight is for the fiscal year beginning July 1, 2013 and ending June 30, 2014. There are three (3) main statutory objectives:

1. To increase housing choices for low income families
2. To provide incentives to families with children to become economically self sufficient
3. To reduce costs and achieve greater cost effectiveness in our federal expenditures

The OHA serves 15,238 households every year. The majority of families are served through Section 8. Every year, every household has to be recertified to be sure families are still eligible for OHA programs. A new activity proposed is to create two (2) new recertification schedules. One is a triennial schedule, recertification every three years. This is already being implemented in Section 8 for elderly and disabled households on a fixed income. This has been very effective thus far. This will now be expanded to all Public Housing and all Section 8 where the head of household is elderly or disabled and the source of income for the entire household is fixed income.

**Q: Ms. Moses:** I received a letter in February stating I would not need to have an inspection, but two weeks later received a letter saying I do have an inspection on Monday (March 18, 2013). I'm confused about that.

**A: Ms. Simpson:** The policy I'm talking about is not an inspection. I'm referring to recertification.

**Q: Ms. Moses:** Can I please bring you the letter. I would really like someone to look into it.

**A: Ms. Simpson:** Yes, we will look at the letter and look into it.

**A: Ms. Ison** For incidents like that, if you'd just give us your client number to one of the staff team I can look it up on our end and we'll have somebody call you and clarify for you. What Anna Gwyn is referring to is a process that is in draft and hasn't been initiated yet so it sounds like something different happened there and we'll find out for you and give you a call.

**Ms. Simpson** moves on to explaining biennial recertification. Recertification will occur once every two (2) years for households with any income from wages. It doesn't have to be the head of household. Some people will still be on annual schedule. Those are the households reporting no income at all or income from temporary sources, such as GA, TANF and unemployment benefits.

In the in between years for the triennial, there will be a cost of living adjustment made to rent. Residents don't need to come in to show any paperwork, it will automatically be applied to rent. This is based on a published cost of living adjustment that Social Security provides. It could be an increase, or it could be a decrease. The cost of living adjustment is typically around 2%. Households will not be required to report increases in income on the biennial and triennial plans. A resident can still come in at any time to report a decrease in income and OHA will adjust rent accordingly. Residents are still required to report changes in household composition.

**Q: Ms. Larika Lee:** I have a seasonal job. I'm only there for football season. After that I'm basically on general assistance. So do I qualify for biennial or do I have to be on annual?

**A: Ms. Simpson:** That's a very good scenario. The way it's written right now, you would be on the annual. But now that is something we will go back and think about. That's an important scenario. Thank you for bringing that up. This is the reason we have these kinds of public comments so that we can hear about things we may not have thought of. It's possible we may go in and make some changes depending on what we decide about that. Thank you.

**Q: Ms. Montgomery:** Will you please repeat how long you have, say for instance, if she did her recertification and she wasn't working and then she went to work and she reported it, how much time would a person still have? Just one year? Or so many months from when you completed it would things change?

**A: Ms. Simpson:** These are all really good questions. Some of these we have to figure out as we go along. We come up with these policies and it's not until we deal with some of the households that we come up with "oh that's a different one, I hadn't thought of that kind of scenario". I would say based on how the policy should work, if you've gotten a job and you come in and we do your recertification you would then move to the biennial schedule and you wouldn't need to come back in for two years.

**Q: Ms. Lee:** What about the households that have college students?

**A: Ms. Simpson:** We're going to look at the income; we're going to look at what's being reported as income.

**Q: Ms. Montgomery:** How long does an individual have, if you're not working, you've been recertified and they've already given you the subsidy amount that you have to pay, and then you become gainfully employed? How long before you have to report it.

**A: Ms. Simpson:** You're supposed to come in and report it fairly immediately, within thirty (30) days of the change.

**Ms. Simpson** proceeds and shows a graph of the impact the triennial and biennial, plans will impact the residents. Next is a list of ongoing activities, a table in the Plan that summarizes each of the Oakland Housing Authority's activities. Finally the RAB is shown a snapshot of the budget, the sources and their uses. **Ms. Simpson** concludes her presentation and asks for questions or feedback.

## 6. OHA's Fiscal Year 2014 MTW Annual Plan Questions

**Q: Mr. Flowers:** I came a little bit late so I apologize if you've already covered this, but the funding stream for the OHA and other entities like it coming from a congress that seems to be increasingly recalcitrant about reaching out to the little folks, what year are we in congressional budget wise with the money the Oakland Housing Authority is operating on right now through December of this year?

**A: Ms. Simpson:** Our fiscal years run July to June. Our current fiscal year is 2013. The money we are being funded under currently was recently approved by congress. We have the money we're going to get right now. But the money we will get for this next fiscal year will be cut. We just don't know what that's going to look like right now. And I am sorry you came in a little late; we had a video from our Executive Director discussing this in more detail. We feel very confident that we are going to be able to move forward and still serve the same number of families we are currently serving, at least for the near future.

**Q: Mr. Flowers:** In that video did you provide a list of the congress people the little folks like us can write to?

**A: Ms. Simpson:** We did not, but I'm sure we could get you that information.

**Q: Ms. Gibson:** This might be off the record, but I'd like to know if the OHA assigns a management company to manage a site, for example, Satellite. Is this company to abide by this MTW decision as far as recertification?

**A: Ms. Simpson:** Yes. In fact, we presented this policy to our third party property management providers and they're all really excited about it and are anxious to get started on it. And just to remind everybody this policy has to be approved by HUD. The way the process works is we will take all of your comments. The official public comment period ends tomorrow, although if you have additional comments please feel free to send them to me, and then we take it to the board with any changes we've made on April 8<sup>th</sup>. Then we get our board's approval to submit it to HUD. HUD doesn't usually get it back to us with their approval until the end of June or so. Once the fiscal year starts, then we'll begin to implement these plans.

**Q: Ms. Bernstine:** Why was it turned over to another management property? They did that to us at Palo Vista and we want to know why.

**A: Ms. Simpson:** All of our senior sites have been turned over to third party management.

**A: Ms. Ison:** The Harvard cost study, approximately 15 years ago, challenged the cost of operating Public Housing by Public Housing Authorities because there is so much overhead associated with Public Housing. It's a way of diversifying the way we manage property and it cuts some of the load on the Housing Authority. It allows us to sustain what is our core mission which is to provide more Affordable Housing and options within the city of Oakland. If there are challenges with third party management we continuously look forward to hearing from those of you experiencing third party management. If there are concerns that you have, please make sure to bring those up at the RAB. Or if there's a desire in the community to have Mr. Johnson or I to come out to a community meeting, we are happy to do that because we do want continuous feedback on how you're doing underneath these third party management companies.

**Q: Mr. Mitchell:** Well, you just answered my question. There is usually a drop in attentiveness when you go from one property management to a third party management company. Services kind of break down. But you already addressed that. Another issue is what do you do when you encounter a problem with the management company? And, is this management company local? Are they utilizing local people to help maintain their facilities?

**A: Ms. Ison:** The contract companies that we use are extremely well known in not only the Bay Area but California wide. Their experience is vast. The contract

management is done by one of the departments, OPO or Asset Management. On a monthly basis we review the paper stuff. We have a team of assist property managers who go to the properties on a monthly basis to do the inspection checks and when we receive complaints we have compliance meetings as well as routine bi-annual meetings with the contractors just to check in. If we get a complaint we have an administrative review. The contractors are bound by contract to Section 3. As far as hires, they've been very good with Section 3 hires. We've had residents hired. They routinely use Family and Community Partnerships for recruiting for new employment opportunities.

**Q: Ms. Wright:** Under the management, I'm curious to know when repairs have to be made. Is that still coming from Oakland Housing or is management contracting their own repair people? Is there a kickback of any kind?

**A: Ms. Ison:** When I hear the word kickback, for me that means "no" absolutely no kickbacks. So maybe you mean something other than kickback?

**Q: Ms. Wright:** Kickback meaning the management company, will they receive more money if they use their people? Or less if they use Oakland Housing maintenance.

**A: Ms. Ison:** It's a standard contract. When they take on management of the property, included in that is routine maintenance; so they are responsible for the daily routine activities and daily what we would call routine repairs including rehabbing units when someone vacates for a new leasing. When it's a capital improvement, the Housing Authority will frequently step in for those large items.

**Q: Ms. Moses:** When you talk about the third party management, I'm sad to have to share this because it's my friend that this happened to, a new management took over. It's over down on 66<sup>th</sup> somewhere. She had been on housing for all her life. Something happened, the new management person had it in for her, he pretty much wanted her out. Believe it or not, it was kind of like a nepotism thing because they actually made her move. And she lost her housing because she couldn't find housing in time. And he moved his people into that unit. I would hate to see our seniors being taken advantage of like that because they don't understand or don't know what's happening. That a third party management company can come in and do these things.

**A: Ms. Ison:** Well the property across from 66<sup>th</sup> Avenue, that's my staff that manages that. If you have something like that going on, please share the tenants' names with me and I will investigate that.

**Q: Mr. Flowers:** I don't know the amount and I don't know if you know it, and if you do if you want to share; but on behalf of the seniors, where I live, where we live, we, I guess by Easter, will be riding in a brand new elevator that went out on us some time ago. And there is a smooth sheet that you lie on and then there's a wrinkled sheet. My only concern is it seemed that we had a real good family, la familia, relationship with our management of (inaudible). But we had to have a meeting where there were some frowns on the wonderful angel from San Francisco who came to moderate the meeting. I couldn't help but scratch my head, understanding that it's not 8 1/2 by 11 sheets of paper going from our building to management but it's teletype and modern technology. So when the first reports of a hole in the shoe were noted, if you would track the timeline back to this meeting, where folks were really, smoke was coming out of different folks nostrils you could say. And I'm just wondering going forward, since we're always updating things. All elevators have something in the upper right hand corner the date they were inspected. Some of those dates are typed some of them are erased and some of them are put up in ink. As we go to April and October, these are earthquake months, so between the possibility of an earthquake in a building that was built a while back and elevator issues with more and more seniors of other linguistic backgrounds coming in, we just got some new washing machines we thought. But they were used, and I can appreciate that. But there seems to be a disconnect between just the little fine tuning for communication. And that little statement with a smile can go more than a mile to cut down somebody like him who's got a very bad temper and is almost ready to throw chairs and curse and start the ball rolling, for old, quiet, slow people like me who want to put some calmness on the waters. So, as we go forward into this momentous year and we don't want an earthquake, I don't want an earthquake, I'm 76, the same age as the Pope and I don't want an earthquake until this Pope leaves if I'm still alive. But if we were to have an earthquake what is our earthquake evaluation for buildings that are "x" number of years old? Older than the new ones like this fantastic entity next to us.

**A: Ms. Ison:** The buildings are inspected annually and part of that inspection includes emergency preparedness. Oak Grove North and South, I believe were built in 1972. They were built once there were requirements for a certain type of construction safety mechanisms for earthquake preparedness. And the rehab and repair of the elevators systems, that is part of the work that's being done. Making sure they're sustainable as much as they can be given the building's age for earthquake preparedness. I know you must have been referring to me when you talked about communication with a smile. And we want to be sure that is replicated with our third party management companies. Hearing that there are concerns we'll make sure that communication with a smile is continually encouraged. And communication with a smile for all who live in the building regardless of their reading and speaking language capabilities are clear on safety

mechanisms in the event of a disaster. So I know that it's been a while since we've done the core training. That actually is coming up. Their big to do is coming up this spring so I'll be sure that's on their schedule that it's accessible to those who maybe have limited English speaking and limited mobility.

**Q: Ms. Bernstine:** The management over our building is John Stewart. As far as the food program, they should know who manages it right? A young lady came in and asked for extra food and the volunteered hollered at her, I mean she was going at her. Then she turned around and asked the manager, and she told her she didn't know. And she walked out. The next incident happened. This White guy on the end, he got bleach poured on him, he got beat up and he came in and he was talking to her and she went over and she came back. So the police asked me the next day, what happened to you Ms. Bernstein? I said what do you mean? They said you wouldn't lend the man your cell phone and I said I wasn't here. Nobody was lending a cell phone and she wouldn't even call it in. I want to know, should she do better?

**A: Ms. Ison:** It sounds like yes. I will follow up on that.

**Q: Ms. Bernstine:** Will you please also let us know who the manager over the food is. Who's responsible for the food coming?

**A: Ms. Ison:** Well there's been a change in management and they've been there just over a month now so it might be a great time for us to do a re-visit, a community meeting where all the staff come and say hello.

**Q: Ms. Bernstine:** You need to come, somebody needs to come and explain everything to us. I have some of it, but not all of it and some of the people don't.

**A: Ms. Ison:** Yes, will do. It's committed. Is there anything else I can be helpful with?

**Q: Ms. Montgomery:** I do have a concern about a family. They have a Section 8 voucher. The family has recently grown and the children are of different sexes children. So they need to move, but the mom has outstanding student loans. So in a situation like that what can they do? Go from there to a project? I don't know what to tell them.

**A: Ms. Ison:** They should contact their leased housing representative and do a change in family size and that will trigger whether or not they're eligible for an increased voucher amount. If they're eligible, I'm not saying they are, and they get a voucher increase that allows them to have an additional bedroom, all of our voucher folks and several of our clients have items on our credit reference check

that aren't the most glowing so, like everyone, you still have to go out on the market and search for a landlord who's willing to work with you within your credit background check. There's nothing special that happens for a student with outstanding student loans. It's more predicated on whether or not the voucher amount would increase and then being lucky enough to find a home that you're satisfied with and a landlord who's willing to overlook an outstanding loan payment and still lease the unit to you.

**Q: Ms. Gibson:** I would like to throw this on the table for staff to consider. Since you have these third party management companies and since we're having certain problems on certain sites, concerning these management problems, is it possible that some representatives on a regular basis to attend RAB meetings to see what's going on? To get the feedback and see what's going on with some of these problems. Representatives from the third party management companies could maybe come on a regular basis.

**A: Ms. Ison:** I'll respond to that one at our next meeting.

**Ms. Ellis** asks that the group refocus their questions back on the MTW Plan. **Ms. Ison** offers to come back and do a property management Q&A with the RAB. If there are questions or concerns in the meantime, residents may leave their questions or comments with the FCP staff and they will get the information to **Ms. Ison** who will get back to the residents.

**Ms. Simpson** thanks everyone for their attendance and feedback about the MTW Plan.

**Commissioner Marlene Hurd** provides an update to the group that she participated in a White House economic leadership call. The call focused on the cuts to housing. At the close of the meeting there was a request for residents to send in their stories. Commissioner Hurd will give the contact information to Lenita Ellis and the residents can contact the White House and let them know about these budget cuts and what effect they're going to have on our communities. One of the RAB goals is advocacy at the national level, so this targets that goal.

## 7. Public Comment & Closing

**Mr. David Bolaños:** I live at 27<sup>th</sup> and International at the former St. Joseph's. They've almost completed I believe a 60 unit multifamily property on the same parcel and I think most of us at the senior building are concerned about the closeness between the senior residents and the young adults and the seniors. We have asked the developer or manager and they say because of historical reasons they can't have any kind of a separation. I just came here to let OHA know that we're upset about this.

**Mr. Flowers:** I would like to ask are there violations of noise? Are there violations of cars parked inappropriately? Are there violations of activity on the sidewalks after 2am? What specifically are the concerns if I may ask?

**Mr. Bolaños:** No one has moved in yet, it's not finished. But we are concerned that exactly those things are going to happen, that you mentioned, and others.

**Mr. Flowers:** What constraints are the OHA board of directors under when they set up a situation where a senior facility is next to another facility where we could have this friction develop down the road? I'm sure that all these things are well thought out.

**Ms. Ellis** asked that residents use their question and comment cards for their property management type of questions. **Ms. Ellis** reiterates that there will be a RAB meeting dedicated to going over these types of questions and concerns, because OHA is hearing the concerns and understands the need for a forum to address them specifically.

**Mr. Mitchell:** Maybe we can come up with an idea of creating some kind of community sites or facility liaisons that can facilitate specific issues when it comes to specific issues like he just discussed. As far as loud music or people hanging out, or someone parking in someone else's parking space. Usually a dialogue can actually defray a whole lot of problems. Find somebody who has the ability to communicate with both parties, whatever parties are having a problem.

**Ms. Ellis:** I agree that's a reasonable thing to do. Here at OHA we encourage good neighbors, which is essentially what you're talking about. So we'll certainly take the gentleman's information and the concern and do what we can to introduce parties who seem to need to have a conversation.

**Ms. Wright:** I would like to commend the staff on these first meetings of the year. You are doing a good job, there is a continuous flow and if you notice we're getting out much earlier than we used to and we have covered the agenda that was planned for the evening. I believe you are to be commended for the good job you are doing of following through with the meetings.

**Mr. Green:** My birthday is March 20, so wish me happy birthday! Secondly, I was just wondering, I'm old now, I'm hoping to get older, but from where I park my car on the street all the way to where I live, it's kind of rough with the groceries. Do you think they could give me a ride with that little golf cart? Would that be possible?

**Ms. Ellis:** They do have portable carts that you can fold up and put in the trunk then unfold and put the groceries in there. I've used those.

**Mr. Finister:** I'd like to know how I can go about getting a handicap space at Lockwood Gardens.

**Ms. Darensburg:** He is getting ready to get a handicap vehicle with DP (Disabled Person) plates for a wheelchair and things like that. He wants to know if it would be possible for him to get a handicap parking in the lot because there's no special spot closer to the units. And he wants to know if there's something he can do where they can paint it and have so many handicap parking spaces and then the regular spaces.

**Ms. Ellis:** FCP will definitely support you in finding out what you need and what is possible there for you at the property.

**Ms. Bernstine:** Whatever rules the management has for us, before they came in it should be the same rules right? For instance if green was put off the property for drugs or for cutting someone, he shouldn't be allowed to come back on there now right?

**Ms. Ellis:** I don't want to speak to property management, but certainly you have the comment cards and we will get them to the people who can get you the right answers around what is and isn't possible at the properties.

**Ms. Moses:** Section 8 tenants, all tenants, being respectful and having respectful neighbors and respectful landlords, because some of the things that take place under Section 8 housing is not funny and because you don't have that covering over you, like the people that are on housing have, you have to be particularly even more careful. I'm bringing this up for a reason. There are some things that are taking place and somehow or other we need somebody who can lead something regarding Section 8 tenants. Because those tenants are getting violated and it's not too funny and I don't know too many more that want to go through what they're experiencing. I don't know what kind of landlord you call when you know they are deliberately taking advantage of the people. My concern is it's growing in number and it's going to become a bigger concern. I think now would be a great time, since it's the beginning of a new year to kind of touch base on those things that are happening with the Section 8 tenants as well. And you've got people with vouchers out there living in other people's dwellings, but those people think they have rights, some of them feel like they can come into your house any time they want to. My landlord walked into my house at 11 o'clock at night. It's not funny. And it doesn't matter how many police reports you make, they don't stop.

The meeting adjourns; the guests are thanked for coming and informed that the next meeting will be on April 4, 2013.

## **APPENDIX H**

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### **Evidence of Public Process**

## Description of Public Process

The Oakland Housing Authority held several meetings to ensure that residents, community members, and stakeholders would have an opportunity to provide comments on the FY 2013 MTW Plan. One comment letter was received during the public comment period. A copy of the letter and the response is included in this appendix. The following table lists the public notifications and the meetings that were convened.

|  |                   |
|--|-------------------|
| Beginning of Public Comment Period         | February 14, 2013 |
| Notification sent to community partners    | February 14, 2013 |
| Public Notice published in Oakland Tribune | February 27, 2013 |
| Public Hearing                             | March 4, 2013     |
| Resident Advisory Board Meeting            | March 14, 2013    |
| End of Public Comment Period               | March 15, 2013    |



Oakland Housing  
Authority

February 14, 2013

## Announcement and Notice of Public Hearing

The Oakland Housing Authority (OHA) has published the draft Fiscal Year (FY) 2014 Moving to Work (MTW) Annual Plan. Included in the MTW Annual Plan are changes to the Admissions and Continued Occupancy Policy (ACOP) for the Public Housing program. OHA will hold a public hearing on **March 4, 2013 at 6:00 PM** to hear public comments on the draft MTW Annual Plan. The public is invited to attend and provide comments.

**Public Hearing Date:** Monday, March 4, 2013

**Time:** 6:00 PM

**Location:** Commissioner's Room, 1619 Harrison Street, Oakland, CA 94612

**Telephone:** (510) 874-1512 or (510) 874-1511

In addition, written comments on the draft FY 2014 MTW Annual Plan or the ACOP will be accepted through 4:30 PM on Friday, March 15, 2013. Written comments should be addressed to Anna Gwyn Simpson, Executive Office, 1619 Harrison Street, Oakland, California, 94612, or may be submitted by email to [agsimpson@oakha.org](mailto:agsimpson@oakha.org).

OHA's FY 2014 MTW Annual Plan is intended to provide residents, the public, and HUD with information on OHA's programs and policies, including both approved and proposed MTW activities, operating budgets and capital investment plans.

Copies of the draft FY 2014 MTW Annual Plan can be found on the Oakland Housing Authority's web site at [www.oakha.org](http://www.oakha.org) or by calling (510) 874-1511.

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## PROOF OF PUBLICATION

FILE NO. 3/4 2014 MTW

In the matter of

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The Oakland Tribune

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

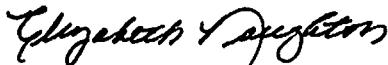
I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California." Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

2/27/2013

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: March 11, 2013



Public Notice Advertising Clerk



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OT #4777459; Feb. 27, 2013

February 27, 2013

Board of Commissioners  
c/o Eric Johnson, Executive Director  
1619 Harrison Street  
Oakland, CA 94612

RECEIVED

MAR 4 2013

EXECUTIVE OFFICE

Dear Housing Commissioners,

My friend and I are increasingly having problems with Section 8 Tenants who seemingly have mental health problems. We would like to give back to our communities and are accepting Section 8 vouchers to provide nice housing to those who may require governmental assistance; however, in doing so, we feel as though we are being taken advantage of.

I am writing you for your help because we want to continue to provide clean and decent housing for everyone which includes Section 8 tenants.

Specifically, I'm speaking of the usage of foul language when angered, easily agitated, bullying and indecisiveness. Of greater concern is the amount of damages mental health Section 8 tenants cause. These out of pocket damages are expensive and what does not work is obtaining a judgment for reimbursement because social security income is judgment proof. There are seemingly no consequences for their behavior and damages. They just move and start the wheel over again. When working with the Oakland Housing staff, it appears as if we are at fault for poor tenant screening procedures and as such, there is very little or nothing they can do. This is why I'm writing to you for your help and resolutions to the aforementioned problems.

I am respectfully requesting assistance from the Housing Commission with regards to addressing the increasing number of Section 8 tenants who may have mental health illnesses and what Owners should do to address these issues? Are there any workshops on Section 8 Tenant Housing and mental illness? Can provisions be made to waive re-inspections from Housing if we (Owners) permit Tenants to break the initial one year leasing contract? Will you consider adding Owners to the existing list of actions that could cause you to lose your voucher, i.e., If the family has engaged in or threatened abusive or violent behavior toward Housing Authority personnel and Property Owners. Is there a way to screen for people with mental health issues and if not, why not? Also, why not have special programs or units to serve this population?

I look forward to hearing from you and I appreciate your thoughts and time.

Sincerely,



Darlene Daevu  
Owner  
P.O. Box 928  
San Lorenzo, CA 94568  
(510) 325-2054  
msdaevu@yahoo.com



March 27, 2013

Ms. Darlene Daevu  
P.O. Box 928  
San Lorenzo, CA 94568

Re: Response to March 1, 2013 Letter

Dear Ms. Daevu:

We are in receipt of your March 1, 2013 letter to the Oakland Housing Authority ("OHA"). The letter was received and recorded during the public hearing at the OHA Board of Commissioners meeting held on March 4, 2013 and was received during the public comment period for the Fiscal Year 2014 Moving to Work ("MTW") Annual Plan.

In your letter you articulated concerns regarding Housing Choice voucher ("HCV") participants who may have mental health issues and what landlords should do to address this issue. Please be aware that under federal and California State Fair Housing and Civil Right laws a landlord cannot discriminate against a tenant based on disability.

The Housing Choice Voucher Program is governed by the Administrative Plan ("Admin Plan") and the Code of Federal Regulations and they state:

## **PART I: NONDISCRIMINATION**

### **2-I.A. OVERVIEW**

Federal laws require PHAs to treat all applicants and participants equally, providing the same quality of service regardless of family characteristics and background. Federal law prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, age, familial status, and disability. OHA will comply fully with all Federal, State, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment.

However, a landlord is allowed to make an evaluation of overall tenant suitability during the tenant application process pursuant to Chapter 9-I.A of the OHA's Admin Plan.

### **9-I.A. TENANT SCREENING**

*The PHA has no liability or responsibility to the owner or other persons for the family's behavior or suitability for tenancy [24 CFR 982.307(a)(1)].*

#### OHA Policy

*OHA will not screen applicants for family behavior or suitability for tenancy. OHA will not provide additional screening information to the owner.*

*Additionally, your letter raised concerns regarding "unruly" HCV participant behavior, destruction of the rental dwelling and other quality of life issues. Pursuant to Chapter 12 Part III of the OHA's Admin Plan:*

### **PART III: TERMINATION OF TENANCY BY THE OWNER**

#### **12-III.A. OVERVIEW**

*Termination of an assisted tenancy is a matter between the owner and the family; OHA is not directly involved. However, the owner is under some constraints when terminating an assisted tenancy and the reasons for which a tenancy is terminated dictate whether assistance also will be terminated.*

#### **12-III.B. GROUNDS FOR OWNER TERMINATION OF TENANCY [24 CFR 982.310 and Form HUD-52641-A, Tenancy Addendum]**

*During the term of the lease, the owner is not permitted to terminate the tenancy except for serious or repeated violations of the lease, certain violations of state or local law, or other good cause.*

##### **Serious or Repeated Lease Violations**

*The owner is permitted to terminate the family's tenancy for serious or repeated violations of the terms and conditions of the lease. This includes failure to pay rent or other amounts due under the lease. However, OHA's failure to make a HAP payment to the owner is not a violation of the lease between the family and the owner.*

##### **Violation of Federal, State, or Local Law**

*The owner is permitted to terminate the tenancy if a family member violates federal, state, or local law that imposes obligations in connection with the occupancy or use of the premises.*

##### **Criminal Activity or Alcohol Abuse**

*The owner may terminate tenancy during the term of the lease, except as provided by 12-II.E, if any covered person, meaning any member of the household, a guest or another person under the tenant's control commits any of the following types of criminal activity (for applicable definitions see 24 CFR 5.100):*

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- *Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of the premises by, other residents (including property management staff residing on the premises);*
- *Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises;*
- *Any violent criminal activity on or near the premises; or*
- *Any drug-related criminal activity on or near the premises.*

### **Other Good Cause**

*During the initial lease term, the owner may not terminate the tenancy for “other good cause” unless the owner is terminating the tenancy because of something the family did or failed to do.*

*Termination of a HCV participant’s lease is a matter between the landlord and the HCV participant. Thus, please see a landlord attorney specializing in unlawful detainer law if you have questions in this area.*

*Additionally, your letter articulated concerns regarding HCV participant’s security deposit. Pursuant to Admin Plan Chapter 9-I.E:*

### **9-I.E. LEASE AND TENANCY ADDENDUM**

*The family and the owner must execute and enter into a written dwelling lease for the assisted unit. This written lease is a contract between the tenant family and the owner; the PHA is not a party to this contract. The tenant must have legal capacity to enter a lease under State and local law. 'Legal capacity' means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner [24 CFR 982.308(a)]*

### **Security Deposit [24 CFR 982.313 (a) and (b)]**

*The owner may collect a security deposit from the tenant. The PHA may prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to unassisted tenants. However, if the PHA chooses to do so, language to this effect must be added to Part A of the HAP contract [Form HUD-52641].*

### **OHA Policy**

*OHA will allow the owner to collect any security deposit amount the owner determines is appropriate, provided this amount is in accord with state and local law. Therefore, no modifications to the HAP contract will be necessary.*

Lastly, you asked about any workshops on Section 8 Tenant Housing and mental illness. The Leased Housing department periodically hosts owner briefings on a wide variety of topics. We will ensure you receive a copy of upcoming workshops once dates/times are confirmed. I would also contact Eden Information and Referral at “211” for any community resources on this topic.

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The entire Administrative Plan is located on our website at [www.oakha.org](http://www.oakha.org). If you have any further questions, you may contact Michelle Hasan, Director of Leased Housing at 510-587-2110 or at [mhasan@oakha.org](mailto:mhasan@oakha.org).

Sincerely,



Eric Johnson  
Executive Director

cc: Michelle Hasan, Director of Leased Housing

## APPENDIX I

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### **Changes to OHA's Admissions and Continued Occupancy Policy**

## **8-I.E. SECURITY DEPOSITS [24 CFR 966.4(b)(5)]**

Tenant shall pay a security deposit equal to the lesser of two hundred fifty dollars (\$250.00) or the equivalent of two (2) month's rent and this amount must be paid in full prior to occupancy. The OHA may use the security deposit upon termination of the lease or rental agreement for any purpose permitted under California law.

### **OHA Policy**

Residents must pay a security deposit to the OHA at the time of admission.

The OHA will hold the security deposit for the period the family occupies the unit. The OHA will not use the security deposit for rent or other charges while the resident is living in the unit.

Under California law, within 21 calendar days after you move, your landlord must either:

- Send a full refund of your security deposit, or
- Mail or personally deliver an itemized statement that lists the amounts of any deductions from your security deposit and the reasons for the deductions, together with a refund of any amounts not deducted.

If the resident transfers to another unit, The OHA will transfer the security deposit to the new unit. The tenant will be billed for any maintenance or other charges due for the "old" unit.

### **8-I.F. PAYMENTS UNDER THE LEASE Rent Payments [24 CFR 966.4(b)(1)]**

Families must pay the amount of the monthly tenant rent determined by the OHA in accordance with HUD regulations and other requirements. The amount of the tenant rent is subject to change in accordance with HUD requirements.

The lease must specify the initial amount of the tenant rent at the beginning of the initial lease term, and the OHA must give written notice stating any change in the amount of tenant rent and when the change is effective.

#### **OHA Policy**

The tenant rent is due and payable at an OHA-designated location on the first of every month.

If a family's tenant rent changes, the OHA will notify the family of the new amount and the effective date by sending a "Notice of Rent Adjustment" which will become an attachment to the lease Posting of Payments.

All payments made to the OHA by the family will be posted in the following order:

1. Security deposit
2. Services
3. Other charges
4. Past Due Rent
5. Current Month's Rent

It is the responsibility of the tenant to ensure that all charges are paid in full and received on time. Payments made that do not cover all charges and rent shall result in a \$10.00 late fee charged on the next rental statement as provided for in the lease or rental agreement.

## **12-I.C. EMERGENCY TRANSFER PROCEDURES**

### **OHA Policy**

If the transfer is necessary because of maintenance conditions, and an appropriate unit is not immediately available, the OHA will provide temporary accommodations to the resident by arranging for temporary lodging. If the conditions that required the transfer cannot be repaired, or the condition cannot be repaired in a reasonable amount of time, the OHA will transfer the resident to the first available and appropriate unit after the temporary relocation.

Emergency transfers are mandatory for the resident.

## **12-I.D. OHA EMERGENCY INTER-PROGRAM TRANSFER POLICY**

Under MTW authority and subject to approval by the ED, or his or her designee, the OHA may allow for an emergency inter-program transfer from the conventional housing program to Section 8 PBV or HCV programs if there are PBV's or HCV's available and the resident is eligible for the relevant program.

Emergency inter-program transfers will be processed in the following order:

- Threat of harm, criminal activity, domestic violence and/or VAWA
- Reasonable Accommodation as outlined in Chapter 2-II.A-H of this ACOP
- Occupancy Standards as outlined in Chapter 5 of this ACOP

## **12-I.E. COSTS OF EMERGENCY TRANSFER**

### **OHA Policy**

The OHA will bear the reasonable costs of temporarily accommodating the resident and of long term transfers, if any, due to emergency conditions.

The reasonable cost of transfers includes the cost of packing, moving, and unloading. The OHA will establish a moving allowance based on the typical costs in the community of packing, moving, and unloading. To establish typical costs, the OHA will collect information from companies in the community that provide these services.

The OHA will reimburse the family for eligible out-of-pocket moving expenses up to the OHA's established moving allowance.

**13-IV.D. LEASE TERMINATION NOTICE [24 CFR 966.4(l)(3)]  
Form, Delivery, and Content of the Notice**

Notices of lease termination must be in writing. The notice must state the specific grounds for termination, the date the termination will take place, the resident's right to reply to the termination notice, and their right to examine OHA documents directly relevant to the termination or eviction. If the OHA does not make the documents available for examination upon request by the tenant, the OHA may not proceed with the eviction [24 CFR 996.4(m)].

When the OHA is required to offer the resident an opportunity for a grievance hearing, the notice must also inform the resident of their right to request a hearing in accordance with the OHA's grievance procedure. In these cases, the tenancy shall not terminate until the time for the tenant to request a grievance hearing has expired and the grievance procedure has been completed. When the OHA is not required to offer the resident an opportunity for a grievance hearing because HUD has made a due process determination and the lease termination is for criminal activity that threatens health, safety or right to peaceful enjoyment or for drug-related criminal activity, the notice of lease termination must state that the tenant is not entitled to a grievance hearing on the termination. It must specify the judicial eviction procedure to be used by the OHA for eviction of the tenant, and state that HUD has determined that the eviction procedure provides the opportunity for a hearing in court that contains the basic elements of due process as defined in HUD regulations. The notice must also state whether the eviction is for a criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of the OHA, or for a drug-related criminal activity on or off the premises.

**OHA Policy**

The OHA will serve all notices of lease termination in compliance with Code of Civil Procedure section 1162.

### **Timing of the Notice [24 CFR 966.4(l)(3)(i)]**

The OHA must give written notice of lease termination of:

- Fourteen (14) calendar days in the case of failure to pay rent
- Three (3) calendar days notice considering the seriousness of the situation (but not to exceed 30 calendar days)
- If the health or safety of other residents, OHA employees, or persons residing in the immediate vicinity of the premises is threatened
- If any member of the household has engaged in any drug-related criminal activity or violent criminal activity
- If any member of the household has been convicted of a felony
- Thirty (30) calendar days in any other case, except that if a state or local law allows a shorter notice period, such shorter period shall apply

#### **OHA Policy**

The OHA will give written notice of 14 calendar days for nonpayment of rent. Additionally, the OHA will give written notice of 3 calendar days for drug-related, weapons-related, or violent criminal activity or any other criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other tenants, OHA staff, or persons residing in the immediate vicinity of the premises, or if any member of the household has been convicted of a felony, For all other lease terminations, the OHA will give 30 day's written notice or, if state or local law allows less than 30 days, such shorter notice will be given.

The Notice to Vacate that may be required under state or local law may be combined with or run concurrently with the notice of lease termination.

### **Notice of Nonrenewal Due to Community Service Noncompliance [24 CFR 966.4(l)(2)(ii)(D), 24 CFR 960.603(b) and 24 CFR 960.607(b)]**

When the OHA finds that a family is in noncompliance with the community service requirement, the tenant and any other noncompliant resident must be notified in writing of this determination. Notices of noncompliance will be issued in accordance with the requirements and policies in Section 11-I.E.

#### **OHA Policy**

If, after receiving a notice of initial noncompliance, the family does not request a grievance hearing, or does not take either corrective action required by the notice within the required timeframe, a termination notice will be issued in accordance with the policies above.

If a family agreed to cure initial noncompliance by signing an agreement, and is still in noncompliance after being provided the 12-month opportunity to cure, the family will be issued a notice of continued noncompliance. The notice of continued noncompliance will be sent in accordance with the policies in Section 11-I.E. and will also serve as the notice of termination of tenancy.

## 14-III.H. DECISION OF THE HEARING OFFICER [24 CFR 966.57]

The hearing officer must issue a written decision, stating the reasons for the decision, within a reasonable time after the hearing. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing. A copy of the decision must be sent to the resident and the OHA. The OHA must retain a copy of the decision in the resident's folder. A copy of the decision, with all names and identifying references deleted, must also be maintained on file by the OHA and made available for inspection by a prospective complainant, his/her representative, or the hearing officer [24 CFR 966.57(a)].

### **OHA Policy**

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

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

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

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

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

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

### **Hearing information:**

Name of the complainant

Date, time and place of the hearing

Name of the hearing officer

Name of the OHA representative(s)

Name of family representative (if any)

Names of witnesses (if any)

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

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

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

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

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

## **Procedures for Further Hearing**

### **OHA Policy**

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

## **Final Decision**

### **OHA Policy**

When the OHA considers the decision of the hearing officer to be invalid due to the reasons stated above, it will present the matter to the ED or his or her designee within 10 business days of the date of the hearing officer's decision. If the ED or his or her designee decides to reverse the hearing officer's decision, it must notify the complainant within 10 business days of this decision.

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

## **16-III.B. REPAYMENT POLICY Family Debts to OHA**

### **OHA Policy**

Any amount due to the OHA by a public housing family must be repaid. If the family is unable to repay the debt within 30 days, the OHA will offer to enter into a repayment agreement in accordance with the policies below.

If the family refuses to repay the debt, enter into a repayment agreement, or breaches a repayment agreement, the OHA will terminate the family's tenancy in accordance with the policies in Chapter 13. The OHA will also pursue other modes of collection.

### **Repayment Agreement Guidelines**

#### ***Down Payment Requirement***

### **OHA Policy**

Prior to or concurrent to the execution of a repayment agreement, the family must pay 25 percent of the balance owed to the OHA.

#### ***Payment Thresholds***

### **OHA Policy**

Amounts under \$1,000 must be repaid within 12 months. Amounts between \$1,000 and \$1,999 must be repaid within 24 months. Amounts between \$2,000 and \$2,999 must be repaid within 30 months. Amounts between \$3,000 and \$5,999 must be repaid within 36 months. Amounts between \$6,000 and \$8,999 must be repaid within 48 months. Amounts between \$9,000 and \$12,000 must be repaid within 60 months, **unless stipulated otherwise in court.**

#### ***Execution of the Agreement***

### **OHA Policy**

The head of household and spouse/co-head (if applicable) must sign the repayment agreement.

#### ***Due Dates***

### **OHA Policy**

All payments are due by the close of business on the 5th day of the month. If the 5th does not fall on a business day, the due date is the close of business on the first business day after the 5th.

Any court stipulated agreement or court settlement agreement negotiated by OHA and a tenant shall supersede the policy articulated above if these types of negotiated agreements have a different payment date articulated in them.

***Non-Payment***

**OHA Policy**

If a payment is not received by the end of the business day on the date due, it will be considered a breach of the repayment agreement and the OHA will terminate the tenancy in accordance with the policies in Chapter 13.

Any court stipulated agreement or court settlement agreement negotiated by the OHA and a tenant shall supersede the policy articulated above and this section shall not apply to these types of court agreements.

***No Offer of Repayment Agreement***

**OHA Policy**

The OHA will not enter into a repayment agreement if there is already a repayment agreement in place with the family, or the amounts owed by the family exceed the federal or state threshold for criminal prosecution.